

1 ***b1515/4.2* SECTION 3741mmh.** 609.32 (1) (intro.) of the statutes is amended
2 to read:

3 609.32 (1) ~~STANDARDS; OTHER THAN PREFERRED PROVIDER PLANS.~~ (intro.) A
4 ~~managed care~~ defined network plan that is not a preferred provider plan shall
5 develop comprehensive quality assurance standards that are adequate to identify,
6 evaluate, and remedy problems related to access to, and continuity and quality of,
7 care. The standards shall include at least all of the following:

8 ***b1515/4.2* SECTION 3741mmj.** 609.32 (1m) of the statutes is created to read:

9 609.32 (1m) PROCEDURE FOR REMEDIAL ACTION; PREFERRED PROVIDER PLANS. A
10 preferred provider plan shall develop a procedure for remedial action to address
11 quality problems, including written procedures for taking appropriate corrective
12 action.

13 ***b1515/4.2* SECTION 3741mmn.** 609.32 (2) (a) of the statutes is amended to
14 read:

15 609.32 (2) (a) A ~~managed care~~ defined network plan shall develop a process for
16 selecting participating providers, including written policies and procedures that the
17 plan uses for review and approval of providers. After consulting with appropriately
18 qualified providers, the plan shall establish minimum professional requirements for
19 its participating providers. The process for selection shall include verification of a
20 provider's license or certificate, including the history of any suspensions or
21 revocations, and the history of any liability claims made against the provider.

22 ***b1515/4.2* SECTION 3741mmp.** 609.32 (2) (b) (intro.) of the statutes is
23 amended to read:

24 609.32 (2) (b) (intro.) A ~~managed care~~ defined network plan shall establish in
25 writing a formal, ongoing process for reevaluating each participating provider

1 within a specified number of years after the provider's initial acceptance for
2 participation. The reevaluation shall include all of the following:

3 ***b1515/4.2* SECTION 3741mmr.** 609.32 (2) (c) of the statutes is amended to
4 read:

5 609.32 (2) (c) A ~~managed care~~ defined network plan may not require a
6 participating provider to provide services that are outside the scope of his or her
7 license or certificate.

8 ***b1515/4.2* SECTION 3741mmt.** 609.34 of the statutes is renumbered 609.34
9 (1) and amended to read:

10 609.34 (1) A ~~managed care~~ defined network plan that is not a preferred
11 provider plan shall appoint a physician as medical director. The medical director
12 shall be responsible for clinical protocols, quality assurance activities, and
13 utilization management policies of the plan.

14 ***b1515/4.2* SECTION 3741mmx.** 609.34 (2) of the statutes is created to read:

15 609.34 (2) A preferred provider plan may contract for services related to clinical
16 protocols and utilization management. A preferred provider plan or its designee is
17 required to appoint a medical director only to the extent that the preferred provider
18 plan or its designee assumes direct responsibility for clinical protocols and
19 utilization management policies of the plan. The medical director, who shall be a
20 physician, shall be responsible for such protocols and policies of the plan.

21 ***b1515/4.2* SECTION 3741mmy.** 609.35 of the statutes is created to read:

22 **609.35 Applicability of requirements to preferred provider plans.**

23 Notwithstanding ss. 609.22 (2), (3), (4), and (7), 609.32 (1), and 609.34 (1), a preferred
24 provider plan that does not cover the same services when performed by a
25 nonparticipating provider that it covers when those services are performed by a

1 participating provider is subject to the requirements under ss. 609.22 (2), (3), (4), and
2 (7), 609.32 (1), and 609.34 (1).

3 ***b1515/4.2* SECTION 3741mmz.** 609.36 (1) (a) (intro.) of the statutes is
4 amended to read:

5 609.36 (1) (a) (intro.) A ~~managed care~~ defined network plan shall provide to the
6 commissioner information related to all of the following:

7 ***b1515/4.2* SECTION 3741nmg.** 609.36 (2) of the statutes is amended to read:

8 609.36 (2) CONFIDENTIALITY. A ~~managed care~~ defined network plan shall
9 establish written policies and procedures, consistent with ss. 51.30, 146.82, and
10 252.15, for the handling of medical records and enrollee communications to ensure
11 confidentiality.

12 ***b1515/4.2* SECTION 3741nmp.** 609.38 of the statutes is amended to read:

13 **609.38 Oversight.** The office shall perform examinations of insurers that
14 issue ~~managed care~~ defined network plans consistent with ss. 601.43 and 601.44.
15 The commissioner shall by rule develop standards for ~~managed care~~ defined network
16 plans for compliance with the requirements under this chapter.

17 ***b1515/4.2* SECTION 3741nmt.** 609.65 (1) (intro.) of the statutes is amended
18 to read:

19 609.65 (1) (intro.) If an enrollee of a limited service health organization,
20 preferred provider plan, or ~~managed care~~ defined network plan is examined,
21 evaluated, or treated for a nervous or mental disorder pursuant to an emergency
22 detention under s. 51.15, a commitment or a court order under s. 51.20 or 880.33 (4m)
23 or (4r) or ch. 980, then, notwithstanding the limitations regarding participating
24 providers, primary providers, and referrals under ss. 609.01 (2) to (4) and 609.05 (3),

1 the limited service health organization, preferred provider plan, or ~~managed care~~
2 defined network plan shall do all of the following:

3 *b1515/4.2* SECTION 3741omg. 609.65 (1) (a) of the statutes is amended to
4 read:

5 609.65 (1) (a) If the provider performing the examination, evaluation, or
6 treatment has a provider agreement with the limited service health organization,
7 preferred provider plan, or ~~managed care~~ defined network plan which covers the
8 provision of that service to the enrollee, make the service available to the enrollee in
9 accordance with the terms of the limited service health organization, preferred
10 provider plan, or ~~managed care~~ defined network plan and the provider agreement.

11 *b1515/4.2* SECTION 3741omp. 609.65 (1) (b) (intro.) of the statutes is
12 amended to read:

13 609.65 (1) (b) (intro.) If the provider performing the examination, evaluation
14 or treatment does not have a provider agreement with the limited service health
15 organization, preferred provider plan, or ~~managed care~~ defined network plan which
16 covers the provision of that service to the enrollee, reimburse the provider for the
17 examination, evaluation, or treatment of the enrollee in an amount not to exceed the
18 maximum reimbursement for the service under the medical assistance program
19 under subch. IV of ch. 49, if any of the following applies:

20 *b1515/4.2* SECTION 3741omt. 609.65 (1) (b) 1. of the statutes is amended to
21 read:

22 609.65 (1) (b) 1. The service is provided pursuant to a commitment or a court
23 order, except that reimbursement is not required under this subdivision if the limited
24 service health organization, preferred provider plan, or ~~managed care~~ defined

1 network plan could have provided the service through a provider with whom it has
2 a provider agreement.

3 ***b1515/4.2* SECTION 3741pmg.** 609.65 (1) (b) 2. of the statutes is amended to
4 read:

5 609.65 (1) (b) 2. The service is provided pursuant to an emergency detention
6 under s. 51.15 or on an emergency basis to a person who is committed under s. 51.20
7 and the provider notifies the limited service health organization, preferred provider
8 plan, or ~~managed-care~~ defined network plan within 72 hours after the initial
9 provision of the service.

10 ***b1515/4.2* SECTION 3741pmp.** 609.65 (2) of the statutes is amended to read:

11 609.65 (2) If after receiving notice under sub. (1) (b) 2. the limited service health
12 organization, preferred provider plan, or ~~managed-care~~ defined network plan
13 arranges for services to be provided by a provider with whom it has a provider
14 agreement, the limited service health organization, preferred provider plan, or
15 ~~managed-care~~ plan is not required to reimburse a provider under sub. (1) (b) 2. for
16 any services provided after arrangements are made under this subsection.

17 ***b1515/4.2* SECTION 3741pmt.** 609.65 (3) of the statutes is amended to read:

18 609.65 (3) A limited service health organization, preferred provider plan, or
19 ~~managed-care~~ defined network plan is only required to make available, or make
20 reimbursement for, an examination, evaluation, or treatment under sub. (1) to the
21 extent that the limited service health organization, preferred provider plan, or
22 ~~managed-care~~ defined network plan would have made the medically necessary
23 service available to the enrollee or reimbursed the provider for the service if any
24 referrals required under s. 609.05 (3) had been made and the service had been
25 performed by a participating provider.

1 ***b1515/4.2* SECTION 3741qmg.** 609.655 (1) (a) 1. of the statutes is amended
2 to read:

3 609.655 (1) (a) 1. Is covered as a dependent child under the terms of a policy
4 or certificate issued by a ~~managed-care~~ defined network plan insurer.

5 ***b1515/4.2* SECTION 3741qmp.** 609.655 (1) (a) 2. of the statutes is amended
6 to read:

7 609.655 (1) (a) 2. Is enrolled in a school located in this state but outside the
8 geographical service area of the ~~managed-care~~ defined network plan.

9 ***b1515/4.2* SECTION 3741qmt.** 609.655 (2) of the statutes is amended to read:

10 609.655 (2) If a policy or certificate issued by a ~~managed-care~~ defined network
11 plan insurer provides coverage of outpatient services provided to a dependent
12 student, the policy or certificate shall provide coverage of outpatient services, to the
13 extent and in the manner required under sub. (3), that are provided to the dependent
14 student while he or she is attending a school located in this state but outside the
15 geographical service area of the ~~managed-care~~ defined network plan,
16 notwithstanding the limitations regarding participating providers, primary
17 providers, and referrals under ss. 609.01 (2) and 609.05 (3).

18 ***b1515/4.2* SECTION 3741rmg.** 609.655 (3) (intro.) of the statutes is amended
19 to read:

20 609.655 (3) (intro.) Except as provided in sub. (5), a ~~managed-care~~ defined
21 network plan shall provide coverage for all of the following services:

22 ***b1515/4.2* SECTION 3741rmp.** 609.655 (3) (a) of the statutes is amended to
23 read:

24 609.655 (3) (a) A clinical assessment of the dependent student's nervous or
25 mental disorders or alcoholism or other drug abuse problems, conducted by a

1 provider described in s. 632.89 (1) (e) 2. or 3. who is located in this state and in
2 reasonably close proximity to the school in which the dependent student is enrolled
3 and who may be designated by the ~~managed care~~ defined network plan.

4 ***b1515/4.2* SECTION 3741smg.** 609.655 (3) (b) (intro.) of the statutes is
5 amended to read:

6 609.655 (3) (b) (intro.) If outpatient services are recommended in the clinical
7 assessment conducted under par. (a), the recommended outpatient services
8 consisting of not more than 5 visits to an outpatient treatment facility or other
9 provider that is located in this state and in reasonably close proximity to the school
10 in which the dependent student is enrolled and that may be designated by the
11 ~~managed care~~ defined network plan, except as follows:

12 ***b1515/4.2* SECTION 3741smp.** 609.655 (3) (b) 1. of the statutes is amended
13 to read:

14 609.655 (3) (b) 1. Coverage is not required under this paragraph if the medical
15 director of the ~~managed care~~ defined network plan determines that the nature of the
16 treatment recommended in the clinical assessment will prohibit the dependent
17 student from attending school on a regular basis.

18 ***b1515/4.2* SECTION 3741smt.** 609.655 (4) (a) of the statutes is amended to
19 read:

20 609.655 (4) (a) Upon completion of the 5 visits for outpatient services covered
21 under sub. (3) (b), the medical director of the ~~managed care~~ defined network plan and
22 the clinician treating the dependent student shall review the dependent student's
23 condition and determine whether it is appropriate to continue treatment of the
24 dependent student's nervous or mental disorders or alcoholism or other drug abuse
25 problems in reasonably close proximity to the school in which the student is enrolled.

1 The review is not required if the dependent student is no longer enrolled in the school
2 or if the coverage limits under the policy or certificate for treatment of nervous or
3 mental disorders or alcoholism or other drug abuse problems have been exhausted.

4 ***b1515/4.2* SECTION 3741tmg.** 609.655 (4) (b) of the statutes is amended to
5 read:

6 609.655 (4) (b) Upon completion of the review under par. (a), the medical
7 director of the ~~managed care~~ defined network plan shall determine whether the
8 policy or certificate will provide coverage of any further treatment for the dependent
9 student's nervous or mental disorder or alcoholism or other drug abuse problems that
10 is provided by a provider located in reasonably close proximity to the school in which
11 the student is enrolled. If the dependent student disputes the medical director's
12 determination, the dependent student may submit a written grievance under the
13 ~~managed care~~ defined network plan's internal grievance procedure established
14 under s. 632.83.

15 ***b1515/4.2* SECTION 3741tmp.** 609.655 (5) (a) of the statutes is amended to
16 read:

17 609.655 (5) (a) A policy or certificate issued by a ~~managed care~~ defined network
18 plan insurer is required to provide coverage for the services specified in sub. (3) only
19 to the extent that the policy or certificate would have covered the service if it had been
20 provided to the dependent student by a participating provider within the
21 geographical service area of the ~~managed care~~ defined network plan.

22 ***b1515/4.2* SECTION 3741tmt.** 609.655 (5) (b) of the statutes is amended to
23 read:

24 609.655 (5) (b) Paragraph (a) does not permit a ~~managed care~~ defined network
25 plan to reimburse a provider for less than the full cost of the services provided or an

1 amount negotiated with the provider, solely because the reimbursement rate for the
2 service would have been less if provided by a participating provider within the
3 geographical service area of the ~~managed care~~ defined network plan.

4 ***b1515/4.2* SECTION 3741umg.** 609.70 of the statutes is amended to read:

5 **609.70 Chiropractic coverage.** Limited service health organizations,
6 preferred provider plans, and ~~managed care~~ defined network plans are subject to s.
7 632.87 (3).

8 ***b1515/4.2* SECTION 3741ump.** 609.75 of the statutes is amended to read:

9 **609.75 Adopted children coverage.** Limited service health organizations,
10 preferred provider plans, and ~~managed care~~ defined network plans are subject to s.
11 632.896. Coverage of health care services obtained by adopted children and children
12 placed for adoption may be subject to any requirements that the limited service
13 health organization, preferred provider plan, or ~~managed care~~ defined network plan
14 imposes under s. 609.05 (2) and (3) on the coverage of health care services obtained
15 by other enrollees.

16 ***b1515/4.2* SECTION 3741umt.** 609.77 of the statutes is amended to read:

17 **609.77 Coverage of breast reconstruction.** Limited service health
18 organizations, preferred provider plans, and ~~managed care~~ defined network plans
19 are subject to s. 632.895 (13).

20 ***b1515/4.2* SECTION 3741vmg.** 609.78 of the statutes is amended to read:

21 **609.78 Coverage of treatment for the correction of**
22 **temporomandibular disorders.** Limited service health organizations, preferred
23 provider plans, and ~~managed care~~ defined network plans are subject to s. 632.895
24 (11).

25 ***b1515/4.2* SECTION 3741vmp.** 609.79 of the statutes is amended to read:

1 **609.79 Coverage of hospital and ambulatory surgery center charges**
2 **and anesthetics for dental care.** Limited service health organizations, preferred
3 provider plans, and ~~managed-care~~ defined network plans are subject to s. 632.895
4 (12).

5 ***b1515/4.2* SECTION 3741vmt.** 609.80 of the statutes is amended to read:

6 **609.80 Coverage of mammograms.** ~~Managed-care~~ Defined network plans
7 are subject to s. 632.895 (8). Coverage of mammograms under s. 632.895 (8) may be
8 subject to any requirements that the ~~managed-care~~ defined network plan imposes
9 under s. 609.05 (2) and (3) on the coverage of other health care services obtained by
10 enrollees.

11 ***b1515/4.2* SECTION 3741wmg.** 609.81 of the statutes is amended to read:

12 **609.81 Coverage related to HIV infection.** Limited service health
13 organizations, preferred provider plans, and ~~managed-care~~ defined network plans
14 are subject to s. 631.93. ~~Managed-care~~ Defined network plans are subject to s.
15 632.895 (9).

16 ***b1515/4.2* SECTION 3741wmp.** 609.82 of the statutes is amended to read:

17 **609.82 Coverage without prior authorization for emergency medical**
18 **condition treatment.** Limited service health organizations, preferred provider
19 plans, and ~~managed-care~~ defined network plans are subject to s. 632.85.

20 ***b1515/4.2* SECTION 3741wmt.** 609.83 of the statutes is amended to read:

21 **609.83 Coverage of drugs and devices.** Limited service health
22 organizations, preferred provider plans, and ~~managed-care~~ defined network plans
23 are subject to s. 632.853.

24 ***b1515/4.2* SECTION 3741xmg.** 609.84 of the statutes is amended to read:

1 **609.84 Experimental treatment.** Limited service health organizations,
2 preferred provider plans, and ~~managed care~~ defined network plans are subject to s.
3 632.855.

4 ***b1515/4.2* SECTION 3741xmp.** 609.88 of the statutes is amended to read:

5 **609.88 Coverage of immunizations.** ~~Managed care~~ Defined network plans
6 are subject to s. 632.895 (14).

7 ***b1515/4.2* SECTION 3741xmr.** 609.89 of the statutes is amended to read:

8 **609.89 Written reason for coverage denial.** Limited service health
9 organizations, preferred provider plans, and ~~managed care~~ defined network plans
10 are subject to s. 631.17.

11 ***b1515/4.2* SECTION 3741xmt.** 609.90 of the statutes is amended to read:

12 **609.90 Restrictions related to domestic abuse.** Limited service health
13 organizations, preferred provider plans, and ~~managed care~~ defined network plans
14 are subject to s. 631.95.”.

15 ***b2032/2.5* 1499.** Page 1180, line 21: after that line insert:

16 ***b2032/2.5* “SECTION 3741d.** 607.25 of the statutes is created to read:

17 **607.25 Loan to general fund.** No later than the first day of the 2nd month
18 after the effective date of this section [revisor inserts date], the life fund shall
19 make a loan of \$850,000 to the general fund. Notwithstanding s. 604.03 (2), no
20 interest shall be charged on the loan during the period of the loan. The general fund
21 shall repay the loan from moneys lapsed to the general fund from the appropriation
22 under s. 20.515 (2) (a) at the end of the 2001–03 fiscal biennium, if any, and from
23 moneys lapsed to the general fund from the appropriation under s. 20.515 (2) (g) in
24 the amounts specified in s. 40.98 (6m). If the secretary of administration determines

1 that the moneys lapsed from these appropriations will not be sufficient to repay the
2 loan within a reasonable period of time, as determined by the secretary and the
3 commissioner, the secretary shall transfer from the general fund to the life fund an
4 amount sufficient to repay the loan.”.

5 *b0785/1.1* **1500.** Page 1181, line 3: after that line insert:

6 *b0785/1.1* “SECTION 3755g. 628.46 (2m) of the statutes is created to read:

7 628.46 (2m) Notwithstanding subs. (1) and (2), a claim for payment for
8 chiropractic services is overdue if not paid within 30 days after the insurer receives
9 clinical documentation from the chiropractor that the services were provided unless,
10 within those 30 days, the insurer provides to the insured and to the chiropractor the
11 written statement under s. 632.875 (2).

12 *b0785/1.1* SECTION 3760m. 632.875 (2) (intro.) of the statutes is amended to
13 read:

14 632.875 (2) (intro.) If, on the basis of an independent evaluation, an insurer
15 restricts or terminates a patient’s coverage for the treatment of a condition or
16 complaint by a chiropractor acting within the scope of his or her license and the
17 restriction or termination of coverage results in the patient becoming liable for
18 payment for his or her treatment, the insurer shall, within the time required under
19 s. 628.46 (2m), provide to the patient and to the treating chiropractor a written
20 statement that contains all of the following:”.

21 *b0887/1.7* **1501.** Page 1181, line 12: after that line insert:

22 *b0887/1.7* “SECTION 3766r. 635.19 (6) of the statutes is repealed.”.

23 *b1515/4.3* **1502.** Page 1181, line 12: after that line insert:

1 ***b1515/4.3*** “SECTION 3763f. 632.895 (14) (c) of the statutes is amended to
2 read:

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

8 ***b1515/4.3*** SECTION 3763g. 632.895 (14) (d) 3. of the statutes is amended to
9 read:

10 632.895 (14) (d) 3. A health care plan offered by a limited service health
11 organization, as defined in s. 609.01 (3), or by a preferred provider plan, as defined
12 in s. 609.01 (4), that is not a ~~managed care~~ defined network plan, as defined in s.
13 609.01 ~~(3e)~~ (1b).”.

14 ***b2032/2.6*** 1503. Page 1181, line 12: after that line insert:

15 ***b2032/2.6*** “SECTION 3766e. 635.02 (2) of the statutes is amended to read:

16 635.02 (2) “Case characteristics” means the demographic, actuarially based
17 characteristics of the employees of a small employer, and the employer, if covered,
18 such as age, sex, and geographic location and occupation, used by a small employer
19 insurer to determine premium rates for a small employer. “Case characteristics”
20 does not include loss or claim history, health status, occupation, duration of coverage,
21 or other factors related to claim experience.

22 ***b2032/2.6*** SECTION 3766ec. 635.02 (3e) of the statutes is created to read:

23 635.02 (3e) “Eligible employee” has the meaning given in s. 632.745 (5) (a).

24 ***b2032/2.6*** SECTION 3766ef. 635.02 (7) of the statutes is amended to read:

1 635.02 (7) “Small employer” means, with respect to a calendar year and a plan
2 year, an employer that employed an average of at least 2 but not more than 50 eligible
3 employees on business days during the preceding calendar year, or that is reasonably
4 expected to employ an average of at least 2 but not more than 50 eligible employees
5 on business days during the current calendar year if the employer was not in
6 existence during the preceding calendar year, and that employs at least 2 eligible
7 employees on the first day of the plan year.

8 ***b2032/2.6* SECTION 3766em.** 635.05 (1) of the statutes is amended to read:

9 635.05 (1) Establishing restrictions on premium rates that a small employer
10 insurer may charge a small employer such that the premium rates charged to small
11 employers with similar case characteristics for the same or similar benefit design
12 characteristics do not vary from the midpoint rate for those small employers by more
13 than ~~35%~~ 10% of that midpoint rate.

14 ***b2032/2.6* SECTION 3766f.** 635.05 (2) (a) 2. of the statutes is amended to read:

15 635.05 (2) (a) 2. An adjustment, not to exceed 15% per year, adjusted
16 proportionally for rating periods of less than one year, for such rating factors as claim
17 experience, health status, occupation, and duration of coverage, determined in
18 accordance with the small employer insurer’s rate manual or rating procedures.

19 ***b2032/2.6* SECTION 3766g.** 635.05 (7) of the statutes is created to read:

20 635.05 (7) Specifying the manner in which rates must be published under s.
21 635.12.

22 ***b2032/2.6* SECTION 3766j.** 635.12 of the statutes is created to read:

23 **635.12 Annual publication of rates.** Every small employer insurer shall
24 annually publish the small employer insurer’s current new business premium rates.
25 The rates shall be published in the manner and according to categories required by

1 rule under s. 635.05 (7). New business premium rates for coverage under the health
2 care coverage program under subch. X of ch. 40 shall be published as required under
3 s. 40.98 (2) (d).”.

4 ***b1994/8.50* 1504.** Page 1182, line 24: delete “13%” and substitute “24%”.

****NOTE: Reconciles treatment to reflect statutory text in effect on the date on
which the bill section takes effect.

5 ***b2217/2.4* 1505.** Page 1184, line 3: after that line insert:

6 ***b2217/2.4* “SECTION 3780c.** 757.54 of the statutes is renumbered 757.54 (1)
7 and amended to read:

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

12 ***b2217/2.4* SECTION 3780d.** 757.54 (2) of the statutes is created to read:

13 757.54 (2) (a) In this subsection:

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

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

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

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

3 1. The court sends a notice of its intent to destroy the biological material to all
4 persons who remain in custody as a result of the criminal action, delinquency
5 proceeding, or commitment under s. 980.06 and to either the attorney of record for
6 each person in custody or the state public defender.

7 2. No person who is notified under subd. 1. does either of the following within
8 90 days after the date on which the person received the notice:

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

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

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

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

18 (e) If, after providing notice under par. (c) 1. of its intent to destroy biological
19 material, a court receives a written request to preserve the material, the court shall
20 preserve the material until the discharge date of the person who made the request
21 or on whose behalf the request was made, subject to a court order issued under s.
22 974.07 (7), (9) (a), or (10) (a) 5., unless the court orders destruction or transfer of the
23 biological material under s. 974.07 (9) (b) or (10) (a) 5.”.

24 *b1287/2.4* **1506.** Page 1185, line 6: after that line insert:

1 ***b1287/2.4*** “SECTION 3781d. 758.19 (8) of the statutes is created to read:

2 758.19 (8) (a) From the appropriation under s. 20.625 (1) (c), the director of
3 state courts shall reimburse counties up to 4 times each year for the actual expenses
4 paid for interpreters required by circuit courts to assist persons with limited English
5 proficiency under s. 885.38 (8) (a) 1. The amount of the reimbursement for mileage
6 shall be 20 cents per mile going and returning from his or her residence if within the
7 state; or, if without the state, from the point where he or she crosses the state
8 boundary to the place of attendance, and returning by the usually traveled route
9 between such points. The amount of the maximum hourly reimbursement for court
10 interpreters shall be as follows:

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

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

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

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

1 ***b1453/1.3* 1507.** Page 1190, line 16: after that line insert:

2 ***b1453/1.3*** “SECTION 3788m. 767.27 (2) of the statutes is amended to read:

3 767.27 (2) ~~Except as provided in sub. (2m), disclosure~~ Disclosure forms
4 required under this section shall be filed within 90 days after the service of summons
5 or the filing of a joint petition or at such other time as ordered by the court or family
6 court commissioner. Information contained on such forms shall be updated on the
7 record to the date of hearing.

8 ***b1453/1.3* SECTION 3788p.** 767.27 (2m) of the statutes is amended to read:

9 767.27 (2m) In every action in which the court has ordered a party to pay child
10 support under s. 767.25, 767.51 or 767.62 (4) or family support under s. 767.261 and
11 the circumstances specified in s. 767.075 (1) ~~apply this chapter, including an action~~
12 to revise a judgment or order under s. 767.32, the court shall require the party who
13 is ordered to pay the support to annually furnish the disclosure form required under
14 this section and may require that party to annually furnish a copy of his or her most
15 recently filed state and federal income tax returns to the county child support agency
16 under s. 59.53 (5) for the county in which the order was entered. In any action in
17 which the court has ordered a party to pay child support under s. 767.25, 767.51 or
18 767.62 (4) or family support under s. 767.261, the court may require the party who
19 is ordered to pay the support to annually furnish the disclosure form required under
20 this section and a copy of his or her most recently filed state and federal income tax
21 returns to the party for whom the support has been awarded parties annually to
22 exchange financial information. A party who fails to furnish the information as
23 required by the court under this subsection may be proceeded against for contempt
24 of court under ch. 785. If the court finds that a party has failed to furnish the

1 information required under this subsection, the court may award to the party
2 bringing the action costs and, notwithstanding s. 814.04 (1), reasonable attorney
3 fees.”.

4 ***b1453/1.4* 1508.** Page 1195, line 22: delete lines 22 to 24 and substitute:

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

8 (b) Nothing in this section affects a party’s right to move the court for a finding
9 of contempt of court or for remedial sanctions under ch. 785 if the other party
10 unreasonably fails to provide or disclose information required under this section or
11 unreasonably fails or refuses to sign a stipulation for an annual adjustment.”.

12 ***b0784/1.1* 1509.** Page 1195, line 24: after that line insert:

13 ***b0784/1.1* “SECTION 3793m.** 767.51 (3m) of the statutes is created to read:

14 767.51 (3m) (a) Upon the request of both parents, the court shall include in the
15 judgment or order determining paternity an order changing the name of the child to
16 a name agreed upon by the parents.

17 (b) Except as provided in par. (a), the court may include in the judgment or order
18 determining paternity an order changing the surname of the child to a surname that
19 consists of the surnames of both parents separated by a hyphen or, if one or both
20 parents have more than one surname, of one of the surnames of each parent
21 separated by a hyphen, if all of the following apply:

22 1. Only one parent requests that the child’s name be changed, or both parents
23 request that the child’s name be changed but each parent requests a different name
24 change.

1 2. The court finds that such a name change is in the child's best interest.

2 (c) Section 786.36 does not apply to a name change under this subsection.”.

3 ***b1281/1.14* 1510.** Page 1200, line 8: after that line insert:

4 ***b1281/1.14* “SECTION 3816m.** 779.41 (2) of the statutes is amended to read:

5 779.41 (2) Every keeper of a garage or repair shop who alters, repairs or does
6 any work on any detached accessory, fitting or part of an automobile, truck,
7 motorcycle, moped, low-speed vehicle, motor bicycle or similar motor vehicle or
8 bicycle at the request of the owner or legal possessor thereof, shall have a lien upon
9 and may retain possession of any such accessory, fitting or part until the charges for
10 such alteration, repairing or other work have been paid. If the detached article
11 becomes attached to such motor vehicle or bicycle while in the possession of the
12 keeper, the keeper has a lien on the motor vehicle or bicycle under sub. (1).”.

13 ***b2221/3.144* 1511.** Page 1200, line 8: after that line insert:

14 ***b2221/3.144* “SECTION 3815m.** 800.02 (2) (a) (intro.) of the statutes is
15 amended to read:

16 800.02 (2) (a) (intro.) The citation shall be signed by a peace officer or endorsed
17 by a municipal attorney or, if applicable, signed by a conservation warden or a state
18 forest ranger. In addition, the governing body of a municipality authorized to adopt
19 the use of citations may designate by ordinance or resolution other municipal
20 officials who may issue citations with respect to ordinances which are directly
21 related to the official responsibilities of the officials. Officials granted the authority
22 to issue citations may delegate, with the approval of the governing body, the
23 authority to employees. Authority delegated to an official or employee may be

1 Address (Case Classification Type): (Code No.)

2 City, State Zip Code

3 , Defendant

4

5 THE STATE OF WISCONSIN, To each person named above as a Defendant:

6 You are hereby notified that the Plaintiff named above has filed a lawsuit or
7 other legal action against you. The complaint, which is attached, states the nature
8 and basis of the legal action.

9 Within ~~45~~ (20) (45) days of receiving this summons, you must respond with a
10 written answer, as that term is used in chapter 802 of the Wisconsin Statutes, to the
11 complaint. The court may reject or disregard an answer that does not follow the
12 requirements of the statutes. The answer must be sent or delivered to the court,
13 whose address is, and to, Plaintiff's attorney, whose address is, You may
14 have an attorney help or represent you.

15 If you do not provide a proper answer within ~~45~~ (20) (45) days, the court may
16 grant judgment against you for the award of money or other legal action requested
17 in the complaint, and you may lose your right to object to anything that is or may be
18 incorrect in the complaint. A judgment may be enforced as provided by law. A
19 judgment awarding money may become a lien against any real estate you own now
20 or in the future, and may also be enforced by garnishment or seizure of property.

21 Dated:, (year)

22

Signed:

23

A. B., Plaintiff

24

or

E. F., Plaintiff's Attorney

State Bar No.:

Address:

City, State Zip Code:

Phone No:

***b1293/2.2* SECTION 3828je.** 801.095 (2) of the statutes is amended to read:

801.095 (2) PERSONAL SERVICE; NO COMPLAINT ATTACHED.

STATE OF WISCONSIN

CIRCUIT COURT : COUNTY

A. B.

Address

City, State Zip Cod

File No.

, Plaintiff

vs.

S U M M O N S

C. D.

Address (Case Classification Type): (Code No.)

City, State Zip Code

, Defendant

THE STATE OF WISCONSIN, To each person named above as a Defendant:

You are hereby notified that the Plaintiff named above has filed a lawsuit or other legal action against you.

Within 45 (20) (45) days of receiving this summons, you must respond with a written demand for a copy of the complaint. The demand must be sent or delivered

1 to the court, whose address is, and to, Plaintiff's attorney, whose address is

2 You may have an attorney help or represent you.

3 If you do not demand a copy of the complaint within ~~45~~ (20) (45) days, the court
4 may grant judgment against you for the award of money or other legal action
5 requested in the complaint, and you may lose your right to object to anything that
6 is or may be incorrect in the complaint. A judgment may be enforced as provided by
7 law. A judgment awarding money may become a lien against any real estate you own
8 now or in the future, and may also be enforced by garnishment or seizure of property.

9 Dated:, (year)

10 Signed:

11 A. B., Plaintiff

12 or

13 E. F., Plaintiff's Attorney

14 State Bar No.:

15 Address:

16 City, State Zip Code:

17 Phone No.:

18 ***b1293/2.2* SECTION 3828jg.** 801.095 (3) of the statutes is amended to read:

19 **801.095 (3) NO PERSONAL SERVICE; COMPLAINT SERVED AT THE SAME TIME.**

1 STATE OF WISCONSIN CIRCUIT COURT : COUNTY

2 _____

3 A. B.

4 Address

5 City, State Zip Code File No.

6 , Plaintiff

7 vs. SUMMONS

8 C. D.

9 Address (Case Classification Type): (Code No.)

10 City, State Zip Code

11 , Defendant

12 _____

13 THE STATE OF WISCONSIN, To each person named above as a Defendant:

14 You are hereby notified that the Plaintiff named above has filed a lawsuit or
15 other legal action against you. The complaint, which is also served upon you, states
16 the nature and basis of the legal action.

17 Within 45 (20) (45) days after, (year), you must respond with a written
18 answer, as that term is used in chapter 802 of the Wisconsin Statutes, to the
19 complaint. The court may reject or disregard an answer that does not follow the
20 requirements of the statutes. The answer must be sent or delivered to the court,
21 whose address is, and to, Plaintiff's attorney, whose address is, You may
22 have an attorney help or represent you.

23 If you do not provide a proper answer within 45 (20) (45) days, the court may
24 grant judgment against you for the award of money or other legal action requested

1 in the complaint, and you may lose your right to object to anything that is or may be
2 incorrect in the complaint. A judgment may be enforced as provided by law. A
3 judgment awarding money may become a lien against any real estate you own now
4 or in the future, and may also be enforced by garnishment or seizure of property.

5 Dated:, (year)

6 Signed:

7 A. B., Plaintiff

8 or

9 E. F., Plaintiff's Attorney

10 State Bar No.:

11 Address:

12 City, State Zip Code:

13 Phone No:

14 ***b1293/2.2* SECTION 3828jm.** 801.095 (4) of the statutes is amended to read:
15 801.095 (4) NO PERSONAL SERVICE; COMPLAINT NOT SERVED AT THE SAME TIME.

16 STATE OF WISCONSIN

CIRCUIT COURT : COUNTY

17 _____
18 A. B.

19 Address

20 City, State Zip Code

File No.

21 , Plaintiff

22 vs.

S U M M O N S

23 C. D.

24 Address (Case Classification Type): (Code No.)

1 City, State Zip Code

2 , Defendant

3

4 THE STATE OF WISCONSIN, To each person named above as a Defendant:

5 You are hereby notified that the plaintiff named above has filed a lawsuit or
6 other legal action against you.

7 Within 45 (20) (45) days after, (year), you must respond with a written
8 demand for a copy of the complaint. The demand must be sent or delivered to the
9 court, whose address is, and to, Plaintiff’s attorney, whose address is, You
10 may have an attorney help or represent you.

11 If you do not demand a copy of the complaint within 45 (20) (45) days, the court
12 may grant judgment against you for the award of money or other legal action
13 requested in the complaint, and you may lose your right to object to anything that
14 is or may be incorrect in the complaint. A judgment may be enforced as provided by
15 law. A judgment awarding money may become a lien against any real estate you own
16 now or in the future, and may also be enforced by garnishment or seizure of property.

17 Dated:, (year)

18 Signed:

19 A. B., Plaintiff

20 or

21 E. F., Plaintiff’s Attorney

22 State Bar No.:

23 Address:

24 City, State Zip Code:

1 Phone No:

2 ***b1293/2.2* SECTION 3828jr.** 802.06 (1) of the statutes is amended to read:

3 802.06 (1) WHEN PRESENTED. Except as provided in sub. (1m) or when a court
4 dismisses an action or special proceeding under s. 802.05 (3), a defendant shall serve
5 an answer within 45 days after the service of the complaint upon the defendant. If
6 Except as provided in sub. (1m), if a guardian ad litem is appointed for a defendant,
7 the guardian ad litem shall have 45 days after appointment to serve the answer. A
8 party served with a pleading stating a cross-claim against the party shall serve an
9 answer thereto within 45 days after the service upon the party. The plaintiff shall
10 serve a reply to a counterclaim in the answer within 45 days after service of the
11 answer. The state or an agency of the state or an officer, employee or agent of the
12 state shall serve an answer to the complaint or to a cross-claim or a reply to a
13 counterclaim within 45 days after service of the pleading in which the claim is
14 asserted. If any pleading is ordered by the court, it shall be served within 45 days
15 after service of the order, unless the order otherwise directs. The service of a motion
16 permitted under sub. (2) alters these periods of time as follows, unless a different
17 time is fixed by order of the court: if the court denies the motion or postpones its
18 disposition until the trial on the merits, the responsive pleading shall be served
19 within 10 days after notice of the court's action; or if the court grants a motion for a
20 more definite statement, the responsive pleading shall be served within 10 days after
21 the service of the more definite statement.

22 ***b1293/2.2* SECTION 3828js.** 802.06 (1m) of the statutes is created to read:

23 802.06 (1m) ENFORCEMENT OF LIEN OR SECURITY INTEREST. If the proceeding is
24 to foreclose or otherwise enforce a lien or security interest, the defendant or guardian

1 ad litem shall serve an answer within 20 days after the service of the complaint upon
2 the defendant or 20 days after appointment of the guardian ad litem.

3 ***b1293/2.2* SECTION 3828jt.** 802.06 (6) of the statutes is amended to read:

4 802.06 (6) MOTION TO STRIKE. Upon motion made by a party before responding
5 to a pleading or, if no responsive pleading is permitted upon motion made by a party
6 within 45 days after the service of the pleading upon the party, or within 20 days after
7 the service if the proceeding is to foreclose or otherwise enforce a lien or security
8 interest, or upon the court's own initiative at any time, the court may order stricken
9 from any pleading any insufficient defense or any redundant, immaterial,
10 impertinent, scandalous or indecent matter.

11 ***b1293/2.2* SECTION 3828jv.** 802.09 (1) of the statutes is amended to read:

12 802.09 (1) AMENDMENTS. A party may amend the party's pleading once as a
13 matter of course at any time within 6 months after the summons and complaint are
14 filed or within the time set in a scheduling order under s. 802.10. Otherwise a party
15 may amend the pleading only by leave of court or by written consent of the adverse
16 party; and leave shall be freely given at any stage of the action when justice so
17 requires. A party shall plead in response to an amended pleading within 45 days
18 after service of the amended pleading, or within 20 days after the service if the
19 proceeding is to foreclose or otherwise enforce a lien or security interest, unless (a)
20 the court otherwise orders or (b) no responsive pleading is required or permitted
21 under s. 802.01 (1).”.

22 ***b2217/2.5* 1514.** Page 1205, line 21: after that line insert:

23 ***b2217/2.5* “SECTION 3828c.** 801.02 (7) (a) 2. c. of the statutes is amended to
24 read:

1 801.02 (7) (a) 2. c. A person bringing an action seeking relief from a judgment
2 of conviction or a sentence of a court, including an action for an extraordinary writ
3 or a supervisory writ seeking relief from a judgment of conviction or a sentence of a
4 court or an action under s. 809.30, 809.40, 973.19 ~~or~~, 974.06 or 974.07.

5 ***b2217/2.5* SECTION 3828f.** 805.15 (3) (intro.) of the statutes is amended to
6 read:

7 805.15 (3) (intro.) ~~A- Except as provided in ss. 974.07 (10) (b) and 980.101 (2)~~
8 (b), a new trial shall be ordered on the grounds of newly-discovered evidence if the
9 court finds that:

10 ***b2217/2.5* SECTION 3828i.** 805.16 (5) of the statutes is created to read:

11 805.16 (5) The time limits in this section for filing motions do not apply to a
12 motion for a new trial based on newly discovered evidence that is brought under s.
13 974.06.”.

14 ***b1993/2.8* 1515.** Page 1206, line 2: delete lines 2 to 4.

15 ***b2217/2.6* 1516.** Page 1206, line 4: after that line insert:

16 ***b2217/2.6* “SECTION 3829d.** 808.075 (4) (h) of the statutes is amended to
17 read:

18 808.075 (4) (h) Commitment, supervised release, recommitment ~~and~~,
19 discharge, and postcommitment relief under ss. 980.06, 980.08, 980.09 ~~and~~, 980.10,
20 and 980.101 of a person found to be a sexually violent person under ch. 980.

21 ***b2217/2.6* SECTION 3829n.** 809.30 (1) (a) of the statutes is amended to read:

22 809.30 (1) (a) “Postconviction relief” means, in a felony or misdemeanor case,
23 an appeal or a motion for postconviction relief other than a motion under s. 973.19
24 ~~or~~, 974.06, or 974.07 (2). In a ch. 48, 51, 55 or 938 case, other than a termination of

1 parental rights case under s. 48.43, it means an appeal or a motion for
2 reconsideration by the trial court of its final judgment or order; in such cases a notice
3 of intent to pursue such relief or a motion for such relief need not be styled as seeking
4 “postconviction” relief.

5 *b2217/2.6* SECTION 3829p. 809.30 (2) (L) of the statutes is amended to read:

6 809.30 (2) (L) An appeal under s. 974.06 or 974.07 is governed by the
7 procedures for civil appeals.”.

8 *b0987/1.2* 1517. Page 1206, line 5: delete lines 5 to 12.

9 *b0872/2.2* 1518. Page 1208, line 13: after that line insert:

10 *b0872/2.2* “SECTION 3835g. 814.66 (1) (a) 2. of the statutes is amended to
11 read:

12 814.66 (1) (a) 2. For filing a petition whereby any proceeding in estates of
13 deceased persons is commenced, if the value of the property subject to
14 administration, less encumbrances, liens or charges, is \$10,000 or less, a fee of \$10
15 \$20 and, if more than \$10,000, a fee of ~~0.1%~~ 0.2% of the value of the property subject
16 to administration, less encumbrances, liens or charges. The register in probate may
17 not base a fee under this subdivision upon the value of property that is not subject
18 to administration.

19 *b0872/2.2* SECTION 3835h. 814.66 (1) (b) 2. of the statutes is amended to
20 read:

21 814.66 (1) (b) 2. For filing a petition for guardianship of the estate under ch.
22 880 or an application for conservatorship under ch. 880, if the value of the property,
23 less encumbrances, liens or charges, is \$10,000 or less, a fee of ~~\$10~~ \$20 and, if more

1 than \$10,000, a fee of ~~0.1%~~ 0.2% of the value of the property, less encumbrances, liens
2 or charges.

3 ***b0872/2.2* SECTION 3835i.** 814.66 (3) of the statutes is amended to read:

4 814.66 (3) The register in probate shall, on the first Monday of each month, pay
5 into the office of the county treasurer all fees collected by him or her and in his or her
6 hands and still unclaimed as of that day. Each county treasurer shall make a report
7 under oath to the state treasurer on or before the 5th day of January, April, July and
8 October of all fees received by him or her under sub. (1) (a) to (f) up to the first day
9 of each of those months and shall at the same time pay ~~50%~~ 66.67% of the fees to the
10 state treasurer for deposit in the general fund. Each county treasurer shall retain
11 the balance of fees received by him or her under this section for the use of the county.”.

12 ***b1287/2.5* 1519.** Page 1208, line 14: delete lines 14 and 15 and substitute:

13 ***b1287/2.5* “SECTION 3836dd.** 814.67 (1) (am) of the statutes is created to
14 read:

15 814.67 (1) (am) For witnesses attending before a circuit court, \$16 per day.

16 ***b1287/2.5* SECTION 3836f.** 814.67 (1) (b) (intro.) of the statutes is amended
17 to read:

18 814.67 (1) (b) (intro.) For attending before ~~any other court~~ the court of appeals
19 or the supreme court:

20 ***b1287/2.5* SECTION 3836g.** 814.67 (1) (b) 2. of the statutes is amended to read:

21 814.67 (1) (b) 2. For interpreters, ~~\$35 per one-half day~~ a fee determined by the
22 supreme court.”.

23 ***b1756/1.1* 1520.** Page 1209, line 3: after that line insert:

24 ***b1756/1.1* “SECTION 3836t.** 818.05 of the statutes is amended to read:

1 **818.05 Bond, liability of plaintiff for support.** Before making the order for
2 arrest the court or judge shall require a bond of the plaintiff, with or without sureties,
3 to the effect that if the plaintiff fails to recover, the plaintiff will pay all costs that may
4 be awarded to the defendant and all damages which the defendant may sustain by
5 reason of the arrest, not exceeding the sum specified in the bond, which shall be at
6 least \$100. If the bond be executed by the plaintiff without sureties the plaintiff shall
7 annex thereto an affidavit that the plaintiff is a resident and householder or
8 freeholder within the state and worth double the sum specified in the bond above all
9 of the plaintiff's debts and liabilities in property in this state not exempt from
10 execution. ~~The plaintiff shall be liable for support of the defendant while the~~
11 ~~defendant is in jail, as specified in s. 898.14 (1). This section does not apply to an~~
12 ~~order for arrest in an action to determine paternity or to any action under ch. 767~~
13 ~~brought by the state or its designee.”.~~

14 ***b1287/2.6* 1521.** Page 1211, line 9: delete the material beginning with that
15 line and ending with page 1214, line 15, and substitute:

16 ***b1287/2.6* SECTION 3852d.** 885.37 (title) of the statutes is amended to read:
17 **885.37 (title) Interpreters for persons with language difficulties or**
18 **hearing or speaking impairments in municipal courts and administrative**
19 **agency contested cases.**

20 ***b1287/2.6* SECTION 3852g.** 885.37 (1) (a) of the statutes is repealed.

21 ***b1287/2.6* SECTION 3852m.** 885.37 (1) (b) of the statutes is amended to read:
22 885.37 (1) (b) If a municipal court has notice that a person who ~~fits any of the~~
23 ~~criteria under par. (a)~~ is a juvenile or parent subject to ch. 938, or who is a witness
24 in a proceeding under ch. 938, has a language difficulty because of the inability to

1 speak or understand English, has a hearing impairment, is unable to speak or has
2 a speech defect, the court shall make a factual determination of whether the
3 language difficulty or the hearing or speaking impairment is sufficient to prevent the
4 individual from communicating with his or her attorney, reasonably understanding
5 the English testimony or reasonably being understood in English. If the court
6 determines that an interpreter is necessary, the court shall advise the person that
7 he or she has a right to a qualified interpreter and that, if the person cannot afford
8 one, an interpreter will be provided for him or her at the public's expense. Any waiver
9 of the right to an interpreter is effective only if made voluntarily in person, in open
10 court and on the record.

11 ***b1287/2.6* SECTION 3852r.** 885.37 (2) of the statutes is amended to read:

12 885.37 (2) A municipal court may authorize the use of an interpreter in actions
13 or proceedings in addition to those specified in sub. (1) (b).

14 ***b1287/2.6* SECTION 3853g.** 885.37 (4) (a) of the statutes is repealed and
15 recreated to read:

16 885.37 (4) (a) The necessary expense of furnishing an interpreter for an
17 indigent person in a municipal court shall be paid by the municipality.

18 ***b1287/2.6* SECTION 3853m.** 885.37 (5) (a) of the statutes is amended to read:

19 885.37 (5) (a) If a municipal court under sub. (1) (b) or (2) or an agency under
20 sub. (3) decides to appoint an interpreter, the court or agency shall follow the
21 applicable procedure under par. (b) or (c).

22 ***b1287/2.6* SECTION 3860m.** 885.38 of the statutes is created to read:

23 **885.38 Interpreters in circuit and appellate courts. (1)** In this section:

24 (a) "Court proceeding" means any proceeding before a court of record.

25 (b) "Limited English proficiency" means any of the following:

1 1. The inability, because of the use of a language other than English, to
2 adequately understand or communicate effectively in English in a court proceeding.

3 2. The inability, due to a speech impairment, hearing loss, deafness,
4 deaf-blindness, or other disability, to adequately hear, understand, or communicate
5 effectively in English in a court proceeding.

6 (c) “Qualified interpreter” means a person who is able to do all of the following:

7 1. Readily communicate with a person who has limited English proficiency.

8 2. Orally transfer the meaning of statements to and from English and the
9 language spoken by a person who has limited English proficiency in the context of
10 a court proceeding.

11 3. Readily and accurately interpret for a person who has limited English
12 proficiency, without omissions or additions, in a manner that conserves the meaning,
13 tone, and style of the original statement, including dialect, slang, and specialized
14 vocabulary.

15 (2) The supreme court shall establish the procedures and policies for the
16 recruitment, training, and certification of persons to act as qualified interpreters in
17 a court proceeding and for the coordination, discipline, retention, and training of
18 those interpreters.

19 (3) (a) In criminal proceedings and in proceedings under ch. 48, 51, 55, or 938,
20 if the court determines that the person has limited English proficiency and that an
21 interpreter is necessary, the court shall advise the person that he or she has the right
22 to a qualified interpreter and that, if the person cannot afford one, an interpreter will
23 be provided at the public’s expense if the person is one of the following:

24 1. A party in interest.

25 2. A witness, while testifying in a court proceeding.

1 3. An alleged victim, as defined in s. 950.02 (4).

2 4. A parent or legal guardian of a minor party in interest or the legal guardian
3 of a party in interest.

4 5. Another person affected by the proceedings, if the court determines that the
5 appointment is necessary and appropriate.

6 (b) The court may appoint more than one qualified interpreter in a court
7 proceeding when necessary.

8 (c) If a person with limited English proficiency, as defined in sub. (1) (b) 2., is
9 part of a jury panel in a court proceeding, the court shall appoint a qualified
10 interpreter for that person.

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

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

18 (f) A court may authorize the use of a qualified interpreter in actions or
19 proceedings in addition to those specified in par. (a).

20 (4) (a) The court may accept the waiver of the right to a qualified interpreter
21 by a person with limited English proficiency at any point in the court proceeding if
22 the court advises the person of the nature and effect of the waiver and determines
23 on the record that the waiver has been made knowingly, intelligently, and
24 voluntarily.

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

4 (5) 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 (6) Any party to a court proceeding may object to the use of any qualified
9 interpreter for good cause. The court may remove a qualified interpreter for good
10 cause.

11 (7) The delay resulting from the need to locate and appoint a qualified
12 interpreter may constitute good cause for the court to toll the time limitations in the
13 court proceeding.

14 (8) (a) Except as provided in par. (b), the necessary expenses of providing
15 qualified interpreters to indigent persons with limited English proficiency under
16 this section shall be paid as follows:

17 1. The county in which the circuit court is located shall pay the expenses in all
18 proceedings before a circuit court and when the clerk of circuit court uses a qualified
19 interpreter under sub. (3) (d). The county shall be reimbursed as provided in s.
20 758.19 (8) for expenses paid under this subdivision.

21 2. The court of appeals shall pay the expenses in all proceedings before the court
22 of appeals.

23 3. The supreme court shall pay the expenses in all proceedings before the
24 supreme court.

1 (b) The state public defender shall pay the expenses for interpreters assisting
2 the state public defender in representing an indigent person in preparing for court
3 proceedings.”.

4 *b2084/2.1* **1522.** Page 1217, line 8: delete “3 years” and substitute “one
5 year”.

6 *b2084/2.2* **1523.** Page 1217, line 19: delete lines 19 and 20.

7 *b2084/2.3* **1524.** Page 1217, line 21: delete “or the department of justice
8 under sub. (3)”.

9 *b1524/1.22* **1525.** Page 1218, line 8: after that line insert:

10 *b1524/1.22* “SECTION 3862yg. 893.66 (title) of the statutes is amended to
11 read:

12 **893.66 (title) Accountants Certified public accountants; limitations of**
13 **actions.**

14 *b1524/1.22* SECTION 3862yr. 893.66 (1) of the statutes is amended to read:

15 893.66 (1) Except as provided in subs. (1m) to (4), an action to recover damages,
16 based on tort, contract or other legal theory, against any certified public accountant
17 licensed or certified under ch. 442 for an act or omission in the performance of
18 professional accounting services shall be commenced within 6 years from the date
19 of the act or omission or be barred.”.

20 *b1403/4.1* **1526.** Page 1219, line 4: after that line insert:

21 *b1403/4.1* “SECTION 3871t. 895.80 (1) of the statutes is amended to read:

22 895.80 (1) Any person who suffers damage or loss by reason of intentional
23 conduct that occurs on or after November 1, 1995, and that is prohibited under s.
24 943.01, 943.20, 943.21, 943.24, 943.26, 943.34, 943.395, 943.41, 943.50 ~~or~~, 943.61, or

1 943.76, or by reason of intentional conduct that occurs on or after April 28, 1998, and
2 that is prohibited under s. 943.201, has a cause of action against the person who
3 caused the damage or loss.

4 *b1403/4.1* SECTION 3871u. 895.80 (3m) of the statutes is created to read:

5 895.80 (3m) (a) In this subsection, “plant” includes the material taken,
6 extracted, or harvested from a plant, or a seed or other plant material that is being
7 used or that will be used to grow or develop a plant.

8 (b) If the violation of s. 943.01 (1) involves the circumstances under s. 943.01
9 (2d), the court may award a prevailing plaintiff the reasonable attorney fees incurred
10 in litigating the action and, when determining the damages recoverable under sub.
11 (3), shall include the market value of the plant before the damage or destruction, and
12 the costs of production, research, testing, replacement, and plant development
13 directly related to the plant that has been damaged or destroyed.

14 *b1403/4.1* SECTION 3871w. 895.80 (5) of the statutes is amended to read:

15 895.80 (5) No person may bring a cause of action under both this section and
16 s. 95.195, 943.212, 943.245 or 943.51 regarding the same incident or occurrence. If
17 the plaintiff has a cause of action under both this section and s. 943.212, 943.245 or
18 943.51 regarding the same incident or occurrence, the plaintiff may choose which
19 action to bring. If the plaintiff has a cause of action under both this section and s.
20 95.195, the plaintiff must bring the action under s. 95.195.”

21 *b1756/1.2* **1527**. Page 1219, line 4: after that line insert:

22 *b1756/1.2* “SECTION 3871m. 898.14 of the statutes is repealed.”

23 *b2034/1.5* **1528**. Page 1219, line 4: after that line insert:

24 *b2034/1.5* “SECTION 3871m. 895.81 of the statutes is created to read:

1 **895.81 Civil action for domestic abuse or sexual assault.** (1) Any person
2 who suffers damages as the result of intentional conduct that is prohibited under s.
3 940.225, or as the result of domestic abuse, as defined in s. 813.12 (1) (a), has a cause
4 of action against the person who caused the damage.

5 (2) The burden of proof in a civil action under sub. (1) is with the person who
6 suffers damage or loss to prove his or her case by a preponderance of the credible
7 evidence.

8 (3) If the plaintiff prevails in a civil action under sub. (1), he or she may recover
9 all of the following:

10 (a) Treble damages.

11 (b) All costs of investigation and litigation that were reasonably incurred.

12 (4) A person may bring a civil action under sub. (1) regardless of whether there
13 has been a criminal action related to the loss or damage under sub. (1) and regardless
14 of the outcome of any such criminal action.”.

15 ***b2221/3.145* 1529.** Page 1219, line 4: after that line insert:

16 ***b2221/3.145* “SECTION 3866d.** 895.52 (2) (a) 2. of the statutes is amended to
17 read:

18 895.52 (2) (a) 2. A duty to inspect the property, except as provided under s. ss.
19 23.115 (2) and 28.045 (3).

20 ***b2221/3.145* SECTION 3866h.** 895.52 (3) (b) of the statutes is amended to
21 read:

22 895.52 (3) (b) A death or injury caused by a malicious act or by a malicious
23 failure to warn against an unsafe condition of which an officer, employee or agent
24 knew, which occurs on property designated by the department of natural resources

1 under s. 23.115, designated by the department of forestry under s. 28.045 or
2 designated by another state agency for a recreational activity.

3 ***b2221/3.145* SECTION 3866p.** 895.53 (1) (am) of the statutes is created to
4 read:

5 895.53 (1) (am) “State forest ranger” means a person appointed as a state forest
6 ranger by the department of forestry under s. 28.92.

7 ***b2221/3.145* SECTION 3866t.** 895.53 (2) of the statutes is amended to read:

8 895.53 (2) Any person withdrawing blood at the request of a traffic officer, law
9 enforcement officer, state forest ranger, or conservation warden for the purpose of
10 determining the presence or quantity of alcohol, controlled substances, controlled
11 substance analogs or any combination of alcohol, controlled substances and
12 controlled substance analogs is immune from any civil or criminal liability for the
13 act, except for civil liability for negligence in the performance of the act.”.

14 ***b1287/2.7* 1530.** Page 1219, line 9: substitute “885.38 (1) (b),” for “885.37
15 (1g)”.

16 ***b0974/1.1* 1531.** Page 1219, line 15: after that line insert:

17 ***b0974/1.1* SECTION 3872v.** 908.03 (6m) (b) (intro.) of the statutes is amended
18 to read:

19 908.03 (6m) (b) *Authentication witness unnecessary.* (intro.) ~~A~~ The testimony
20 of a custodian or other qualified witness required by sub. (6) is unnecessary if the
21 party who intends to offer health care provider records into evidence at a trial or
22 hearing does one of the following at least 40 20 days before the trial or hearing.”.

23 ***b2030/1.2* 1532.** Page 1219, line 15: after that line insert:

1 ***b2030/1.2*** “SECTION 3872x. 908.03 (6m) (d) of the statutes is amended to
2 read:

3 908.03 (6m) (d) *Fees.* ~~The~~ Before January 1, 2003, the department of health
4 and family services shall, by rule, prescribe uniform fees that are based on an
5 approximation of the actual costs. The fees, plus applicable tax, are the maximum
6 amount that a health care provider may charge under par. (c) 3. for certified duplicate
7 patient health care records. The rule shall also allow the health care provider to
8 charge for actual postage or other actual delivery costs. The commencement of an
9 action is not a prerequisite for the application of this paragraph.

10 ***b2030/1.2*** SECTION 3872y. 908.03 (6m) (d) of the statutes, as affected by 2001
11 Wisconsin Act (this act), is amended to read:

12 908.03 (6m) (d) *Fees.* ~~Before January 1, 2003~~ After December 31, 2002, the
13 department of health and family services shall, by rule, prescribe uniform fees that
14 are based on an approximation of actual costs. The fees, plus applicable tax, are the
15 maximum amount that a health care provider may charge for certified duplicate
16 patient health care records. The rule shall also allow the health care provider to
17 charge for actual postage or other actual delivery costs. ~~The commencement of an~~
18 ~~action is not a prerequisite for the application of this paragraph~~ For duplicate patient
19 health care records and duplicate X-ray reports or the referral of X-rays to another
20 health care provider that are requested before commencement of an action, s. 146.83
21 (1) (b) and (c) and (3m) applies.”.

22 ***b1070/2.9* 1533.** Page 1219, line 16: delete lines 16 to 21.

23 ***b0929/1.3* 1534.** Page 1219, line 21: after that line insert:

1 ***b0929/1.3*** “SECTION 3878e. 938.17 (2) (h) 1. of the statutes is amended to
2 read:

3 938.17 (2) (h) 1. If a juvenile who has violated a municipal ordinance, other
4 than an ordinance enacted under s. 118.163 (1m) or (2), violates a condition of his or
5 her dispositional order, the municipal court may impose on the juvenile any of the
6 sanctions specified in s. 938.355 (6) (d) 2. to 4. 5. that are authorized under par. (cm)
7 except for monitoring by an electronic monitoring system or may petition the court
8 assigned to exercise jurisdiction under this chapter and ch. 48 to impose on the
9 juvenile the sanction specified in s. 938.355 (6) (d) 1. or home detention with
10 monitoring by an electronic monitoring system as specified in s. 938.355 (6) (d) 3., if
11 authorized under par. (cm), if at the time of judgment the court explained the
12 conditions to the juvenile and informed the juvenile of the possible sanctions under
13 s. 938.355 (6) (d) that are authorized under par. (cm) for a violation or if before the
14 violation the juvenile has acknowledged in writing that he or she has read, or has had
15 read to him or her, those conditions and possible sanctions and that he or she
16 understands those conditions and possible sanctions.”.

17 ***b1310/2.1* 1535.** Page 1219, line 21: after that line insert:

18 ***b1310/2.1*** “SECTION 3878. 938.17 (2) (d) of the statutes is amended to read:
19 938.17 (2) (d) If a municipal court finds that the juvenile violated a municipal
20 ordinance other than an ordinance enacted under s. 118.163 or an ordinance that
21 conforms to s. 125.07 (4) (a) or (b), 125.085 (3) (b), 125.09 (2), 961.573 (2), 961.574 (2)
22 or 961.575 (2), the court shall enter any of the dispositional orders permitted under
23 s. 938.343 that are authorized under par. (cm). If a juvenile fails to pay the forfeiture
24 imposed by the municipal court, the court may not impose a jail sentence but may

1 suspend any license issued under ch. 29 for not less than 30 days nor more than 5
2 years, or, ~~unless the forfeiture was imposed for violating an ordinance unrelated to~~
3 ~~the juvenile's operation of a motor vehicle, may~~ suspend the juvenile's operating
4 privilege, as defined in s. 340.01 (40), for not less than 30 days nor more than 5 years
5 more than 2 years. If a court suspends a license or privilege under this section, the
6 court shall immediately take possession of the applicable license and forward it to
7 the department that issued the license, together with the notice of suspension clearly
8 stating that the suspension is for failure to pay a forfeiture imposed by the court. If
9 the forfeiture is paid during the period of suspension, the court shall immediately
10 notify the department, which shall thereupon return the license to the person.”.

11 *b1827/1.3* **1536**. Page 1219, line 21: after that line insert:

12 *b1827/1.3* “SECTION 3876x. 938.02 (15) of the statutes is amended to read:

13 938.02 (15) “Relative” means a parent, grandparent, greatgrandparent,
14 stepparent, brother, sister, first cousin, nephew, niece, uncle, or aunt, whether by
15 blood, marriage, or adoption.”.

16 ~~*b0924/2.4* **1537**. Page 1219, line 22: delete lines 22 to 25.~~

17 *b1993/2.9* **1538**. Page 1219, line 22: delete lines 22 to 25.

18 *b0924/2.5* **1539**. Page 1220, line 1: delete lines 1 to 7 and substitute:

19 *b0924/2.5* “SECTION 3879d. 938.183 (3) of the statutes is amended to read:

20 938.183 (3) When a juvenile who is subject to a criminal penalty under sub.
21 (1m) or (2) attains the age of 17 years, the department may place the juvenile in a
22 state prison named in s. 302.01, except that the department may not place any person
23 under the age of 18 years in the correctional institution authorized in s. 301.16 (1n).

24 If a juvenile who is subject to a criminal penalty under sub. (1m) or (2) is 15 years

1 of age or over, the department may transfer the juvenile to the Racine youthful
2 offender correctional facility named in s. 302.01 as provided in s. 938.357 (4) (d). A
3 juvenile who is subject to a criminal penalty under sub. (1m) or (2) for an act
4 committed before December 31, 1999, is eligible for parole under s. 304.06.”.

5 ***b1993/2.10* 1540.** Page 1220, line ~~8~~⁸ delete lines ~~7~~⁸ to 14.

6 ***b0929/1.4* 1541.** Page 1223, line 4: after that line insert:

7 ***b0929/1.4* “SECTION 3889e.** 938.245 (2) (a) 9m. of the statutes is created to
8 read:

9 938.245 (2) (a) 9m. That the juvenile report to a youth report center after
10 school, in the evening, on weekends, on other nonschool days, or at any other time
11 that the juvenile is not under immediate adult supervision, for participation in the
12 social, behavioral, academic, community service, and other programming of the
13 center. Section 938.34 (5g) applies to any community service work performed by a
14 juvenile under this subdivision.

15 ***b0929/1.4* SECTION 3889g.** 938.245 (5) of the statutes is amended to read:

16 938.245 (5) A deferred prosecution agreement under sub. (2) (a) 1. to 8., (2g)
17 or (2v). may be terminated upon the request of the juvenile, parent, guardian, or legal
18 custodian.”.

19 ***b1428/1.3* 1542.** Page 1223, line 4: after that line insert:

20 ***b1428/1.3* “SECTION 3887.** 938.21 (5) (b) of the statutes is renumbered 938.21
21 (5) (b) (intro.) and amended to read:

22 938.21 (5) (b) (intro.) An order relating to a juvenile held in custody outside of
23 his or her home shall also ~~describe~~ include all of the following:

1 1. A description of any efforts that were made to permit the juvenile to remain
2 at home and the services that are needed to ensure the juvenile's well-being, to
3 enable the juvenile to return safely to his or her home, and to involve the parents in
4 planning for the juvenile.

5 ***b1428/1.3* SECTION 3888.** 938.21 (5) (b) 2. of the statutes is created to read:

6 938.21 (5) (b) 2. If the juvenile is held in custody outside the home in a
7 placement recommended by the intake worker, a statement that the court approves
8 the placement recommended by the intake worker or, if the juvenile is placed outside
9 the home in a placement other than a placement recommended by the intake worker,
10 a statement that the court has given bona fide consideration to the recommendations
11 made by the intake worker and all parties relating to the placement of the juvenile.”.

12 ***b2217/2.7* 1543.** Page 1223, line 4: after that line insert:

13 ***b2217/2.7* “SECTION 3889p.** 938.293 (2) of the statutes is amended to read:

14 938.293 (2) All records relating to a juvenile which are relevant to the subject
15 matter of a proceeding under this chapter shall be open to inspection by a guardian
16 ad litem or counsel for any party, upon demand and upon presentation of releases
17 where necessary, at least 48 hours before the proceeding. Persons entitled to inspect
18 the records may obtain copies of the records with the permission of the custodian of
19 the records or with the permission of the court. The court may instruct counsel not
20 to disclose specified items in the materials to the juvenile or the parent if the court
21 reasonably believes that the disclosure would be harmful to the interests of the
22 juvenile. ~~Sections~~ Section 971.23 and ~~972.11 (5)~~ shall be applicable in all delinquency
23 proceedings under this chapter, except that the court shall establish the timetable
24 for the disclosures required under ss. s. 971.23 (1), (2m) and, (8), and ~~972.11 (5) (9).~~

1 ***b2217/2.7* SECTION 3889r.** 938.299 (4) (a) of the statutes is amended to read:

2 938.299 (4) (a) Chapters 901 to 911 govern the presentation of evidence at the
3 fact-finding hearing under s. 938.31. ~~Section 972.11 (5) applies at fact-finding~~
4 ~~proceedings in all delinquency proceedings under this chapter.”.~~

5 ***b0929/1.5* 1544.** Page 1223, line 7: after that line insert:

6 ***b0929/1.5* “SECTION 3890e.** 938.32 (1) (a) of the statutes is amended to read:

7 938.32 (1) (a) At any time after the filing of a petition for a proceeding relating
8 to s. 938.12 or 938.13 and before the entry of judgment, the judge or juvenile court
9 commissioner may suspend the proceedings and place the juvenile under
10 supervision in the juvenile’s own home or present placement. The court may
11 establish terms and conditions applicable to the parent, guardian, or legal custodian,
12 and to the juvenile, including any of the conditions specified in subs. (1d), (1g), (1m),
13 (1p), (1t), (1v), and (1x). The order under this section shall be known as a consent
14 decree and must be agreed to by the juvenile; the parent, guardian, or legal
15 custodian; and the person filing the petition under s. 938.25. If the consent decree
16 includes any conditions specified in sub. (1g), the consent decree shall include
17 provisions for payment of the services as specified in s. 938.361. The consent decree
18 shall be reduced to writing and given to the parties.

19 ***b0929/1.5* SECTION 3890g.** 938.32 (1p) of the statutes is created to read:

20 938.32 (1p) The judge or juvenile court commissioner may establish as a
21 condition under sub. (1) that the juvenile report to a youth report center after school,
22 in the evening, on weekends, on other nonschool days, or at any other time that the
23 juvenile is not under immediate adult supervision, for participation in the social,
24 behavioral, academic, community service, and other programming of the center.

1 Section 938.34 (5g) applies to any community service work performed by a juvenile
2 under this subsection.

3 ***b0929/1.5* SECTION 3893t.** 938.34 (7j) of the statutes is created to read:

4 938.34 (7j) YOUTH REPORT CENTER. Order the juvenile to report to a youth report
5 center after school, in the evening, on weekends, on other nonschool days, or at any
6 other time that the juvenile is not under immediate adult supervision, for
7 participation in the social, behavioral, academic, community service, and other
8 programming of the center. Subsection (5g) applies to any community service work
9 performed by a juvenile under this subsection.

10 ***b0929/1.5* SECTION 3894s.** 938.342 (1d) (c) of the statutes is created to read:

11 938.342 (1d) (c) Order the person to report to a youth report center after school,
12 in the evening, on weekends, on other nonschool days, or at any other time that the
13 person is not under immediate adult supervision, for participation in the social,
14 behavioral, academic, community service, and other programming of the center.

15 Section 938.34 (5g) applies to any community service work performed by a person
16 under this paragraph.

17 ***b0929/1.5* SECTION 3894t.** 938.342 (1g) (k) of the statutes is created to read:

18 938.342 (1g) (k) Order the person to report to a youth report center after school,
19 in the evening, on weekends, on other nonschool days, or at any other time that the
20 juvenile is not under immediate adult supervision, for participation in the social,
21 behavioral, academic, community service, and other programming of the center.

22 Section 938.34 (5g) applies to any community service work performed by a person
23 under this paragraph.

24 ***b0929/1.5* SECTION 3895f.** 938.343 (3m) of the statutes is created to read:

1 938.343 **(3m)** Order the juvenile to report to a youth report center after school,
2 in the evening, on weekends, on other nonschool days, or at any other time that the
3 juvenile is not under immediate adult supervision, for participation in the social,
4 behavioral, academic, community service, and other programming of the center.
5 Section 938.34 (5g) applies to any community service work performed by a juvenile
6 under this subsection.

7 ***b0929/1.5* SECTION 3895j.** 938.344 (2g) (a) 5. of the statutes is created to
8 read:

9 938.344 **(2g)** (a) 5. Report to a youth report center after school, in the evening,
10 on weekends, on other nonschool days, or at any other time that the juvenile is not
11 under immediate adult supervision, for participation in the social, behavioral,
12 academic, community service, and other programming of the center. Section 938.34
13 (5g) applies to any community service work performed by a juvenile under this
14 subdivision.

15 ***b0929/1.5* SECTION 3897v.** 938.355 (6) (d) 5. of the statutes is created to read:

16 938.355 **(6)** (d) 5. Participation after school, in the evening, on weekends, on
17 other nonschool days, or at any other time that the juvenile is not under immediate
18 adult supervision, in the social, behavioral, academic, community service, and other
19 programming of a youth report center. Subdivision 4. and s. 938.34 (5g) apply to any
20 community service work performed by a juvenile under this subdivision.”.

21 ***b1310/2.2* 1545.** Page 1223, line 7: after that line insert:

22 ***b1310/2.2* “SECTION 3894.** 938.34 (8) of the statutes, as affected by 1999
23 Wisconsin Act 185, is amended to read:

1 938.34 (8) FORFEITURE. Impose a forfeiture based upon a determination that
2 this disposition is in the best interest of the juvenile and in aid of rehabilitation. The
3 maximum forfeiture that the court may impose under this subsection for a violation
4 by a juvenile is the maximum amount of the fine that may be imposed on an adult
5 for committing that violation or, if the violation is applicable only to a person under
6 18 years of age, \$100. Any such order shall include a finding that the juvenile alone
7 is financially able to pay the forfeiture and shall allow up to 12 months for payment.
8 If the juvenile fails to pay the forfeiture, the court may vacate the forfeiture and order
9 other alternatives under this section, in accordance with the conditions specified in
10 this chapter; or the court may suspend any license issued under ch. 29 for not less
11 than 30 days nor more than 5 years, or, ~~unless the forfeiture was imposed for~~
12 ~~violating an ordinance unrelated to the juvenile's operation of a motor vehicle, may~~
13 suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not more
14 than 2 years. If the court suspends any license under this subsection, the clerk of the
15 court shall immediately take possession of the suspended license and forward it to
16 the department which issued the license, together with a notice of suspension clearly
17 stating that the suspension is for failure to pay a forfeiture imposed by the court. If
18 the forfeiture is paid during the period of suspension, the suspension shall be reduced
19 to the time period which has already elapsed and the court shall immediately notify
20 the department which shall then return the license to the juvenile. Any recovery
21 under this subsection shall be reduced by the amount recovered as a forfeiture for
22 the same act under s. 938.45 (1r) (b).

23 ***b1310/2.2* SECTION 3895.** 938.343 (2) of the statutes, as affected by 1999
24 Wisconsin Act 185, is amended to read:

1 938.343 (2) Impose a forfeiture not to exceed the maximum forfeiture that may
2 be imposed on an adult for committing that violation or, if the violation is only
3 applicable to a person under 18 years of age, \$50. Any such order shall include a
4 finding that the juvenile alone is financially able to pay and shall allow up to 12
5 months for the payment. If a juvenile fails to pay the forfeiture, the court may
6 suspend any license issued under ch. 29 or, ~~unless the forfeiture was imposed for~~
7 ~~violating an ordinance unrelated to the juvenile's operation of a motor vehicle, may~~
8 suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not less
9 more than 2 years. The court shall immediately take possession of the suspended
10 license and forward it to the department which issued the license, together with the
11 notice of suspension clearly stating that the suspension is for failure to pay a
12 forfeiture imposed by the court. If the forfeiture is paid during the period of
13 suspension, the court shall immediately notify the department, which will thereupon
14 return the license to the person. Any recovery under this subsection shall be reduced
15 by the amount recovered as a forfeiture for the same act under s. 938.45 (1r) (b).”.

16 ***b1428/1.4* 1546.** Page 1223, line 7: after that line insert:

17 ***b1428/1.4*** “SECTION 3897. 938.355 (2) (b) 6m. of the statutes is created to
18 read:

19 938.355 (2) (b) 6m. If the juvenile is placed outside the home in a placement
20 recommended by the agency designated under s. 938.33 (1), a statement that the
21 court approves the placement recommended by the agency or, if the juvenile is placed
22 outside the home in a placement other than a placement recommended by that
23 agency, a statement that the court has given bona fide consideration to the

1 recommendations made by the agency and all parties relating to the juvenile's
2 placement.”.

3 ***b0929/1.6* 1547.** Page 1223, line 20: after that line insert:

4 ***b0929/1.6* “SECTION 3900k.** 938.355 (6m) (a) (intro.) of the statutes is
5 amended to read:

6 938.355 (6m) (a) (intro.) If the court finds by a preponderance of the evidence
7 that a juvenile who has been found to have violated a municipal ordinance enacted
8 under s. 118.163 (2) or who has been found to be in need of protection or services
9 under s. 938.13 (6) has violated a condition specified under sub. (2) (b) 7., the court
10 may order as a sanction any combination of the sanctions specified in subds. 1g. to
11 ~~3.~~ 4. and the dispositions specified in s. 938.342 (1g) (d) to (j) and (1m), regardless of
12 whether the disposition was imposed in the order violated by the juvenile, if at the
13 dispositional hearing under s. 938.335 the court explained those conditions to the
14 juvenile and informed the juvenile of the possible sanctions under this paragraph for
15 a violation or if before the violation the juvenile has acknowledged in writing that
16 he or she has read, or has had read to him or her, those conditions and possible
17 sanctions and that he or she understands those conditions and possible sanctions.
18 The court may order as a sanction under this paragraph any of the following:

19 ***b0929/1.6* SECTION 3900n.** 938.355 (6m) (a) 4. of the statutes is created to
20 read:

21 938.355 (6m) (a) 4. Participation after school, in the evening, on weekends, on
22 other nonschool days, or at any other time that the juvenile is not under immediate
23 adult supervision, in the social, behavioral, academic, community service, and other

1 programming of a youth report center. Subdivision 2. and s. 938.34 (5g) apply to any
2 community service work performed by a juvenile under this subdivision.

3 ***b0929/1.6* SECTION 3900p.** 938.355 (6m) (ag) of the statutes is amended to
4 read:

5 938.355 (6m) (ag) If the court finds by a preponderance of the evidence that a
6 juvenile who has been found to have violated a municipal ordinance enacted under
7 s. 118.163 (1m) has violated a condition specified under sub. (2) (b) 7., the court may
8 order as a sanction any combination of the operating privilege suspension specified
9 in par. (a) and the dispositions specified in s. 938.342 (1g) (b) to ~~(j)~~ (k) and (1m),
10 regardless of whether the disposition was imposed in the order violated by the
11 juvenile, if at the dispositional hearing under s. 938.335 the court explained those
12 conditions to the juvenile and informed the juvenile of the possible sanctions under
13 this paragraph for a violation or if before the violation the juvenile has acknowledged
14 in writing that he or she has read, or has had read to him or her, those conditions and
15 possible sanctions and that he or she understands those conditions and possible
16 sanctions.”.

17 ***b1428/1.5* 1548.** Page 1223, line 20: after that line insert:

18 ***b1428/1.5* “SECTION 3901.** 938.357 (2v) of the statutes is created to read:
19 938.357 (2v) If a hearing is held under sub. (1) or (2m) and the change in
20 placement would place the juvenile outside the home in a placement recommended
21 by the person or agency primarily responsible for implementing the dispositional
22 order, the change in placement order shall include a statement that the court
23 approves the placement recommended by the person or agency or, if the juvenile is
24 placed outside the home in a placement other than a placement recommended by that