

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 SENATE BILL 246**

October 16, 2003 – Offered by JOINT COMMITTEE ON FINANCE.

1 **AN ACT** *to amend* 84.063 (5), 84.30 (14), 86.196 (2) (c), 115.28 (7) (a), 196.195 (10),
2 218.0114 (13) (b), 218.11 (2) (b) 1., 218.12 (2) (b) 2., 218.22 (2) (b) 1., 218.32 (2)
3 (b) 1., 218.41 (2m) (a) 1., 218.51 (3) (b) 1., 341.19 (4), 343.02 (1), 343.305 (6) (a),
4 343.305 (11), 440.06, 452.10 (2) (b), 563.15 (1), 601.04 (3), 632.68 (2) (b) (intro.),
5 632.68 (4) (b), 633.14 (1) (intro.) and 633.14 (2) (intro.); **to repeal and recreate**
6 118.19 (2), 299.05 and 440.03 (1m); and **to create** 5.059, 13.92 (1) (b) 2m., 16.07,
7 16.9786, 29.026, 46.284 (3m), 48.66 (2r), 49.481, 50.02 (4m), 51.031, 73.303,
8 85.16 (3), 93.125, 93.13, 101.022, 101.023, 103.275 (2m), 103.91 (2m), 103.92
9 (2m), 104.07 (4m), 105.06 (1r), 125.04 (3m), 145.025, 146.525, 168.165, 196.195
10 (5m), 224.50, 224.60, 250.043, 299.06, 562.05 (12), 563.15 (4), 563.92 (5), 601.58
11 and 628.093 of the statutes; **relating to:** periods in which state agencies will
12 act on certain applications, petitions, and motions, approval of certain

1 applications, petitions, and motions, refunds of fees, and granting rule-making
2 authority.

Analysis by the Legislative Reference Bureau

Deadlines for agency action

This substitute amendment requires state agencies to promulgate rules establishing periods within which the agencies intend to approve or disapprove applications for specified licenses, permits, and other approvals that the agencies issue. The following state agencies are required to promulgate rules: the Department of Natural Resources (DNR); the Department of Agriculture, Trade and Consumer Protection (DATCP); the Department of Regulation and Licensing (DRL); the Department of Health and Family Services (DHFS); the Department of Commerce; the Department of Workforce Development (DWD); the Department of Public Instruction (DPI); the Department of Financial Institutions (DFI); the Department of Transportation (DOT); the Department of Administration (DOA); the Department of Revenue (DOR); the Office of the Commissioner of Insurance (OCI); and the Elections Board.

Automatic approval upon failure to meet deadlines

Under this substitute amendment, there are two possible consequences of failure to act on an application within the period established by rule. For some kinds of approvals, if an agency fails to act within the period established by rule or before the end of an authorized extension of that period, the application is automatically approved. An agency may extend the period for these approvals on the grounds that an application was incomplete if the agency provides written notice to the applicant, within 15 days of receiving the application, describing the information that must be provided to complete the application. An agency may extend the period by not more than 30 days if it finds that there is a substantial likelihood that the activity proposed to be conducted under the application would result in substantial harm to human health or human safety and that the agency cannot adequately review the application within the period. The substitute amendment also authorizes agencies to promulgate rules providing for extensions of the period for acting on an application because the applicant makes a material modification to the application or because information that the agency needs to complete its review of an application is unavailable.

A license or permit that is automatically approved is subject to any terms or conditions specified by statute or rule for that kind of license or permit and the agency may suspend or revoke it for failure to comply with those terms or conditions.

Approvals for which failure to act by a deadline results in automatic approval include: high-capacity well approvals, water pollution permits, solid or hazardous waste facility operating licenses, and permits and other determinations related to structures and deposits in navigable waters issued by DNR; nursery dealer, pesticide manufacturer, commercial feed manufacturer, food processing plant, and grain dealer licenses, and farm-raised deer registrations issued by DATCP; approvals of

construction site erosion control plans, approvals of exemptions from requirements related to the retention and disclosure of information about toxic substances, and approvals of agencies that inspect manufactured homes issued by the Department of Commerce; and approvals of plans for mergers by certain business entities and approvals relating to the operations of state banks, savings banks and savings and loans, and credit unions issued by DFI.

Fee refunds upon failure to meet deadlines

For the kinds of approvals that are not subject to automatic approval under the substitute amendment, an agency must refund fees paid by an applicant for an approval if the agency fails to act within the period established by rule. Also, an applicant may choose to treat the application as though it had been denied and obtain administrative and, if necessary, judicial review of the denial. An agency may extend the period for these approvals on the grounds that an application was incomplete if the agency provides written notice to the applicant within 15 days of receiving the application describing the information that must be provided to complete the application.

Approvals for which the consequence of failure to act on an application within the period established by rule is a refund of fees include: well driller registrations, bait dealer licenses, and commercial fishing licenses issued by DNR; milk producer, buttermaker, and cheesemaker licenses issued by DATCP; all of the occupational credentials issued by DRL and its examining boards and affiliated credentialing boards; licenses for day care centers, group homes, nursing homes, ambulance service providers, and emergency medical technicians, certifications for mental health facilities, and permits for hotels and restaurants issued by DHFS; electrician certifications, plumber licenses, and building plan approvals issued by the Department of Commerce; migrant labor camp and contractor certifications and sheltered workshop and employment agent licenses issued by DWD; teaching licenses issued by DPI; mortgage banker and investment advisor licenses issued by DFI; outdoor advertising permits, motor vehicle dealer licenses, and oversize and overweight vehicle permits issued by DOT; racetrack and bingo licenses issued by DOA; approvals of subcontractors for state building contracts and of state construction contracts by DOA; permits related to the sale of cigarettes, tobacco products, and alcohol beverages issued by DOR; certificates of authority to transact the business of insurance and benefit plan administrator licenses issued by OCI; and approvals of ballots and voting devices by the Elections Board.

Partial deregulation of telecommunications services

Under current law, a person may petition the Public Service Commission (PSC) to begin proceedings for determining whether to partially deregulate certain telecommunications services. The petition must specify the provisions of law that the person requests the PSC to suspend that will result in partial deregulation. The PSC may also begin such proceedings on its own motion that specifies the provisions of law that may be suspended. If the PSC makes certain findings regarding competition for such telecommunications services, the PSC may issue an order suspending the provisions of law specified in the petition or the PSC's motion. Current law does not impose any deadlines on such proceedings.

The substitute amendment requires the PSC to promulgate rules establishing a deadline for completing such proceedings. The PSC must inform a person who files a petition about the deadline. In addition, the PSC may extend the deadline if the petition is not complete and if, within 30 days after receiving the petition, the PSC provides written notice to the petitioner that specifically describes the information necessary to complete the petition. Also, if the PSC begins proceedings on its own motion, the PSC must inform interested persons about the deadline. If the PSC fails to complete the proceedings and, if appropriate, issue an order within the deadline, the substitute amendment provides for the suspension of any provisions of law that are specified in the petition or in the PSC's motion.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 5.059 of the statutes is created to read:

2 **5.059 Deadlines for action on certain applications. (1) DEADLINES.** The
3 board, by rule, shall establish periods within which the board intends to approve or
4 disapprove an application for any of the following:

5 (a) Approval of ballots, devices, and voting equipment under s. 5.91.

6 (b) Certification of chief inspectors under s. 7.31.

7 **(2) FAILURE TO MEET DEADLINE.** (a) Subject to sub. (4), the board shall refund
8 fees paid by the applicant for an approval specified in sub. (1) if the board fails to
9 provide the applicant with written notice, which may be by electronic mail, that the
10 board has approved or disapproved the application for the approval, including the
11 specific facts upon which any disapproval is based, before the expiration of the period
12 established under sub. (1) for the approval.

13 (am) Subject to sub. (4), if the board fails to provide the applicant for an
14 approval specified in sub. (1) with written notice, which may be by electronic mail,
15 that the board has approved or disapproved the application before the expiration of
16 the period established under sub. (1) for the approval, the applicant may choose to
17 proceed under ch. 227 as though the board had disapproved the application by

1 providing the board with written notice of that choice no later than 45 days after the
2 expiration of the period established under sub. (1).

3 (b) The board may not disapprove an application for an approval solely because
4 the board is unable to complete its review of the application within the period
5 established under sub. (1).

6 **(3) NOTICE OF DEADLINE.** In the rules under sub. (1), the board shall specify a
7 method for informing applicants of the period established under sub. (1). The board
8 shall specify the method that it determines is the most cost-effective method
9 available. The board is not required to notify an applicant if the board intends to
10 approve or disapprove the application within 14 days after receiving the application.

11 **(4) PERMITTED EXTENSION OF DEADLINE.** The board may extend the period
12 established under sub. (1) because an application is incomplete if all of the following
13 apply:

14 (a) Within 15 days after receiving the application, the board provides written
15 notice, which may be by electronic mail, to the applicant describing specifically the
16 information that must be provided to complete the application.

17 (b) The information under par. (a) is directly related to eligibility for the
18 approval or to terms or conditions of the approval.

19 (c) The information under par. (a) is necessary to determine whether to approve
20 the application or is necessary to determine the terms or conditions of the license.

21 (d) The extension is not longer than the number of days from the day on which
22 the board provides the notice under par. (a) to the day on which the board receives
23 the information.

24 **SECTION 2.** 13.92 (1) (b) 2m. of the statutes is created to read:

1 13.92 (1) (b) 2m. Determine whether an original measure requires a person to
2 obtain a license, permit, or similar approval from a state agency and, if so, include
3 a statement to that effect in the analysis of the measure.

4 **SECTION 3.** 16.07 of the statutes is created to read:

5 **16.07 Deadlines for actions on certain applications. (1) DEADLINES.** The
6 department, by rule, shall establish periods within which the department intends to
7 approve or disapprove an application for any of the following:

8 (a) Approval of subcontractors for state building projects under s. 16.855 (13)

9 (b).

10 (b) Approval of state construction contracts under s. 16.87 (3).

11 **(2) FAILURE TO MEET DEADLINE.** (a) Subject to sub. (4), the department shall
12 refund fees paid by the applicant for an approval specified in sub. (1) if the
13 department fails to provide the applicant with written notice, which may be by
14 electronic mail, that the department has approved or disapproved the application,
15 including the specific facts upon which any disapproval is based, before the
16 expiration of the period established under sub. (1) for the approval.

17 (am) Subject to sub. (4), if the department fails to provide the applicant for an
18 approval specified in sub. (1) with written notice, which may be by electronic mail,
19 that the department has approved or disapproved the application before the
20 expiration of the period established under sub. (1) for the approval, the applicant
21 may choose to proceed under ch. 227 as though the department had disapproved the
22 application by providing the department with written notice of that choice no later
23 than 45 days after the expiration of the period established under sub. (1).

1 (b) The department may not disapprove an application for an approval solely
2 because the department is unable to complete its review of the application within the
3 period established under sub. (1).

4 **(3) NOTICE OF DEADLINE.** In the rules under sub. (1), the department shall
5 specify a method for informing applicants of the periods established under sub. (1).
6 The department shall specify the method that it determines is the most cost-effective
7 method available. The department is not required to notify an applicant if the
8 department intends to approve or disapprove the application within 14 days after
9 receiving the application.

10 **(4) PERMITTED EXTENSION OF DEADLINE.** The department may extend the period
11 established under sub. (1) because an application is incomplete if all of the following
12 apply:

13 (a) Within 15 days after receiving the application, the department provides
14 written notice, which may be by electronic mail, to the applicant describing
15 specifically the information that must be provided to complete the application.

16 (b) The information under par. (a) is directly related to eligibility for the
17 approval or to terms or conditions of the approval.

18 (c) The information under par. (a) is necessary to determine whether to approve
19 the application or is necessary to determine the terms or conditions of the approval.

20 (d) The extension is not longer than the number of days from the day on which
21 the department provides the notice under par. (a) to the day on which the department
22 receives the information.

23 **SECTION 4.** 16.9786 of the statutes is created to read:

1 **16.9786 Automatic approval of certain applications. (1) DEADLINES.** The
2 department, by rule, shall establish periods within which the department intends to
3 approve or disapprove an application for any of the following:

4 (a) Licensing of computer programs under s. 16.971 (4) (a).

5 (b) Proposed purchasing contracts under s. 16.974 (5).

6 (c) Proposed strategic plans of executive branch agencies under s. 16.976 (5).

7 **(2) FAILURE TO MEET DEADLINE.** (a) Subject to subs. (4) (c) and (d) and (5), failure
8 by the department to provide the applicant for an approval specified in sub. (1) with
9 written notice, which may be by electronic mail, that the department has approved
10 or disapproved the application, including the specific facts upon which any
11 disapproval is based, before the expiration of the period established under sub. (1)
12 for the approval, constitutes approval of the application. An application approved
13 under this paragraph is subject to any terms or conditions specified by statute or rule
14 for the approval and the department may suspend, limit, revoke, or withdraw the
15 approval for substantial failure to comply with those terms or conditions. The
16 department may not make the approval subject to any term or condition that is not
17 specified by statute or rule. Within 30 days after the expiration of the period
18 established under sub. (1) for the approval, the department shall provide the
19 applicant with a statement showing that the application is approved and specifying
20 any terms and conditions that apply to that approval.

21 (b) The department may not disapprove an application for an approval solely
22 because the department is unable to complete its review of the application within the
23 period established under sub. (1).

24 **(3) NOTICE OF DEADLINE.** In the rules under sub. (1), the department shall
25 specify a method for informing applicants of the periods established under sub. (1).

1 The department shall specify the method that it determines is the most cost-effective
2 method available. The department is not required to notify an applicant if the
3 department intends to approve or disapprove the application within 14 days after
4 receiving the application.

5 **(4) OPTIONAL PROVISIONS OF RULES.** The department may include any of the
6 following in the rules required under sub. (1):

7 (a) Methods for determining the commencement of the period established
8 under sub. (1) and for determining when the application for an approval is complete.

9 (b) A longer period under sub. (1) for an application for an approval for which
10 an environmental impact statement is required under s. 1.11 than for other
11 applications.

12 (c) Extensions of the period established under sub. (1) because the applicant
13 makes a material modification to the application if the department notifies the
14 applicant in writing of the extension within 30 days after the applicant makes the
15 modification. The notification may be by electronic mail.

16 (d) Extensions of the period established under sub. (1) because information
17 needed by the department to complete its review of an application for an approval
18 is unknown or cannot be determined with certainty when the department receives
19 the application if the department notifies the applicant in writing of the need for an
20 extension within 30 days after the applicant submits the application. The
21 notification may be by electronic mail.

22 (e) Deadlines for the department to complete intermediate steps in the process
23 of completing its review of an application.

1 **(5) EXTENSIONS AUTHORIZED.** (a) During the period established under sub. (1),
2 the department and the applicant may jointly agree to a different period for acting
3 on an application than that specified under sub. (1).

4 (b) The department may extend the period established under sub. (1) because
5 an application is incomplete if all of the following apply:

6 1. Within 15 days after receiving the application, the department provides
7 written notice, which may be by electronic mail, to the applicant describing
8 specifically the information that must be provided to complete the application.

9 2. The information under subd. 1. is directly related to eligibility for the
10 approval or to terms or conditions of the approval.

11 3. The information under subd. 1. is necessary to determine whether to approve
12 the application or is necessary to determine the terms or conditions of the approval.

13 4. The extension is not longer than the number of days from the day on which
14 the department provides the notice under subd. 1. to the day on which the
15 department receives the information.

16 (d) The department may extend the period established under sub. (1) for an
17 application by not more than 30 days if, within the period established under sub. (1),
18 the department finds that there is a substantial likelihood that the activity proposed
19 to be conducted under the application would result in substantial harm to human
20 health or human safety and that the department cannot adequately review the
21 application within the period established under sub. (1) and provides written notice,
22 which may be by electronic mail, to the applicant that states with particularity the
23 facts on which those findings are based.

24 **SECTION 5.** 29.026 of the statutes is created to read:

1 **29.026 Deadlines for action on certain approval applications. (1)**

2 DEADLINES. The department, by rule, shall establish periods within which the
3 department intends to approve or disapprove an application for any of the approvals
4 specified in s. 29.024 (2r) 1. to 16.

5 **(2) FAILURE TO MEET DEADLINE.** (a) Subject to sub. (4), the department shall
6 refund fees paid by the applicant for an approval subject to sub. (1) if the department
7 fails to provide the applicant with written notice, which may be by electronic mail,
8 that the department has approved or disapproved the application for the approval,
9 including the specific facts upon which any disapproval is based, before the
10 expiration of the period established under sub. (1) for the approval.

11 (am) Subject to sub. (4), if the department fails to provide the applicant for an
12 approval subject to sub. (1) with written notice, which may be by electronic mail, that
13 the department has approved or disapproved the application before the expiration
14 of the period established under sub. (1) for the approval, the applicant may choose
15 to proceed under ch. 227 as though the department had disapproved the application
16 by providing the department with written notice of that choice no later than 45 days
17 after the expiration of the period established under sub. (1).

18 (b) The department may not disapprove an application for an approval solely
19 because the department is unable to complete its review of the application within the
20 period established under sub. (1).

21 **(3) NOTICE OF DEADLINE.** In the rules under sub. (1), the department shall
22 specify a method for informing applicants of the periods established under sub. (1).
23 The department shall specify the method that it determines is the most cost-effective
24 method available. The department is not required to notify an applicant if the

1 department intends to approve or disapprove the application within 14 days after
2 receiving the application.

3 **(4) PERMITTED EXTENSION OF DEADLINE.** The department may extend the period
4 established under sub. (1) because an application is incomplete if all of the following
5 apply:

6 (a) Within 15 days after receiving the application, the department provides
7 written notice, which may be by electronic mail, to the applicant describing
8 specifically the information that must be provided to complete the application.

9 (b) The information under par. (a) is directly related to eligibility for the
10 approval or to terms or conditions of the approval.

11 (c) The information under par. (a) is necessary to determine whether to approve
12 the application or is necessary to determine the terms or conditions of the approval.

13 (d) The extension is not longer than the number of days from the day on which
14 the department provides the notice under par. (a) to the day on which the department
15 receives the information.

16 **SECTION 6.** 46.284 (3m) of the statutes is created to read:

17 46.284 **(3m)** DEADLINE FOR ACTION ON CERTIFICATION APPLICATION. (a) *Deadline.*
18 The department, by rule, shall establish a period within which the department
19 intends to approve or disapprove an application for certification under sub. (3).

20 (b) *Failure to meet deadline.* 1. Subject to par. (d), the department shall refund
21 fees paid by the application for certification specified in par. (a) if the department
22 fails to provide the applicant with written notice, which may be by electronic mail,
23 that the department has approved or disapproved the application for the
24 certification, including the specific facts upon which any disapproval is based, before
25 the expiration of the period established under par. (a) for the certification.

1 1m. Subject to par. (d), if the department fails to provide the applicant for a
2 certification specified in par. (a) with written notice, which may be by electronic mail,
3 that the department has approved or disapproved the application before the
4 expiration of the period established under par. (a) for the certification, the applicant
5 may choose to proceed under ch. 227 as though the department had disapproved the
6 application by providing the department with written notice of that choice no later
7 than 45 days after the expiration of the period established under par. (a).

8 2. The department may not disapprove an application for certification solely
9 because the department is unable to complete its review of the application within the
10 period established under par. (a).

11 (c) *Notice of deadline.* In the rules under par. (a), the department shall specify
12 a method for informing applicants of the period established under par. (a). The
13 department shall specify the method that it determines is the most cost-effective
14 method available. The department is not required to notify an applicant if the
15 department intends to approve or disapprove the application within 14 days after
16 receiving the application.

17 (d) *Permitted extension of deadline.* The department may extend the period
18 established under par. (a) because an application is incomplete if all of the following
19 apply:

20 1. Within 15 days after receiving the application, the department provides
21 written notice, which may be by electronic mail, to the applicant describing
22 specifically the information that must be provided to complete the application.

23 2. The information under subd. 1. is directly related to eligibility for the
24 certification or to terms or conditions of the certification.

1 3. The information under subd. 1. is necessary to determine whether to approve
2 the application or is necessary to determine the terms or conditions of the
3 certification.

4 4. The extension is not longer than the number of days from the day on which
5 the department provides the notice under subd. 1. to the day on which the
6 department receives the information.

7 **SECTION 7.** 48.66 (2r) of the statutes is created to read:

8 48.66 **(2r)** (a) The department of health and family services, by rule, shall
9 establish periods within which the department intends to approve or disapprove an
10 application for a license to operate a child welfare agency, group home, shelter care
11 facility, or day care center.

12 (b) 1. Subject to par. (d), the department of health and family services shall
13 refund all fees paid by the applicant for a license specified in par. (a) if the
14 department fails to provide the applicant with written notice, which may be by
15 electronic mail, that it has approved or disapproved the application for the license,
16 including the specific facts upon which any disapproval is based, before the
17 expiration of the period established under par. (a) for the license.

18 1m. Subject to par. (d), if the department of health and family services fails to
19 provide the applicant for a license specified in par. (a) with written notice, which may
20 be by electronic mail, that the department has approved or disapproved the
21 application before the expiration of the period established under par. (a) for the
22 license, the applicant may choose to proceed under ch. 227 as though the department
23 had disapproved the application by providing the department with written notice of
24 that choice no later than 45 days after the expiration of the period established under
25 par. (a).

1 2. The department of health and family services may not disapprove an
2 application for a license specified in par. (a) solely because the department is unable
3 to complete its review of the application within the period established under par. (a)
4 for the license.

5 (c) In the rules under par. (a), the department of health and family services
6 shall specify a method for informing applicants of the periods established under par.
7 (a). The department shall specify the method that it determines is the most
8 cost-effective method available. The department is not required to notify the
9 applicant if the department intends to approve or disapprove the application within
10 14 days after receiving the application.

11 (d) The department of health and family services may extend the period
12 established under par. (a) because an application is incomplete if all of the following
13 apply:

14 1. Within 15 days after receiving the application, the department provides
15 written notice, which may be by electronic mail, to the applicant describing
16 specifically the information that must be provided to complete the application.

17 2. The information under subd. 1. is directly related to eligibility for the license
18 or to terms or conditions of the license.

19 3. The information under subd. 1. is necessary to determine whether to approve
20 the application or is necessary to determine the terms or conditions of the license.

21 4. The extension is not longer than the number of days from the day on which
22 the department provides the notice under subd. 1. to the day on which the
23 department receives the information.

24 **SECTION 8.** 49.481 of the statutes is created to read:

1 **49.481 Deadline for action on certification application. (1) DEADLINE.**

2 The department, by rule, shall establish a period within which the department
3 intends to approve or disapprove an application for certification under s. 49.45 (2) (a)
4 11.

5 **(2) FAILURE TO MEET DEADLINE.** (a) Subject to sub. (4), the department shall
6 refund fees paid by the applicant for a certification specified in sub. (1) if the
7 department fails to provide the applicant with written notice, which may be by
8 electronic mail, that the department has approved or disapproved the application for
9 the certification, including the specific facts upon which any disapproval is based,
10 before the expiration of the period established under sub. (1) for the certification.

11 (am) Subject to sub. (4), if the department fails to provide the applicant for a
12 certification specified in sub. (1) with written notice, which may be by electronic mail,
13 that the department has approved or disapproved the application before the
14 expiration of the period established under sub. (1) for the certification, the applicant
15 may choose to proceed under ch. 227 as though the department had disapproved the
16 application by providing the department with written notice of that choice no later
17 than 45 days after the expiration of the period established under sub. (1).

18 (b) The department may not disapprove an application for a certification solely
19 because the department is unable to complete its review of the application within the
20 period established under sub. (1).

21 **(3) NOTICE OF DEADLINE.** In the rules under sub. (1), the department shall
22 specify a method for informing applicants of the period established under sub. (1).
23 The department shall specify the method that it determines is the most cost-effective
24 method available. The department is not required to notify an applicant if the

1 department intends to approve or disapprove the application within 14 days after
2 receiving the application.

3 **(4) PERMITTED EXTENSION OF DEADLINE.** The department may extend the period
4 established under sub. (1) because an application is incomplete if all of the following
5 apply:

6 (a) Within 15 days after receiving the application, the department provides
7 written notice, which may be by electronic mail, to the applicant describing
8 specifically the information that must be provided to complete the application.

9 (b) The information under par. (a) is directly related to eligibility for the
10 certification or to terms or conditions of the certification.

11 (c) The information under par. (a) is necessary to determine whether to approve
12 the application or is necessary to determine the terms or conditions of the
13 certification.

14 (d) The extension is not longer than the number of days from the day on which
15 the department provides the notice under par. (a) to the day on which the department
16 receives the information.

17 **SECTION 9.** 50.02 (4m) of the statutes is created to read:

18 50.02 **(4m)** DEADLINES FOR ACTION ON APPLICATIONS. (a) *Deadlines.* The
19 department, by rule, shall establish periods within which the department intends to
20 approve or disapprove an application for any of the following:

21 1. A license for an institution for mental diseases under s. 50.03 (1m).

22 2. A license for a nursing home under s. 50.03 (4) (a) 1. a.

23 3. A license for a community-based residential facility under s. 50.03 (4) (a) 1.

24 b.

25 4. A certification for an adult family home under s. 50.032 (1m) (a).

1 5. A license for an adult family home under s. 50.033 (1m) (a).

2 6. A certification for a residential care apartment complex under s. 50.034 (1)

3 (a).

4 7. A registration for a residential care apartment complex under s. 50.034 (1)

5 (b).

6 8. A certificate of approval for a hospital under s. 50.35.

7 9. A license for a home health agency under s. 50.49 (6) (a).

8 10. A provisional license for a home health agency under s. 50.49 (10).

9 11. A license or provisional license for a rural medical center under s. 50.52 (2).

10 12. A license for a hospice under s. 50.92 (2).

11 13. A provisional license for a hospice under s. 50.93 (3).

12 (b) *Failure to meet deadlines.* 1. Subject to par. (d), the department shall refund
13 fees paid by the applicant for a license, provisional license, certificate of approval,
14 registration, or certification specified in par. (a) if the department fails to provide the
15 applicant with written notice, which may be by electronic mail, that the department
16 has approved or disapproved the application for the license, provisional license,
17 certificate of approval, registration, or certification, including the specific facts upon
18 which any disapproval is based, before the expiration of the period established under
19 par. (a) for the license, provisional license, certificate of approval, registration, or
20 certification.

21 1m. Subject to par. (d), if the department fails to provide the applicant for a
22 license, provisional license, certificate of approval, registration, or certification
23 specified in par. (a) with written notice, which may be by electronic mail, that the
24 department has approved or disapproved the application before the expiration of the
25 period established under par. (a) for the license, provisional license, certificate of

1 approval, registration, or certification, the applicant may choose to proceed under ch.
2 227 as though the department had disapproved the application by providing the
3 department with written notice of that choice no later than 45 days after the
4 expiration of the period established under par. (a).

5 2. The department may not disapprove an application for a license, provisional
6 license, certificate of approval, registration, or certification solely because the
7 department is unable to complete its review of the application within the period
8 established under par. (a).

9 (c) *Notice of deadline.* In the rules under par. (a), the department shall specify
10 a method for informing applicants of the periods established under par. (a). The
11 department shall specify the method that it determines is the most cost-effective
12 method available. The department is not required to notify an applicant if the
13 department intends to approve or disapprove the application within 14 days after
14 receiving the application.

15 (d) *Permitted extension of deadline.* The department may extend the period
16 established under par. (a) because an application is incomplete if all of the following
17 apply:

18 1. Within 15 days after receiving the application, the department provides
19 written notice, which may be by electronic mail, to the applicant describing
20 specifically the information that must be provided to complete the application.

21 2. The information under subd. 1. is directly related to eligibility for the license,
22 provisional license, certificate of approval, registration, or certification or to terms
23 or conditions of the license, provisional license, certificate of approval, registration,
24 or certification.

1 3. The information under subd. 1. is necessary to determine whether to approve
2 the application or is necessary to determine the terms or conditions of the license,
3 provisional license, certificate of approval, registration, or certification.

4 4. The extension is not longer than the number of days from the day on which
5 the department provides the notice under subd. 1. to the day on which the
6 department receives the information.

7 **SECTION 10.** 51.031 of the statutes is created to read:

8 **51.031 Deadlines for action on applications. (1) DEADLINES.** The
9 department, by rule, shall establish periods within which the department intends to
10 approve or disapprove an application for any of the following:

11 (a) Certification for an outpatient mental health clinic under s. 51.038.

12 (b) Certification for a treatment facility under s. 51.04.

13 (c) Certification of community mental health programs under rules required
14 under s. 51.42 (7) (b) 11.

15 (d) Certification of providers of community support programs under rules
16 required under s. 51.421 (3) (a).

17 (e) Approval for a treatment facility under s. 51.45 (8).

18 **(2) FAILURE TO MEET DEADLINES.** (a) Subject to sub. (4), the department shall
19 refund fees paid by the applicant for a certification or approval specified in sub. (1)
20 if the department fails to provide the applicant with written notice, which may be by
21 electronic mail, that the department has approved or disapproved the application for
22 the certification or approval, including the specific facts upon which any disapproval
23 is based, before the expiration of the period established under sub. (1) for the
24 certification or approval.

1 (am) Subject to sub. (4), if the department fails to provide the applicant for a
2 certification or approval specified in sub. (1) with written notice, which may be by
3 electronic mail, that the department has approved or disapproved the application
4 before the expiration of the period established under sub. (1) for the certification or
5 approval, the applicant may choose to proceed under ch. 227 as though the
6 department had disapproved the application by providing the department with
7 written notice of that choice no later than 45 days after the expiration of the period
8 established under sub. (1).

9 (b) The department may not disapprove an application for a certification or
10 approval solely because the department is unable to complete its review of the
11 application within the period established under sub. (1)

12 **(3) NOTICE OF DEADLINE.** In the rules under sub. (1), the department shall
13 specify a method for informing applicants of the periods established under sub. (1).
14 The department shall specify the method that it determines is the most cost-effective
15 method available. The department is not required to notify an applicant if the
16 department intends to approve or disapprove the application within 14 days after
17 receiving the application.

18 **(4) PERMITTED EXTENSION OF DEADLINE.** The department may extend the period
19 established under sub. (1) because an application is incomplete if all of the following
20 apply:

21 (a) Within 15 days after receiving the application, the department provides
22 written notice, which may be by electronic mail, to the applicant describing
23 specifically the information that must be provided to complete the application.

24 (b) The information under par. (a) is directly related to eligibility for the
25 certification or approval or to terms or conditions of the certification or approval.

1 (c) The information under par. (a) is necessary to determine whether to approve
2 the application or is necessary to determine the terms or conditions of the
3 certification or approval.

4 (d) The extension is not longer than the number of days from the day on which
5 the department provides the notice under par. (a) to the day on which the department
6 receives the information.

7 **SECTION 11.** 73.303 of the statutes is created to read:

8 **73.303 Deadlines for action on permit applications. (1)** In this section,
9 “department” means the department of revenue.

10 **(2)** The department, by rule, shall establish periods within which the
11 department intends to approve or disapprove an application for any of the following:

12 (a) A permit under s. 139.34.

13 (b) A cigarette salesperson permit under s. 139.37.

14 (c) A tobacco product salesperson permit under s. 139.81.

15 **(3)** (a) Subject to sub. (5), the department shall refund fees paid by the
16 applicant for a permit specified in sub. (2) if the department fails to provide the
17 applicant with written notice, which may be by electronic mail, that the department
18 has approved or disapproved the application for the permit, including the specific
19 facts upon which any disapproval is based, before the expiration of the period
20 established under sub. (2) for the permit.

21 (am) Subject to sub. (5), if the department fails to provide the applicant for a
22 permit specified in sub. (2) with written notice, which may be by electronic mail, that
23 the department has approved or disapproved the application before the expiration
24 of the period established under sub. (2) for the permit, the applicant may choose to
25 proceed under ch. 227 as though the department had disapproved the application by

1 providing the department with written notice of that choice no later than 45 days
2 after the expiration of the period established under sub. (2).

3 (b) The department may not disapprove an application for a permit solely
4 because the department is unable to complete its review of the application within the
5 period established under sub. (2).

6 (4) In the rules under sub. (2), the department shall specify a method for
7 informing applicants of the periods established under sub. (2). The department shall
8 specify the method that it determines is the most cost-effective method available.
9 The department is not required to notify an applicant if the department intends to
10 approve or disapprove the application within 14 days after receiving the application.

11 (5) The department may extend the period established under sub. (2) because
12 an application is incomplete if all of the following apply:

13 (a) Within 15 days after receiving the application, the department provides
14 written notice, which may be by electronic mail, to the applicant describing
15 specifically the information that must be provided to complete the application.

16 (b) The information under par. (a) is directly related to eligibility for the permit
17 or to terms or conditions of the permit.

18 (c) The information under par. (a) is necessary to determine whether to approve
19 the application or is necessary to determine the terms or conditions of the permit.

20 (d) The extension is not longer than the number of days from the day on which
21 the department provides the notice under par. (a) to the day on which the department
22 receives the information.

23 **SECTION 12.** 84.063 (5) of the statutes is amended to read:

24 84.063 (5) RULES. The department shall promulgate rules, including any rule
25 required under s. 85.16 (3), to implement and administer this section.

1 **SECTION 13.** 84.30 (14) of the statutes is amended to read:

2 **84.30 (14) DEPARTMENT RULES.** The department may promulgate rules deemed
3 necessary to implement and enforce this section. The department shall promulgate
4 rules to restrict the erection and maintenance of signs as to their lighting, size,
5 number and spacing when such signs are visible from the highway but outside the
6 adjacent area. The department shall by rule establish a priority system for the
7 removal or relocation of all signs not specified in sub. (5) (d) which fail to conform to
8 the requirements of sub. (5). The department's rules shall include any rule required
9 under s. 85.16 (3).

10 **SECTION 14.** 85.16 (3) of the statutes is created to read:

11 **85.16 (3) (a)** The department, by rule, shall establish periods within which the
12 department intends to approve or disapprove an application for any of the following:

13 1. An approval related to a utility facilities work plan under s. 84.063 (3) (c).

14 2. An approval or permit related to a controlled-access highway under s. 84.25
15 (4) or (7).

16 3. An approval of a franchise or permit granted by a municipality as specified
17 in s. 84.08.

18 4. An outdoor advertising business license under s. 84.30 (10).

19 5. An outdoor advertising sign permit under s. 84.30 (10m).

20 6. An approval related to highway vegetation under s. 86.03 (3).

21 7. A permit related to excavating, filling, altering, or disturbing a highway or
22 bridge under s. 86.07 (2).

23 8. A permit for the erection and maintenance of a specific information sign
24 under s. 86.195 (2) (a) or a business sign under s. 86.195 (2) (b).

1 9. A permit for the erection and maintenance of a tourist-oriented directional
2 sign under s. 86.196 (2).

3 10. An unairworthy aircraft certificate under s. 114.20 (5).

4 11. A recreational vehicle dealer's license under s. 218.11.

5 12. A recreational vehicle salesperson's license under s. 218.12.

6 13. A motor vehicle salvage dealer's license under s. 218.22.

7 14. A motor vehicle auction dealer's license under s. 218.32.

8 15. A moped dealer's license under s. 218.41.

9 16. A buyer identification card under s. 218.51.

10 17. An approval related to quarterly or consecutive monthly registration under
11 s. 341.185 or 341.19.

12 18. A registration of a dealer, distributor, manufacturer, or transporter under
13 s. 341.51.

14 19. A registration of a finance company or a financial institution under s.
15 341.57.

16 20. A certificate of title under s. 342.18.

17 21. A permit to perform chemical analysis of the breath under s. 343.305 (6).

18 22. A license to conduct a driver school under s. 343.61.

19 23. A license to act as a driving instructor under s. 343.62.

20 24. A permit related to oversize and overweight vehicles and loads under ss.
21 348.26 or 348.27.

22 (b) Subject to par. (f), the department shall refund any applicable fee paid by
23 the applicant for any license, permit, or other approval specified in par. (a) 1. to 5.,
24 7. to 17., and 20. to 24. if the department fails to provide the applicant with written
25 notice, which may be by electronic mail, that the department has approved or

1 disapproved the application for the license, permit, or other approval, including the
2 specific facts upon which any disapproval is based, before the expiration of the period
3 established under par. (a) for the license, permit, or other approval.

4 (bm) Subject to par. (f), if the department fails to provide the applicant for a
5 license, permit, or other approval specified in par. (a) 1. to 5., 7. to 17., or 20. to 24.
6 with written notice, which may be by electronic mail, that the department has
7 approved or disapproved the application before the expiration of the period
8 established under par. (a) for the license, permit, or other approval, the applicant
9 may choose to proceed under ch. 227 as though the department had disapproved the
10 application by providing the department with written notice of that choice no later
11 than 45 days after the expiration of the period established under par. (a).

12 (c) Subject to par. (f), failure by the department to provide the applicant for a
13 license, permit, or other approval specified in par. (a) 6., 18. and 19. with written
14 notice, which may be by electronic mail, that the department has approved or
15 disapproved the application for the license, permit, or other approval, including the
16 specific facts upon which any disapproval is based, before the expiration of the period
17 established under par. (a) for the license, permit, or other approval, constitutes
18 approval of the application. A license, permit, or other approval approved under this
19 paragraph is subject to any terms or conditions specified by statute or rule for the
20 license, permit, or other approval and the department may suspend, limit, revoke,
21 or withdraw the license, permit, or other approval for substantial failure to comply
22 with those terms or conditions. The department may not make the license, permit,
23 or other approval subject to any term or condition that is not specified by statute or
24 rule. Within 30 days after the expiration of the period established under par. (a) for
25 the license, permit, or other approval, the department shall provide the applicant

1 with a statement showing that the license, permit, or other approval is approved and
2 specifying any terms and conditions that apply to that license, permit, or other
3 approval.

4 (d) The department may not disapprove an application for a license, permit, or
5 other approval solely because the department is unable to complete its review of the
6 application within the period established under par. (a).

7 (e) In the rules under par. (a), the department shall specify a method for
8 informing applicants of the periods established under par. (a). The department shall
9 specify the method that it determines is the most cost-effective method available.
10 The department is not required to notify an applicant if the department intends to
11 approve or disapprove the application within 14 days after receiving the application.

12 (f) The department may include any of the following in the rules required under
13 par. (a):

14 1. Methods for determining the commencement of the period established under
15 par. (a) and for determining when the application for a license, permit, or other
16 approval is complete.

17 2. Extensions of the period established under par. (a) because the applicant
18 makes a material modification to the application if the department notifies the
19 applicant in writing of the extension within 30 days after the applicant makes the
20 modification. The notification may be by electronic mail.

21 3. Extensions of the period established under par. (a) because information
22 needed by the department to complete its review of an application is unknown or
23 cannot be determined with certainty when the department receives the application
24 if the department notifies the applicant in writing of the need for an extension within

1 30 days after the applicant submits the application. The notification may be by
2 electronic mail.

3 3m. Extensions of the period established under par. (a) because the application
4 is incomplete if all of the following apply:

5 a. The department provides the applicant with written notice, which may be
6 by electronic mail, of the need for an extension within 15 days after the applicant
7 submits the application and the notice specifically describes the information that
8 must be provided to complete the application or the information needed to complete
9 the department's review of the application.

10 b. The information under subd. 3m. a. is directly related to eligibility for the
11 license, permit, or other approval or to terms or conditions of the license, permit, or
12 other approval.

13 c. The information under subd. 3m. a. is necessary to determine whether to
14 approve the application or is necessary to determine the terms or conditions of the
15 license, permit, or other approval.

16 d. The extension is not longer than the number of days from the day on which
17 the department provides the notice under subd. 3m. a. to the day on which the
18 department receives the information.

19 4. Extensions of the period established under par. (a) if, during the period
20 established under par. (a), the department and the applicant jointly agree to a
21 different period for acting on an application for a license, permit, or other approval
22 than that specified under par. (a).

23 5. Deadlines for the department to complete intermediate steps in the process
24 of completing its review of an application.

1 6. With respect to any application for a license, permit, or other approval for
2 which failure by the department to approve or disapprove the application before the
3 expiration of the period established under par. (a) constitutes approval of the
4 application under par. (c), extensions of the period established under par. (a) for the
5 application by not more than 30 days if, within the period established under par. (a),
6 the department finds that there is a substantial likelihood that the activity proposed
7 to be conducted under the application would result in substantial harm to human
8 health or human safety and that the department cannot adequately review the
9 application within the period established under par. (a) and, upon making those
10 findings, provides written notice, which may be by electronic mail, to the applicant
11 that states with particularity the facts on which those findings are based.

12 **SECTION 15.** 86.196 (2) (c) of the statutes is amended to read:

13 86.196 (2) (c) Provisions for fees to cover costs of sign manufacture, erection and
14 maintenance to be collected through a permit system and deadlines for acting on
15 permit applications as required under s. 85.16 (3).

16 **SECTION 16.** 93.125 of the statutes is created to read:

17 **93.125 Deadlines for action on occupational applications. (1)**

18 DEADLINES. The department, by rule, shall establish periods within which the
19 department intends to approve or disapprove an application for any of the following:

- 20 (a) A food inspector license under s. 93.11.
21 (b) A professional weather modification license under s. 93.35 (4).
22 (c) An individual commercial pesticide applicator license under s. 94.704.
23 (d) A pesticide applicator certification under s. 94.705.
24 (f) A buttermaker or cheesemaker license under s. 97.17.
25 (g) A butter grader or cheese grader license under s. 97.175.

1 (h) A milk producer license under s. 97.22 (2).

2 (i) A Grade A dairy farm permit under s. 97.22 (3).

3 (im) A certification of a Grade A dairy operation under s. 97.24 (5).

4 (j) A milk and cream tester license under s. 98.145.

5 (k) A milk weigher and sampler license under s. 98.146.

6 **(2) FAILURE TO MEET DEADLINE.** (a) Subject to sub. (4), the department shall
7 refund fees paid by the applicant for a license or other approval specified in sub. (1)
8 if the department fails to provide the applicant with written notice, which may be by
9 electronic mail, that the department has approved or disapproved the application for
10 the license or other approval, including the specific facts upon which any disapproval
11 is based, before the expiration of the period established under sub. (1) for the license
12 or other approval.

13 (am) Subject to sub. (4), if the department fails to provide the applicant for a
14 license or other approval specified in sub. (1) with written notice, which may be by
15 electronic mail, that the department has approved or disapproved the application
16 before the expiration of the period established under sub. (1) for the license or other
17 approval, the applicant may choose to proceed under ch. 227 as though the
18 department had disapproved the application by providing the department with
19 written notice of that choice no later than 45 days after the expiration of the period
20 established under sub. (1).

21 (b) The department may not disapprove an application for a license or other
22 approval solely because the department is unable to complete its review of the
23 application within the period established under sub. (1).

24 **(3) NOTICE OF DEADLINE.** In the rules under sub. (1), the department shall
25 specify a method for informing applicants of the periods established under sub. (1).

1 The department shall specify the method that it determines is the most cost-effective
2 method available. The department is not required to notify an applicant if the
3 department intends to approve or disapprove the application within 14 days after
4 receiving the application.

5 **(4) PERMITTED EXTENSION OF DEADLINE.** The department may extend the period
6 established under sub. (1) because an application is incomplete if all of the following
7 apply:

8 (a) Within 15 days after receiving the application, the department provides
9 written notice, which may be by electronic mail, to the applicant describing
10 specifically the information that must be provided to complete the application.

11 (b) The information under par. (a) is directly related to eligibility for the license
12 or other approval or to terms or conditions of the license or other approval.

13 (c) The information under par. (a) is necessary to determine whether to approve
14 the application or is necessary to determine the terms or conditions of the license or
15 other approval.

16 (d) The extension is not longer than the number of days from the day on which
17 the department provides the notice under par. (a) to the day on which the department
18 receives the information.

19 **SECTION 17.** 93.13 of the statutes is created to read:

20 **93.13 Automatic approval of certain applications. (1) DEADLINES.** The
21 department, by rule, shall establish periods within which the department intends to
22 approve or disapprove an application for any of the following:

23 (a) A weather modification permit under s. 93.35 (6).

24 (am) A nursery dealer license under s. 94.10 (2).

25 (b) A nursery grower license under s. 94.10 (3).

- 1 (c) A Christmas tree grower license under s. 94.10 (3g).
2 (cm) A seed labeler's license under s. 94.43.
3 (d) A ginseng grower or dealer registration under s. 94.50 (2).
4 (e) A fertilizer manufacturer or distributor license under s. 94.64 (3).
5 (em) A nonagricultural or special-use fertilizer permit under s. 94.64 (3m).
6 (f) A soil or plant additive manufacturer or distributor license under s. 94.65
7 (2).
8 (g) A soil or plant additive permit under s. 94.65 (3).
9 (gm) A license for the sale or distribution of liming material under s. 94.66 (2).
10 (h) A pesticide manufacturer or labeler license under s. 94.68 (1).
11 (i) A restricted-use pesticide dealer or distributor license under s. 94.685.
12 (im) A veterinary clinic pesticide use and repackaging permit under s. 94.702.
13 (j) A commercial pesticide application business license under s. 94.703.
14 (k) A commercial feed manufacturer or distributor license under s. 94.72 (5).
15 (km) A farm-raised deer registration under s. 95.55.
16 (L) A fish farm registration under s. 95.60 (3m).
17 (m) An animal market license under s. 95.68 (2).
18 (mm) An animal dealer license under s. 95.69 (2).
19 (n) An animal trucker license under s. 95.71 (2).
20 (p) A license for collecting or processing dead animals under s. 95.72 (2).
21 (pm) A license for transporting dead animals under s. 95.72 (7).
22 (q) A dairy plant license under s. 97.20 (2).
23 (r) A bulk milk tanker license under s. 97.21 (2).
24 (rm) A milk distributor license under s. 97.21 (3).
25 (s) A food warehouse license under s. 97.27 (2).

- 1 (t) A food processing plant license under s. 97.29 (2).
- 2 (tm) A retail food establishment license under s. 97.30 (2).
- 3 (u) A meat or poultry commercial slaughtering or processing license or a meat
4 or poultry custom slaughtering or processing registration certificate under s. 97.42
5 (2).
- 6 (v) A vehicle scale license under s. 98.16.
- 7 (vm) A weights and measures servicing license under s. 98.18 (1) (a).
- 8 (w) A liquid petroleum gas meter registration under s. 98.245 (7).
- 9 (wm) A public warehouse keeper license under s. 99.02 (1).
- 10 (x) A mobile air conditioner servicing registration certificate under s. 100.45
11 (5) (c).
- 12 (xm) A grain dealer license under s. 126.11.
- 13 (y) A grain warehouse keeper license under s. 126.26.
- 14 (ym) A milk contractor license under s. 126.41.
- 15 (z) A vegetable contractor license under s. 126.56.
- 16 **(2) FAILURE TO MEET DEADLINE.** (a) Subject to subs. (4) (c) and (d) and (5), failure
17 by the department to provide the applicant for a license, permit, or other approval
18 specified in sub. (1) with written notice, which may be by electronic mail, that the
19 department has approved or disapproved the application for the license, permit, or
20 other approval, including the specific facts upon which any disapproval is based,
21 before the expiration of the period established under sub. (1) for the license, permit,
22 or other approval, constitutes approval of the application. A license, permit, or other
23 approval approved under this paragraph is subject to any terms or conditions
24 specified by statute or rule for the license, permit, or other approval and the
25 department may suspend, limit, revoke, or withdraw the license, permit, or other

1 approval for substantial failure to comply with those terms or conditions. The
2 department may not make the license, permit, or other approval subject to any term
3 or condition that is not specified by statute or rule. Within 30 days after the
4 expiration of the period established under sub. (1) for the license, permit, or other
5 approval, the department shall provide the applicant with a statement showing that
6 the license, permit, or other approval is approved and specifying any terms and
7 conditions that apply to that license, permit, or other approval.

8 (b) The department may not disapprove an application for a license, permit, or
9 other approval solely because the department is unable to complete its review of the
10 application within the period established under sub. (1).

11 **(3) NOTICE OF DEADLINE.** In the rules under sub. (1), the department shall
12 specify a method for informing applicants of the periods established under sub. (1).
13 The department shall specify the method that it determines is the most cost-effective
14 method available. The department is not required to notify an applicant if the
15 department intends to approve or disapprove the application within 14 days after
16 receiving the application.

17 **(4) OPTIONAL PROVISIONS OF RULES.** The department may include any of the
18 following in the rules required under sub. (1):

19 (a) Methods for determining the commencement of the period established
20 under sub. (1) and for determining when the application for a license, permit, or other
21 approval is complete.

22 (b) A longer period under sub. (1) for an application for a permit, approval, or
23 other determination for which an environmental impact statement is required under
24 s. 1.11 than for other applications.

1 (c) Extensions of the period established under sub. (1) because the applicant
2 makes a material modification to the application if the department notifies the
3 applicant in writing of the extension within 30 days after the applicant makes the
4 modification. The notification may be by electronic mail.

5 (d) Extensions of the period established under sub. (1) because information
6 needed by the department to complete its review of an application for a license,
7 permit, or other approval is unknown or cannot be determined with certainty when
8 the department receives the application if the department notifies the applicant in
9 writing of the need for an extension within 30 days after the applicant submits the
10 application. The notification may be by electronic mail.

11 (e) Deadlines for the department to complete intermediate steps in the process
12 of completing its review of an application.

13 **(5) EXTENSIONS AUTHORIZED.** (a) During the period established under sub. (1),
14 the department and the applicant may jointly agree to a different period for acting
15 on an application for a license, permit, or other approval than that specified under
16 sub. (1).

17 (b) The department may extend the period established under sub. (1) because
18 an application is incomplete if all of the following apply:

19 1. Within 15 days after receiving the application, the department provides
20 written notice, which may be by electronic mail, to the applicant describing
21 specifically the information that must be provided to complete the application.

22 2. The information under subd. 1. is directly related to eligibility for the license,
23 permit, or other approval or to terms or conditions of the license, permit, or other
24 approval.

1 3. The information under subd. 1. is necessary to determine whether to approve
2 the application or is necessary to determine the terms or conditions of the license,
3 permit, or other approval.

4 4. The extension is not longer than the number of days from the day on which
5 the department provides the notice under subd. 1. to the day on which the
6 department receives the information.

7 (d) The department may extend the period established under sub. (1) for an
8 application by not more than 30 days if, within the period established under sub. (1),
9 the department finds that there is a substantial likelihood that the activity proposed
10 to be conducted under the application would result in substantial harm to human
11 health or human safety and that the department cannot adequately review the
12 application within the period established under sub. (1) and provides written notice,
13 which may be by electronic mail, to the applicant that states with particularity the
14 facts on which those findings are based.

15 **SECTION 18.** 101.022 of the statutes is created to read:

16 **101.022 Deadlines for action on certain applications. (1) DEFINITIONS.**

17 In this section, “license or building plan application” means any of the following:

18 (a) An application for a license, permit, or certificate of certification or
19 registration issued by the department under ss. 101.09 (3) (c), 101.122 (2) (c), 101.143
20 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2) or (2m),
21 101.653, 101.73 (5) or (6), 101.82 (2), 101.87, 101.935, 101.95, 101.951, 101.952,
22 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18, or
23 167.10 (6m).

24 (b) Forms, plans, and other information submitted to the department under s.
25 101.12 or 145.26.

1 **(2) DEADLINES.** The department, by rule, shall establish periods within which
2 the department, or any subunit of the department, intends to approve or disapprove
3 any license or building plan application. Any period established under this
4 subsection shall be consistent with any applicable period specified by statute.

5 **(3) FAILURE TO MEET DEADLINE.** (a) Subject to sub. (5), the department shall
6 refund fees paid by a person submitting a license or building plan application if the
7 department fails to provide the person with written notice, which may be by
8 electronic mail, that the department has approved or disapproved the application,
9 including the specific facts upon which any disapproval is based, before the
10 expiration of the period established under sub. (2) for the license or building plan
11 application.

12 (am) Subject to sub. (5), if the department fails to provide a person submitting
13 a license or building plan application with written notice, which may be by electronic
14 mail, that the department has approved or disapproved the license or building plan
15 application before the expiration of the period established under sub. (2) for the
16 license or building plan application, the applicant may choose to proceed under ch.
17 227 as though the department had disapproved the license or building plan
18 application by providing the department with written notice of that choice no later
19 than 45 days after the expiration of the period established under sub. (2).

20 (b) The department may not disapprove a license or building plan application
21 solely because the department is unable to complete its review of the application
22 within the period established under sub. (2).

23 **(4) NOTICE OF DEADLINE.** In the rules under sub. (2), the department shall
24 specify a method for informing applicants of the periods established under sub. (2).
25 The department shall specify the method that it determines is the most cost-effective

1 method available. The department is not required to notify an applicant if the
2 department intends to approve or disapprove the application within 14 days after
3 receiving the application.

4 **(5) PERMITTED EXTENSION OF DEADLINE.** The department may extend the period
5 established under sub. (2) because an application is incomplete if all of the following
6 apply:

7 (a) Within 15 days after receiving the application, the department provides
8 written notice, which may be by electronic mail, to the applicant describing
9 specifically the information that must be provided to complete the application.

10 (b) The information under par. (a) is directly related to eligibility for the license
11 or building plan application or to terms or conditions of the license or building plan
12 application.

13 (c) The information under par. (a) is necessary to determine whether to approve
14 the application or is necessary to determine the terms or conditions of the license or
15 building plan application.

16 (d) The extension is not longer than the number of days from the day on which
17 the department provides the notice under par. (a) to the day on which the department
18 receives the information.

19 **SECTION 19.** 101.023 of the statutes is created to read:

20 **101.023 Automatic approval of certain applications. (1) DEFINITIONS.** In
21 this section, “application” means any form or other writing that is submitted to the
22 department under this chapter or ch. 145 or 168 for the purpose of obtaining any
23 approval of the department that is required by law as a prerequisite to the applicant
24 taking certain actions, except that “application” does not include a license or building
25 plan application, as defined under s. 101.022 (1).

1 **(2) DEADLINES.** The department, by rule, shall establish periods within which
2 the department, or any subunit of the department, intends to approve or disapprove
3 an application. Any period established under this subsection shall be consistent with
4 any applicable period specified by statute.

5 **(3) FAILURE TO MEET DEADLINE.** (a) Subject to subs. (5) (b) and (c) and (6), failure
6 by the department to provide an applicant with written notice, which may be by
7 electronic mail, that the department has approved or disapproved the application,
8 including specific facts upon which any disapproval is based, before the expiration
9 of the period established under sub. (2) applicable to the application constitutes
10 approval of the application by the department. An application approved under this
11 paragraph is subject to any terms or conditions specified by law for the approval and
12 the department may suspend, limit, revoke, or withdraw the approval for substantial
13 failure to comply with those terms or conditions. The department may not make the
14 approval subject to any term or condition that is not specified by statute or rule.
15 Within 30 days after an application is approved under this paragraph, the
16 department shall provide the applicant with a statement showing that the
17 application is approved and specifying any terms and conditions that apply to the
18 approval.

19 (b) The department may not disapprove an application solely because the
20 department is unable to complete its review of the application within the period
21 established under sub. (2).

22 **(4) NOTICE OF DEADLINE.** In the rules under sub. (2), the department shall
23 specify a method for informing applicants of the periods established under sub. (2).
24 The department shall specify the method that it determines is the most cost-effective
25 method available. The department is not required to notify an applicant if the

1 department intends to approve or disapprove the application within 14 days after
2 receiving the application.

3 **(5) OPTIONAL PROVISIONS OF RULES.** The department may include any of the
4 following in the rules required under sub. (2):

5 (a) Methods for determining the commencement of the period established
6 under sub. (2) and for determining when an application is complete.

7 (b) Extensions of the period established under sub. (2) because the applicant
8 makes a material modification to the application if the department notifies the
9 applicant in writing of the extension within 30 days after the applicant makes the
10 modification. The notification may be by electronic mail.

11 (c) Extensions of the period established under sub. (2) because information
12 needed by the department to complete its review of an application is unknown or
13 cannot be determined with certainty when the department receives the application
14 if the department notifies the applicant in writing of the need for an extension within
15 30 days after the applicant submits the application. The notification may be by
16 electronic mail.

17 (d) Deadlines for the department to complete intermediate steps in the process
18 of completing its review of an application.

19 **(6) EXTENSIONS AUTHORIZED.** (a) During the period established under sub. (2),
20 the department and the applicant may jointly agree to a different period for acting
21 on an application than that specified under sub. (2).

22 (b) The department may extend the period established under sub. (2) because
23 an application is incomplete if all of the following apply:

1 1. Within 15 days after receiving the application, the department provides
2 written notice, which may be by electronic mail, to the applicant describing
3 specifically the information that must be provided to complete the application.

4 2. The information under subd. 1. is directly related to eligibility for the
5 approval or to terms or conditions of the approval.

6 3. The information under subd. 1. is necessary to determine whether to approve
7 the application or is necessary to determine the terms or conditions of the approval.

8 4. The extension is not longer than the number of days from the day on which
9 the board provides the notice under subd. 1. to the day on which the department
10 receives the information.

11 (d) The department may extend the period established under sub. (2) for an
12 application by not more than 30 days if, within the period established under sub. (2),
13 the department finds that there is a substantial likelihood that the activity proposed
14 to be conducted under the application would result in substantial harm to human
15 health or human safety and that the department cannot adequately review the
16 application within the period established under sub. (2) and provides written notice,
17 which may be by electronic mail, to the applicant that states with particularity the
18 facts on which those findings are based.

19 **SECTION 20.** 103.275 (2m) of the statutes is created to read:

20 103.275 (2m) DEADLINE FOR ACTION ON CERTIFICATE APPLICATIONS. (a) The
21 department, by rule, shall establish a period within which the department intends
22 to approve or disapprove an application for a house-to-house employer certificate
23 under sub. (2).

24 (b) 1. Subject to par. (d), the department shall refund all fees paid by the
25 applicant for a house-to-house employer certificate under sub. (2) if the department

1 fails to provide the applicant with written notice, which may be by electronic mail,
2 that the department has approved or disapproved the application for the certificate,
3 including the specific facts upon which any disapproval is based, before the
4 expiration of the period established under par. (a).

5 1m. Subject to par. (d), if the department fails to provide the applicant for a
6 house-to-house employer certificate under sub. (2) with written notice, which may
7 be by electronic mail, that the department has approved or disapproved the
8 application before the expiration of the period established under par. (a), the
9 applicant may choose to proceed under ch. 227 as though the department had
10 disapproved the application by providing the department with written notice of that
11 choice no later than 45 days after the expiration of the period established under par.
12 (a).

13 2. The department may not disapprove an application for a house-to-house
14 employer certificate under sub. (2) solely because the department is unable to
15 complete its review of the application within the period established under par. (a).

16 (c) In the rules under par. (a), the department shall specify a method for
17 informing applicants of the period established under par. (a). The department shall
18 specify the method that it determines is the most cost-effective method available.
19 The department is not required to notify an applicant if the department intends to
20 approve or disapprove the application within 14 days after receiving the application.

21 (d) The department may extend the period established under par. (a) because
22 an application is incomplete if all of the following apply:

23 1. Within 15 days after receiving the application, the department provides
24 written notice, which may be by electronic mail, to the applicant describing
25 specifically the information that must be provided to complete the application.

1 2. The information under subd. 1. is directly related to eligibility for the
2 house-to-house employer certificate or to terms or conditions of the certificate.

3 3. The information under subd. 1. is necessary to determine whether to approve
4 the application or is necessary to determine the terms or conditions of the
5 house-to-house employer certificate.

6 4. The extension is not longer than the number of days from the day on which
7 the department provides the notice under subd. 1. to the day on which the
8 department receives the information.

9 **SECTION 21.** 103.91 (2m) of the statutes is created to read:

10 103.91 **(2m)** DEADLINE FOR ACTION ON CERTIFICATE APPLICATIONS. (a) The
11 department, by rule, shall establish a period within which the department intends
12 to approve or disapprove an application for a certificate under sub. (2) (a).

13 (b) 1. Subject to par. (d), the department shall refund all fees paid by the
14 applicant for a certificate under sub. (2) (a) if the department fails to provide the
15 applicant with written notice, which may be by electronic mail, that the department
16 has approved or disapproved the application for the certificate, including the specific
17 facts upon which any disapproval is based, before the expiration of the period
18 established under par. (a).

19 1m. Subject to par. (d), if the department fails to provide the applicant for a
20 certificate under sub. (2) (a) with written notice, which may be by electronic mail,
21 that the department has approved or disapproved the application before the
22 expiration of the period established under par. (a), the applicant may choose to
23 proceed under ch. 227 as though the department had disapproved the application by
24 providing the department with written notice of that choice no later than 45 days
25 after the expiration of the period established under par. (a).

1 2. The department may not disapprove an application for a certificate under
2 sub. (2) (a) solely because the department is unable to complete its review of the
3 application within the period established under par. (a).

4 (c) In the rules under par. (a), the department shall specify a method for
5 informing applicants of the period established under par. (a). The department shall
6 specify the method that it determines is the most cost-effective method available.
7 The department is not required to notify an applicant if the department intends to
8 approve or disapprove the application within 14 days after receiving the application.

9 (d) The department may extend the period established under par. (a) because
10 an application is incomplete if all of the following apply:

11 1. Within 15 days after receiving the application, the department provides
12 written notice, which may be by electronic mail, to the applicant describing
13 specifically the information that must be provided to complete the application.

14 2. The information under subd. 1. is directly related to eligibility for the
15 certificate or to terms or conditions of the certificate.

16 3. The information under subd. 1. is necessary to determine whether to approve
17 the application or is necessary to determine the terms or conditions of the certificate.

18 4. The extension is not longer than the number of days from the day on which
19 the department provides the notice under subd. 1. to the day on which the
20 department receives the information.

21 **SECTION 22.** 103.92 (2m) of the statutes is created to read:

22 103.92 **(2m)** DEADLINE FOR ACTION ON CERTIFICATE APPLICATIONS. (a) The
23 department, by rule, shall establish a period within which the department intends
24 to approve or disapprove an application for a certificate under sub. (1) (a).

1 (b) 1. Subject to par. (d), the department shall refund all fees paid by the
2 applicant for a certificate under sub. (1) (a) if the department fails to provide the
3 applicant with written notice, which may be by electronic mail, that the department
4 has approved or disapproved the application for the certificate, including the specific
5 facts upon which any disapproval is based, before the expiration of the period
6 established under par. (a).

7 1m. Subject to par. (d), if the department fails to provide the applicant for a
8 certificate under sub. (1) (a) with written notice, which may be by electronic mail,
9 that the department has approved or disapproved the application before the
10 expiration of the period established under par. (a), the applicant may choose to
11 proceed under ch. 227 as though the department had disapproved the application by
12 providing the department with written notice of that choice no later than 45 days
13 after the expiration of the period established under par. (a).

14 2. The department may not disapprove an application for a certificate under
15 sub. (1) (a) solely because the department is unable to complete its review of the
16 application within the period established under par. (a).

17 (c) In the rules under par. (a), the department shall specify a method for
18 informing applicants of the period established under par. (a). The department shall
19 specify the method that it determines is the most cost-effective method available.
20 The department is not required to notify an applicant if the department intends to
21 approve or disapprove the application within 14 days after receiving the application.

22 (d) The department may extend the period established under par. (a) because
23 an application is incomplete if all of the following apply:

1 1. Within 15 days after receiving the application, the department provides
2 written notice, which may be by electronic mail, to the applicant describing
3 specifically the information that must be provided to complete the application.

4 2. The information under subd. 1. is directly related to eligibility for the
5 certificate or to terms or conditions of the certificate.

6 3. The information under subd. 1. is necessary to determine whether to approve
7 the application or is necessary to determine the terms or conditions of the certificate.

8 4. The extension is not longer than the number of days from the day on which
9 the department provides the notice under subd. 1. to the day on which the
10 department receives the information.

11 **SECTION 23.** 104.07 (4m) of the statutes is created to read:

12 104.07 **(4m)** (a) The department, by rule, shall establish periods within which
13 the department intends to approve or disapprove an application for a license under
14 sub. (1) or (2).

15 (b) 1. Subject to par. (d), the department shall refund all fees paid by the
16 applicant for a license under sub. (1) or (2) if the department fails to provide the
17 applicant with written notice, which may be by electronic mail, that the department
18 has approved or disapproved the application for the license, including the specific
19 facts upon which any disapproval is based, before the expiration of the period
20 established under par. (a) for the license.

21 1m. Subject to par. (d), if the department fails to provide the applicant for a
22 license under sub. (1) or (2) with written notice, which may be by electronic mail, that
23 the department has approved or disapproved the application before the expiration
24 of the period established under par. (a) for the license, the applicant may choose to
25 proceed under ch. 227 as though the department had disapproved the application by

1 providing the department with written notice of that choice no later than 45 days
2 after the expiration of the period established under par. (a) for the license.

3 2. The department may not disapprove an application for a license under sub.
4 (1) or (2) solely because the department is unable to complete its review of the
5 application within the period established under par. (a) for the license.

6 (c) In the rules under par. (a), the department shall specify a method for
7 informing applicants of the periods established under par. (a). The department shall
8 specify the method that it determines is the most cost-effective method available.
9 The department is not required to notify an applicant if the department intends to
10 approve or disapprove the application within 14 days after receiving the application.

11 (d) The department may extend the period established under par. (a) because
12 an application is incomplete if all of the following apply:

13 1. Within 15 days after receiving the application, the department provides
14 written notice, which may be by electronic mail, to the applicant describing
15 specifically the information that must be provided to complete the application.

16 2. The information under subd. 1. is directly related to eligibility for the license
17 or to terms or conditions of the license.

18 3. The information under subd. 1. is necessary to determine whether to approve
19 the application or is necessary to determine the terms or conditions of the license.

20 4. The extension is not longer than the number of days from the day on which
21 the department provides the notice under subd. 1. to the day on which the
22 department receives the information.

23 **SECTION 24.** 105.06 (1r) of the statutes is created to read:

1 105.06 **(1r)** (a) The department, by rule, shall establish a period within which
2 the department intends to approve or disapprove an application for a license under
3 sub. (1).

4 (b) 1. Subject to par. (d), the department shall refund all fees paid by the
5 applicant for a license under sub. (1) if the department fails to provide the applicant
6 with written notice, which may be by electronic mail, that the department has
7 approved or disapproved the application for the license, including the specific facts
8 upon which any disapproval is based, before the expiration of the period established
9 under par. (a).

10 1m. Subject to par. (d), if the department fails to provide the applicant for a
11 license under sub. (1) with written notice, which may be by electronic mail, that the
12 department has approved or disapproved the application before the expiration of the
13 period established under par. (a), the applicant may choose to proceed under ch. 227
14 as though the department had disapproved the application by providing the
15 department with written notice of that choice no later than 45 days after the
16 expiration of the period established under par. (a).

17 2. The department may not disapprove an application for a license under sub.
18 (1) solely because the department is unable to complete its review of the application
19 within the period established under par. (a).

20 (c) In the rules under par. (a), the department shall specify a method for
21 informing applicants of the period established under par. (a). The department shall
22 specify the method that it determines is the most cost-effective method available.
23 The department is not required to notify an applicant if the department intends to
24 approve or disapprove the application within 14 days after receiving the application.

1 (d) The department may extend the period established under par. (a) because
2 an application is incomplete if all of the following apply:

3 1. Within 15 days after receiving the application, the department provides
4 written notice, which may be by electronic mail, to the applicant describing
5 specifically the information that must be provided to complete the application.

6 2. The information under subd. 1. is directly related to eligibility for the license
7 or to terms or conditions of the license.

8 3. The information under subd. 1. is necessary to determine whether to approve
9 the application or is necessary to determine the terms or conditions of the license.

10 4. The extension is not longer than the number of days from the day on which
11 the department provides the notice under subd. 1. to the day on which the
12 department receives the information.

13 **SECTION 25.** 115.28 (7) (a) of the statutes is amended to read:

14 115.28 (7) (a) License all teachers for the public schools of the state, make rules
15 establishing standards of attainment and procedures for the examination and
16 licensing of teachers within the limits prescribed in ss. 118.19 ~~(2) and (3)~~, 118.192 and
17 118.195, prescribe by rule standards and procedures for the approval of teacher
18 preparatory programs leading to licensure, file in the state superintendent's office
19 all papers relating to state teachers' licenses and register each such license.

20 **SECTION 26.** 118.19 (2) of the statutes is repealed and recreated to read:

21 118.19 (2) (a) The department, by rule, shall establish periods within which the
22 department intends to approve or disapprove an application for any license or permit
23 authorized to be granted by the department.

24 (b) 1. Subject to par. (d), the department shall refund fees paid by the applicant
25 for a license or permit if the department fails to provide the applicant with written

1 notice, which may be by electronic mail, that the department has approved or
2 disapproved the application for the license or permit, including the specific facts
3 upon which any disapproval is based, before the expiration of the period established
4 under par. (a) for the license or permit.

5 1m. Subject to par. (d), if the department fails to provide the applicant for a
6 license or permit with written notice, which may be by electronic mail, that the
7 department has approved or disapproved the application before the expiration of the
8 period established under par. (a) for the license or permit, the applicant may choose
9 to proceed under ch. 227 as though the department had disapproved the application
10 by providing the department with written notice of that choice no later than 45 days
11 after the expiration of the period established under par. (a).

12 2. The department may not disapprove an application for a license or permit
13 solely because the department is unable to complete its review of the application
14 within the period established under par. (a).

15 (c) In the rules under par. (a), the department shall specify a method for
16 informing applicants of the periods established under par. (a). The department shall
17 specify the method that it determines is the most cost-effective method available.
18 The department is not required to notify an applicant if the department intends to
19 approve or disapprove the application within 14 days after receiving the application.

20 (d) The department may extend the period established under par. (a) because
21 an application is incomplete if all of the following apply:

22 1. Within 15 days after receiving the application, the department provides
23 written notice, which may be by electronic mail, to the applicant describing
24 specifically the information that must be provided to complete the application.

1 2. The information under subd. 1. is directly related to eligibility for the license
2 or permit or to terms or conditions of the license or permit.

3 3. The information under subd. 1. is necessary to determine whether to approve
4 the application or is necessary to determine the terms or conditions of the license or
5 permit.

6 4. The extension is not longer than the number of days from the day on which
7 the department provides the notice under subd. 1. to the day on which the
8 department receives the information.

9 **SECTION 27.** 125.04 (3m) of the statutes is created to read:

10 125.04 **(3m)** DEADLINES FOR ACTION ON PERMIT APPLICATIONS. (a) The
11 department, by rule, shall establish periods within which the department intends to
12 approve or disapprove an application for any permit issued by the department under
13 this chapter.

14 (b) Subject to par. (e), the department shall refund any fee paid by the applicant
15 for any permit under this chapter if the department fails to provide the applicant
16 with written notice, which may be by electronic mail, that the department has
17 approved or disapproved the application for the permit, including the specific facts
18 upon which any disapproval is based, before the expiration of the period established
19 under par. (a) for the permit.

20 (bm) Subject to par. (e), if the department fails to provide the applicant for a
21 permit under this chapter with written notice, which may be by electronic mail, that
22 the department has approved or disapproved the application before the expiration
23 of the period established under par. (a) for the permit, the applicant may choose to
24 proceed under ch. 227 as though the department had disapproved the application by

1 providing the department with written notice of that choice no later than 45 days
2 after the expiration of the period established under par. (a).

3 (c) The department may not disapprove an application for a permit under this
4 chapter solely because the department is unable to complete its review of the
5 application within the period established under par. (a).

6 (d) In the rules under par. (a), the department shall specify a method for
7 informing applicants of the periods established under par. (a). The department shall
8 specify the method that it determines is the most cost-effective method available.
9 The department is not required to notify an applicant if the department intends to
10 approve or disapprove the application within 14 days after receiving the application.

11 (e) The department may include any of the following in the rules required under
12 par. (a):

13 1. Methods for determining the commencement of the period established under
14 par. (a) and for determining when the application for a permit is complete.

15 2. Extensions of the period established under par. (a) because the applicant
16 makes a material modification to the application if the department notifies the
17 applicant in writing of the extension within 30 days after the applicant makes the
18 modification.

19 3. Extensions of the period established under par. (a) because the application
20 is incomplete if all of the following apply:

21 a. The department provides the applicant with written notice, which may be
22 by electronic mail, of the need for an extension within 15 days after the applicant
23 submits the application and the notice specifically describes the information that
24 must be provided to complete the application or the information needed to complete
25 the department's review of the application.

1 b. The information under subd. 3. a. is directly related to eligibility for the
2 permit or to terms or conditions of the permit.

3 c. The information under subd. 3. a. is necessary to determine whether to
4 approve the application or is necessary to determine the terms or conditions of the
5 permit.

6 d. The extension is not longer than the number of days from the day on which
7 the department provides the notice under subd. 3. a. to the day on which the
8 department receives the information.

9 4. Extensions of the period established under par. (a) if, during the period
10 established under par. (a), the department and the applicant jointly agree to a
11 different period for acting on an application for a permit than that specified under
12 par. (a).

13 **SECTION 28.** 145.025 of the statutes is created to read:

14 **145.025 Automatic approval of certain applications.** Except as otherwise
15 provided in this section, any form or other writing that is submitted to the
16 department under this chapter for the purpose of obtaining any approval of the
17 department that is required by law as a prerequisite to the applicant taking certain
18 actions is subject to s. 101.023. This section does not apply to an application for a
19 license, registration, or certification under s. 145.02 (4), 145.035, 145.045, 145.15,
20 145.16, 145.165, 145.17, 145.175, or 145.18, or to any form or other writing submitted
21 to the department under s. 145.26.

22 **SECTION 29.** 146.525 of the statutes is created to read:

23 **146.525 Deadlines for action on applications. (1) DEADLINES.** The
24 department, by rule, shall establish periods within which the department intends to
25 approve or disapprove an application for any of the following:

1 (a) Certification of an instructional and competency evaluation program under
2 s. 146.40 (3).

3 (b) Approval of a competency evaluation program under s. 146.40 (3m).

4 (c) An ambulance service provider license under s. 146.50 (5) (a).

5 (d) An emergency medical technician license under s. 146.50 (5) (a) and (7).

6 (e) An emergency medical technician training permit under s. 146.50 (5) (b).

7 (f) Certification for the performance of defibrillation under s. 146.50 (6g) (a).

8 (g) Certification as a first responder under s. 146.50 (8) (a) and (f).

9 (h) Approval of training courses for the use of a semiautomatic defibrillator
10 under s. 146.50 (8g) (d).

11 (i) Approval of courses of emergency medical services instructional programs
12 under s. 146.50 (9).

13 (j) Approval of emergency medical services program plans under s. 146.55 (2)
14 (b).

15 **(2) FAILURE TO MEET DEADLINES.** (a) Subject to sub. (4), the department shall
16 refund fees paid by the applicant for a license, certification, permit, or approval
17 specified in sub. (1) if the department fails to provide the applicant with written
18 notice, which may be by electronic mail, that the department has approved or
19 disapproved the application for the license, certification, permit, or approval,
20 including the specific facts upon which any disapproval is based, before the
21 expiration of the period established under sub. (1) for the license, certification,
22 permit, or approval.

23 (am) Subject to sub. (4), if the department fails to provide the applicant for a
24 license, certification, permit, or approval specified in sub. (1) with written notice,
25 which may be by electronic mail, that the department has approved or disapproved

1 the application before the expiration of the period established under sub. (1) for the
2 license, certification, permit, or approval, the applicant may choose to proceed under
3 ch. 227 as though the department had disapproved the application by providing the
4 department with written notice of that choice no later than 45 days after the
5 expiration of the period established under sub. (1).

6 (b) The department may not disapprove an application for a license,
7 certification, permit, or approval solely because the department is unable to
8 complete its review of the application within the period established under sub. (1).

9 **(3) NOTICE OF DEADLINE.** In the rules under sub. (1), the department shall
10 specify a method for informing applicants of the periods established under sub. (1).
11 The department shall specify the method that it determines is the most cost-effective
12 method available. The department is not required to notify an applicant if the
13 department intends to approve or disapprove the application within 14 days after
14 receiving the application.

15 **(4) PERMITTED EXTENSION OF DEADLINE.** The department may extend the period
16 established under sub. (1) because an application is incomplete if all of the following
17 apply:

18 (a) Within 15 days after receiving the application, the department provides
19 written notice, which may be by electronic mail, to the applicant describing
20 specifically the information that must be provided to complete the application.

21 (b) The information under par. (a) is directly related to eligibility for the license,
22 certification, permit, or approval or to terms or conditions of the license, certification,
23 permit, or approval.

1 (c) The information under par. (a) is necessary to determine whether to approve
2 the application or is necessary to determine the terms or conditions of the license,
3 certification, permit, or approval.

4 (d) The extension is not longer than the number of days from the day on which
5 the department provides the notice under par. (a) to the day on which the department
6 receives the information.

7 **SECTION 30.** 168.165 of the statutes is created to read:

8 **168.165 Automatic approval of certain applications.** Any form or other
9 writing that is submitted to the department under this chapter for the purpose of
10 obtaining any approval of the department that is required by law as a prerequisite
11 to the applicant taking certain actions is subject to s. 101.023.

12 **SECTION 31.** 196.195 (5m) of the statutes is created to read:

13 **196.195 (5m) TIME LIMITATION ON COMMISSION ACTION.** (a) The commission shall
14 promulgate rules establishing a deadline for completing proceedings under subs. (2),
15 (3), and (4), and for issuing orders under sub. (5). Upon receiving a petition under
16 sub. (2) (a), or upon providing notice of its own motion under sub. (2) (a), the
17 commission shall inform the interested persons of the deadline.

18 (b) If a petition is filed under sub. (2) (a), the commission shall, except as
19 provided in par. (d), no later than the deadline specified in the rules promulgated
20 under par. (a), complete the proceedings under subs. (2), (3), and (4), and, if
21 appropriate, enter an order under sub. (5). Except as provided in par. (d), if the
22 commission fails to complete the proceedings and, if appropriate, enter an order
23 before that deadline, the petition is considered to be granted without condition by the
24 commission and any provisions of law under sub. (5) that are specified in the petition
25 are considered to be suspended by the commission.

1 (c) If the commission provides notice of its own motion under sub. (2) (a), the
2 commission shall, no later than the deadline specified in the rules promulgated
3 under par. (a), complete the proceedings under subs. (2), (3), and (4), and, if
4 appropriate, enter an order under sub. (5). If the commission fails to complete the
5 proceedings and, if appropriate, enter an order before that deadline, the motion is
6 considered to be granted without condition by the commission and any provisions of
7 law under sub. (5) that are specified in the motion are considered to be suspended
8 by the commission.

9 (d) The commission may extend a deadline specified in the rules promulgated
10 under par. (a) if a petition that the commission receives is incomplete and if, within
11 30 days after receiving the petition, the commission provides written notice to the
12 petitioner that describes specifically the information that must be provided to
13 complete the petition.

14 **SECTION 32.** 196.195 (10) of the statutes is amended to read:

15 196.195 **(10)** REVOCATION OF DEREGULATION. If necessary to protect the public
16 interest, the commission, at any time by order, may revoke its order to suspend the
17 applicability of any provision of law suspended under sub. (5). This subsection does
18 not apply to any provision of law that is considered to be suspended under sub. (5m).

19 **SECTION 33.** 218.0114 (13) (b) of the statutes is amended to read:

20 218.0114 **(13)** (b) The department of transportation shall promulgate rules
21 establishing the license period for each type of license described in sub. (14) (a) to (f)
22 and shall promulgate any rule required under s. 85.16 (3).

23 **SECTION 34.** 218.11 (2) (b) 1. of the statutes is amended to read:

1 218.11 **(2)** (b) 1. The department shall promulgate rules establishing the
2 license period under this section and shall promulgate any rule required under s.
3 85.16 (3).

4 **SECTION 35.** 218.12 (2) (b) 2. of the statutes is amended to read:

5 218.12 **(2)** (b) 2. The department may promulgate rules establishing a uniform
6 expiration date for all licenses issued under this section and shall promulgate any
7 rule required under s. 85.16 (3).

8 **SECTION 36.** 218.22 (2) (b) 1. of the statutes is amended to read:

9 218.22 **(2)** (b) 1. The department shall promulgate rules establishing a license
10 period and shall promulgate any rule required under s. 85.16 (3).

11 **SECTION 37.** 218.32 (2) (b) 1. of the statutes is amended to read:

12 218.32 **(2)** (b) 1. The department shall promulgate rules establishing a license
13 period and shall promulgate any rule required under s. 85.16 (3).

14 **SECTION 38.** 218.41 (2m) (a) 1. of the statutes is amended to read:

15 218.41 **(2m)** (a) 1. The department shall promulgate rules establishing a
16 license period and shall promulgate any rule required under s. 85.16 (3).

17 **SECTION 39.** 218.51 (3) (b) 1. of the statutes is amended to read:

18 218.51 **(3)** (b) 1. The department shall promulgate rules establishing the buyer
19 identification card period and shall promulgate any rule required under s. 85.16 (3).

20 **SECTION 40.** 224.50 of the statutes is created to read:

21 **224.50 Deadlines for action on certain applications. (1) DEFINITION.** In
22 this section, “department” means the department of financial institutions and any
23 subunit of the department of financial institutions.

1 **(2) DEADLINES.** (a) The department, by rule, shall establish periods within
2 which the department, or any subunit of the department, intends to approve or
3 disapprove an application for any of the following:

- 4 1. A lender license under s. 138.09 (1m) (a).
- 5 2. An insurance premium finance company license under s. 138.12 (3).
- 6 3. A seller of checks license under s. 217.03.
- 7 4. An adjustment service company license under s. 218.02.
- 8 5. A collection agency license under s. 218.04.
- 9 6. A community currency exchange license under s. 218.05.
- 10 7. A mortgage banker, loan originator, or mortgage broker registration under
11 s. 224.72.
- 12 8. A nondepository small business lender license under s. 224.92.
- 13 9. A broker–dealer, agent, investment adviser, or investment adviser
14 representative license under s. 551.32.

15 (b) Any period established under par. (a) shall be consistent with any applicable
16 period specified by statute.

17 **(3) FAILURE TO MEET DEADLINE.** (a) Subject to sub. (5), the department shall
18 refund fees paid by the applicant for a license or registration specified in sub. (2) if
19 the department fails to provide the applicant with written notice, which may be by
20 electronic mail, that the department has approved or disapproved the application,
21 including the specific facts upon which any disapproval is based, before the
22 expiration of the period established under sub. (2) for the license or other approval.

23 (am) Subject to sub. (5), if the department fails to provide the applicant for a
24 license or registration specified in sub. (2) with written notice, which may be by
25 electronic mail, that the department has approved or disapproved the application

1 before the expiration of the period established under sub. (2) for the license or
2 registration, the applicant may choose to proceed under ch. 227 as though the
3 department had disapproved the application by providing the department with
4 written notice of that choice no later than 45 days after the expiration of the period
5 established under sub. (2).

6 (b) The department may not disapprove an application for a license or
7 registration specified in sub. (2) solely because the department is unable to complete
8 its review of the application within the period established under sub. (2).

9 (4) NOTICE OF DEADLINE. In the rules under sub. (2), the department shall
10 specify a method for informing applicants of the periods established under sub. (2).
11 The department shall specify the method that it determines is the most cost-effective
12 method available. The department is not required to notify an applicant if the
13 department intends to approve or disapprove the application within 14 days after
14 receiving the application.

15 (5) PERMITTED EXTENSION OF DEADLINE. The department may extend the period
16 established under sub. (2) because an application is incomplete if all of the following
17 apply:

18 (a) Within 15 days after receiving the application, the department provides
19 written notice, which may be by electronic mail, to the applicant describing
20 specifically the information that must be provided to complete the application.

21 (b) The information under par. (a) is directly related to eligibility for the license
22 or other approval or to terms or conditions of the license or other approval.

23 (c) The information under par. (a) is necessary to determine whether to approve
24 the application or is necessary to determine the terms or conditions of the license or
25 other approval.

1 (d) The extension is not longer than the number of days from the day on which
2 the department provides the notice under par. (a) to the day on which the department
3 receives the information.

4 **SECTION 41.** 224.60 of the statutes is created to read:

5 **224.60 Automatic approval of certain applications. (1) DEFINITIONS.** In
6 this section:

7 (a) “Application” means any form or other writing that is submitted to the
8 department for the purpose of obtaining any approval of the department that is
9 required by law as a prerequisite to the applicant taking certain actions, except that
10 “application” does not include any application for a license or registration described
11 in s. 224.50 (2) (a) 1. to 9.

12 (b) “Department” means the department of financial institutions and any
13 subunit of the department of financial institutions.

14 **(2) DEADLINES.** The department, by rule, shall establish periods within which
15 the department, or any subunit of the department, intends to approve or disapprove
16 an application. Any period established under this subsection shall be consistent with
17 any applicable period specified by statute.

18 **(3) FAILURE TO MEET DEADLINE.** (a) Subject to subs. (5) (b) and (c) and (6), failure
19 by the department to provide an applicant with written notice, which may be by
20 electronic mail, that the department has approved or disapproved the application,
21 including specific facts upon which any disapproval is based, before the expiration
22 of the period established under sub. (2) applicable to the application constitutes
23 approval of the application by the department. An application approved under this
24 paragraph is subject to any terms or conditions specified by law for the approval and
25 the department may suspend, limit, revoke, or withdraw the approval for substantial

1 failure to comply with those terms or conditions. The department may not make the
2 approval subject to any term or condition that is not specified by statute or rule.
3 Within 30 days after an application is approved under this paragraph, the
4 department shall provide the applicant with a statement showing that the
5 application is approved and specifying any terms and conditions that apply to the
6 approval.

7 (b) The department may not disapprove an application solely because the
8 department is unable to complete its review of the application within the period
9 established under sub. (2).

10 (4) NOTICE OF DEADLINE. In the rules under sub. (2), the department shall
11 specify a method for informing applicants of the periods established under sub. (2).
12 The department shall specify the method that it determines is the most cost-effective
13 method available. The department is not required to notify an applicant if the
14 department intends to approve or disapprove the application within 14 days after
15 receiving the application.

16 (5) OPTIONAL PROVISIONS OF RULES. The department may include any of the
17 following in the rules required under sub. (2):

18 (a) Methods for determining the commencement of the period established
19 under sub. (2) and for determining when an application is complete.

20 (b) Extensions of the period established under sub. (2) because the applicant
21 makes a material modification to the application if the department notifies the
22 applicant in writing of the extension within 30 days after the applicant makes the
23 modification. The notification may be by electronic mail.

24 (c) Extensions of the period established under sub. (2) because information
25 needed by the department to complete its review of an application is unknown or

1 cannot be determined with certainty when the department receives the application
2 if the department notifies the applicant in writing of the need for an extension within
3 30 days after the applicant submits the application. The notification may be by
4 electronic mail.

5 (d) Deadlines for the department to complete intermediate steps in the process
6 of completing its review of an application.

7 **(6) EXTENSIONS AUTHORIZED.** (a) During the period established under sub. (2),
8 the department and the applicant may jointly agree to a different period for acting
9 on an application than that specified under sub. (2).

10 (b) The department may extend the period established under sub. (2) because
11 an application is incomplete if all of the following apply:

12 1. Within 15 days after receiving the application, the department provides
13 notice to the applicant describing specifically the information that must be provided
14 to complete the application.

15 2. The information under subd. 1. is directly related to eligibility for approval
16 of the application or to terms or conditions of the approval.

17 3. The information under subd. 1. is necessary to determine whether to approve
18 the application or is necessary to determine the terms or conditions of the approval.

19 4. The extension is not longer than the number of days from the day on which
20 the department provides the notice under subd. 1. to the day on which the
21 department receives the information.

22 (d) The department may extend the period established under sub. (2) for an
23 application by not more than 30 days if, within the period established under sub. (2),
24 the department finds that there is a substantial likelihood that the activity proposed
25 to be conducted under the application would result in substantial harm to human

1 health or human safety and that the department cannot adequately review the
2 application within the period established under sub. (2) and provides written notice,
3 which may be by electronic mail, to the applicant that states with particularity the
4 facts on which those findings are based.

5 **SECTION 42.** 250.043 of the statutes is created to read:

6 **250.043 Deadlines for action on applications. (1) DEADLINES.** The
7 department, by rule, shall establish periods within which the department intends to
8 approve or disapprove an application for any of the following:

9 (a) A registration for a sanitarian under s. 250.05 (5).

10 (b) Certification for a public health dispensary under s. 252.10 (1).

11 (c) Approval for the sale of tests or test kits to detect the presence of HIV, an
12 antigen or nonantigenic products of HIV, or an antibody to HIV under s. 252.15 (5r).

13 (d) A license for a tattooist or a tattoo establishment under s. 252.23 (2).

14 (e) A license for a body piercer or a body-piercing establishment under s. 252.24
15 (2).

16 (f) Certification for performance or supervision of lead hazard reduction or a
17 lead management activity under rules promulgated under s. 254.176 (3).

18 (g) Approval of an instructor of a lead training course under rules promulgated
19 under s. 254.178 (2).

20 (h) Accreditation of a lead training course under rules promulgated under s.
21 254.178 (2).

22 (i) A certificate of lead-free status or a certificate of lead-safe status under
23 rules promulgated under s. 254.179 (1) (a).

24 (j) Certification for performance of asbestos abatement activity or asbestos
25 management activity under rules promulgated under s. 254.20 (3).

1 (k) Renewal of a certification for performance of asbestos abatement activity
2 or asbestos management activity under s. 254.20 (4).

3 (L) Registration and licensing of a source of ionizing radiation under rules
4 promulgated under s. 254.34 (1) (a).

5 (m) Approval of plans and specifications for radiation sources under s. 254.34
6 (1) (g).

7 (n) A registration of a site with an ionizing radiation installation under s.
8 254.35 (1).

9 (p) A license for radioactive material under s. 254.365 (1).

10 (q) A permit to operate a campground, camping resort, recreational or
11 educational camp, or public swimming pool under s. 254.47 (1) or (2m).

12 (r) A certification for a food sanitarian under rules promulgated under s. 254.62
13 (2).

14 (s) A permit to conduct, maintain, manage, or operate a hotel, restaurant,
15 temporary restaurant, tourist rooming house, vending machine commissary, or
16 vending machine under s. 254.64 (1) (a).

17 (t) A permit to maintain, manage, or operate a bed and breakfast establishment
18 under s. 254.64 (1) (b).

19 (u) A certificate for food protection practices under s. 254.71 (2).

20 (v) An approval of a training course for recertification of food protection
21 practices under rules promulgated under s. 254.71 (6).

22 (x) A permit to operate a tanning facility under s. 255.08 (2) (a).

23 (y) An approval of a laboratory for performing chemical analyses of blood or
24 urine for alcohol, controlled substances, or controlled substance analogs under s.
25 343.305 (6) (a).

1 **(2) FAILURE TO MEET DEADLINE.** (a) Subject to sub. (4), the department shall
2 refund fees paid by the applicant for a license, certification, certificate, permit,
3 registration, or approval specified in sub. (1) if the department fails to provide the
4 applicant with written notice, which may be by electronic mail, that the department
5 has approved or disapproved the application for the license, certification, certificate,
6 permit, registration, or approval, including the specific facts upon which any
7 disapproval is based, before the expiration of the period established under sub. (1)
8 for approval of the license, certification, certificate, permit, registration, or approval.

9 (am) Subject to sub. (4), if the department fails to provide the applicant for a
10 license, certification, certificate, permit, registration, or approval specified in sub. (1)
11 with written notice, which may be by electronic mail, that the department has
12 approved or disapproved the application before the expiration of the period
13 established under sub. (1) for the license, certification, certificate, permit,
14 registration, or approval, the applicant may choose to proceed under ch. 227 as
15 though the department had disapproved the application by providing the
16 department with written notice of that choice no later than 45 days after the
17 expiration of the period established under sub. (1).

18 (b) The department may not disapprove an application for a license,
19 certification, certificate, permit, registration, or approval solely because the
20 department is unable to complete its review of the application within the period
21 established under sub. (1).

22 **(3) NOTICE OF DEADLINE.** In the rules under sub. (1), the department shall
23 specify a method for informing applicants of the periods established under sub. (1).
24 The department shall specify the method that it determines is the most cost-effective
25 method available. The department is not required to notify an applicant if the

1 department intends to approve or disapprove the application within 14 days after
2 receiving the application.

3 **(4) PERMITTED EXTENSION OF DEADLINE.** The department may extend the period
4 established under sub. (1) because an application is incomplete if all of the following
5 apply:

6 (a) Within 15 days after receiving the application, the department provides
7 written notice, which may be by electronic mail, to the applicant describing
8 specifically the information that must be provided to complete the application.

9 (b) The information under par. (a) is directly related to eligibility for the license,
10 certification, certificate, permit, registration, or approval or to terms or conditions
11 of the license, certification, certificate, permit, registration, or approval.

12 (c) The information under par. (a) is necessary to determine whether to approve
13 the application or is necessary to determine the terms or conditions of the license,
14 certification, certificate, permit, registration, or approval.

15 (d) The extension is not longer than the number of days from the day on which
16 the department provides the notice under par. (a) to the day on which the department
17 receives the information.

18 **SECTION 43.** 299.05 of the statutes is repealed and recreated to read:

19 **299.05 Deadlines for action on certain applications. (1) DEADLINES.** The
20 department, by rule, shall establish periods within which the department intends to
21 approve or disapprove an application for any of the following:

22 (a) A well driller or pump installer registration under s. 280.15.

23 (b) A water system, wastewater treatment plant, or septage servicing vehicle
24 operator certification under s. 281.17 (3).

25 (c) A license for servicing septic tanks and similar facilities under s. 281.48 (3).

1 (d) A solid waste incinerator operator certification under s. 285.51 (2).

2 (e) An ozone–depleting refrigerant removal approval under s. 285.59.

3 (em) An air pollution control permit under s. 285.60.

4 (f) A solid waste disposal facility operator certification under s. 289.42 (1).

5 (g) A hazardous waste transportation service license under s. 291.23.

6 (h) A metallic mining exploration license under s. 293.21.

7 (i) An oil or gas exploration license under s. 295.33 (1).

8 (j) A laboratory certification or registration under s. 299.11.

9 (k) A medical waste transportation license under s. 299.51 (3) (c).

10 **(2) FAILURE TO MEET DEADLINE.** (a) Subject to sub. (4), the department shall
11 refund fees paid by the applicant for a license or other approval specified in sub. (1)
12 if the department fails to provide the applicant with written notice, which may be by
13 electronic mail, that the department has approved or disapproved the application for
14 the license or other approval, including the specific facts upon which any disapproval
15 is based, before the expiration of the period established under sub. (1) for the license
16 or other approval.

17 (am) Subject to sub. (4), if the department fails to provide the applicant for a
18 license or other approval specified in sub. (1) with written notice, which may be by
19 electronic mail, that the department has approved or disapproved the application
20 before the expiration of the period established under sub. (1) for the license or other
21 approval, the applicant may choose to proceed under ch. 227 as though the
22 department had disapproved the application by providing the department with
23 written notice of that choice no later than 45 days after the expiration of the period
24 established under sub. (1).

1 (b) The department may not disapprove an application for a license or other
2 approval solely because the department is unable to complete its review of the
3 application within the period established under sub. (1).

4 **(3) NOTICE OF DEADLINE.** In the rules under sub. (1), the department shall
5 specify a method for informing applicants of the periods established under sub. (1).
6 The department shall specify the method that it determines is the most cost-effective
7 method available. The department is not required to notify an applicant if the
8 department intends to approve or disapprove the application within 14 days after
9 receiving the application.

10 **(4) PERMITTED EXTENSION OF DEADLINE.** The department may extend the period
11 established under sub. (1) because an application is incomplete if all of the following
12 apply:

13 (a) Within 15 days after receiving the application, the department provides
14 written notice, which may be by electronic mail, to the applicant describing
15 specifically the information that must be provided to complete the application.

16 (b) The information under par. (a) is directly related to eligibility for the license
17 or other approval or to terms or conditions of the license or other approval.

18 (c) The information under par. (a) is necessary to determine whether to approve
19 the application or is necessary to determine the terms or conditions of the license or
20 other approval.

21 (d) The extension is not longer than the number of days from the day on which
22 the department provides the notice under par. (a) to the day on which the department
23 receives the information.

24 **SECTION 44.** 299.06 of the statutes is created to read:

1 **299.06 Automatic approval of certain applications. (1) DEADLINES.** The
2 department, by rule, shall establish periods within which the department intends to
3 approve or disapprove an application for any of the following:

4 (a) A high–capacity well approval under s. 281.17 (1).

5 (b) A water pollution discharge permit under s. 283.31 or 283.33.

6 (d) A solid waste facility determination of feasibility under s. 289.29.

7 (e) A solid waste facility operating license under s. 289.31.

8 (f) A hazardous waste facility operating license under s. 291.25.

9 (g) A prospecting permit under s. 293.45.

10 (h) An oil or gas production license under s. 295.33 (2).

11 (i) Permits and other determinations under ss. 30.10, 30.12, 30.123, 30.18,
12 30.19, and 30.20.

13 **(2) FAILURE TO MEET DEADLINE.** (a) Subject to subs. (4) (c) and (d) and (5), failure
14 by the department to provide the applicant for a permit, approval, or other
15 determination specified in sub. (1) with written notice, which may be by electronic
16 mail, that the department has approved or disapproved the application for the
17 permit, approval, or other determination, including the specific facts upon which any
18 disapproval is based, before the expiration of the period established under sub. (1)
19 for the permit, approval, or other determination, constitutes approval of the
20 application. A permit, approval, or other determination approved under this
21 paragraph is subject to any terms or conditions specified by statute or rule for the
22 permit, approval, or other determination and the department may suspend, limit,
23 revoke, or withdraw the permit, approval, or other determination for substantial
24 failure to comply with those terms or conditions. The department may not make the
25 license, permit, or other approval subject to any term or condition that is not specified

1 by statute or rule. Within 30 days after the expiration of the period established under
2 sub. (1) for the permit, approval, or other determination, the department shall
3 provide the applicant with a statement showing that the permit, approval, or other
4 determination is approved and specifying any terms and conditions that apply to
5 that permit, approval, or other determination.

6 (b) The department may not disapprove an application for a permit, approval,
7 or other determination solely because the department is unable to complete its
8 review of the application within the period established under sub. (1).

9 (3) NOTICE OF DEADLINE. In the rules under sub. (1), the department shall
10 specify a method for informing applicants of the periods established under sub. (1).
11 The department shall specify the method that it determines is the most cost-effective
12 method available. The department is not required to notify an applicant if the
13 department intends to approve or disapprove the application within 14 days after
14 receiving the application.

15 (4) OPTIONAL PROVISIONS OF RULES. The department may include any of the
16 following in the rules required under sub. (1):

17 (a) Methods for determining the commencement of the period established
18 under sub. (1) and for determining when the application for a permit, approval, or
19 other determination is complete.

20 (b) A longer period under sub. (1) for an application for a permit, approval, or
21 other determination for which an environmental impact statement is required under
22 s. 1.11 than for other applications.

23 (c) Extensions of the period established under sub. (1) because the applicant
24 makes a material modification to the application if the department notifies the

1 applicant in writing of the extension within 30 days after the applicant makes the
2 modification. The notification may be by electronic mail.

3 (d) Extensions of the period established under sub. (1) because information
4 needed by the department to complete its review of an application for a permit,
5 approval, or other determination is unknown or cannot be determined with certainty
6 when the department receives the application if the department notifies the
7 applicant in writing of the need for an extension within 30 days after the applicant
8 submits the application. The notification may be by electronic mail.

9 (e) Deadlines for the department to complete intermediate steps in the process
10 of completing its review of an application.

11 **(5) EXTENSIONS AUTHORIZED.** (a) During the period established under sub. (1),
12 the department and the applicant may jointly agree to a different period for acting
13 on an application for a permit, approval, or other determination than that specified
14 under sub. (1).

15 (b) The department may extend the period established under sub. (1) because
16 an application is incomplete if all of the following apply:

17 1. Within 15 days after receiving the application, the department provides
18 written notice, which may be by electronic mail, to the applicant describing
19 specifically the information that must be provided to complete the application.

20 2. The information under subd. 1. is directly related to eligibility for the permit,
21 approval, or other determination or to terms or conditions of the permit, approval,
22 or other determination.

23 3. The information under subd. 1. is necessary to determine whether to approve
24 the application or is necessary to determine the terms or conditions of the permit,
25 approval, or other determination.

1 4. The extension is not longer than the number of days from the day on which
2 the department provides the notice under subd. 1. to the day on which the
3 department receives the information.

4 (d) The department may extend the period established under sub. (1) for an
5 application by not more than 30 days if, within the period established under sub. (1),
6 the department finds that there is a substantial likelihood that the activity proposed
7 to be conducted under the application would result in substantial harm to human
8 health or human safety and that the department cannot adequately review the
9 application within the period established under sub. (1) and provides written notice,
10 which may be by electronic mail, to the applicant that states with particularity the
11 facts on which those findings are based.

12 **SECTION 45.** 341.19 (4) of the statutes is amended to read:

13 341.19 (4) The department shall promulgate rules to implement this section
14 and shall promulgate any rule required under s. 85.16 (3).

15 **SECTION 46.** 343.02 (1) of the statutes is amended to read:

16 343.02 (1) The department shall administer and enforce this chapter and may
17 promulgate for that purpose such rules as the secretary considers necessary and
18 shall promulgate any rule required under s. 85.16 (3). Rules promulgated under this
19 chapter may not conflict with and shall be at least as stringent as standards set by
20 the federal commercial motor vehicle safety act, 49 USC 31301 to 31317 and the
21 regulations adopted under that act.

22 **SECTION 47.** 343.305 (6) (a) of the statutes is amended to read:

23 343.305 (6) (a) Chemical analyses of blood or urine to be considered valid under
24 this section shall have been performed substantially according to methods approved
25 by the laboratory of hygiene and by an individual possessing a valid permit to

1 perform the analyses issued by the department of health and family services. The
2 department of health and family services shall, subject to s. 250.043, approve
3 laboratories for the purpose of performing chemical analyses of blood or urine for
4 alcohol, controlled substances or controlled substance analogs and shall develop and
5 administer a program for regular monitoring of the laboratories. A list of approved
6 laboratories shall be provided to all law enforcement agencies in the state. Urine
7 specimens are to be collected by methods specified by the laboratory of hygiene. The
8 laboratory of hygiene shall furnish an ample supply of urine and blood specimen
9 containers to permit all law enforcement officers to comply with the requirements of
10 this section.

11 **SECTION 48.** 343.305 (11) of the statutes is amended to read:

12 343.305 **(11) RULES.** The department shall promulgate rules under ch. 227
13 necessary to administer this section and shall promulgate any rule required under
14 s. 85.16 (3). The rules shall include provisions relating to the expeditious exchange
15 of information under this section between the department and law enforcement
16 agencies, circuit courts and district attorneys. The rules may not affect any
17 provisions relating to court procedure.

18 **SECTION 49.** 440.03 (1m) of the statutes is repealed and recreated to read:

19 440.03 **(1m)** (a) The department shall, by rule, establish periods within which
20 the department and credentialing boards intend to grant, or determine not to grant,
21 an application for an initial, reciprocal, or temporary credential and to renew, or
22 determine not to renew, a credential. Any period established under rules
23 promulgated under this paragraph shall be consistent with any applicable period
24 specified by statute.

1 (b) 1. Subject to par. (d), the department shall refund any fees paid by a person
2 submitting an application specified in par. (a) if the department or a credentialing
3 board fails to provide the person with written notice, which may be by electronic mail,
4 that the department or credentialing board has granted or renewed, or determined
5 not to grant or renew, the credential, including the specific facts upon which any
6 determination not to grant or renew a credential is based, before the expiration of the
7 period established under the rules promulgated under par. (a).

8 1m. Subject to par. (d), if the department or a credentialing board fails to
9 provide a person submitting an application specified in par. (a) with written notice,
10 which may be by electronic mail, that the department or credentialing board has
11 approved or disapproved the application before the expiration of the period
12 established under par. (a), the applicant may choose to proceed under ch. 227 as
13 though the department or credentialing board had disapproved the application by
14 providing the department with written notice of that choice no later than 45 days
15 after the expiration of the period established under par. (a).

16 2. The department or a credentialing board may not determine not to grant an
17 initial, reciprocal, or temporary credential, or to renew a credential, solely because
18 the department or credentialing board is unable to complete its review of the
19 application within the period established under the rules promulgated under par.
20 (a).

21 (c) In the rules under par. (a), the department shall specify a method for
22 informing applicants of the periods established under par. (a). The department shall
23 specify the method that it determines is the most cost-effective method available.
24 The department is not required to notify an applicant if the department intends to
25 approve or disapprove the application within 14 days after receiving the application.

1 (d) The department may extend the period established under par. (a) because
2 an application is incomplete if all of the following apply:

3 1. Within 15 days after receiving the application, the department provides
4 written notice, which may be by electronic mail, to the applicant describing
5 specifically the information that must be provided to complete the application.

6 2. The information under subd. 1. is directly related to eligibility for the
7 credential or to terms or conditions of the credential.

8 3. The information under subd. 1. is necessary to determine whether to approve
9 the application or is necessary to determine the terms or conditions of the credential.

10 4. The extension is not longer than the number of days from the day on which
11 the department provides the notice under subd. 1. to the day on which the
12 department receives the information.

13 **SECTION 50.** 440.06 of the statutes is amended to read:

14 **440.06 Refunds and reexaminations.** The Except as provided in s. 440.03
15 (1m), the secretary may establish uniform procedures for refunds of fees paid under
16 s. 440.05 or 440.08 and uniform procedures and fees for reexaminations under chs.
17 440 to 480.

18 **SECTION 51.** 452.10 (2) (b) of the statutes is amended to read:

19 452.10 (2) (b) ~~Unless~~ Except as provided in s. 440.03 (1m), unless an application
20 is withdrawn in writing before the department has made any investigation, no part
21 of the fee shall be returned.

22 **SECTION 52.** 562.05 (12) of the statutes is created to read:

23 562.05 (12) (a) The department, by rule, shall establish periods within which
24 the department intends to approve or disapprove an application for any license
25 issued under this section.

1 (b) 1. Subject to par. (d), the department shall refund fees paid by the applicant
2 for a license under this section if the department fails to provide the applicant with
3 written notice, which may be by electronic mail, that the department has approved
4 or disapproved the application for the license, including the specific facts upon which
5 any disapproval is based, before the expiration of the period established under par.
6 (a) for the license.

7 1m. Subject to par. (d), if the department fails to provide the applicant for a
8 license under this section with written notice, which may be by electronic mail, that
9 the department has approved or disapproved the application before the expiration
10 of the period established under par. (a) for the license, the applicant may choose to
11 proceed under ch. 227 as though the department had disapproved the application by
12 providing the department with written notice of that choice no later than 45 days
13 after the expiration of the period established under par. (a).

14 2. The department may not disapprove an application for a license solely
15 because the department is unable to complete its review of the application within the
16 period established under par. (a).

17 (c) In the rules under par. (a), the department shall specify a method for
18 informing applicants of the periods established under par. (a). The department shall
19 specify the method that it determines is the most cost-effective method available.
20 The department is not required to notify an applicant if the department intends to
21 approve or disapprove the application within 14 days after receiving the application.

22 (d) The department may extend the period established under par. (a) because
23 an application is incomplete if all of the following apply:

1 1. Within 15 days after receiving the application, the department provides
2 written notice, which may be by electronic mail, to the applicant describing
3 specifically the information that must be provided to complete the application.

4 2. The information under subd. 1. is directly related to eligibility for the license
5 or to terms or conditions of the license.

6 3. The information under subd. 1. is necessary to determine whether to approve
7 the application or is necessary to determine the terms or conditions of the license.

8 4. The extension is not longer than the number of days from the day on which
9 the department provides the notice under subd. 1. to the day on which the
10 department receives the information.

11 **SECTION 53.** 563.15 (1) of the statutes is amended to read:

12 563.15 (1) After Subject to sub. (4), after making the determinations under s.
13 563.14, the department shall either notify the applicant organization in writing why
14 a license is not being issued or issue a license to such applicant organization
15 authorizing it to conduct bingo at the times and places set forth in the license. Except
16 as provided in sub. (1m), a license issued under this subsection shall be effective for
17 one year from the first day of the month of the first occasion listed on the license and
18 may be renewed annually, except that an applicant organization may request that
19 the license expire on the first day of any month within the one–year licensure period.

20 **SECTION 54.** 563.15 (4) of the statutes is created to read:

21 563.15 (4) (a) The department, by rule, shall establish periods within which the
22 department intends to approve or disapprove an application for any license issued
23 under sub. (1).

24 (b) 1. Subject to par. (d), the department shall refund fees paid by the applicant
25 for a license under sub. (1) if the department fails to provide the applicant with

1 written notice, which may be by electronic mail, that the department has approved
2 or disapproved the application for the license, including the specific facts upon which
3 any disapproval is based, before the expiration of the period established under par.
4 (a) for the license.

5 1m. Subject to par. (d), if the department fails to provide the applicant for a
6 license under sub. (1) with written notice, which may be by electronic mail, that the
7 department has approved or disapproved the application before the expiration of the
8 period established under par. (a) for the license, the applicant may choose to proceed
9 under ch. 227 as though the department had disapproved the application by
10 providing the department with written notice of that choice no later than 45 days
11 after the expiration of the period established under par. (a).

12 2. The department may not disapprove an application for a license solely
13 because the department is unable to complete its review of the application within the
14 period established under par. (a).

15 (c) In the rules under par. (a), the department shall specify a method for
16 informing applicants of the periods established under par. (a). The department shall
17 specify the method that it determines is the most cost-effective method available.
18 The department is not required to notify an applicant if the department intends to
19 approve or disapprove the application within 14 days after receiving the application.

20 (d) The department may extend the period established under par. (a) because
21 an application is incomplete if all of the following apply:

22 1. Within 15 days after receiving the application, the department provides
23 written notice, which may be by electronic mail, to the applicant describing
24 specifically the information that must be provided to complete the application.

1 2. The information under subd. 1. is directly related to eligibility for the license
2 or to terms or conditions of the license.

3 3. The information under subd. 1. is necessary to determine whether to approve
4 the application or is necessary to determine the terms or conditions of the license.

5 4. The extension is not longer than the number of days from the day on which
6 the department provides the notice under subd. 1. to the day on which the
7 department receives the information.

8 **SECTION 55.** 563.92 (5) of the statutes is created to read:

9 563.92 (5) (a) The department, by rule, shall establish periods within which the
10 department intends to approve or disapprove an application for any license issued
11 under sub. (1m).

12 (b) 1. Subject to par. (d), the department shall refund fees paid by the applicant
13 for a license under sub. (1m) if the department fails to provide the applicant with
14 written notice, which may be by electronic mail, that the department has approved
15 or disapproved the application for the license, including the specific facts upon which
16 any disapproval is based, before the expiration of the period established under par.
17 (a) for the license.

18 1m. Subject to par. (d), if the department fails to provide the applicant for a
19 license under sub. (1m) with written notice, which may be by electronic mail, that the
20 department has approved or disapproved the application before the expiration of the
21 period established under par. (a) for the license, the applicant may choose to proceed
22 under ch. 227 as though the department had disapproved the application by
23 providing the department with written notice of that choice no later than 45 days
24 after the expiration of the period established under par. (a).

1 2. The department may not disapprove an application for a license solely
2 because the department is unable to complete its review of the application within the
3 period established under par. (a).

4 (c) In the rules under par. (a), the department shall specify a method for
5 informing applicants of the periods established under par. (a). The department shall
6 specify the method that it determines is the most cost-effective method available.
7 The department is not required to notify an applicant if the department intends to
8 approve or disapprove the application within 14 days after receiving the application.

9 (d) The department may extend the period established under par. (a) because
10 an application is incomplete if all of the following apply:

11 1. Within 15 days after receiving the application, the department provides
12 written notice, which may be by electronic mail, to the applicant describing
13 specifically the information that must be provided to complete the application.

14 2. The information under subd. 1. is directly related to eligibility for the license
15 or to terms or conditions of the license.

16 3. The information under subd. 1. is necessary to determine whether to approve
17 the application or is necessary to determine the terms or conditions of the license.

18 4. The extension is not longer than the number of days from the day on which
19 the department provides the notice under subd. 1. to the day on which the
20 department receives the information.

21 **SECTION 56.** 601.04 (3) of the statutes is amended to read:

22 601.04 (3) LICENSING. The Subject to s. 601.58, the commissioner shall issue
23 to any insurer or plan subject to this section a certificate of authority authorizing it
24 to transact the business of insurance in this state if the commissioner is satisfied that
25 it has met all requirements of law and that its methods and practices and the

1 character and value of its assets will adequately safeguard the interests of its
2 insureds and the public in this state. Each certificate shall be issued for a period of
3 no longer than one year and shall expire on May 1. It may be renewed from year to
4 year.

5 **SECTION 57.** 601.58 of the statutes is created to read:

6 **601.58 Deadlines for action on license applications. (1) DEADLINES.** The
7 commissioner, by rule, shall establish periods within which the commissioner
8 intends to approve or disapprove an application for any of the following:

9 (a) A certificate of authority under s. 601.04 to transact the business of
10 insurance.

11 (b) An insurance intermediary license under subch. II of ch. 628, including a
12 temporary license under s. 628.09.

13 (c) A viatical settlement provider license under s. 632.68 (2).

14 (d) A viatical settlement broker license under s. 632.68 (4).

15 (e) A benefit plan administrator license under s. 633.14.

16 **(2) FAILURE TO MEET DEADLINE.** (a) Subject to sub. (4), the commissioner shall
17 refund fees paid by the applicant for a certificate of authority or license specified in
18 sub. (1) if the commissioner fails to provide the applicant with written notice, which
19 may be by electronic mail, that the commissioner has approved or disapproved the
20 application for the certificate of authority or license, including the specific facts upon
21 which any disapproval is based, before the expiration of the period established under
22 sub. (1) for the certificate of authority or license.

23 (am) Subject to sub. (4), if the commissioner fails to provide the applicant for
24 a certificate of authority or license specified in sub. (1) with written notice, which
25 may be by electronic mail, that the department has approved or disapproved the

1 application before the expiration of the period established under sub. (1) for the
2 certificate of authority or license, the applicant may choose to proceed under ch. 227
3 as though the department had disapproved the application by providing the
4 department with written notice of that choice no later than 45 days after the
5 expiration of the period established under sub. (1).

6 (b) The commissioner may not disapprove an application for a certificate of
7 authority or license solely because the commissioner is unable to complete the review
8 of the application within the period established under sub. (1).

9 **(3) NOTICE OF DEADLINE.** In the rules under sub. (1), the commissioner shall
10 specify a method for informing applicants of the periods established under sub. (1).
11 The commissioner shall specify the method that it determines is the most
12 cost-effective method available. The department is not required to notify an
13 applicant if the department intends to approve or disapprove the application within
14 14 days after receiving the application.

15 **(4) PERMITTED EXTENSION OF DEADLINE.** The commissioner may extend the
16 period established under sub. (1) because an application is incomplete if all of the
17 following apply:

18 (a) Within 15 days after receiving the application, the commissioner provides
19 written notice, which may be by electronic mail, to the applicant describing
20 specifically the information that must be provided to complete the application.

21 (b) The information under par. (a) is directly related to eligibility for the
22 certificate of authority or license or to terms or conditions of the certificate of
23 authority or license.

1 (c) The information under par. (a) is necessary to determine whether to approve
2 the application or is necessary to determine the terms or conditions of the certificate
3 of authority or license.

4 (d) The extension is not longer than the number of days from the day on which
5 the commissioner provides the notice under par. (a) to the day on which the
6 commissioner receives the information.

7 **SECTION 58.** 628.093 of the statutes is created to read:

8 **628.093 Deadline for acting on application.** Approval or disapproval of an
9 application for a license under this subchapter is subject to s. 601.58.

10 **SECTION 59.** 632.68 (2) (b) (intro.) of the statutes is amended to read:

11 632.68 (2) (b) (intro.) A person may apply to the commissioner for a viatical
12 settlement provider license on a form prescribed by the commissioner for that
13 purpose. The application form shall require the applicant to provide the applicant's
14 social security number, if the applicant is a natural person unless the applicant does
15 not have a social security number, or the applicant's federal employer identification
16 number, if the applicant is not a natural person. The fee specified in s. 601.31 (1)
17 (mm) shall accompany the application. After Subject to s. 601.58, after any
18 investigation of the applicant that the commissioner determines is sufficient, the
19 commissioner shall issue a viatical settlement provider license to an applicant that
20 satisfies all of the following:

21 **SECTION 60.** 632.68 (4) (b) of the statutes is amended to read:

22 632.68 (4) (b) A person may apply to the commissioner for a viatical settlement
23 broker license on a form prescribed by the commissioner for that purpose. The
24 application form shall require the applicant to provide the applicant's social security
25 number, if the applicant is a natural person unless the applicant does not have a

1 social security number, or the applicant's federal employer identification number, if
2 the applicant is not a natural person. The fee specified in s. 601.31 (1) (mr) shall
3 accompany the application. The commissioner may not issue a license under this
4 subsection unless the applicant provides his or her social security number, unless the
5 applicant does not have a social security number, or its federal employer
6 identification number, whichever is applicable. If the applicant is a natural person
7 who does not have a social security number, the commissioner may not issue a license
8 under this subsection unless the applicant provides, on a form prescribed by the
9 department of workforce development, a statement made or subscribed under oath
10 or affirmation that the applicant does not have a social security number. Approval
11 or disapproval of an application for a license under this subsection is subject to s.
12 601.58.

13 **SECTION 61.** 633.14 (1) (intro.) of the statutes is amended to read:

14 633.14 (1) (intro.) The Subject to s. 601.58, the commissioner shall issue a
15 license to act as an administrator to an individual who does all of the following:

16 **SECTION 62.** 633.14 (2) (intro.) of the statutes is amended to read:

17 633.14 (2) (intro.) The Subject to s. 601.58, the commissioner shall issue a
18 license to act as an administrator to a corporation, limited liability company, or
19 partnership that does all of the following:

20 **SECTION 63. Nonstatutory provisions.**

21 (1) SUBMISSION OF RULES. The state agencies required to promulgate rules under
22 this act shall submit in proposed form the rules required under this act to the
23 legislative council staff under section 227.15 (1) of the statutes no later than the first
24 day of the 7th month beginning after the effective date of this subsection. The
25 department of regulation and licensing shall submit in proposed form the rules

1 required under section 440.03 (1m) of the statutes, as created by this act, for all
2 credentials, as defined in section 440.01 (2) (a) of the statutes, at one time.

3 **SECTION 64. Initial applicability.**

4 (1) Except as provided in subsection (2), this act first applies to applications
5 that are received on the effective date of this subsection.

6 (2) The treatment of section 196.195 (5m) and (10) of the statutes first applies
7 to proceedings initiated by petitions filed with the public service commission, or by
8 notices made on the public service commission's own motion, on the effective date of
9 this subsection.

10 **SECTION 65. Effective dates.** This act takes effect on the first day of the 12th
11 month beginning after publication, except as follows:

12 (1) SECTION 63 of this act takes effect on the day after publication.

13 (END)