

1 ***b0768/4.5* SECTION 2820d.** 134.72 (2) (a) (title) of the statutes is repealed.

2 ***b0768/4.5* SECTION 2821b.** 134.72 (2) (a) of the statutes is renumbered
3 100.52 (4) (a) (intro.) and amended to read:

4 100.52 (4) (a) (intro.) ~~No person may use~~ A telephone solicitor or an employee
5 or contractor of a telephone solicitor may not do any of the following:

6 1. Use an electronically prerecorded message in telephone solicitation without
7 the consent of the ~~person called~~ recipient of the telephone call.

8 ***b0768/4.5* SECTION 2822.** 134.72 (2) (b) (title) of the statutes is repealed.

9 ***b0768/4.5* SECTION 2822m.** 134.72 (2) (b) of the statutes is renumbered
10 134.72 (2), and 134.72 (2) (b), as renumbered, is amended to read:

11 134.72 (2) (b) Notwithstanding ~~subd. 1, par. (a)~~, a person may not make a
12 facsimile solicitation to a person who has notified the facsimile solicitor in writing
13 or by facsimile transmission that the person does not want to receive facsimile
14 solicitation.

15 ***b0768/4.5* SECTION 2824.** 134.72 (3) (a) of the statutes is amended to read:

16 134.72 (3) (a) *Intrastate.* This section applies to any ~~intrastate telephone~~
17 ~~solicitation or~~ intrastate facsimile solicitation.

18 ***b0768/4.5* SECTION 2825.** 134.72 (3) (b) of the statutes is amended to read:

19 134.72 (3) (b) *Interstate.* This section applies to any ~~interstate telephone~~
20 ~~solicitation, or~~ interstate facsimile solicitation, received by a person in this state.

21 ***b0768/4.5* SECTION 2826.** 134.72 (4) of the statutes is amended to read:

22 134.72 (4) PENALTY. A person who violates this section may be required to
23 forfeit up to not more than \$500.”.

24 ***b0993/2.2* 1248.** Page 940, line 4: after that line insert:

1 ***b0993/2.2*** “SECTION 2826m. 134.73 of the statutes is created to read:

2 **134.73 Identification of prisoner making telephone solicitation. (1)**

3 DEFINITIONS. In this section:

4 (a) “Contribution” has the meaning given in s. 440.41 (5).

5 (b) “Prisoner” means a prisoner of any public or private correctional or
6 detention facility that is located within or outside this state.

7 (c) “Solicit” has the meaning given in s. 440.41 (8).

8 (d) “Telephone solicitation” means the unsolicited initiation of a telephone
9 conversation for any of the following purposes:

10 1. To encourage a person to purchase property, goods, or services.

11 2. To solicit a contribution from a person.

12 3. To conduct an opinion poll or survey.

13 **(2) REQUIREMENTS.** A prisoner who makes a telephone solicitation shall do all
14 of the following immediately after the person called answers the telephone:

15 (a) Identify himself or herself by name.

16 (b) State that he or she is a prisoner.

17 (c) Inform the person called of the name of the correctional or detention facility
18 in which he or she is a prisoner and the city and state in which the facility is located.

19 **(3) TERRITORIAL APPLICATION.** (a) *Intrastate.* This section applies to any
20 intrastate telephone solicitation.

21 (b) *Interstate.* This section applies to any interstate telephone solicitation
22 received by a person in this state.

23 **(4) PENALTIES.** (a) A prisoner who violates this section may be required to forfeit
24 not more than \$500.

1 (b) If a person who employs a prisoner to engage in telephone solicitation is
2 concerned in the commission of a violation of this section as provided under s. 134.99,
3 the person may be required to forfeit not more than \$10,000.

4 ***b0993/2.2* SECTION 2826p.** 134.95 (2) of the statutes is amended to read:

5 134.95 (2) SUPPLEMENTAL FORFEITURE. If a fine or a forfeiture is imposed on a
6 person for a violation under s. 100.171, 100.173, 100.174, 100.175, 100.177, 134.71,
7 134.72, 134.73, or 134.87 or ch. 136 or a rule promulgated under these sections or that
8 chapter, the person shall be subject to a supplemental forfeiture not to exceed
9 \$10,000 for that violation if the conduct by the defendant, for which the fine or
10 forfeiture was imposed, was perpetrated against an elderly person or disabled person
11 and if any of the factors under s. 100.264 (2) (a), (b), or (c) is present.”.

12 ***b1067/1.5* 1249.** Page 940, line 5: delete lines 5 to 10.

13 ***b1765/1.1* 1250.** Page 942, line 9: after that line insert:

14 ***b1765/1.1* “SECTION 2841m.** 139.03 (5) (b) 2. of the statutes is amended to
15 read:

16 139.03 (5) (b) 2. A person who is a member of the national guard, the U. S.
17 armed forces or a reserve component of the U. S. armed forces; who is a state resident;
18 and who leaves a foreign country, after spending at least 48 hours in that foreign
19 country on duty or for training, with the purpose of entering into this state may bring
20 into the state, in sealed original containers and in the person’s immediate possession,
21 intoxicating liquor and wine in an aggregate amount not exceeding 6 16 liters
22 without paying the tax imposed under this subchapter on that amount.”.

23 ***b2163/1.1* 1251.** Page 942, line 16: delete “34” and substitute “38.5”.

24 ***b2163/1.2* 1252.** Page 942, line 18: delete “68” and substitute “77”.

1 ***b2164/1.1* 1253.** Page 944, line 19: delete “30%” and substitute “25%”.

2 ***b2164/1.2* 1254.** Page 944, line 21: delete “30%” and substitute “25%”.

3 ***b2164/1.3* 1255.** Page 945, line 5: delete “30%” and substitute “25%”.

4 ***b1545/2.3* 1256.** Page 946, line 6: after that line insert:

5 ***b1545/2.3* “SECTION 2850ag.** 146.56 (1) of the statutes is amended to read:

6 146.56 (1) Not later than July 1, 2002, the department shall develop and
7 implement a statewide trauma care system. The department shall seek the advice
8 of the statewide trauma advisory council under s. 15.197 (25) in developing and
9 implementing the system, and, as part of the system, shall develop regional trauma
10 advisory councils.

11 ***b1545/2.3* SECTION 2850ah.** 146.56 (2) of the statutes is amended to read:

12 146.56 (2) The department shall promulgate rules to develop and implement
13 the system. The rules shall include a method by which to classify all hospitals as to
14 their respective emergency care capabilities. The classification rule shall be based
15 on standards developed by the American College of Surgeons. Within 180 days after
16 promulgation of the classification rule, and every ~~4~~ 3 years thereafter, each hospital
17 shall certify to the department the classification level of trauma care services that
18 is provided by the hospital, based on the rule. The department may require a hospital
19 to document the basis for its certification. The department may not direct a hospital
20 to establish a certain level of certification. Confidential injury data that is collected
21 under this subsection shall be used for confidential review relating to performance
22 improvements in the trauma care system, and may be used for no other purpose.”.

23 ***b1042/1.5* 1257.** Page 946, line 7: delete lines 7 to 13 and substitute:

24 ***b1042/1.5* “SECTION 2850bc.** 146.65 of the statutes is created to read:

1 **146.65 Rural health dental clinics.** (1) From the appropriation under s.
2 20.435 (5) (dm), the department shall distribute moneys as follows:

3 (a) In state fiscal year 2001–02, not more than \$618,000 and in fiscal year
4 2002–03, not more than \$232,000, to the rural health dental clinic located in
5 Ladysmith that provides dental services to persons who are developmentally
6 disabled or elderly or who have low income, in the counties of Rusk, Price, Taylor,
7 Sawyer, and Chippewa.

8 (b) In fiscal year 2001–02, not more than \$294,500 and in state fiscal year
9 2002–03, not more than \$355,600, to the rural health dental clinic located in
10 Menomonie that provides dental services to persons who are developmentally
11 disabled or elderly or who have low income, in the counties of Barron, Chippewa,
12 Dunn, Pepin, Pierce, Polk, and St. Croix.

13 (2) The department shall also seek federal funding to support the operations
14 of the rural health dental clinics under sub. (1).”.

15 ***b1524/1.10* 1258.** Page 946, line 13: after that line insert:

16 ***b1524/1.10* “SECTION 2850bm.** 148.19 (2) of the statutes is amended to read:
17 148.19 (2) Legal counsel, certified public accountants licensed or certified
18 under ch. 442, or other persons as to matters the director or officer believes in good
19 faith are within the person’s professional or expert competence.”.

20 ***b2030/1.1* 1259.** Page 946, line 13: after that line insert:

21 ***b2030/1.1* “SECTION 2850hg.** 146.83 (1) (b) of the statutes is amended to
22 read:

23 146.83 (1) (b) Receive a copy of the patient’s health care records upon payment
24 of ~~reasonable costs~~ fees, as established by rule under sub. (3m).

1 ***b2030/1.1* SECTION 2850bh.** 146.83 (1) (c) of the statutes is amended to read:
2 146.83 (1) (c) Receive a copy of the health care provider's X-ray reports or have
3 the X-rays referred to another health care provider of the patient's choice upon
4 payment of ~~reasonable costs~~ fees, as established by rule under sub. (3m).

5 ***b2030/1.1* SECTION 2850bi.** 146.83 (3m) of the statutes is created to read:

6 146.83 (3m) (a) The department shall, by rule, prescribe fees that are based on
7 an approximation of actual costs. The fees, plus applicable tax, are the maximum
8 amount that a health care provider may charge under sub. (1) (b) for duplicate
9 patient health care records and under sub. (1) (c) for duplicate X-ray reports or the
10 referral of X-rays to another health care provider of the patient's choice. The rule
11 shall also permit the health care provider to charge for actual postage or other actual
12 delivery costs. In determining the approximation of actual costs for the purposes of
13 this subsection, the department may consider all of the following factors:

14 1. Operating expenses, such as wages, rent, utilities, and duplication
15 equipment and supplies.

16 2. The varying cost of retrieval of records, based on the different media on which
17 the records are maintained.

18 3. The cost of separating requested patient health care records from those that
19 are not requested.

20 4. The cost of duplicating requested patient health care records.

21 5. The impact on costs of advances in technology.

22 (b) By January 1, 2006, and every 3 years thereafter, the department shall
23 revise the rules under par. (a) to account for increases or decreases in actual costs.”.

24 ***b0887/1.1* 1260.** Page 946, line 25: after that line insert:

1 ***b0887/1.1*** “SECTION 2850dm. 149.135 of the statutes is created to read:

2 **149.135 Special small employer insurer assessment.** (1) In this section:

3 (a) “Discontinued individual” means an individual who was covered under the
4 health benefit plan subject to ch. 635 that was discontinued by the small employer
5 insurer that provided the health benefit plan and who obtained coverage under the
6 plan under this chapter after the coverage under the health benefit plan was
7 discontinued.

8 (b) “Health benefit plan” has the meaning given in s. 632.745 (11).

9 (c) “Small employer” has the meaning given in s. 635.02 (7).

10 (d) “Small employer insurer” has the meaning given in s. 635.02 (8).

11 (2) (a) Except as provided in sub. (3), a small employer insurer that
12 discontinues coverage under a health benefit plan that is subject to ch. 635 shall pay
13 a special assessment for each discontinued individual.

14 (b) The assessment under this subsection shall be determined by multiplying
15 the small employer insurer’s number of discontinued individuals by the average cost
16 of an eligible person in the year in which the small employer insurer discontinued
17 the coverage under the health benefit plan. The average cost of an eligible person
18 in the year in which the health benefit plan was discontinued shall be determined
19 by deducting from the total costs of the plan under this chapter in that year all
20 premiums paid in that year by all persons with coverage under the plan under this
21 chapter, and then by dividing that amount by the total number of persons with
22 coverage under the plan under this chapter in that year.

23 (c) The assessment under this subsection shall also include all costs that are
24 incurred by the small employer insurer’s discontinued individuals during their first

1 6 months of coverage under the plan under this chapter and that are attributable to
2 preexisting conditions.

3 (d) The board shall determine when a small employer insurer must pay the
4 assessment under this section.

5 (3) The assessment under sub. (2) does not apply if the small employer insurer
6 discontinued coverage under the health benefit plan subject to ch. 635 for any of the
7 following reasons:

8 (a) The small employer failed to pay premiums or contributions in accordance
9 with the terms of the health benefit plan or in a timely manner.

10 (b) The small employer performed an act or engaged in a practice that
11 constitutes fraud or made an intentional misrepresentation of material fact under
12 the terms of the coverage.

13 (c) The small employer failed to meet participation or contribution
14 requirements under the health benefit plan.”.

15 *b0887/1.2* **1261**. Page 948, line 20: after that line insert:

16 *b0887/1.2* “SECTION 2850Ldc. 149.143 (1) (intro.) of the statutes is amended
17 to read:

18 149.143 (1) (intro.) The department shall pay or recover the operating costs of
19 the plan from the appropriation under s. 20.435 (4) (v) and administrative costs of
20 the plan from the appropriation under s. 20.435 (4) (u). For purposes of determining
21 premiums, insurer assessments under s. 149.13, and provider payment rate
22 adjustments, the department shall apportion and prioritize responsibility for
23 payment or recovery of plan costs from among the moneys constituting the fund as
24 follows:

1 ***b0887/1.2* SECTION 2850Ldm.** 149.143 (1) (b) 1. a. of the statutes is amended
2 to read:

3 149.143 (1) (b) 1. a. First, from premiums from eligible persons with coverage
4 under s. 149.14 (2) (a) set at 150% of the rate that a standard risk would be charged
5 under an individual policy providing substantially the same coverage and
6 deductibles as are provided under the plan and from eligible persons with coverage
7 under s. 149.14 (2) (b) set in accordance with s. 149.14 (5m), including amounts
8 received for premium and deductible subsidies under s. 149.144 and under the
9 transfer to the fund from the appropriation account under s. 20.435 (4) (ah), ~~and~~ from
10 premiums collected from eligible persons with coverage under s. 149.146 set in
11 accordance with s. 149.146 (2) (b), and from 50% of small employer insurer
12 assessments under s. 149.135.”.

13 ***b0887/1.3* 1262.** Page 948, line 23: delete “assessments, excluding” and
14 substitute “assessments under s. 149.13, excluding”.

15 ***b0887/1.4* 1263.** Page 949, line 2: after that line insert:

16 ***b0887/1.4* “SECTION 2850Lem.** 149.143 (1) (b) 2. a. of the statutes is
17 amended to read:

18 149.143 (1) (b) 2. a. Fifty percent from insurer assessments under s. 149.13,
19 excluding assessments under s. 149.144, and from 50% of small employer insurer
20 assessments under s. 149.135.”.

21 ***b0887/1.5* 1264.** Page 950, line 17: delete “assessments,” and substitute
22 “assessments under s. 149.13.”.

23 ***b0887/1.6* 1265.** Page 951, line 25: delete “assessments,” and substitute
24 “assessments under s. 149.13.”.

1 ***b2049/3.8* 1266.** Page 957, line 3: after that line insert:

2 ***b2049/3.8* “SECTION 2852bb.** 157.061 (1) of the statutes is renumbered
3 157.061 (1c) and amended to read:

4 157.061 (1c) “Burial” means entombment, inurnment ~~or~~, interment, or
5 placement in a mausoleum, vault, crypt, or columbarium.

6 ***b2049/3.8* SECTION 2852bf.** 157.061 (1d) of the statutes is created to read:

7 157.061 (1d) “Burial space” means a space that is used or intended to be used
8 for the burial of human remains and, when used in reference to the sale, purchase,
9 or ownership of a burial space, includes the right to bury human remains in the
10 burial space.

11 ***b2049/3.8* SECTION 2852bj.** 157.061 (1p) of the statutes is created to read:

12 157.061 (1p) “Cemetery” means a place that is dedicated to and used or
13 intended to be used for the final disposition of human remains.

14 ***b2049/3.8* SECTION 2852bL.** 157.061 (2m) of the statutes is amended to read:

15 157.061 (2m) “Cemetery lot” means a grave or 2 or more contiguous graves ~~and,~~
16 ~~when used in reference to the sale, purchase or ownership of a cemetery lot, includes~~
17 ~~the right to bury human remains in that cemetery lot.~~

18 ***b2049/3.8* SECTION 2852bn.** 157.061 (3) of the statutes is amended to read:

19 157.061 (3) “Cemetery merchandise” means goods associated with the burial
20 of human remains, including monuments, markers, nameplates, vases, and urns,
21 and any services that are associated with supplying or delivering those goods or with
22 the burial of human remains and that may be lawfully provided by a cemetery
23 authority, including opening and closing of a burial space. The term does not include
24 caskets or outer burial containers.

1 ***b2049/3.8* SECTION 2852bp.** 157.061 (3g) of the statutes is created to read:
2 157.061 (3g) “Columbarium” means a building, structure, or part of a building
3 or structure that is used or intended to be used for the inurnment of cremains.

4 ***b2049/3.8* SECTION 2852br.** 157.061 (3r) of the statutes is created to read:
5 157.061 (3r) “Columbarium space” means a niche, crypt, or specific place in a
6 columbarium that contains or is intended to contain cremains.

7 ***b2049/3.8* SECTION 2852bt.** 157.061 (8g) of the statutes is created to read:
8 157.061 (8g) “Lawn crypt” means an interment space in chambers that are
9 preplaced at either a single depth or multiple depths and that are located primarily
10 underground.

11 ***b2049/3.8* SECTION 2852bx.** 157.061 (11r) of the statutes is amended to read:
12 157.061 (11r) “Payment of principal” means the portion of a payment for the
13 purchase of ~~a cemetery lot, cemetery merchandise or a mausoleum~~ burial space that
14 represents the principal amount owed by the purchaser for the ~~cemetery lot,~~
15 ~~cemetery merchandise or mausoleum~~ burial space, and does not include any portion
16 of the payment that represents any taxes, finance or interest charges, or insurance
17 premiums.

18 ***b2049/3.8* SECTION 2852da.** 157.061 (15) of the statutes is amended to read:
19 157.061 (15) “Religious association” means any church, synagogue, or mosque
20 ~~or any, incorporated college of a religious order, or religious society organized under~~
21 ch. 187.

22 ***b2049/3.8* SECTION 2852dc.** 157.061 (15m) of the statutes is created to read:
23 157.061 (15m) “Religious cemetery authority” means a cemetery authority of
24 a cemetery owned and operated by a religious association.

25 ***b2049/3.8* SECTION 2852de.** 157.061 (17) of the statutes is amended to read:

1 157.061 (17) “Undeveloped space” means a mausoleum space, columbarium
2 space, or lawn crypt that is not ready for the burial of human remains on the date
3 of the sale of the mausoleum space, columbarium space, or lawn crypt.

4 ***b2049/3.8* SECTION 2852dk.** 157.062 (3) of the statutes is amended to read:

5 157.062 (3) VALIDATION. When there shall have been a bona fide attempt to
6 organize a cemetery association, but a failure to record a properly drawn and
7 executed certificate of organization, and it has in good faith bought and platted
8 grounds and conveyed ~~cemetery lots~~ burial spaces and carried on business for over
9 25 years, the same shall be a body corporate from the date of conveyance to it of real
10 estate, and its transfers and other transactions are validated.

11 ***b2049/3.8* SECTION 2852dm.** 157.062 (4) (a) of the statutes is amended to
12 read:

13 157.062 (4) (a) An annual election shall be held during the annual meeting.
14 The annual meeting, and any special meeting described in sub. (2), shall be held at
15 a place in the county chosen by the trustees upon public notice as required by the
16 bylaws. Trustees chosen after the first election shall be proprietors of ~~cemetery lots~~
17 burial spaces in the cemetery, residents of the state, and hold office for 3 years.
18 Election shall be by ballot and a plurality shall elect. Each owner of one or more
19 ~~cemetery lots~~ burial spaces is entitled to one vote, and one of several owners of a
20 ~~cemetery lot~~ burial space, designated by the majority of them, shall cast the vote.

21 ***b2049/3.8* SECTION 2852ds.** 157.062 (6) (c) of the statutes is amended to read:

22 157.062 (6) (c) If an association is dissolved under par. (a) or any group has
23 never been properly organized as cemetery association, and there are fewer than 5
24 members living or residing in the county where the cemetery is located, the circuit
25 judge for the county shall upon the petition of any person interested, make an order

1 determining who are persons interested in the cemetery. Any adult person who owns
2 an interest in any ~~cemetery lot~~ burial space in the cemetery, who is related to any
3 person buried in the cemetery, or who is a descendant, brother, sister, nephew, niece,
4 or surviving spouse of a member of the dissolved association, is an interested person.
5 The circuit judge may make the order upon evidence he or she deems sufficient, with
6 or without hearing. The order need not contain the names of all persons interested,
7 but shall contain the names of at least 5 such persons.

8 ***b2049/3.8* SECTION 2852dt.** 157.062 (9) of the statutes is amended to read:

9 157.062 (9) EXEMPTIONS FOR CERTAIN NONPROFIT CEMETERIES. In lieu of
10 delivering a certification, resolution, or copy of proceedings to the department of
11 financial institutions under sub. (1), (2), or (6) (b), a cemetery association that is not
12 required to be registered under s. 440.91 (1) ~~and~~, that is not organized or conducted
13 for pecuniary profit, and that does not operate a cemetery that is located in a county
14 with a population greater than 600,000 shall deliver the certification, resolution, or
15 copy of proceedings to the office of the register of deeds of the county in which the
16 cemetery is located.

17 ***b2049/3.8* SECTION 2852dy.** 157.064 (2) of the statutes is amended to read:

18 157.064 (2) A cemetery or religious association incorporated in this state and
19 having a cemetery in or near a 1st or 2nd class city and any cemetery described under
20 s. 157.065 (3m) (d) may acquire by gift or purchase up to 30 acres of adjoining lands
21 for cemetery purposes, and may pay for it wholly or partly from its ~~cemetery lot~~ burial
22 space sales.

23 ***b2049/3.8* SECTION 2852fb.** 157.064 (6) of the statutes is amended to read:

24 157.064 (6) Whenever the majority of the members of a cemetery association,
25 or of a religious association authorized to hold lands for cemetery purposes, present

1 at an annual meeting or special meeting called for such purpose vote to convey all
2 of the cemetery association's or religious association's cemetery property, trust funds
3 and other property used for cemetery purposes to another cemetery association or
4 religious association, the trustees of the association shall transfer the property upon
5 the acceptance of the transfer by the other association by affirmative vote of a
6 majority of its members present at an annual meeting or special meeting called for
7 that purpose. Upon such acceptance, the title to the cemetery property, trust funds
8 and other property of the transferring association vests in the accepting association
9 under the control of the trustees of the accepting association. A conveyance under
10 this subsection is subject to s. 157.08 (2). This subsection does not apply to a religious
11 ~~society organized under ch. 187~~ cemetery authority.

12 *b2049/3.8* SECTION 2852fd. 157.065 (1) (b) 4. of the statutes is repealed.

13 *b2049/3.8* SECTION 2852fh. 157.07 (1) of the statutes is amended to read:

14 157.07 (1) A cemetery authority shall cause to be surveyed and platted by a
15 land surveyor registered in this state those portions of the lands that are from time
16 to time required for burial, into ~~cemetery lots~~ burial spaces, drives, and walks, and
17 record a plat or map of the land in the office of the register of deeds. The plat or map
18 may not be recorded unless laid out and platted to the satisfaction of the county board
19 of the county, and the town board of the town, in which the land is situated, or, if the
20 land is situated within a 1st class city, then only by the common council of that city.

21 *b2049/3.8* SECTION 2852fj. 157.07 (5) of the statutes is amended to read:

22 157.07 (5) The cemetery authority may vacate or replat any portion of its
23 cemetery upon the filing of a petition with the circuit court describing the portion and
24 setting forth the facts and reasons therefor. The court shall fix a time for hearing and
25 direct publication of a class 3 notice, under ch. 985, and the court shall order a copy

1 of the notice to be mailed to at least one interested person, as to each separate parcel
2 involved, whose post-office address is known or can be ascertained with reasonable
3 diligence, at least 20 days before such hearing. If the court finds that the proposed
4 vacating or replatting is for the best interest of the cemetery authority and that the
5 rights of none to whom ~~cemetery lots~~ burial spaces have been conveyed will be
6 injured, it shall enter an order reciting the jurisdictional facts and its findings and
7 authorizing the vacating or replatting of the lands of the cemetery. The order shall
8 be effective when recorded by the register of deeds.

9 ***b2049/3.8* SECTION 2852fL.** 157.07 (6) of the statutes is amended to read:

10 157.07 (6) This section does not apply to a religious society organized under ch.
11 ~~187~~ cemetery authority.

12 ***b2049/3.8* SECTION 2852fn.** 157.08 (1) of the statutes is amended to read:

13 157.08 (1) After the plat or map is recorded under s. 157.07, the cemetery
14 authority may sell and convey ~~cemetery lots~~ burial spaces. Conveyances shall be
15 signed by the chief officer of the cemetery authority, and by the secretary or clerk of
16 the cemetery authority, if any. Before delivering the conveyance to the grantee, the
17 cemetery authority shall enter on records kept for that purpose, the date and
18 consideration and the name and residence of the grantee. The conveyances may be
19 recorded with the register of deeds.

20 ***b2049/3.8* SECTION 2852fp.** 157.08 (2) (a) of the statutes is amended to read:

21 157.08 (2) (a) If a ~~cemetery lot or mausoleum~~ burial space is sold by a cemetery
22 authority and used or intended to be used for the burial of the human remains of the
23 purchaser or the purchaser's family members, the purchaser's interests in the
24 ownership of, title to, or right to use the ~~cemetery lot or mausoleum~~ burial space are

1 not affected or limited by any claims or liens of other persons against the cemetery
2 authority.

3 ***b2049/3.8* SECTION 2852fr.** 157.08 (2) (b) of the statutes is amended to read:

4 157.08 (2) (b) 1. Before a cemetery authority sells or encumbers any cemetery
5 land, except for a sale described in par. (a), the cemetery authority shall notify the
6 department in writing.

7 3. If within 60 days after the department is notified of the ~~proposed sale or~~
8 ~~encumbrance under subd. 1. or 1m.~~ the department notifies the cemetery authority
9 in writing that the department objects to the ~~sale or encumbrance~~ proposed action,
10 the cemetery authority may not ~~sell or encumber the cemetery land~~ take the action
11 unless the department subsequently notifies the cemetery authority in writing that
12 the objection is withdrawn.

13 4. The department may object to a ~~sale or encumbrance~~ an action under subd.
14 3. only if it determines that the cemetery authority will not be financially solvent or
15 that the rights and interests of owners of ~~cemetery lots and mausoleum~~ burial spaces
16 will not be adequately protected if the ~~sale or encumbrance occurs~~ action is taken.
17 The department shall promulgate rules that establish requirements and procedures
18 for making a determination under this subdivision.

19 5. The department may, before the expiration of the 60-day period under subd.
20 3., notify the cemetery authority in writing that the department approves of the ~~sale~~
21 ~~or encumbrance~~ action. Upon receipt of the department's written approval, the
22 cemetery authority may ~~sell or encumber the cemetery land~~ take the action and is
23 released of any liability under this paragraph.

24 6. The department shall make every effort to make determinations under this
25 paragraph in an expeditious manner.

1 ***b2049/3.8* SECTION 2852ft.** 157.08 (2) (b) 1m. of the statutes is created to
2 read:

3 157.08 (2) (b) 1m. Before a cemetery authority of a cemetery in a county with
4 a population greater than 600,000 takes any of the following actions, the cemetery
5 authority shall notify the department in writing:

6 a. Transfers ownership or control of 50% or more of the assets or stock of the
7 cemetery.

8 b. Engages in a transaction that results in a person acquiring ownership or
9 control of 50% or more of the stock of the cemetery.

10 c. Transfers responsibility for management or operation of the cemetery
11 authority.

12 ***b2049/3.8* SECTION 2852fu.** 157.08 (2) (b) 2. of the statutes is created to read:

13 157.08 (2) (b) 2. The department shall promulgate rules that specify the
14 documentation that must be submitted with a notification under subds. 1. and 1m.

15 ***b2049/3.8* SECTION 2852fw.** 157.08 (5) of the statutes is amended to read:

16 157.08 (5) Subsections (1) and (2) (b) do not apply to a religious society
17 ~~organized under ch. 187, cemetery authority~~ and sub. (2) (b) does not apply to a
18 cemetery authority that is not required to be registered under s. 440.91 (1) and, that
19 is not organized or conducted for pecuniary profit, and that ~~does not operate a~~
20 cemetery that is located in a county with a population greater than 600,000.”.

21 ***b2049/3.9* 1267.** Page 957, line 4: delete lines 4 to 20 and substitute:

22 ***b2049/3.9* “SECTION 2852fx.** 157.10 (title) of the statutes is amended to read:

23 **157.10 (title) Alienation and use of cemetery lots burial spaces.**

1 ***b2049/3.9* SECTION 2852gb.** 157.10 of the statutes is renumbered 157.10 (1)
2 and amended to read:

3 157.10 (1) While any person is buried in a ~~cemetery lot~~ burial space, the
4 ~~cemetery lot~~ burial space shall be inalienable, without the consent of the cemetery
5 authority, and on the death of the owner, ownership of the ~~cemetery lot~~ burial space
6 shall descend to the owner's heirs; but any one or more of such heirs may convey to
7 any other heir his or her interest in the ~~cemetery lot~~ burial space. No human remains
8 may be buried in a ~~cemetery lot~~ burial space except the human remains of one having
9 an interest in the ~~cemetery lot~~ burial space, or a relative, or the husband or wife of
10 such person, or his or her relative, except by the consent of all persons having an
11 interest in the ~~cemetery lot~~ burial space.

12 ***b2049/3.9* SECTION 2852hb.** 157.10 (2) of the statutes is created to read:

13 157.10 (2) The department shall promulgate rules that interpret the
14 requirements of this section and require any person who transfers an interest in a
15 burial space to provide the transferee with a written notice, prepared by the
16 department, that describes the requirements of this section.

17 ***b2049/3.9* SECTION 2852jd.** 157.11 (title) of the statutes is amended to read:

18 **157.11 (title) Improvement and care of ~~cemetery lots~~ burial spaces and**
19 **grounds.**

20 ***b2049/3.9* SECTION 2852jf.** 157.11 (1m) of the statutes is created to read:

21 157.11 (1m) DUTY TO MAINTAIN. A cemetery authority of a cemetery in a county
22 with a population greater than 600,000 shall maintain a ~~cemetery~~, including burial
23 spaces, grounds, landscaping, roads, parking lots, fences, buildings, and other
24 structures, in a reasonable manner at all times.

25 ***b2049/3.9* SECTION 2852jh.** 157.11 (2) of the statutes is amended to read:

1 157.11 (2) REGULATIONS. The cemetery authority may make regulations for
2 management and care of the cemetery. No person may plant, in the cemetery, trees
3 or shrubs, nor erect wooden fences or structures or offensive or dangerous structures
4 or monuments, nor maintain them if planted or erected in violation of the
5 regulations. The cemetery authority may require any person owning or controlling
6 a cemetery lot burial space to do anything necessary to comply with the regulations
7 by giving reasonable personal notice in writing if the person is a resident of the state,
8 otherwise by publishing a class 3 notice, under ch. 985, in the county. If the person
9 fails to comply within 20 days thereafter, the cemetery authority may cause it to be
10 done and recover from the person the expense. The cemetery authority may also
11 impose a forfeiture not exceeding \$10 for violation of the regulations posted in 3
12 conspicuous places in the cemetery, recoverable under ch. 778. Each employee and
13 agent of the cemetery authority shall have constable powers in enforcing the
14 regulations.

15 ***b2049/3.9* SECTION 2852jj.** 157.11 (3) of the statutes is amended to read:

16 157.11 (3) CONTRACTS. The cemetery authority may contract with persons who
17 own or are interested in a cemetery lot burial space for its care. The contract shall
18 be in writing, may provide that the cemetery lot burial space shall be forever exempt
19 from taxes, assessments, or charges for its care and the care and preservation of the
20 grounds, shall express the duty of the cemetery authority, shall be recorded in a book
21 kept for that purpose, and shall be effective when the consideration is paid or
22 secured.

23 ***b2049/3.9* SECTION 2852jL.** 157.11 (4) of the statutes is amended to read:

24 157.11 (4) ASSOCIATIONS OF RELATIVES. Persons owning a cemetery lot burial
25 space or having relatives buried in a cemetery may incorporate an association to hold

1 and occupy a previously constituted cemetery, and to preserve and care for the same.
2 Section 157.062 shall apply to the association. Nothing in this subsection shall give
3 rights of burial. A municipality may lease a municipal cemetery to a cemetery
4 association for preservation and may contract to permit the association to use
5 cemetery funds therefor. Such leases and contracts may be revoked at will by the
6 municipal board.

7 ***b2049/3.9* SECTION 2852jn.** 157.11 (5) of the statutes is amended to read:

8 157.11 (5) SUM REQUIRED. The cemetery authority shall annually fix the sum
9 necessary for the care of ~~cemetery lots~~ burial spaces and care and improvement of
10 the cemetery, or to produce a sufficient income for those purposes.

11 ***b2049/3.9* SECTION 2852jp.** 157.11 (7) (a) of the statutes is amended to read:

12 157.11 (7) (a) The cemetery authority may annually assess upon the ~~cemetery~~
13 ~~lots~~ burial spaces amounts not to exceed the amounts reasonably required for actual
14 and necessary costs for cleaning and care of ~~cemetery lots~~ burial spaces and care and
15 improvement of the cemetery. Notice of the assessment, along with a copy of this
16 section, shall be mailed to each owner or person having charge of a ~~cemetery lot~~
17 burial space, at the owner's or person's last-known post-office address, directing
18 payment to the cemetery authority within 30 days and specifying that such
19 assessments are a personal liability of the owner or person.

20 ***b2049/3.9* SECTION 2852jr.** 157.11 (7) (b) of the statutes is amended to read:

21 157.11 (7) (b) The cemetery authority may fix and determine the sum
22 reasonably necessary for the care of the ~~grave or cemetery lot~~ burial space in
23 reasonable and uniform amounts, which amounts shall be subject to the approval of
24 the court, and may collect those amounts as part of the funeral expenses.

25 ***b2049/3.9* SECTION 2852jt.** 157.11 (7) (c) of the statutes is amended to read:

1 157.11 (7) (c) Before ordering distribution of the estate of a deceased person,
2 the court shall order paid any assessment under this section, or the sum so fixed for
3 the care of the ~~cemetery lot or grave~~ burial space of the deceased.

4 ***b2049/3.9* SECTION 2852jv.** 157.11 (7) (d) of the statutes is amended to read:

5 157.11 (7) (d) When uniform care of a ~~cemetery lot~~ burial space has been given
6 for 2 consecutive years or more, for which assessments are unpaid, after notice as
7 provided in sub. (2), right to burial is forfeited until delinquent assessments are paid.
8 When uniform care has been given for 5 consecutive years or more and the
9 assessments are unpaid, upon like notice, title to all unoccupied parts of the ~~cemetery~~
10 ~~lot~~ burial space shall pass to the cemetery authority and may be sold, the payment
11 of principal to be deposited into the care fund. Before depositing the payment of
12 principal into the care fund, the cemetery authority may retain an amount necessary
13 to cover the cemetery authority's administrative and other expenses related to the
14 sale, but the amount retained may not exceed 50% of the proceeds.

15 ***b2049/3.9* SECTION 2852jx.** 157.11 (8) (title) of the statutes is repealed.

16 ***b2049/3.9* SECTION 2852jy.** 157.11 (8) of the statutes is renumbered 157.11
17 (9) (am) and amended to read:

18 157.11 (9) (am) The A cemetery authority shall take, hold, and use any gifts,
19 or the income and proceeds of any gifts, as may be made in trust or otherwise, for the
20 improvement, maintenance, repair, preservation, or ornamentation of any ~~cemetery~~
21 ~~lot~~ burial space or structure in the cemetery, according to the terms of the gift and
22 regulations by the cemetery authority.

23 ***b2049/3.9* SECTION 2852jz.** 157.11 (9) (title) of the statutes is repealed and
24 recreated to read:

25 157.11 (9) (title) GIFTS.

1 ***b2049/3.9* SECTION 2852Lb.** 157.11 (9) (a) of the statutes is renumbered
2 157.11 (9) (b) and amended to read:

3 157.11 (9) (b) Before a cemetery authority receives a gift, the surety bonds of
4 the cemetery authority shall be increased to cover such amount if it does not then do
5 so. ~~If the bonds are not filed, or the~~

6 (d) If a cemetery authority fails to do anything required by this subsection, the
7 judge may appoint a trustee, and all property and money ~~so~~ given in the manner
8 described under par. (am) or (c) and evidences of title and securities shall be delivered
9 to the trustee.

10 ***b2049/3.9* SECTION 2852Ld.** 157.11 (9) (c) of the statutes is created to read:

11 157.11 (9) (c) If a cemetery authority of a cemetery in a county with a population
12 greater than 600,000 receives a gift for the improvement, maintenance, repair,
13 preservation, or ornamentation of any burial space or structure in the cemetery, it
14 shall either expend the income and proceeds of the gift or deposit the proceeds into
15 a trust account at a financial institution, as defined in s. 705.01 (3), according to the
16 terms of the gift and regulations of the cemetery authority. A cemetery authority of
17 a cemetery in a county with a population greater than 600,000 that receives a gift
18 shall maintain a gift ledger that accounts for all receipts and disbursements of gifts.

19 ***b2049/3.9* SECTION 2852Lf.** 157.11 (9g) (title) of the statutes is amended to
20 read:

21 157.11 (9g) (title) CARE FUND FOR ~~CEMETERY LOTS~~ BURIAL SPACES.

22 ***b2049/3.9* SECTION 2852Lh.** 157.11 (9g) (a) 1. (intro.) of the statutes is
23 amended to read:

1 157.11 (9g) (a) 1. (intro.) Except as provided in ss. ~~66.0603 (1) (e)~~ 66.0603 (1m)
2 (c) and 157.19 (5) (b), funds that are received by a cemetery authority for the care of
3 a ~~cemetery lot~~ burial space shall be invested in one or more of the following manners:

4 ***b2049/3.9* SECTION 2852Lj.** 157.11 (9g) (a) 1. c. of the statutes is amended
5 to read:

6 157.11 (9g) (a) 1. c. If not invested as provided in subd. 1. a. or b., otherwise
7 deposited by the cemetery authority in an investment ~~approved by the department~~
8 if the care funds are segregated and invested separately from all other moneys held
9 by the cemetery authority. A cemetery authority of a cemetery in a county with a
10 population of 600,000 or less may invest funds in the manner described in this subd.
11 1. c. only if the department approves the investment. A cemetery authority of a
12 cemetery in a county with a population greater than 600,000 may invest funds in the
13 manner described in this subd. 1. c. only if the cemetery authority submits to the
14 department a written statement by an investment advisor licensed under ch. 551, or
15 a broker, as defined in s. 408.102 (1) (c), that the investment is made in accordance
16 with the standards specified in s. 881.01.

17 ***b2049/3.9* SECTION 2852LL.** 157.11 (9g) (a) 2. of the statutes is amended to
18 read:

19 157.11 (9g) (a) 2. The manner in which the care funds are invested may not
20 permit the cemetery authority to withdraw the care fund's principal amount. ~~The~~
21 , but, for a cemetery authority of a cemetery in a county with a population greater
22 than 600,000, may permit the withdrawal of interest, dividends, or capital gains
23 earned during the most recently completed calendar year. For any cemetery
24 authority, the income from the investment of a care fund for the care of cemetery lots
25 burial spaces may be used only to maintain the ~~cemetery lots~~ burial spaces and

1 grounds, except that if the amount of income exceeds the amount necessary to
2 maintain the ~~cemetery lots~~ burial spaces or grounds properly, the excess amount may
3 be used to maintain any other portion of the cemetery, including mausoleums. If the
4 care funds are deposited with a city or county, or previously deposited with a village,
5 there shall be paid to the cemetery authority annually interest on funds so deposited
6 of not less than 2% per year. The governing body of any city or county, or any village
7 or town in the case of previous deposits, may determine to return all or a part of any
8 funds deposited by a cemetery authority, and that cemetery authority shall accept
9 the returned funds within 30 days after receiving written notice of that action. If the
10 cemetery authority is dissolved or becomes inoperative, the county or city shall use
11 the interest on the funds for the care and upkeep of the cemetery. Deposit shall be
12 made and the income paid over from time to time, not less frequently than once each
13 year, and receipts in triplicate shall be given, one filed with the county clerk, one with
14 the cemetery authority and one given to the person making the deposit. Deposits
15 shall be in the amount of \$5 or a multiple thereof. Records and receipts shall specify
16 the ~~cemetery lot~~ burial space for the care of which the deposit is made. Reports of
17 money received for care and of money and property received as gifts shall be made
18 annually as provided in s. 157.62 (2).

19 *b2049/3.9* SECTION 2852Ln. 157.11 (9g) (c) of the statutes is amended to
20 read:

21 157.11 (9g) (c) Except as provided in sub. (11), any cemetery authority that sells
22 a cemetery lot, lawn crypt, or columbarium space on or after ~~November 1, 1991~~ the
23 effective date of this paragraph ... [revisor inserts date], shall deposit 15% of each
24 payment of principal into a care fund under par. (a) within 30 days after the last day
25 of the month in which the payment is received, except as provided in sub. (7) (d) and

1 s. 157.115 (2) (f). The total amount deposited must equal 15% of the total amount of
2 all payments of principal that have been received, but not less than \$25.

3 ***b2049/3.9* SECTION 2852Lp.** 157.11 (10) of the statutes is amended to read:

4 157.11 (10) EXEMPTION FOR RELIGIOUS SOCIETIES CEMETERY AUTHORITIES.

5 Subsections (1) to (9), (9g) (a) and (b), (9m) and (9r) do not apply, but sub. (9g) (c) does
6 apply, to a religious society organized under ch. 187 cemetary authority.

7 ***b2049/3.9* SECTION 2852Lt.** 157.11 (11) of the statutes is amended to read:

8 157.11 (11) EXEMPTION FOR CERTAIN NONPROFIT CEMETERIES. Subsection (9g) does
9 not apply to a cemetery authority that is not required to be registered under s. 440.91
10 (1) and, that is not organized or conducted for pecuniary profit, and that does not
11 operate a cemotery in a county with a population that is greater than 600,000.

12 ***b2049/3.9* SECTION 2852ob.** 157.115 (title) of the statutes is amended to
13 read:

14 **157.115 (title) Abandonment of cemeteries and cemetary lots burial**
15 **spaces.**

16 ***b2049/3.9* SECTION 2852obm.** 157.115 (1) (title) of the statutes is amended
17 to read:

18 157.115 (1) (title) ABANDONMENT OF CEMETERIES: ALL COUNTIES.

19 ***b2049/3.9* SECTION 2852oc.** 157.115 (1) (a) of the statutes is renumbered
20 157.115 (1) (ar).

21 ***b2049/3.9* SECTION 2852od.** 157.115 (1) (ag) of the statutes is created to read:
22 157.115 (1) (ag) This subsection applies to cemeteries in any county.

23 ***b2049/3.9* SECTION 2852oh.** 157.115 (1) (b) and (c) of the statutes are
24 renumbered 157.115 (1g) (b) and (c).

1 ***b2049/3.9* SECTION 2852of.** 157.115 (1g) (title) of the statutes is created to
2 read:

3 157.115 (1g) (title) ABANDONMENT OF CEMETERIES; NONPOPULOUS COUNTIES.

4 ***b2049/3.9* SECTION 2852og.** 157.115 (1g) (a) of the statutes is created to read:
5 157.115 (1g) (a) This subsection applies to cemeteries in counties with a
6 population that is 600,000 or less.

7 ***b2049/3.9* SECTION 2852oj.** 157.115 (1r) of the statutes is created to read:
8 157.115 (1r) ABANDONMENT OF CEMETERIES; POPULOUS COUNTIES. (a) This
9 subsection applies to cemeteries in counties with a population greater than 600,000.

10 (b) If a municipality in which a cemetery is located determines that the
11 cemetery authority has failed to care for the cemetery for a period of 6 months or
12 more, the municipality shall notify the cemetery authority that it has 90 days to
13 correct the failure. Upon a showing of good cause, the municipality may grant the
14 cemetery authority one 90–day extension to correct the failure. If the municipality
15 finds that the cemetery authority has failed to correct the failure within the deadline
16 specified in the notice or extension, the municipality may, after a public hearing, take
17 control of the cemetery, manage and care for the cemetery, collect and manage all
18 trust funds connected with the cemetery other than trust funds received by a will,
19 or take any other action necessary to provide for the care of the cemetery. The
20 municipality may collect from the cemetery authority any costs incurred by the
21 municipality in exercising its authority under this paragraph.

22 ***b2049/3.9* SECTION 2852ok.** 157.115 (1t) of the statutes is created to read:
23 157.115 (1t) INJUNCTION. Upon application by the department, a court may
24 enjoin a person from acquiring ownership or control of a cemetery in a county with
25 a population greater than 600,000 if the person has abandoned another cemetery

1 anywhere in this state, or has owned or operated another cemetery anywhere in this
2 state that is subsequently controlled by a municipality under sub. (1g) (b) or (c) or
3 (1r) (b).

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

6 157.115 (2) (title) ~~ABANDONMENT OF CEMETERY LOTS~~ BURIAL SPACES.

7 ***b2049/3.9* SECTION 2852on.** 157.115 (2) (a) 1. (intro.) of the statutes is
8 amended to read:

9 157.115 (2) (a) 1. (intro.) “Abandoned ~~lot~~ space” means one or more ~~graves of~~
10 ~~a cemetery lot~~ burial spaces that ~~is~~ are not owned by the cemetery authority of the
11 cemetery in which the ~~cemetery lot is~~ burial spaces are located if those ~~graves~~ burial
12 spaces have not been used for the burial of human remains and if, according to the
13 records of the cemetery authority, all of the following apply during the 50-year period
14 immediately preceding the date on which the notice requirement under par. (c) is
15 satisfied:

16 ***b2049/3.9* SECTION 2852op.** 157.115 (2) (a) 1. a. of the statutes is amended
17 to read:

18 157.115 (2) (a) 1. a. No owner has transferred any ownership interest in the
19 ~~cemetery lot~~ burial space to any other person.

20 ***b2049/3.9* SECTION 2852or.** 157.115 (2) (a) 1. b. of the statutes is amended
21 to read:

22 157.115 (2) (a) 1. b. No owner has purchased or sold another ~~cemetery lot or a~~
23 ~~mausoleum~~ burial space in the cemetery.

24 ***b2049/3.9* SECTION 2852ot.** 157.115 (2) (a) 1. c. of the statutes is amended
25 to read:

1 157.115 (2) (a) 1. c. No other grave in that ~~cemetery lot~~ burial space or adjoining
2 ~~cemetery lot~~ or adjoining ~~mausoleum~~ burial space that is owned or partially owned
3 by an owner has been used for the burial of human remains.

4 ***b2049/3.9* SECTION 2852ov.** 157.115 (2) (a) 1. d. of the statutes is amended
5 to read:

6 157.115 (2) (a) 1. d. No grave marker, monument, or other memorial has been
7 installed on the ~~cemetery lot~~ burial space.

8 ***b2049/3.9* SECTION 2852ox.** 157.115 (2) (a) 1. e. of the statutes is amended
9 to read:

10 157.115 (2) (a) 1. e. No grave marker, monument, or other memorial has been
11 installed on any other ~~cemetery lot~~ burial space, in the same cemetery, that is owned
12 or partially owned by an owner.

13 ***b2049/3.9* SECTION 2852oz.** 157.115 (2) (a) 1. g. of the statutes is amended
14 to read:

15 157.115 (2) (a) 1. g. The cemetery authority has not been contacted by an owner
16 or assignee or received any other notice or evidence to suggest that an owner or
17 assignee intends to use the ~~cemetery lot~~ burial space for a future burial of human
18 remains.

19 ***b2049/3.9* SECTION 2852pb.** 157.115 (2) (a) 2. of the statutes is amended to
20 read:

21 157.115 (2) (a) 2. “Assignee” means a person who has been assigned in the
22 deceased owner’s will or in any other legally binding written agreement, or who is
23 entitled to receive under ch. 852, an ownership interest in the abandoned ~~cemetery~~
24 lot space.

1 ***b2049/3.9* SECTION 2852pd.** 157.115 (2) (a) 3. of the statutes is amended to
2 read:

3 157.115 (2) (a) 3. “Owner” means a person who, according to the records of the
4 cemetery authority of the cemetery in which an abandoned ~~cemetery lot~~ space is
5 located, owns or partially owns the abandoned ~~cemetery lot~~ space.

6 ***b2049/3.9* SECTION 2852pf.** 157.115 (2) (b) of the statutes is amended to read:

7 157.115 (2) (b) No cemetery authority may resell an abandoned ~~cemetery lot~~
8 space unless the cemetery authority complies with the requirements in this
9 subsection or the abandoned space is sold by a trustee under s. 157.117.

10 ***b2049/3.9* SECTION 2852ph.** 157.115 (2) (c) of the statutes is amended to
11 read:

12 157.115 (2) (c) The cemetery authority shall mail to each owner, at each owner’s
13 last-known address, a notice of the cemetery authority’s intent to resell the
14 abandoned ~~cemetery lot~~ space as provided in this subsection. If an owner is buried
15 in the cemetery in which the abandoned ~~cemetery lot~~ space is located or if the
16 cemetery authority has any other evidence that reasonably supports a
17 determination by the cemetery authority that the owner is deceased, no notice is
18 required under this paragraph.

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

21 157.115 (2) (d) (intro.) If no notice is required under par. (c) or if, within 60 days
22 after notice is mailed under par. (c), no owner or assignee contacts the cemetery
23 authority to express an intent to use the abandoned ~~cemetery lot~~ space for a future
24 burial of human remains, the cemetery authority shall publish in a newspaper of

1 general circulation in the county in which the abandoned ~~lot~~ space is located, a class
2 notice under ch. 985 that includes all of the following:

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

5 157.115 (2) (d) 1. The location of the abandoned ~~lot~~ space.

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

8 157.115 (2) (d) 3. A statement that, unless an owner or assignee contacts the
9 cemetery authority within the period specified in par. (e), the cemetery authority
10 intends to resell the abandoned ~~lot~~ space as provided in this subsection.

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

13 157.115 (2) (e) If within 60 days after notice is published under par. (c) no owner
14 or assignee contacts the cemetery authority to express an intent to use the
15 abandoned ~~lot~~ space for a future burial of human remains, the cemetery authority
16 shall bring an action in the circuit court of the county in which the abandoned ~~lot~~
17 space is located for a judgment that the ~~cemetery lot~~ burial space is an abandoned
18 ~~lot~~ space and an order transferring ownership of the abandoned ~~lot~~ space to the
19 cemetery authority.

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

21 157.115 (2) (f) If within one year after the circuit court enters a judgment and
22 order under par. (e) no owner or assignee contacts the cemetery authority to express
23 an intent to use the abandoned ~~lot~~ space for a future burial of human remains, the
24 cemetery authority may resell the abandoned ~~lot~~ space, except as provided in par. (g).

25 The payment of principal shall be deposited into the care fund. Before depositing the

1 payment of principal into the care fund, the cemetery authority may retain an
2 amount necessary to cover the cemetery authority's administrative and other
3 expenses related to the sale, but the amount retained may not exceed 50% of the
4 proceeds.

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

6 157.115 (2) (g) If at any time before an abandoned lot space is resold under par.
7 (f) an owner or assignee contacts the cemetery authority to express an intent to use
8 the abandoned lot space for a future burial of human remains, the authority may not
9 resell the abandoned lot space, and ownership of the abandoned lot space shall be
10 transferred to the owner or assignee. The cemetery authority shall pay all costs of
11 transferring ownership under this paragraph.

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

14 157.115 (2) (h) Nothing in this subsection prohibits a cemetery authority from
15 seeking the authority to resell more than one abandoned lot space by publishing a
16 single class 3 notice under par. (d) or bringing a single action under par. (e) that
17 applies to all of the abandoned lots spaces for which such authority is sought.

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

19 **157.117 Trustees for certain cemeteries and mausoleums. (1)**
20 DEFINITIONS. In this section:

21 (a) "Cemetery" means a cemetery in a county with a population greater than
22 600,000, but does not include a cemetery the ownership, control, or management of
23 which has been assumed by a municipality. For purposes of this paragraph, a
24 municipality is considered to have assumed the ownership, control, or management
25 of a cemetery only if the municipality has adopted a resolution or enacted an

1 ordinance that has the effect of assuming ownership, control, or management of the
2 cemetery. “Cemetery” also does not include a cemetery owned and operated by a
3 religious cemetery authority.

4 (b) “Local governmental unit” means a municipality or county.

5 (c) “Mausoleum” does not include a mausoleum owned and operated by a
6 religious cemetery authority.

7 (d) “Municipality” means a city, village, or town.

8 (e) “Trustee” means a trustee appointed under sub. (2) (b).

9 **(2) APPOINTMENT OF TRUSTEE.** (a) In response to a petition from the department
10 or upon his or her own motion, the attorney general may petition the circuit court for
11 the county in which a cemetery or mausoleum is located for the appointment of a
12 trustee for the cemetery or mausoleum. If the attorney general petitions the court
13 on his or her own motion, the attorney general shall serve a copy of the petition on
14 the department and the municipality and county within which the cemetery is
15 located.

16 (b) A court shall schedule a hearing on a petition filed under par. (a) within 90
17 days after the petition is filed with the court. If the court finds after a hearing that
18 a cemetery or mausoleum is neglected, abandoned, in disuse, improperly
19 maintained, or financially unsound, the court shall appoint as a trustee for the
20 cemetery or mausoleum a capable and competent person to serve as trustee of the
21 cemetery or mausoleum under this section, except that the court may not appoint the
22 department as a trustee.

23 (c) An owner of a cemetery or mausoleum may petition the court in a proceeding
24 under par. (b) for an order surrendering title to the cemetery or mausoleum to a new
25 owner, other than the state, if the owner believes itself to be incapable of continuing

1 to operate the cemetery or mausoleum. The court may grant the petition if it finds
2 that the cemetery or mausoleum is neglected, abandoned, in disuse, improperly
3 maintained, or financially unsound. If the court grants the petition, it shall transfer
4 title to the cemetery or mausoleum to the new owner and appoint a trustee under par.
5 (b).

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

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

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

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

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

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

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

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

22 3. Removal and reinternment of human remains in accordance with the
23 requirements of this subchapter.

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

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

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

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

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

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

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

13 (4) DEPARTMENT POWERS AND DUTIES. (a) From the appropriation under s. 20.165
14 (1) (q), the department shall make disbursements to trustees. The department shall
15 promulgate rules establishing requirements and procedures for making the
16 disbursements.

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

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

21 (a) The owner or operator of a cemetery or mausoleum demonstrates to the
22 satisfaction of the court that the conditions that necessitated the trusteeship have
23 been remedied and that it is competent and capable of managing the cemetery or
24 mausoleum.

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

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

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

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

11 157.12 (2) (b) The department shall supervise construction of any public
12 mausoleum and conversion of any building to a public mausoleum. Within 30 days
13 after receiving written notice from the cemetery authority that the construction or
14 conversion has been completed, the department shall inspect the public mausoleum
15 and provide the cemetery authority with a written certification as to whether the
16 construction or conversion complies with approved plans. If the department
17 determines that, except for certain minor defects, the construction or conversion
18 complies with the approved plans, the department may provide the cemetery
19 authority with a written temporary certification of compliance that is contingent on
20 the correction of those minor defects. A temporary certification is valid for a period
21 designated by the department, not to exceed 6 months. No person may sell a
22 mausoleum space, except an undeveloped space that is sold in accordance with ~~s.~~ ss.
23 440.92 and 440.922, or bury human remains in a public mausoleum unless a care
24 fund has been established for the mausoleum under sub. (3) and the department has
25 provided the cemetery authority with a certification or a temporary certification

1 under this paragraph. If a cemetery authority that has been provided with a
2 temporary certification notifies the department in writing before the date on which
3 the temporary certification expires that the defects in the construction or conversion
4 of the public mausoleum have been corrected, the department shall, within 30 days
5 after receiving the notice, reinspect the public mausoleum and provide the cemetery
6 authority with a written certification as to whether the construction or conversion
7 complies with the approved plans. If a cemetery authority that has been provided
8 with a temporary certification does not receive a written certification from the
9 department before the date on which the temporary certification expires that the
10 construction or conversion complies with the approved plans, then, beginning on the
11 date on which the certification expires, no person may sell a mausoleum space, except
12 an undeveloped space that is sold in accordance with s. ss. 440.92 and 440.922, or
13 bury human remains in the public mausoleum until the defects are corrected and the
14 department subsequently inspects the public mausoleum and provides the cemetery
15 authority with a certification that the construction or conversion complies with the
16 approved plans. The department may charge a reasonable fee to the cemetery
17 authority for each inspection and certification provided under this paragraph if the
18 inspection and certification are provided within the applicable 30-day period
19 prescribed under this paragraph.

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

21 157.12 (3) (b) The cemetery's treasurer is the custodian of the fund. The
22 treasurer shall file with the cemetery, at the cemetery's expense, a bond with sureties
23 approved by the department of regulation and licensing to indemnify the cemetery
24 against loss if the treasurer fails to maintain the fund. No For a cemetery in a county
25 with a population greater than 600,000, the amount of the bond shall be no less than

1 the total of all payments of principal required under this section as stated in the most
2 recent annual report filed by the cemetery authority under s. 157.62. For any
3 cemetery, no indemnity is required if the terms of sale of a mausoleum space require
4 the purchaser to pay directly to a trust company in the state, designated by the
5 cemetery as custodian of the fund. The fund shall be invested as provided in s.
6 157.19. ~~Income~~ For a cemetery in a county with a population greater than 600,000,
7 the manner in which the care funds are invested may not permit the withdrawal of
8 the fund's principal amount, but may permit the withdrawal of interest, dividends,
9 or capital gains earned during the most recently completed calendar year. For any
10 cemetery, income from investment may be used only to maintain the mausoleum,
11 except that if the amount of income exceeds the amount necessary to properly
12 maintain the mausoleum the excess amount may be used to maintain any portion of
13 the cemetery.

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

16 **157.125 (title) Trustees for the care of cemeteries or ~~cemetery lots~~**
17 **burial spaces.**

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

19 157.125 (2) If the burial place or grave is located in a cemetery owned and
20 operated by a religious ~~society organized under ch. 187 cemetery authority~~, the court
21 shall name the religious ~~society~~ cemetery authority as the trustee unless the
22 religious ~~society~~ cemetery authority petitions the court to name the county treasurer
23 as the trustee.

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

1 157.128 (2) (a) The cemetery is owned by a religious association cemetery
2 authority.

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

5 157.128 (2) (b) The religious association cemetery authority is responsible for
6 all liabilities of the cemetery.

7 ***b2049/3.9* SECTION 2852qhl.** 157.128 (2) (c) of the statutes is amended to
8 read:

9 157.128 (2) (c) The total acreage of all other cemeteries owned by the religious
10 association cemetery authority exceeds 20 acres.

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

12 157.128 (3) (b) A cemetery consisting of less than 20 contiguous acres may be
13 dedicated by a cemetery authority that is not required to be registered under s.
14 440.91 (1) and, that is not organized or conducted for pecuniary profit, and that is not
15 located in a county with a population greater than 600,000.

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

17 157.19 (2) (c) Upon request of the financial institution, the preneed seller, as
18 defined in s. 440.90 (8), shall furnish the financial institution with a copy of the
19 preneed sales contract. Except as provided in s. 440.92 (2) (c), (f) and (j) and (5) ss.
20 440.922 (3), (5) (c), and (8), and 440.924, preneed trust funds, and any interest or
21 dividends that have accumulated on the preneed trust funds, may not be withdrawn
22 until all obligations under the preneed sales contract have been fulfilled. The
23 financial institution is not responsible for the fulfillment of any part of the preneed
24 sales contract, except that the financial institution shall release the preneed trust
25 funds, and any interest or dividends that have accumulated on the preneed trust

1 funds, as provided by the terms of the preneed sales contract. The trustee of a
2 preneed trust fund may not be changed without the department's written approval.
3 If the trustee or account number of a preneed trust fund is changed, the cemetery
4 authority shall notify the department in writing within 30 days after the change.

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

6 157.19 (4m) The department shall request proposals from financial
7 institutions located in this state for the purpose of selecting a financial institution
8 that cemetery authorities and preneed sellers may use as the trustee for care funds
9 under s. 157.11 (9g) and 157.12 (3) and preneed trust funds under s. 440.92. Except
10 as provided in sub. (5) (c), a cemetery authority or preneed seller is not required to
11 use the financial institution selected by the department. The financial institution
12 selected under this subsection shall submit an annual report to the department, in
13 a form and manner satisfactory to the department, that provides an accounting of
14 all care funds and preneed trust funds for which the financial institution is the
15 trustee.

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

17 157.19 (5) (a) This section does not apply to care funds under s. 157.11 (9g) that
18 are deposited with a city or county as provided under s. 157.11 (9g) (a), to care funds
19 of a cemetery for which a certification under s. 157.63 is effective, or to preneed trust
20 funds of a cemetery for which a certification under s. 440.92 (9) is effective, or to care
21 funds or preneed trust funds of a cemetery authority that is not required to be
22 registered under s. 440.91 (1) ~~and~~, that is not organized or conducted for pecuniary
23 profit, and that is not located in a county with a population greater than 600,000.

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

1 157.19 (5) (c) If the department determines that a cemetery authority of a
2 cemetery in a county with a population greater than 600,000, or a preneed seller for
3 such a cemetery authority, has violated any requirement under this subchapter or
4 subch. VIII of ch. 440 relating to care funds under s. 157.11 (9g) and 157.12 (3) or
5 preneed trust funds under s. 440.92, the department may require the cemetery
6 authority or preneed seller to use the financial institution selected under sub. (4m)
7 as the trustee for the care funds or preneed trust funds.

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

9 **157.60 Public easement in cemetery.** Any person who shall open or make
10 any highway, town way, or private way or shall construct any railroad, turnpike, or
11 canal or anything in the nature of a public easement over, through, in, or upon such
12 part of any enclosure, being the property of any town, city, village, or religious ~~society~~
13 cemetery authority or of private proprietors, as may be used for the burial of the dead,
14 unless an authority for that purpose shall be specially granted by law or unless the
15 consent of such town, city, village, religious ~~society~~ cemetery authority, or private
16 proprietors, respectively, shall be first obtained, shall be punished by imprisonment
17 in the county jail not more than one year or by fine not exceeding \$300.

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

19 **157.61 Identification of human remains.** A person may not provide an
20 outer burial container or, if an outer burial container is not used, a casket, to a
21 cemetery authority of a cemetery in a county with a population greater than 600,000,
22 other than a religious cemetery authority, for the burial of human remains, unless
23 the person identifies the decedent by name on the exterior of the outer burial
24 container or casket.

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

3 157.62 (2) (b) 1m. If the cemetery authority operates a cemetery in a county
4 with a population greater than 600,000, the percentage of burial spaces at the
5 cemetery that are available for sale.

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

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

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

15 157.62 (3) (b) 3. A copy of each contract for the sale of a ~~cemetery lot,~~
16 ~~mausoleum~~ burial space or cemetery merchandise.

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

18 157.62 (3) (c) Every cemetery authority of a cemetery in a county with a
19 population greater than 600,000 that is registered under s. 440.91 (1) shall maintain
20 records identifying the section, lot, and site of each burial space and showing the
21 location of each burial space on a map.

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

24 157.62 (4) (title) RECORDS MAINTENANCE: INSPECTION.

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

3 ***b2049/3.9* SECTION 2852sm.** 157.62 (4) (b) of the statutes is created to read:
4 157.62 (4) (b) A cemetery authority that operates a cemetery in a county with
5 a population greater than 600,000 that is registered shall, upon reasonable notice,
6 make the records and contract copies under sub. (3) (b) available for inspection and
7 copying by the department.

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

10 ***b2049/3.9* SECTION 2852snb.** 157.62 (5) (a) of the statutes is created to read:
11 157.62 (5) (a) The department may promulgate rules establishing minimum
12 standards for the format and maintenance of records required under this section,
13 except under sub. (1).

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

16 157.62 (6) (a) Except as provided in ss. 157.625, 157.63 (5) and 440.92 (9) (e),
17 the department may audit, at reasonable times and frequency, the records, trust
18 funds, and accounts of any cemetery authority and shall audit the records, trust
19 funds, and accounts of each registered cemetery authority of a cemetery in a county
20 with a population greater than 600,000, including records, trust funds, and accounts
21 pertaining to services provided by a cemetery authority which are not otherwise
22 subject to the requirements under this chapter. The department may conduct audits
23 under this subsection on a random basis, and shall conduct all audits under this
24 subsection without providing prior notice to the cemetery authority.

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

1 157.62 (6) (b) If the department has cause to believe that a registered cemetery
2 authority of a cemetery in a county with a population greater than 600,000 has not
3 complied with the requirements of this subchapter or subch. VIII of ch. 440
4 pertaining to trust funds and accounts, the department may require the cemetery
5 authority to submit an audit conducted at the cemetery authority's expense by an
6 independent certified public accountant in accordance with generally accepted
7 auditing standards.

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

9 **157.625 Reporting exemption for certain cemeteries.** (1) A cemetery
10 authority of a cemetery that is not located in a county with a population that is
11 greater than 600,000 and that is not required under this chapter or under s. 440.92
12 to maintain any care funds or preneed trust funds is not required to file an annual
13 report under s. 157.62 (2).

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

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

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

22 **157.63 (title) Reporting and auditing exemptions; certification of**
23 **compliance of religious cemetery ~~affiliated with religious society~~**
24 **authority.**

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

1 157.63 (1) In lieu of filing an annual report under s. 157.62 (2), a religious
2 cemetery authority of ~~a cemetery that is affiliated with a religious society organized~~
3 ~~under ch. 187 or that religious society~~ or the church, synagogue, mosque,
4 incorporated college of a religious order, or religious society organized under ch. 187
5 that is affiliated with a religious cemetery authority may file an annual certification
6 with the department as provided in this section.

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

8 157.63 (2) (b) A notarized statement of a person who is legally authorized to
9 act on behalf of the religious ~~society~~ cemetery authority under this section that,
10 during the reporting period under s. 157.62, each cemetery and the religious
11 cemetery authority of each cemetery specified under par. (a) have either fully
12 complied or have substantially complied with ss. 157.11 (9g) and 157.12 (3).

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

14 157.63 (3) If the statement under sub. (2) (b) includes a statement of
15 substantial compliance, the statement under sub. (2) (b) must also specify those
16 instances when the cemetery or religious cemetery authority did not fully comply
17 with s. 157.11 (9g) or 157.12 (3).

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

19 157.63 (4) A certification under this section is effective for the 12-month period
20 immediately following the reporting period under s. 157.62 (2) for which the religious
21 cemetery authority is certified under this section to have fully or substantially
22 complied with ss. 157.11 (9g) and 157.12 (3).

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

24 157.63 (6) The church, synagogue, mosque, incorporated college of a religious
25 order, or religious society that is affiliated with a cemetery to which a certification

1 under this section applies is liable for the damages of any person that result from the
2 failure of the cemetery or religious cemetery authority to fully comply with s. 157.11
3 (9g) or 157.12 (3) during the reporting period under s. 157.62 (2) for which such
4 compliance has been certified under this section.”.

5 *b0766/1.1* **1268.** Page 957, line 20: after that line insert:

6 *b0766/1.1* “SECTION 2852n. 157.114 of the statutes is created to read:

7 **157.114 Duty to provide for burials.** (1) In this section, “cemetery
8 authority” does not include a municipality that takes control of a cemetery under s.
9 157.115 (1) (b).

10 (2) A cemetery authority shall, insofar as practicable, provide for burials
11 during each season, including winter. Nothing in this subsection may be construed
12 to prohibit a cemetery authority from charging a reasonable fee to recover the costs
13 related to providing for a burial during difficult weather conditions.”.

14 *b2049/3.10* **1269.** Page 957, line 21: delete the material beginning with
15 that line and ending with page 958, line 19, and substitute:

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

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

1 religious society from being buried in the cemetery that is affiliated with the religious
2 cemetery authority”.

3 *b2049/3.11* **1270.** Page 958, line 19: after that line insert:

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

6 157.64 (2) (e) Fails to maintain records as required in s. 157.62 (3) and (4) (a).

7 *b2049/3.11* SECTION 2852yL. 157.64 (2) (h) of the statutes is created to read:

8 157.64 (2) (h) Violates s. 157.112, if the violation occurs in a county with a
9 population greater than 600,000.

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

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

16 *b1409/1.3* **1271.** Page 958, line 24: after that line insert:

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

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

19 165.017 (2) The attorney general or his or her designee shall review and
20 approve or disapprove all proposed petitions ~~or petitions~~ for commitment of
21 individuals as specified under s. 51.20 (1) (ad) 1.

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

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

24 *b2221/3.128* **1272.** Page 959, line 7: after that line insert:

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

3 165.25 (4) (a) The department of justice shall furnish all legal services required
4 by the investment board, the lottery division in the department of revenue, the public
5 service commission, the department of transportation, the department of natural
6 resources, the department of forestry, the department of tourism, and the
7 department of employee trust funds, together with any other services, including
8 stenographic and investigational, as are necessarily connected with the legal work.”.

9 ***b1461/3.17* 1273.** Page 959, line 14: after that line insert:

10 ***b1461/3.17*** “**SECTION 2856b.** 165.25 (4) (ar) of the statutes, as affected by
11 2001 Wisconsin Act (this act), is amended to read:

12 165.25 (4) (ar) The department of justice shall furnish all legal services
13 required by the department of agriculture, trade and consumer protection relating
14 to the enforcement of ss. 100.171, 100.173, 100.174, 100.175, 100.177, 100.18,
15 100.182, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37, 100.42, 100.50
16 and 100.51 and chs. 126, 136, 344, 704, 707, and 779, together with any other services
17 as are necessarily connected to the legal services.”.

18 ***b2097/1.2* 1274.** Page 959, line 24: after that line insert:

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

20 **165.72** (title) **Controlled Dangerous weapons in public schools and**
21 **controlled substances hotline and rewards for controlled substances tips.**

22 ***b2097/1.2*** **SECTION 2857h.** 165.72 (1) (a) of the statutes is renumbered
23 165.72 (1) (aj).

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

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

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

4 165.72 (2) HOTLINE. (intro.) The department of justice shall maintain a single
5 toll-free telephone number during normal retail business hours, as determined by
6 departmental rule, for ~~both~~ all of the following:

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

8 165.72 (2) (c) For persons to provide information anonymously regarding
9 dangerous weapons in public schools.

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

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

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

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

25 (a) The administration of the public school.

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

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

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

10 *b2098/1.5* **1275.** Page 960, line 10: after that line insert:

11 *b2098/1.5* “SECTION 2858i. 165.85 (2) (a) of the statutes is renumbered
12 165.85 (2) (ah).

13 *b2098/1.5* SECTION 2858k. 165.85 (2) (ac) of the statutes is created to read:
14 165.85 (2) (ac) “Alzheimer’s disease” has the meaning given in s. 46.87 (1) (a).

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

17 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law
18 enforcement officer, except on a temporary or probationary basis, unless the person
19 has satisfactorily completed a preparatory program of law enforcement training
20 approved by the board and has been certified by the board as being qualified to be
21 a law enforcement or tribal law enforcement officer. The program shall include 400
22 hours of training, except the program for law enforcement officers who serve as
23 rangers for the department of natural resources includes 240 hours of training. The
24 board shall promulgate a rule under ch. 227 providing a specific curriculum for a

1 400-hour conventional program and a 240-hour ranger program. The rule shall
2 ensure that there is an adequate amount of training for each program to enable the
3 person to deal effectively with domestic abuse incidents, including training that
4 addresses the emotional and psychological effect that domestic abuse has on victims.

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