

1 **SECTION 2534k.** 343.055 (3) of the statutes is amended to read:

2 343.055 (3) VEHICLES TRANSPORTING HAZARDOUS MATERIALS, CARRYING PASSENGERS
3 OR TOWING DOUBLE OR TRIPLE TRAILERS NOT WAIVED. Nothing in this section authorizes
4 the operation of a combination vehicle with double or triple trailers, a vehicle
5 transporting hazardous materials requiring placarding except as provided in sub. (1)
6 (c), a vehicle transporting any quantity of a material listed as a select agent or toxin
7 under 42 CFR 73, or a vehicle carrying or designed to transport the driver and 15 or
8 more persons, by a person who does not hold a valid operator's license properly
9 endorsed to permit such operation.

10 **SECTION 2535.** 343.06 (2) of the statutes is amended to read:

11 343.06 (2) The department shall not issue a commercial driver license,
12 including a renewal, ~~occupational~~, or reinstated license, to any person during any
13 period of disqualification under s. 343.315 or 49 CFR 383.51 or the law of another
14 jurisdiction in substantial conformity therewith, as the result of one or more
15 disqualifying offenses committed on or after July 1, 1987, or to any person whose
16 operating privilege is revoked, suspended, or canceled. Any person who is known to
17 the department to be subject to disqualification as described in s. 343.44 (1) (d) shall
18 be disqualified by the department as provided in s. 343.315.

19 **SECTION 2536g.** 343.07 (1m) (d) of the statutes is created to read:

20 343.07 (1m) (d) No person holding an instruction permit issued under this
21 subsection may operate a vehicle transporting hazardous materials requiring
22 placarding or any quantity of a material listed as a select agent or toxin under 42 CFR
23 73.

24 **SECTION 2537.** 343.10 (1) (b) of the statutes is amended to read:

1 343.10 (1) (b) The application shall be in a form established by the department
2 and shall identify the specific motor vehicle that the applicant seeks authorization
3 to operate, including the vehicle classification and any required endorsements. The
4 application shall include an explanation of why operating the motor vehicle is
5 essential to the person's livelihood and identify the person's occupation or trade. The
6 application shall identify the applicant's employer, and include proof of financial
7 responsibility as specified in s. 343.38 (1) (c) covering the vehicle or vehicles that the
8 applicant requests authorization to operate. The application shall identify the hours
9 of operation and routes of travel being requested by the applicant in accord with the
10 restrictions of sub. (5). ~~The applicant shall certify whether, to the best of personal~~
11 ~~knowledge, he or she is disqualified under s. 343.315.~~

12 **SECTION 2538.** 343.10 (1) (d) of the statutes is repealed.

13 **SECTION 2539.** 343.10 (1) (e) of the statutes is repealed.

14 **SECTION 2540.** 343.10 (1) (f) of the statutes is repealed.

15 **SECTION 2541.** 343.10 (2) (c) of the statutes is amended to read:

16 343.10 (2) (c) No occupational license permitting the operation of a commercial
17 motor vehicle may be granted to a person ~~during a period of disqualification under~~
18 ~~s. 343.315.~~

19 **SECTION 2542.** 343.10 (7) (e) of the statutes is amended to read:

20 343.10 (7) (e) The occupational license issued by the department shall contain
21 the restrictions required by sub. (5). The occupational license authorizes the licensee
22 to operate a motor vehicle only when that operation is an essential part of the
23 licensee's occupation or trade. If the department determines that the applicant is
24 eligible under sub. (2), the department may impose such conditions and limitations
25 upon the authorization to operate ~~commercial or noncommercial~~ motor vehicles as

1 in the secretary's judgment are necessary in the interest of public safety and welfare,
2 including reexamination of the person's qualifications to operate a ~~commercial or~~
3 ~~noncommercial~~ motor vehicle or a particular type thereof. The department may limit
4 such authorization to include, without limitation, the operation of particular
5 vehicles, particular kinds of operation and particular traffic conditions.

6 **SECTION 2543.** 343.10 (7) (g) of the statutes is repealed.

7 **SECTION 2544.** 343.12 (2) (intro.) of the statutes is amended to read:

8 343.12 (2) (intro.) The **Except as provided in sub. (2m)**, the department shall
9 issue a school bus endorsement to a person only if such person meets all of the
10 following requirements:

11 **SECTION 2545.** 343.12 (2m) of the statutes is created to read:

12 343.12 (2m) The department shall issue a school bus endorsement to a person,
13 authorizing operation of a school bus that is a commercial motor vehicle, only if such
14 person meets all of the requirements specified in sub. (2) and, in addition, meets all
15 of the following requirements:

16 (a) Has been or is at the same time issued a valid commercial driver license.

17 (b) Qualifies for the endorsement under s. 343.17 (3) (d) 3., including passing
18 the knowledge and driving skills tests required for obtaining such an endorsement.

19 (c) Passes a knowledge test in compliance with the requirements of 49 CFR
20 383.123 (a) (2).

21 (d) Passes a driving skills test in compliance with the requirements of 49 CFR
22 383.123 (a) (3). If the test specified under sub. (2) (h) and s. 343.16 (1) meets the
23 requirements of 49 CFR 383.123 (a) (3), no additional driving skills test is required
24 under this paragraph.

25 **SECTION 2546.** 343.12 (3) of the statutes is amended to read:

1 343.12 (3) The Notwithstanding sub. (2) (a) and (g), the department may issue
2 a school bus endorsement under sub. (2) to a person who is more than 70 years of age
3 if the person meets the requirements specified in sub. (2) (c) to (f) and (h) before
4 issuance of the endorsement and annually takes and passes a physical examination
5 prior to issuance or renewal of the endorsement to determine that the person meets
6 the physical standards established under sub. (2) (g). Notwithstanding sub. (2) (a)
7 and (g), the department may issue a school bus endorsement under sub. (2m) to a
8 person who is more than 70 years of age if the person meets the requirements
9 specified in subs. (2) (c) to (f) and (h) and (2m) (a) to (d) before issuance of the
10 endorsement and annually takes and passes a physical examination prior to
11 issuance or renewal of the endorsement to determine that the person meets the
12 physical standards established under sub. (2) (g).

13 **SECTION 2547t.** 343.12 (4) (a) (intro.) and 1. of the statutes are consolidated,
14 renumbered 343.12 (4) (a) and amended to read:

15 343.12 (4) (a) Notwithstanding sub. (1), a person may operate a school bus in
16 this state if ~~one or more of the following requirements are met:~~ 1. ~~The~~ the person
17 is a nonresident holding a valid commercial driver license with a “P” passenger an
18 “S” endorsement and the school bus is a commercial motor vehicle or, if the school bus
19 is not a commercial motor vehicle, the person is a resident of Iowa, Illinois, Michigan,
20 or Minnesota holding a valid operator’s license and any additional endorsements
21 required by the person’s home jurisdiction for the operation of a school bus and the
22 origin or destination of the trip is in another state.

23 **SECTION 2549.** 343.12 (4) (a) 2. of the statutes is repealed.

24 **SECTION 2550d.** 343.12 (4) (a) 3. of the statutes is repealed.

25 **SECTION 2551.** 343.12 (4) (b) of the statutes is amended to read:

1 343.12 (4) (b) The department may, by rule, establish standards for the
2 employment by an employer of a person under par. (a) ~~3~~ as an operator of a school
3 bus in this state. The rules may require the person to meet the qualifications
4 contained in sub. (2) ~~or, (2m), or~~ (3) and any rules of the department applicable to
5 residents.

6 **SECTION 2551c.** 343.125 of the statutes is created to read:

7 **343.125 Endorsements for transporting certain hazardous materials.**

8 (1) In this section, ““H” endorsement” means an endorsement specified in s.
9 343.17 (3) (d) 1m.

10 (2) The department may not issue or renew an “H” endorsement to a
11 commercial driver license unless all of the following apply:

12 (a) The applicant has submitted to the department documentary proof, in one
13 or more of the following forms, that the applicant is a U.S. citizen or that the
14 applicant’s permanent presence in the United States is authorized under federal law:

15 1. A U.S. passport.

16 2. A birth certificate bearing an official seal or other mark of authentication and
17 issued by a state, county, or municipality within the United States or by a territory
18 or possession of the United States.

19 3. A certification of birth abroad issued by the federal department of state.

20 4. A certificate of naturalization.

21 5. A certificate of U.S. citizenship.

22 6. A permanent resident card or alien registration receipt card.

23 7. Any other proof specified in 49 CFR 383.71 (a) (9).

1 (b) If the applicant submits proof described under par. (a) 6. or 7., the applicant
2 submits his or her bureau of citizenship and immigration services alien registration
3 number.

4 (c) The applicant has passed any knowledge test required by the department.

5 (d) The department of transportation has received notice from the federal
6 transportation security administration of the federal department of homeland
7 security that the applicant does not pose a security threat warranting denial of an
8 “H” endorsement or that the applicant has received a waiver under 49 CFR 1572.143.

9 (3) (a) Except as provided in par. (b), an “H” endorsement shall expire 4 years
10 after the licensee’s next birthday after the date of issuance or renewal.

11 (b) 1. The initial period for which an “H” endorsement is valid is “.” from the
12 date on which the “H” endorsement is issued until the earlier of the following dates:

13 a. The date on which the licensee’s commercial driver license expires. This
14 subd. 1. a. does not apply if the licensee renews his or her commercial driver license
15 at the same time that the “H” endorsement is issued.

16 b. The date 4 years before the date on which the licensee’s commercial driver
17 license expires.

18 2. Notwithstanding subd. 1., if “.” as determined under subd. 1. is less than 12
19 months, the initial period for which an “H” endorsement is valid is “.” from the date
20 on which the “H” endorsement is issued until the later of the dates specified in subd.
21 1. a. or b.

22 (4) Within 15 days after receiving notice from the federal transportation
23 security administration of the federal department of homeland security, the
24 department of transportation shall do all of the following:

1 (a) Update the department's records to reflect the notice received, the issuance,
2 denial, or cancellation of an "H" endorsement, and, if applicable, the expiration date
3 of the "H" endorsement.

4 (b) Notify the commercial driver license information system of the notice
5 received and the department's action.

6 (c) Issue the "H" endorsement, if the department received notice described in
7 sub. (2) (d) and the applicant is otherwise eligible for issuance of the "H"
8 endorsement.

9 (d) Cancel or deny the "H" endorsement, if the notice is of a final administrative
10 determination that the applicant or licensee poses a security threat warranting
11 denial of an "H" endorsement.

12 (5) Notwithstanding s. 227.42, there is no right to a hearing on any cancellation
13 or denial of an "H" endorsement under this section.

14 (6) Notwithstanding sub. (3) and s. 343.20 (1) (a), the department may require
15 any person who holds a valid "H" endorsement on November 1, 2003, to apply for
16 renewal of that endorsement, if that endorsement expires after November 1, 2008.
17 The department shall provide the notice required under s. 343.20 (2) (b). The
18 department may cancel the "H" endorsement of any person who fails to renew within
19 "." specified by the department under this subsection. This subsection does not apply
20 to "H" endorsements that are issued or renewed after November 1, 2003.

21 **SECTION 2551e.** 343.14 (2g) of the statutes is created to read:

22 343.14 (2g) (a) Notwithstanding ss. 111.321, 111.322, and 111.335 and any
23 other provision of law, in addition to the information required under sub. (2), the
24 application form for an "H" endorsement specified in s. 343.17 (3) (d) 1m. shall

1 include all of the information and statements required under 49 CFR 1572.5 (e),
2 including all of the following:

3 1. The list of disqualifying felony criminal offenses specified in 49 CFR
4 1572.103 (b).

5 2. A statement that the individual signing the application meets all of the
6 following requirements:

7 a. The individual has not been convicted, or found not guilty by reason of
8 insanity, of any disqualifying felony criminal offense described in subd. 1. in any
9 jurisdiction during the 7-year period preceding the date of the application.

10 b. The individual has not been released from incarceration in any jurisdiction
11 for committing any disqualifying felony criminal offense described in subd. 1. within
12 the 5-year period preceding the date of the application.

13 c. The individual is not wanted or under indictment for any disqualifying felony
14 criminal offense described in subd. 1.

15 d. The individual is a U.S. citizen who has not renounced that citizenship, or
16 is lawfully admitted for permanent residence to the United States. If the applicant
17 is lawfully admitted for permanent residence to the United States, the applicant
18 shall provide the applicant's alien registration number issued by the federal
19 department of homeland security.

20 3. A statement that the individual signing the application has been informed
21 that s. 343.245 (2) (a) 1. and federal regulations under 49 CFR 1572.5 impose an
22 ongoing obligation to disclose to the department within 24 hours if the individual is
23 convicted, or found not guilty by reason of insanity, of any disqualifying felony
24 criminal offense described in subd. 1., or adjudicated as a mental defective or

1 committed to a mental institution, while he or she holds an “H” endorsement
2 specified in s. 343.17 (3) (d) 1m.

3 4. Notwithstanding sub. (2) (br) and the provisions of any memorandum of
4 understanding entered into under s. 49.857 (2), the applicant’s social security
5 number.

6 (b) Upon receiving a completed application form for an “H” endorsement
7 specified in s. 343.17 (3) (d) 1m., the department of transportation shall immediately
8 forward the application to the federal transportation security administration of the
9 federal department of homeland security. The department of transportation shall
10 also inform the applicant that the applicant has a right to obtain a copy of the
11 applicant’s criminal history record by submitting a written request for that record
12 to the federal transportation security administration.

13 **SECTION 2551h.** 343.14 (8) of the statutes is repealed.

14 **SECTION 2551j.** 343.16 (1) (a) of the statutes is amended to read:

15 343.16 (1) (a) *General.* The department shall examine every applicant for an
16 operator’s license, including applicants for license renewal as provided in sub. (3),
17 and every applicant for authorization to operate a vehicle class or type for which the
18 applicant does not hold currently valid authorization, other than an instruction
19 permit. Except as provided in sub. (2) (cm) and (e), the examinations of applicants
20 for licenses authorizing operation of “Class A”, “Class B”, “Class C”, “Class D” or
21 “Class M” vehicles shall include both a knowledge test and an actual demonstration
22 in the form of a driving skills test of the applicant’s ability to exercise ordinary and
23 reasonable control in the operation of a representative vehicle. The department shall
24 not administer a driving skills test to a person applying for authorization to operate
25 “Class M” vehicles who has failed 2 previous such skills tests unless the person has

1 successfully completed a rider course approved by the department. The department
2 may, by rule, exempt certain persons from the rider course requirement of this
3 paragraph. The driving skills of applicants for endorsements authorizing the
4 operation of commercial motor vehicles equipped with air brakes, the transportation
5 of passengers in commercial motor vehicles or the operation of school buses, as
6 provided in s. 343.04 (2) (b), (d) or (e), shall also be tested by an actual demonstration
7 of driving skills. The department may endorse an applicant's commercial driver
8 license for transporting hazardous materials requiring placarding or any quantity
9 of a material listed as a select agent or toxin under 42 CFR 73, subject to s. 343.125,
10 or for the operation of tank vehicles or vehicles towing double or triple trailers, as
11 described in s. 343.04 (2) (a), (c) or (f), based on successful completion of a knowledge
12 test. In administering the knowledge test, the department shall attempt to
13 accommodate any special needs of the applicant. Except as may be required by the
14 department for an "H" or "S" endorsement, the knowledge test is not intended to be
15 a test for literacy or English language proficiency. This paragraph does not prohibit
16 the department from requiring an applicant to correctly read and understand
17 highway signs.

18 **SECTION 2552.** 343.17 (3) (b) of the statutes is amended to read:

19 343.17 (3) (b) The reverse side of the license shall contain an explanation of any
20 restriction codes or endorsement abbreviations used on the front of the license, in
21 sufficient detail to identify the nature of the restrictions or endorsements to a law
22 enforcement officer of this state or another jurisdiction. Except for a commercial
23 driver license ~~or a license labeled "CDL-Occupational" as described in s. 343.03 (3)~~
24 ~~(b) and (e)~~, a part of the reverse side of each license shall be printed to serve as a

1 document of gift under s. 157.06 (2) (b) and (c) or a document of refusal to make an
2 anatomical gift under s. 157.06 (2) (i).

3 **SECTION 2552g.** 343.17 (3) (d) 1m. of the statutes is amended to read:

4 343.17 (3) (d) 1m. “H” endorsement, which authorizes the driver to operate
5 vehicles transporting hazardous materials requiring placarding or any quantity of
6 a material listed as a select agent or toxin under 42 CFR 73.

7 **SECTION 2552i.** 343.17 (3) (d) 6. of the statutes is amended to read:

8 343.17 (3) (d) 6. “X” endorsement, which is an optional endorsement that may
9 be used to indicate that the licensee holds both “H” and “N” endorsements. The
10 department may not issue or renew an endorsement under this subdivision after the
11 effective date of this subdivision [revisor inserts date].

12 **SECTION 2553.** 343.175 (2) (ag) of the statutes is amended to read:

13 343.175 (2) (ag) The department shall print a separate document to be issued
14 to all persons issued a commercial driver license ~~or a license labeled~~
15 ~~“CDL-Occupational” as described in s. 343.03 (3) (b) and (e)~~ and make provisions so
16 that the document may be attached to the reverse side of the license document along
17 one edge. This document shall serve as a document of gift under s. 157.06 (2) (b) and
18 (c) or a document of refusal to make an anatomical gift under s. 157.06 (2) (i).

19 **SECTION 2553m.** 343.20 (1) (a) of the statutes is amended to read:

20 343.20 (1) (a) Except as otherwise expressly provided in this chapter,
21 reinstated licenses, probationary licenses issued under s. 343.085 and original
22 licenses other than instruction permits shall expire 2 years from the date of the
23 applicant’s next birthday. All Subject to s. 343.125 (3), all other licenses and license
24 endorsements shall expire 8 years after the date of issuance. The department may
25 institute any system of initial license issuance which it deems advisable for the

1 purpose of gaining a uniform rate of renewals. In order to put such a system into
2 operation, the department may issue licenses which are valid for any period less than
3 the ordinary effective period of such license. If the department issues a license that
4 is valid for less than the ordinary effective period as authorized by this paragraph,
5 the fees due under s. 343.21 (1) (a), (b) and (d) shall be prorated accordingly.

6 **SECTION 2554g.** 343.20 (2) of the statutes is renumbered 343.20 (2) (a) and
7 amended to read:

8 343.20 (2) (a) The department shall mail to the last-known address of a
9 licensee at least 30 days prior to the expiration of the license a notice of the date upon
10 which ~~such~~ the license must be renewed.

11 (c) Failure to receive notice to renew ~~such~~ a license or endorsement shall not
12 be a defense to a charge of operating a motor vehicle without a valid operator's license
13 or endorsement.

14 **SECTION 2554h.** 343.20 (2) (b) of the statutes is created to read:

15 343.20 (2) (b) Notwithstanding par. (a), at least 180 days prior to the expiration
16 of an "H" endorsement specified in s. 343.17 (3) (d) 1m., the department of
17 transportation shall mail a notice to the last-known address of the licensee that the
18 licensee is required to pass a security threat assessment screening by the federal
19 transportation security administration of the federal department of homeland
20 security as part of the application to renew the endorsement. The notice shall inform
21 the licensee that the licensee may commence the federal security threat assessment
22 screening at any time, but no later than 90 days before expiration of the
23 endorsement.

24 **SECTION 2554k.** 343.20 (2m) of the statutes is amended to read:

1 343.20 (2m) The department shall include with the notice that it mails under
2 sub. (2) information regarding the requirements of s. 347.48 (4); and information, as
3 developed by all organ procurement organizations in cooperation with the
4 department, that promotes anatomical donations and which relates to the
5 anatomical donation opportunity available under s. 343.175; ~~and, for licensees aged~~
6 ~~65 years or older, material, as provided by the department, explaining the voluntary~~
7 ~~program that is specified in s. 71.55 (10) (b).~~

8 **SECTION 2555.** 343.22 (2) (b) of the statutes is amended to read:

9 343.22 (2) (b) In lieu of applying for a duplicate license or identification card,
10 notify the department in writing of his or her change of address. This paragraph does
11 not apply to persons issued a commercial driver license ~~or a license labeled~~
12 ~~“CDL-Occupational” as described in s. 343.03 (3) (b) and (e).~~

13 **SECTION 2555g.** 343.23 (1) (intro.) of the statutes is amended to read:

14 343.23 (1) (intro.) The department shall maintain a record of every application
15 for license, permit, or endorsement received by it and of every suspension, revocation
16 and, cancellation, and disqualification by the department and shall maintain
17 suitable indexes containing:

18 **SECTION 2555m.** 343.23 (1) (c) of the statutes is amended to read:

19 343.23 (1) (c) The name of every person whose license or operating privilege has
20 been suspended, revoked, or canceled, or who is disqualified, by the department and
21 note thereon the reason for such action.

22 **SECTION 2555x.** 343.23 (2) (a) (intro.) of the statutes is amended to read:

23 343.23 (2) (a) (intro.) The department shall maintain a file for each licensee or
24 other person containing the application for license, permit or endorsement, a record
25 of reports or abstract of convictions, any notice received from the federal

1 transportation security administration concerning the person's eligibility for an "H"
2 endorsement specified in s. 343.17 (3) (d) 1m., the status of the person's authorization
3 to operate different vehicle groups, a record of any out-of-service orders issued
4 under s. 343.305 (7) (b) or (9) (am) and a record of any reportable accident in which
5 the person has been involved, including specification of any type of license and
6 endorsements issued under this chapter under which the person was operating at
7 the time of the accident and an indication whether or not the accident occurred in the
8 course of any of the following:

9 **SECTION 2556.** 343.23 (2) (am) of the statutes is created to read:

10 343.23 (2) (am) 1. The file specified in par. (a) shall include the following:

11 a. For a person holding a commercial driver license issued by the department,
12 a record of any disqualification by another jurisdiction of the person from operating
13 a commercial motor vehicle for at least 60 days or of the revocation, suspension, or
14 cancellation by another jurisdiction of the person's commercial driver license for at
15 least 60 days, and the violation that resulted in the disqualification, revocation,
16 suspension, or cancellation, as specified in any notice received from the other
17 jurisdiction.

18 b. For a person holding a commercial driver license issued by the department,
19 a record of any violation in another jurisdiction of any law of that jurisdiction,
20 including any local law of that jurisdiction, or of any law of a federally recognized
21 American Indian tribe or band in that jurisdiction, in conformity with any law of this
22 state relating to motor vehicle traffic control, other than a parking violation, as
23 specified in any notice received from that jurisdiction. The department shall record
24 this information within 10 days after receipt of the notice.

1 c. For a person holding a commercial driver license issued by this state or
2 another jurisdiction, a record of each violation, while operating any motor vehicle,
3 of any state law or local ordinance of this state or any law of a federally recognized
4 American Indian tribe or band in this state in conformity with any law of this state
5 relating to motor vehicle traffic control, other than a parking violation. The
6 department shall record the information under this subdivision within 10 days after
7 the date of conviction.

8 2. In maintaining the department's file specified in subd. 1. and par. (a), the
9 department may not conceal, withhold, or mask from the department's file, or
10 otherwise allow in any way a person to avoid the department's recording in the
11 department's file of, any information required to be recorded in the department's file
12 under 49 CFR 384.225 and 384.226, regardless of whether the person has obtained
13 deferral of imposition of judgment, been allowed to enter a diversion program, or
14 otherwise obtained delayed or suspended judgment or alternative sentencing from
15 a court.

16 **SECTION 2557.** 343.23 (2) (b) of the statutes is amended to read:

17 343.23 (2) (b) The information specified in ~~par. (a)~~ par. (a) and (am) must be filed
18 by the department so that the complete operator's record is available for the use of
19 the secretary in determining whether operating privileges of such person shall be
20 suspended, revoked, canceled, or withheld, ~~or the person disqualified~~, in the interest
21 of public safety. The record of suspensions, revocations, and convictions that would
22 be counted under s. 343.307 (2) shall be maintained permanently. The record of
23 convictions for disqualifying offenses under s. 343.315 (2) (h) shall be maintained for
24 at least 10 years. The record of convictions for disqualifying offenses under s.
25 343.315 (2) (f) and (j), and all records specified in par. (am), shall be maintained for

1 at least 3 years. The record of convictions for disqualifying offenses under s. 343.315
2 (2) (a) to (e) shall be maintained permanently, except that 5 years after a licensee
3 transfers residency to another state such record may be transferred to another state
4 of licensure of the licensee if that state accepts responsibility for maintaining a
5 permanent record of convictions for disqualifying offenses. Such reports and records
6 may be cumulative beyond the period for which a license is granted, but the secretary,
7 in exercising the power of suspension granted under s. 343.32 (2) may consider only
8 those reports and records entered during the 4-year period immediately preceding
9 the exercise of such power of suspension.

10 **SECTION 2557g.** 343.245 (2) (a) 1. of the statutes is amended to read:

11 343.245 (2) (a) 1. ‘To state.’ A person, after applying for or receiving a
12 commercial driver license issued by this state, who is convicted of violating in a motor
13 vehicle any law of this state or local ordinance adopted in conformity therewith or
14 a law enacted by a federally recognized American Indian tribe or band in this state
15 which is in conformity with any law of this state, or the law of another jurisdiction,
16 relating to motor vehicle traffic control, other than parking violations, shall notify
17 the department of the conviction in the manner specified by the department within
18 30 days after the date of conviction. Notwithstanding any other provision of law, a
19 person who holds an “H” endorsement specified in s. 343.17 (3) (d) 1m. shall notify
20 the department within 24 hours if the person is convicted, or found not guilty by
21 reason of insanity, of any disqualifying felony criminal offense described in s. 343.14
22 (2g) (a) 1., or adjudicated as a mental defective or committed to a mental institution.

23 **SECTION 2557i.** 343.265 (1r) of the statutes is created to read:

24 343.265 (1r) Notwithstanding sub. (1), the department shall accept the
25 voluntary surrender of an “H” endorsement specified in s. 343.17 (3) (d) 1m. Upon

1 accepting the surrender, the department shall immediately cancel the endorsement
2 if the licensee is not eligible for the endorsement. Following cancellation under this
3 subsection, the department shall take the actions required in s. 343.125 (4) (a) and
4 (b). Upon accepting the surrender from a person to whom the department would not
5 be prohibited from issuing an “H” endorsement, the department may remove that
6 endorsement from the licensee’s commercial driver license as a temporary surrender.
7 The department may not issue an “H” endorsement to any person whose “H”
8 endorsement is removed as a temporary surrender under this subsection unless the
9 person applies for initial issuance of an “H” endorsement.

10 **SECTION 2557k.** 343.28 (1) of the statutes is amended to read:

11 343.28 (1) Whenever a person is convicted of a moving traffic violation under
12 chs. 341 to 349 or under a local ordinance enacted under ch. 349, the clerk of the court
13 in which the conviction occurred, or the justice, judge or magistrate of a court not
14 having a clerk, shall, as provided in s. 345.48, forward to the department the record
15 of such conviction. The record of conviction forwarded to the department shall state
16 whether the offender was involved in an accident at the time of the offense, whether
17 the offender was operating a commercial motor vehicle at the time of the offense and,
18 if so, whether the offender was transporting hazardous materials requiring
19 placarding or any quantity of a material listed as a select agent or toxin under 42 CFR
20 73, or was operating a vehicle designed to carry, or actually carrying, 16 or more
21 passengers, including the driver. Whenever a person is convicted of exceeding a
22 posted speed limit, the record of conviction forwarded to the department shall
23 include the number of miles per hour in excess of the posted speed limit.

24 **SECTION 2557m.** 343.28 (2) of the statutes is amended to read:

1 343.28 (2) Whenever a person is convicted of any offense for which s. 343.31
2 makes mandatory the revocation by the secretary of such person's operating
3 privilege, the court in which the conviction occurred shall require the surrender to
4 it of any license then held by such person. The clerk of the court, or the justice, judge
5 or magistrate if the court has no clerk, shall, as provided in s. 345.48, forward to the
6 department the record of conviction and any surrendered licenses. The record of
7 conviction forwarded to the department shall state whether the offender was
8 involved in an accident at the time of the offense, whether the offender was operating
9 a commercial motor vehicle at the time of the offense and, if so, whether the offender
10 was transporting hazardous materials requiring placarding or any quantity of a
11 material listed as a select agent or toxin under 42 CFR 73, or was operating a vehicle
12 designed to carry, or actually carrying, 16 or more passengers, including the driver.

13 **SECTION 2558.** 343.307 (2) (d) of the statutes is amended to read:

14 343.307 (2) (d) Convictions under the law of another jurisdiction that is in
15 substantial conformity with 49 CFR 383.51 (b) (2) (i) ~~or (ii) or both~~ Table 1, items (1)
16 to (4).

17 **SECTION 2562.** 343.315 (2) (a) (intro.) of the statutes is amended to read:

18 343.315 (2) (a) (intro.) Except as provided in par. (b), a person shall be
19 disqualified from operating a commercial motor vehicle for a one-year period upon
20 a first conviction of any of the following offenses, committed on or after July 1, 1987,
21 while driving or operating a commercial motor vehicle or committed on or after
22 September 30, 2005, while driving or operating any motor vehicle:

23 **SECTION 2563.** 343.315 (2) (a) 7. of the statutes is created to read:

24 343.315 (2) (a) 7. Operating a commercial motor vehicle when the person's
25 commercial driver license is revoked, suspended, or canceled based on the person's

1 operation of a commercial motor vehicle or when the person is disqualified from
2 operating a commercial motor vehicle.

3 **SECTION 2564.** 343.315 (2) (a) 8. of the statutes is created to read:

4 343.315 (2) (a) 8. Causing a fatality through negligent or criminal operation
5 of a commercial motor vehicle.

6 **SECTION 2564m.** 343.315 (2) (b) of the statutes is amended to read:

7 343.315 (2) (b) If any of the violations listed in par. (a) occurred in the course
8 of transporting hazardous materials requiring placarding or any quantity of a
9 material listed as a select agent or toxin under 42 CFR 73 on or after July 1, 1987,
10 the person shall be disqualified from operating a commercial motor vehicle for a
11 3-year period.

12 **SECTION 2565.** 343.315 (2) (e) of the statutes is amended to read:

13 343.315 (2) (e) A person is disqualified for life from operating a commercial
14 motor vehicle if the person uses a commercial motor vehicle on or after July 1, 1987,
15 or uses any motor vehicle on or after September 30, 2005, in the commission of a
16 felony involving the manufacture, distribution, delivery or dispensing of a controlled
17 substance or controlled substance analog, or possession with intent to manufacture,
18 distribute, deliver or dispense a controlled substance or controlled substance analog.
19 No person who is disqualified under this paragraph is eligible for reinstatement
20 under par. (d).

21 **SECTION 2566.** 343.315 (2) (f) (intro.) of the statutes is amended to read:

22 343.315 (2) (f) (intro.) A person is disqualified for a period of 60 days from
23 operating a commercial motor vehicle if convicted of 2 serious traffic violations, and
24 120 days if convicted of 3 serious traffic violations, arising from separate occurrences
25 committed within a 3-year period while driving or operating a commercial motor

1 vehicle or while driving or operating any motor vehicle if the person holds a
2 commercial driver license. The 120-day period of disqualification under this
3 paragraph shall be in addition to any other period of disqualification imposed under
4 this paragraph. In this paragraph, “serious traffic violations” means any of the
5 following offenses committed while operating a commercial motor vehicle, or any of
6 the following offenses committed while operating any motor vehicle if the offense
7 results in the revocation, cancellation, or suspension of the person’s operator’s
8 license or operating privilege:

9 **SECTION 2567.** 343.315 (2) (f) 2. of the statutes is amended to read:

10 343.315 (2) (f) 2. Violating any state or local law of this state or any law of a
11 federally recognized American Indian tribe or band in this state in conformity with
12 any state law or any law of another jurisdiction relating to motor vehicle traffic
13 control, arising in connection with a fatal accident, other than parking, vehicle
14 weight or vehicle defect violations, or violations described in par. (a) 8.

15 **SECTION 2568.** 343.315 (2) (f) 6. of the statutes is created to read:

16 343.315 (2) (f) 6. Operating a commercial motor vehicle when the person has
17 not obtained a commercial driver license.

18 **SECTION 2569.** 343.315 (2) (f) 7. of the statutes is created to read:

19 343.315 (2) (f) 7. Operating a commercial motor vehicle when the person does
20 not have in his or her immediate possession the person’s commercial driver license
21 document, including any special restrictions cards issued under s. 343.10 (7) (d) or
22 343.17 (4), unless the person produces in court or in the office of the law enforcement
23 officer that issued the citation, by the date that the person must appear in court or
24 pay any fine or forfeiture with respect to the citation, a commercial driver license

1 document issued to the person prior to the date of the citation and valid at the time
2 of the citation.

3 **SECTION 2570.** 343.315 (2) (f) 8. of the statutes is created to read:

4 343.315 (2) (f) 8. Operating a commercial motor vehicle without the proper
5 class of commercial driver license or endorsements for the specific vehicle group
6 being operated or for the passengers or type of cargo being transported.

7 **SECTION 2570g.** 343.315 (2) (h) of the statutes is amended to read:

8 343.315 (2) (h) Except as provided in par. (i), a person is disqualified for a period
9 of 90 days from operating a commercial motor vehicle if convicted of an
10 out-of-service violation, or one year if convicted of 2 out-of-service violations, or 3
11 years if convicted of 3 or more out-of-service violations, arising from separate
12 occurrences committed within a 10-year period while driving or operating a
13 commercial motor vehicle. A disqualification under this paragraph shall be in
14 addition to any penalty imposed under s. 343.44. In this paragraph, “out-of-service
15 violation” means violating s. 343.44 (1) (c) by operating a commercial motor vehicle
16 while the operator or vehicle is ordered out-of-service under state or federal law.

17 **SECTION 2570m.** 343.315 (2) (i) of the statutes is amended to read:

18 343.315 (2) (i) If the violation listed in par. (h) occurred in the course of
19 transporting hazardous materials requiring placarding or any quantity of a material
20 listed as a select agent or toxin under 42 CR 73, or while operating a vehicle designed
21 to carry, or actually carrying, 16 or more passengers, including the driver, the person
22 shall be disqualified from operating a commercial motor vehicle for 180 days upon
23 a first conviction, or for a 3-year period for a 2nd or subsequent conviction, arising
24 from separate occurrences committed within a 10-year period while driving or

1 operating a commercial motor vehicle. A disqualification under this paragraph shall
2 be in addition to any penalty imposed under s. 343.44.

3 **SECTION 2571.** 343.315 (2) (k) of the statutes is created to read:

4 343.315 (2) (k) A person disqualified by federal authorities under 49 USC
5 31310 (f) and 49 CFR 383.52 on the basis that the person's continued operation of a
6 commercial motor vehicle would create an imminent hazard, as defined in 49 USC
7 5102 and 49 CFR 383.5, is disqualified from operating a commercial motor vehicle
8 for the period of disqualification determined by the federal authority upon receipt by
9 the department of the notice of disqualification provided for in 49 CFR 383.52 (d).

10 **SECTION 2571y.** 343.44 (1) (c) of the statutes is amended to read:

11 343.44 (1) (c) *Operating while ordered out-of-service.* No person may operate
12 a commercial motor vehicle while the person or the commercial motor vehicle is
13 ordered out-of-service under state or federal law.

14 **SECTION 2572.** 343.44 (1) (d) of the statutes is amended to read:

15 343.44 (1) (d) *Operating while disqualified.* No person may operate a
16 commercial motor vehicle while disqualified under s. 343.315 or 49 CFR 383.51,
17 under the law of another jurisdiction or Mexico that provides for disqualification of
18 commercial drivers in a manner similar to 49 CFR 383.51, or under a determination
19 by the federal highway motor carrier safety administration under the federal rules
20 of practice for motor carrier safety contained in 49 CFR 386 that the person is no
21 longer qualified to operate a vehicle under 49 CFR 391.

22 **SECTION 2573.** 343.44 (2) (b) (intro.) of the statutes is amended to read:

23 343.44 (2) (b) (intro.) Except as provided in par. (am), any person who violates
24 sub. (1) (b), (e) or (d) shall be fined not more than \$2,500 or imprisoned for not more
25 than one year in the county jail or both. In imposing a sentence under this

1 paragraph, or a local ordinance in conformity with this paragraph, the court shall
2 review the record and consider the following:

3 **SECTION 2574.** 343.44 (2) (bm) of the statutes is created to read:

4 343.44 (2) (bm) Any person who violates sub. (1) (c) shall be fined not less than
5 \$1,100 nor more than \$2,750 or imprisoned for not more than one year in the county
6 jail or both. In imposing a sentence under this paragraph, the court shall review the
7 record and consider the factors specified in par. (b) 1. to 5.

8 **SECTION 2574h.** 343.50 (4) of the statutes is amended to read:

9 343.50 (4) APPLICATION. The application for an identification card shall include
10 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), and
11 (em), and such further information as the department may reasonably require to
12 enable it to determine whether the applicant is entitled by law to an identification
13 card, ~~and, for applicants who are aged 65 years or older, material, as provided by the~~
14 ~~department, explaining the voluntary program that is specified in s. 71.55 (10) (b).~~
15 The department shall, as part of the application process, take a photograph of the
16 applicant to comply with sub. (3). No application may be processed without the
17 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are
18 punishable as provided in s. 343.14 (9).

19 **SECTION 2575.** 344.185 (2) (e) 2. of the statutes is amended to read:

20 344.185 (2) (e) 2. All other proceeds of the sale remaining after the payments
21 under subd. 1. shall be retained by the secretary of transportation and applied as
22 security for payment of judgments and assignments as provided under s. 344.20 (2).
23 Any amounts not used to pay judgments or assignments shall be transmitted to the
24 ~~state treasurer~~ secretary of administration for deposit in the school fund.

25 **SECTION 2579.** 345.08 of the statutes is amended to read:

1 **345.08 Suit to recover protested tax or fee.** No suit shall be maintained
2 in any court to restrain or delay the collection or payment of the taxes levied or the
3 fees imposed or enacted in chs. 341 to 349. The aggrieved taxpayer shall pay the tax
4 or fee as and when due and, if paid under protest, may at any time within 90 days
5 from the date of such payment sue the state in an action at law to recover the tax or
6 fee so paid. If it is finally determined that such tax or fee or any part thereof was
7 wrongfully collected for any reason, the ~~department~~ secretary of administration
8 shall ~~issue a warrant on the state treasurer for pay from the transportation fund~~ the
9 amount of such tax or fee so adjudged to have been wrongfully collected ~~and the state~~
10 ~~treasurer shall pay the same out of the transportation fund.~~ A separate suit need not
11 be filed for each separate payment made by any taxpayer, but a recovery may be had
12 in one suit for as many payments as were made within the 90-day period preceding
13 the commencement of the action. Such suits shall be commenced as provided in s.
14 775.01.

15 **SECTION 2579m.** 345.11 (2m) (b) of the statutes is amended to read:

16 **345.11 (2m) (b)** Whether the vehicle was transporting hazardous materials
17 requiring placarding or any quantity of a material listed as a select agent or toxin
18 under 42 CFR 73.

19 **SECTION 2580.** 346.177 (3) of the statutes is amended to read:

20 **346.177 (3)** If any deposit is made for an offense to which this section applies,
21 the person making the deposit shall also deposit a sufficient amount to include the
22 railroad crossing improvement assessment under this section. If the deposit is
23 forfeited, the amount of the railroad crossing improvement assessment shall be
24 transmitted to the ~~state treasurer~~ secretary of administration under sub. (4). If the

1 deposit is returned, the amount of the railroad crossing improvement assessment
2 shall also be returned.

3 **SECTION 2581.** 346.177 (4) of the statutes is amended to read:

4 346.177 (4) The clerk of the circuit court shall collect and transmit to the county
5 treasurer the railroad crossing improvement assessment as required under s. 59.40
6 (2) (m). The county treasurer shall then pay the ~~state treasurer~~ secretary of
7 administration as provided in s. 59.25 (3) (f) 2. The ~~state treasurer~~ secretary of
8 administration shall deposit all amounts received under this subsection in the
9 transportation fund to be appropriated under s. 20.395 (2) (gj).

10 **SECTION 2583.** 346.495 (3) of the statutes is amended to read:

11 346.495 (3) If any deposit is made for an offense to which this section applies,
12 the person making the deposit shall also deposit a sufficient amount to include the
13 railroad crossing improvement assessment under this section. If the deposit is
14 forfeited, the amount of the railroad crossing improvement assessment shall be
15 transmitted to the ~~state treasurer~~ secretary of administration under sub. (4). If the
16 deposit is returned, the amount of the railroad crossing improvement assessment
17 shall also be returned.

18 **SECTION 2584.** 346.495 (4) of the statutes is amended to read:

19 346.495 (4) The clerk of the circuit court shall collect and transmit to the county
20 treasurer the railroad crossing improvement assessment as required under s. 59.40
21 (2) (m). The county treasurer shall then pay the ~~state treasurer~~ secretary of
22 administration as provided in s. 59.25 (3) (f) 2. The ~~state treasurer~~ secretary of
23 administration shall deposit all amounts received under this subsection in the
24 transportation fund to be appropriated under s. 20.395 (2) (gj).

25 **SECTION 2588.** 346.65 (4r) (c) of the statutes is amended to read:

1 346.65 (4r) (c) If any deposit is made for an offense to which this subsection
2 applies, the person making the deposit shall also deposit a sufficient amount to
3 include the railroad crossing improvement assessment under this subsection. If the
4 deposit is forfeited, the amount of the railroad crossing improvement assessment
5 shall be transmitted to the ~~state treasurer~~ secretary of administration under par. (d).
6 If the deposit is returned, the amount of the railroad crossing improvement
7 assessment shall also be returned.

8 **SECTION 2589.** 346.65 (4r) (d) of the statutes is amended to read:

9 346.65 (4r) (d) The clerk of the circuit court shall collect and transmit to the
10 county treasurer the railroad crossing improvement assessment as required under
11 s. 59.40 (2) (m). The county treasurer shall then pay the ~~state treasurer~~ secretary
12 of administration as provided in s. 59.25 (3) (f) 2. The ~~state treasurer~~ secretary of
13 administration shall deposit all amounts received under this paragraph in the
14 transportation fund to be appropriated under s. 20.395 (2) (gj).

15 **SECTION 2590.** 346.655 (2) (a) of the statutes is amended to read:

16 346.655 (2) (a) Except as provided in par. (b), the clerk of court shall collect and
17 transmit the amount under sub. (1) to the county treasurer as provided in s. 59.40
18 (2) (m). The county treasurer shall then make payment of 38.5% of the amount to
19 the ~~state treasurer~~ secretary of administration as provided in s. 59.25 (3) (f) 2.

20 **SECTION 2591.** 346.655 (2) (b) of the statutes is amended to read:

21 346.655 (2) (b) If the forfeiture is imposed by a municipal court, the court shall
22 transmit the amount to the treasurer of the county, city, town, or village, and that
23 treasurer shall make payment of 38.5% of the amount to the ~~state treasurer~~
24 secretary of administration as provided in s. 66.0114 (1) (bm). The treasurer of the

1 city, town, or village shall transmit the remaining 61.5% of the amount to the
2 treasurer of the county.

3 **SECTION 2592.** 346.655 (3) of the statutes is amended to read:

4 346.655 (3) All moneys collected from the driver improvement surcharge that
5 are transmitted to the county treasurer under sub. (2) (a) or (b), except the amounts
6 that the county treasurer is required to transmit to the ~~state treasurer~~ secretary of
7 administration under sub. (2) (a) or (b), shall be retained by the county treasurer and
8 disbursed to the county department under s. 51.42 for services under s. 51.42 for
9 drivers referred through assessment.

10 **SECTION 2594.** 348.25 (8) (a) 1. of the statutes is amended to read:

11 348.25 (8) (a) 1. For a vehicle or combination of vehicles which exceeds length
12 limitations, \$15, except that if the application for a permit for a vehicle described in
13 this subdivision is submitted to the department after December 31, 1999, and before
14 July 1, ~~2003~~ 2005, the fee is \$17.

15 **SECTION 2595.** 348.25 (8) (a) 2. of the statutes is amended to read:

16 348.25 (8) (a) 2. For a vehicle or combination of vehicles which exceeds either
17 width limitations or height limitations, \$20, except that if the application for a
18 permit for a vehicle described in this subdivision is submitted to the department
19 after December 31, 1999, and before July 1, ~~2003~~ 2005, the fee is \$22.

20 **SECTION 2596.** 348.25 (8) (a) 2m. of the statutes is amended to read:

21 348.25 (8) (a) 2m. For a vehicle or combination of vehicles which exceeds both
22 width and height limitations, \$25, except that if the application for a permit for a
23 vehicle described in this subdivision is submitted to the department after
24 December 31, 1999, and before July 1, ~~2003~~ 2005, the fee is \$28.

25 **SECTION 2597.** 348.25 (8) (b) 1. of the statutes is amended to read:

1 348.25 (8) (b) 1. For a vehicle or combination of vehicles which exceeds length
2 limitations, \$60, except that if the application for a permit for a vehicle described in
3 this subdivision is submitted to the department after December 31, 1999, and before
4 July 1, ~~2003~~ 2005, the fee is \$66.

5 **SECTION 2598.** 348.25 (8) (b) 2. of the statutes is amended to read:

6 348.25 (8) (b) 2. For a vehicle or combination of vehicles which exceeds width
7 limitations or height limitations or both, \$90, except that if the application for a
8 permit for a vehicle described in this subdivision is submitted to the department
9 after December 31, 1999, and before July 1, ~~2003~~ 2005, the fee is \$99.

10 **SECTION 2599.** 348.25 (8) (b) 3. a. of the statutes is amended to read:

11 348.25 (8) (b) 3. a. If the gross weight is 90,000 pounds or less, \$200, except that
12 if the application for a permit for a vehicle described in this subd. 3. a. is submitted
13 to the department after December 31, 1999, and before July 1, ~~2003~~ 2005, the fee is
14 \$220.

15 **SECTION 2600.** 348.25 (8) (b) 3. b. of the statutes is amended to read:

16 348.25 (8) (b) 3. b. If the gross weight is more than 90,000 pounds but not more
17 than 100,000 pounds, \$350, except that if the application for a permit for a vehicle
18 described in this subd. 3. b. is submitted to the department after December 31, 1999,
19 and before July 1, ~~2003~~ 2005, the fee is \$385.

20 **SECTION 2601.** 348.25 (8) (b) 3. c. of the statutes is amended to read:

21 348.25 (8) (b) 3. c. If the gross weight is greater than 100,000 pounds, \$350 plus
22 \$100 for each 10,000–pound increment or fraction thereof by which the gross weight
23 exceeds 100,000 pounds, except that if the application for a permit for a vehicle
24 described in this subd. 3. c. is submitted to the department after December 31, 1999,

1 and before July 1, 2003 2005, the fee is \$385 plus \$110 for each 10,000–pound
2 increment or fraction thereof by which the gross weight exceeds 100,000 pounds.

3 **SECTION 2602.** 348.25 (8) (bm) 1. of the statutes is amended to read:

4 348.25 (8) (bm) 1. Unless a different fee is specifically provided, the fee for a
5 consecutive month permit is one–twelfth of the fee under par. (b) for an annual
6 permit times the number of months for which the permit is desired, plus \$15 for each
7 permit issued. This subdivision does not apply to applications for permits submitted
8 after December 31, 1999, and before July 1, 2003 2005.

9 **SECTION 2603.** 348.25 (8) (bm) 2. of the statutes is amended to read:

10 348.25 (8) (bm) 2. Unless a different fee is specifically provided, the fee for a
11 consecutive month permit is one–twelfth of the fee under par. (b) for an annual
12 permit times the number of months for which the permit is desired, plus \$16.50 for
13 each permit issued, rounded to the nearest whole dollar. This subdivision does not
14 apply to applications submitted before January 1, 2000, or submitted after
15 June 30, 2003 2005.

16 **SECTION 2604.** 348.25 (8) (e) of the statutes is amended to read:

17 348.25 (8) (e) The officer or agency authorized to issue a permit under s. 348.26
18 or 348.27 may require any applicant for a permit under s. 348.26 or 348.27 to pay the
19 cost of any special investigation undertaken to determine whether a permit should
20 be approved or denied and to pay an additional fee of ~~\$5~~ established by the
21 department by rule per permit if a department telephone call–in procedure or
22 Internet procedure is used. The fee shall approximate the cost to the department for
23 providing this service to persons so requesting.

24 **SECTION 2605.** 349.04 (3) of the statutes is amended to read:

1 349.04 (3) If any deposit is made for an offense to which this section applies,
2 the person making the deposit shall also deposit a sufficient amount to include the
3 truck driver education assessment under this section. If the deposit is forfeited, the
4 amount of the truck driver education assessment shall be transmitted to the ~~state~~
5 ~~treasurer~~ secretary of administration under sub. (4). If the deposit is returned, the
6 amount of the truck driver education assessment shall also be returned.

7 **SECTION 2606.** 349.04 (4) of the statutes is amended to read:

8 349.04 (4) The clerk of the circuit court shall collect and transmit to the county
9 treasurer the truck driver education assessment as required under s. 59.40 (2) (m).
10 The county treasurer shall then pay the ~~state treasurer~~ secretary of administration
11 as provided in s. 59.25 (3) (f) 2. The ~~state treasurer~~ secretary of administration shall
12 deposit all amounts received under this subsection in the general fund to be credited
13 to the appropriation account under s. 20.292 (1) (hm).

14 **SECTION 2607.** 350.115 (1) (c) of the statutes is amended to read:

15 350.115 (1) (c) If any deposit is made for an offense to which this section applies,
16 the person making the deposit shall also deposit a sufficient amount to include the
17 snowmobile registration restitution payment prescribed in this section. If the
18 deposit is forfeited, the amount of the snowmobile registration restitution payment
19 shall be transmitted to the ~~state treasurer~~ secretary of administration under par. (d).
20 If the deposit is returned, the snowmobile registration restitution payment shall also
21 be returned.

22 **SECTION 2608.** 350.115 (1) (d) of the statutes is amended to read:

23 350.115 (1) (d) The clerk of the court shall collect and transmit to the county
24 treasurer the snowmobile registration restitution payment and other amounts

1 required under s. 59.40 (2) (m). The county treasurer shall then make payment to
2 the ~~state treasurer~~ secretary of administration as provided in s. 59.25 (3) (f) 2.

3 **SECTION 2608m.** 350.12 (4) (b) (intro.) of the statutes is amended to read:

4 350.12 (4) (b) *Trail aids and related costs.* (intro.) The moneys appropriated
5 under s. 20.370 (1) (mq) and (5) (cb), (~~ck~~), (cr), (cs), and (cw) shall be used for
6 development and maintenance, the cooperative snowmobile sign program, major
7 reconstruction or rehabilitation to improve bridges on existing approved trails, trail
8 rehabilitation, signing of snowmobile routes, and state snowmobile trails and areas
9 and distributed as follows:

10 **SECTION 2616.** 351.07 (1g) of the statutes is amended to read:

11 351.07 (1g) No person may file a petition for an occupational license under sub.
12 (1) unless he or she first pays a fee of \$40 to the clerk of the circuit court. The clerk
13 of the circuit court shall give the person a receipt and forward the fee to the county
14 treasurer. That treasurer shall pay 50% of the fee to the ~~state treasurer~~ secretary
15 of administration under s. 59.25 (3) (m) and retain the balance for the use of the
16 county.

17 **SECTION 2618.** 552.23 (1) of the statutes is amended to read:

18 552.23 (1) If the target company is an insurance company subject to regulation
19 by the commissioner of insurance, a banking corporation ~~subject to regulation by the~~
20 ~~division of banking, a~~, savings bank, or savings and loan association subject to
21 regulation by the division of ~~savings institutions~~ banking, or a company subject to
22 regulation by the public service commission, the department of transportation, or the
23 office of the commissioner of railroads, the division of securities shall promptly
24 furnish a copy of the registration statement filed under this chapter to the regulatory
25 agency having supervision of the target company. Any hearing under this chapter

1 involving any such target company shall be held jointly with the regulatory agency
2 having supervision, and any determination following the hearing shall be made
3 jointly with that regulatory agency.

4 **SECTION 2618t.** 560.031 of the statutes is repealed.

5 **SECTION 2619.** 560.045 (1) of the statutes is amended to read:

6 560.045 (1) ~~Notwithstanding s. 16.54 (2) (a), from moneys received under a~~
7 ~~community development block grant, 42 USC 5301 to 5320, the department shall~~
8 ~~contract with the department of administration for the administration of housing~~
9 ~~programs, including the housing improvement grant program and the initial~~
10 ~~rehabilitation grant program.~~ To the extent allowed under federal law or regulation,
11 the department shall give priority in the awarding of grants under the housing
12 programs to grants for projects related to the redevelopment of brownfields, as
13 defined in s. 560.60 (1v).

14 **SECTION 2624d.** 560.25 (2) (intro.) of the statutes, as affected by 2001
15 Wisconsin Act 16, is amended to read:

16 560.25 (2) GRANTS. (intro.) Subject to sub. (4), the department may make a
17 grant from the appropriation under ~~s. 20.143 (1) (k)~~ s. 20.143 (1) (f) to a
18 technology-based nonprofit organization to provide support for a manufacturing
19 extension center if all of the following apply:

20 **SECTION 2628.** 560.62 (2m) of the statutes is repealed.

21 **SECTION 2628c.** 560.795 (3) (a) 4. and 5. of the statutes are consolidated,
22 renumbered 560.795 (3) (a) 4. and amended to read:

23 560.795 (3) (a) 4. Any person that is conducting or that intends to conduct
24 economic activity in a development opportunity zone under sub. (1) (e) ~~and that, in~~
25 ~~conjunction with the local governing body of the city in which the development~~

1 ~~opportunity zone is located, submits a project plan as described in par. (b) to the~~
2 ~~department shall be entitled to claim tax benefits while the area is designated as a~~
3 ~~development opportunity zone. 5. Any corporation that is conducting or that intends~~
4 ~~to conduct economic activity in a development opportunity zone under sub. (1) or (f)~~
5 and that, in conjunction with the local governing body of the city in which the
6 development opportunity zone is located, submits a project plan as described in par.
7 (b) to the department shall be entitled to claim tax benefits while the area is
8 designated as a development opportunity zone.

9 **SECTION 2628fd.** 560.80 (4) of the statutes is amended to read:

10 560.80 (4) “Eligible development project costs” means costs that, in accordance
11 with sound business and financial practices, are appropriately incurred in
12 connection with a development project ~~or a recycling development project~~, but does
13 not include entertainment expenses or expenses incurred more than 6 months before
14 the board approves a grant or loan under s. 560.83 ~~or 560.835~~.

15 **SECTION 2628ff.** 560.80 (5) of the statutes is amended to read:

16 560.80 (5) “Eligible recipient” means a person who is eligible to receive a grant
17 under s. 560.82 (5) (a) or 560.837 or a grant or loan under s. 560.83 (5) (a) or (b) ~~or~~
18 560.835.

19 **SECTION 2628fh.** 560.80 (11) of the statutes is amended to read:

20 560.80 (11) “Project” means a development project, a ~~recycling development~~
21 ~~project~~, an early planning project, a finance project, an education and training
22 project or a revolving fund project.

23 **SECTION 2628fj.** 560.80 (12) of the statutes is repealed.

24 **SECTION 2628fL.** 560.81 (2) of the statutes is amended to read:

1 560.81 (2) The board awards a grant or loan to the eligible recipient or local
2 development corporation under ss. 560.83 (1) and 560.84 or to the eligible recipient
3 under ~~ss. 560.835 and s. 560.84.~~

4 **SECTION 2628fn.** 560.81 (3) of the statutes is amended to read:

5 560.81 (3) The board awards a grant or loan to the local development
6 corporation under s. 560.83 (2) ~~or 560.835.~~

7 **SECTION 2628fp.** 560.82 (2) (intro.) of the statutes is amended to read:

8 560.82 (2) (intro.) The department may not award a grant under sub. (1) ~~or s.~~
9 560.835 (6) unless the eligible recipient submits an application, in a form required
10 by the department, that contains or describes all of the following:

11 **SECTION 2628fr.** 560.82 (3) (intro.) of the statutes is amended to read:

12 560.82 (3) (intro.) An eligible recipient who receives a grant under sub. (1) or
13 s. 560.835 (6), 2001 stats., may only use the proceeds of the grant for the following
14 purposes:

15 **SECTION 2628ft.** 560.82 (4) (b) of the statutes is amended to read:

16 560.82 (4) (b) Award, to any one eligible recipient or for any one early planning
17 project, grants under sub. (1) ~~or s. 560.835 (6)~~ that total more than \$15,000.

18 **SECTION 2628fv.** 560.82 (5) (a) of the statutes is amended to read:

19 560.82 (5) (a) The department may only award grants under sub. (1) ~~or s.~~
20 560.835 (6) to individuals who are minority group members and residents of this
21 state.

22 **SECTION 2628gd.** 560.835 of the statutes is repealed.

23 **SECTION 2628gf.** 560.84 (1) (b) 1. of the statutes is amended to read:

24 560.84 (1) (b) 1. If an early planning project under s. 560.82 ~~or 560.835 (6)~~, that
25 the project will increase employment in this state.

1 **SECTION 2628gh.** 560.84 (1) (b) 2. of the statutes is amended to read:

2 560.84 (1) (b) 2. If a development project ~~or recycling development project~~, that
3 the project will retain or increase employment in this state.

4 **SECTION 2628gj.** 560.84 (1) (e) 1. of the statutes is amended to read:

5 560.84 (1) (e) 1. For grants funding early planning projects under s. 560.82 ~~or~~
6 560.835 (6), not less than 25% of the cost of the project. Up to 50% of the contribution
7 under this subdivision may be in the form of the in-kind services of a qualified 3rd
8 party or qualified 3rd parties. The department shall determine what services may
9 be used as in-kind contributions and whether a 3rd party is qualified, for purposes
10 of this subdivision.

11 **SECTION 2628gL.** 560.84 (1) (e) 2. of the statutes is amended to read:

12 560.84 (1) (e) 2. For grants and loans funding development projects ~~or recycling~~
13 ~~development projects~~, a cash contribution of not less than 25% of the cost of the
14 project.

15 **SECTION 2628gn.** 560.84 (1) (f) of the statutes is amended to read:

16 560.84 (1) (f) That the project meets all criteria set forth in s. 560.82, 560.83,
17 560.835 or 560.837, whichever is appropriate.

18 **SECTION 2628gp.** 560.84 (1) (j) of the statutes is amended to read:

19 560.84 (1) (j) If a development project, ~~recycling development project~~, finance
20 project, or education and training project, that funds from the grant or loan will not
21 be used to refinance existing debt.

22 **SECTION 2628gr.** 560.84 (2) (a) 1. of the statutes is amended to read:

23 560.84 (2) (a) 1. If an early planning project under s. 560.82 ~~or 560.835 (6)~~, the
24 extent to which the project will increase employment in this state.

25 **SECTION 2628gt.** 560.84 (2) (a) 2. of the statutes is amended to read:

1 560.84 (2) (a) 2. If a development project ~~or recycling development project~~, the
2 extent to which the project will retain or increase employment in this state.

3 **SECTION 2628gv.** 560.84 (2) (c) (intro.) of the statutes is amended to read:

4 560.84 (2) (c) (intro.) If a development project ~~or recycling development project~~,
5 whether the project will be located in any or all of the following:

6 **SECTION 2628gx.** 560.84 (2) (f) of the statutes is amended to read:

7 560.84 (2) (f) If a development project ~~or recycling development project~~, the
8 financial soundness of the minority business involved in the project and the
9 commitment of the eligible recipient to repay the loan or grant.

10 **SECTION 2628hd.** 560.85 (2) of the statutes is amended to read:

11 560.85 (2) The board shall develop a policy governing the repayment of grants
12 and loans made under s. 560.83 ~~or 560.835~~. The board or department shall deposit
13 moneys received in repayment of grants and loans under s. 560.83 in the
14 appropriation under s. 20.143 (1) (im).

15 **SECTION 2628hf.** 560.85 (3) (a) of the statutes is amended to read:

16 560.85 (3) (a) Develop procedures to evaluate applications and monitor project
17 performance for grants awarded for early planning projects under s. 560.82 or s.
18 560.835 (6), 2001 stats.

19 **SECTION 2628hh.** 560.85 (3) (b) of the statutes is amended to read:

20 560.85 (3) (b) Develop procedures, with the approval of the board, to evaluate
21 applications, monitor project performance and audit grants and loans awarded for
22 development projects under s. 560.83, ~~recycling development projects~~ under s.
23 560.835, 2001 stats., and finance projects and education and training projects under
24 s. 560.837.

25 **SECTION 2628m.** 560.87 (6) of the statutes is repealed.

1 **SECTION 2629.** 562.02 (1) (g) of the statutes is amended to read:

2 562.02 (1) (g) At least once every 3 months, file a written report on the operation
3 of racing in this state with the governor, the attorney general, the state treasurer
4 secretary of administration, the secretary of state, the legislative audit bureau, the
5 president of the senate, and the speaker of the assembly. The report shall include
6 information on racetrack operations, race attendance, and private, state, and local
7 revenues derived from racing in this state.

8 **SECTION 2629d.** 562.057 (4m) (b) of the statutes is repealed.

9 **SECTION 2629e.** 562.057 (4m) (bm) of the statutes is created to read:

10 562.057 (4m) (bm) Wagering on simulcast races will be conducted at the
11 racetrack only as an adjunct to, and not in a manner that will supplant, wagering on
12 live on-track racing at that racetrack, and wagering on simulcast races will not be
13 the primary source of wagering revenue at that racetrack.

14 **SECTION 2630g.** 565.25 (1m) of the statutes is renumbered 565.25 (1m) (a) and
15 amended to read:

16 565.25 (1m) (a) Subject to approval by the secretary of revenue, the
17 administrator may determine whether lottery functions shall be performed by
18 department of revenue employees or by one or more persons under contract with the
19 department of administration, except that ~~no~~ a contract may provide for the entire
20 management of the lottery or for the entire operation of the lottery, other than
21 services described in par. (c), by any a private person only if the joint committee on
22 finance approves the contract, subject to par. (b), under s. 13.10. The department of
23 administration may contract for management consultation services to assist in the
24 management or operation of the lottery.

1 (c) The department of administration may not contract for financial auditing
2 or security monitoring services, except that, if the department of administration
3 delegates under s. 16.71 (1) to the department of revenue the authority to make a
4 major procurement, the department of revenue may contract with the department
5 of administration for warehouse and building protection services relating to the state
6 lottery.

7 (d) If the department of administration delegates under s. 16.71 (1) to the
8 department of revenue the authority to make a major procurement, the department
9 of revenue shall assume the powers and duties of the department of administration
10 and the administrator shall assume the powers and duties of the secretary of
11 administration under this section and ss. 16.70 to 16.77, except under ss. 16.72 (4)
12 (a), 16.76 (1) and 16.77 (1).

13 **SECTION 2630h.** 565.25 (1m) (b) of the statutes is created to read:

14 565.25 (1m) (b) The joint committee on finance may not approve a contract
15 providing for the entire management of the lottery or for the entire operation of the
16 lottery by any private person unless the departments of administration and revenue
17 first jointly submit to the joint committee on finance a lottery privatization plan
18 describing all of the following:

- 19 1. What functions the private person would perform under the contract.
- 20 2. What management authority the private person would have with respect to
21 lottery advertising, prize payout levels, and any lottery function that the state would
22 perform if the contract were approved.
- 23 3. How the private person would interact with other lottery vendors.
- 24 4. Whether the contract would require some form of profit sharing and, if so,
25 a description of the profit-sharing mechanism.

1 5. A transition plan to ensure the successful conversion of the lottery to new
2 management, including a schedule for phasing out state positions and a rationale for
3 the number and classification of state positions that would be needed after the
4 conversion.

5 **SECTION 2631.** 565.25 (2) (a) 4. of the statutes is repealed and recreated to read:

6 565.25 (2) (a) 4. The administrator shall develop specifications for major
7 procurements. If security is a factor in the materials, supplies, equipment, property,
8 or services to be purchased in any major procurement, then invitations for bids or
9 competitive sealed proposals shall include specifications related to security. The
10 administrator shall submit specifications for major procurement to the secretary of
11 revenue for review and approval before the department of administration releases
12 the specifications in invitations for bids or competitive sealed proposals. The
13 department of administration shall require separate bids or separate competitive
14 sealed proposals for management consultation services if the services are provided
15 under contract as provided in sub. (1m) (a).

16 **SECTION 2632.** 565.37 (3) of the statutes is amended to read:

17 565.37 (3) DEPARTMENT REPORT. The department shall submit quarterly reports
18 on the operation of the lottery to the chief clerk of each house of the legislature, for
19 distribution to the legislature under s. 13.172 (2) and to the governor, attorney
20 general, ~~state treasurer~~ secretary of administration, secretary of state, and state
21 auditor.

22 **SECTION 2633m.** 569.06 of the statutes is amended to read:

23 **569.06 Indian gaming receipts.** Indian gaming receipts shall be credited to
24 the appropriation accounts under ss. 20.455 (2) (gc) and 20.505 (8) (h) ~~and (hm)~~ as
25 specified under ss. 20.455 (2) (gc) and 20.505 (8) (h) ~~and (hm)~~. Indian gaming receipts

1 shall be credited to the appropriation account under s. 20.505 (8) (hm) in the amount
2 necessary to make the transfers specified under s. 20.505 (8) (hm). Indian gaming
3 receipts not otherwise credited to appropriation accounts under this section shall be
4 paid into the general fund.

5 **SECTION 2635.** 601.13 (1) (intro.) of the statutes is amended to read:

6 601.13 (1) RECEIPT OF DEPOSITS. (intro.) Subject to the approval of the
7 commissioner, the ~~state treasurer~~ secretary of administration shall accept deposits
8 or control of acceptable book–entry accounts from insurers and other licensees of the
9 office as follows:

10 **SECTION 2636.** 601.13 (3) (intro.) of the statutes is amended to read:

11 601.13 (3) SECURITIES ELIGIBLE. (intro.) All deposits may consist of any of the
12 securities authorized in this subsection. Each security must be approved by the
13 commissioner, must be subject to disposition by the ~~state treasurer~~ secretary of
14 administration, and must not be available to any other person except as expressly
15 provided by law. The authorized securities are:

16 **SECTION 2637.** 601.13 (5) of the statutes is amended to read:

17 601.13 (5) RECEIPT, INSPECTION, AND RECORD. The ~~state treasurer~~ secretary of
18 administration shall deliver to the depositor a receipt for all securities deposited or
19 held under the control of the ~~state treasurer~~ secretary of administration and shall
20 permit the depositor to inspect its physically held securities at any reasonable time.
21 On application of the depositor the ~~treasurer~~ secretary of administration shall certify
22 when required by any law of the United States or of any other state or foreign country
23 or by the order of any court of competent jurisdiction that the deposit was made. The
24 ~~treasurer~~ secretary of administration and the commissioner shall each keep a
25 permanent record of securities deposited or held under the control of the state

1 ~~treasurer~~ secretary of administration and of any substitutions or withdrawals and
2 shall compare records at least annually.

3 **SECTION 2638.** 601.13 (6) of the statutes is amended to read:

4 601.13 (6) TRANSFER OF SECURITIES. No transfer of a deposited security, whether
5 voluntary or by operation of law, is valid unless approved in writing by the
6 commissioner and countersigned by the ~~treasurer~~ secretary of administration.

7 **SECTION 2639.** 601.13 (8) (intro.) of the statutes is amended to read:

8 601.13 (8) INTEREST AND SUBSTITUTIONS. (intro.) Subject to s. ~~14.58 (13)~~ 16.401
9 (11), a depositor shall, while solvent and complying with the laws of this state, be
10 entitled:

11 **SECTION 2640.** 601.13 (11) of the statutes is amended to read:

12 601.13 (11) ADVANCE DEPOSIT OF FEES. With the approval of the commissioner,
13 any person required to pay fees or assessments to the state through the
14 commissioner may make a deposit with the ~~treasurer~~ secretary of administration
15 from which the fees or assessments shall be paid on order of the commissioner not
16 less than twice each year. Upon request by the depositor, any balance remaining
17 shall be returned on the certificate of the commissioner that all fees and assessments
18 have been paid to date.

19 **SECTION 2641.** 601.17 of the statutes is repealed.

20 **SECTION 2642.** 601.34 of the statutes is repealed.

21 **SECTION 2642m.** 601.41 (12) of the statutes is created to read:

22 601.41 (12) SUBSTANTIALLY SIMILAR HEALTH CARE COVERAGE PLAN. The
23 commissioner shall promulgate rules that set out a standardized summary of
24 benefits provided under health care coverage plans, including plans offered under

1 s. 40.51 (7), for use in determining whether a health care coverage plan is
2 substantially similar to a plan offered under s. 40.51 (7).

3 **SECTION 2643.** 601.45 (3) of the statutes is amended to read:

4 601.45 (3) DEPOSIT. The commissioner may require any examinee, before or
5 from time to time during an examination, to deposit with the ~~state treasurer~~
6 secretary of administration such deposits as the commissioner deems necessary to
7 pay the costs of the examination. Any deposit and any payment made under subs.
8 (1) and (2) shall be credited to the appropriation under s. 20.145 (1) (g) in the
9 percentage specified in that paragraph.

10 **SECTION 2644.** 601.62 (4) of the statutes is amended to read:

11 601.62 (4) FEES IN INVESTIGATIONS AND HEARINGS. The fees for stenographic
12 services in investigations, examinations, and hearings may not exceed the sum
13 provided for like services in the circuit court. The fees of officers, witnesses,
14 interpreters, and stenographers on behalf of the commissioner or the state shall be
15 paid by the ~~state treasurer upon the warrant of the department~~ secretary of
16 administration, authorized by the certificate of the commissioner, and shall be
17 charged to the appropriation under s. 20.145 (1) (g).

18 **SECTION 2645.** 604.04 (4) of the statutes is amended to read:

19 604.04 (4) PAYMENT PROCEDURE. Any charges against a fund under sub. (3) shall
20 be certified by the commissioner, audited by the department of administration under
21 s. 16.53, and paid by the ~~treasurer~~ secretary of administration out of the appropriate
22 fund in accordance with procedures of the department of administration.

23 **SECTION 2646.** 604.05 of the statutes is amended to read:

24 **604.05 Investments.** Assets of all funds under chs. 605 to 607 shall be
25 invested by the state investment board under s. 25.17. Each January 1 the state

1 ~~treasurer~~ secretary of administration shall credit each fund with earnings on the
2 invested assets in each fund for the preceding 12 months. If any fund is indebted to
3 the general fund of the state, the fund shall be charged, at the end of each calendar
4 year, with interest on the indebtedness at the average rate earned by the state upon
5 its deposits in public depositories during the period of indebtedness and that sum
6 shall be credited to the general fund.

7 **SECTION 2647.** 604.06 (1) of the statutes is amended to read:

8 604.06 (1) CUSTODY. The state ~~treasurer~~ secretary of administration has sole
9 custody of all assets of funds under chs. 605 to 607.

10 **SECTION 2648.** 604.07 of the statutes is amended to read:

11 **604.07 Bonds.** The commissioner as manager of the funds and the ~~treasurer~~
12 secretary of administration shall file surety bonds, specifically conditioned on the
13 performance of their duties under chs. 605 to 607, in amounts required by, and with
14 sureties approved by, the governor.

15 **SECTION 2649.** 605.30 of the statutes is amended to read:

16 **605.30 Inadequacy of fund.** If the property fund does not have sufficient
17 assets to pay claims that are due, the ~~department~~ secretary of administration shall
18 ~~issue a warrant as a~~ transfer from the general fund to the property fund an amount
19 sufficient to pay the losses and ~~the state treasurer~~ shall pay the warrant losses. The
20 property fund shall thereafter repay the general fund this amount and the
21 ~~department~~ secretary of administration shall ~~issue warrants for such~~ transfer the
22 amount as soon as there are assets in the property fund.

23 **SECTION 2650.** 611.76 (4) (e) of the statutes is amended to read:

24 611.76 (4) (e) That no policyholder, other than a policyholder of a mutual life
25 insurance company, may receive a distribution of shares valued in excess of the

1 amount to which he or she is entitled under s. 645.72 (4). Any excess over that
2 amount shall be distributed in shares to the state treasury for the benefit of the
3 common school fund. After 5 years the shares may be sold by the ~~treasurer~~ secretary
4 of administration at his or her discretion and the proceeds credited to the common
5 school fund; and

6 **SECTION 2651.** 632.746 (7m) of the statutes is created to read:

7 **632.746 (7m) (a)** In this subsection, “terms of the group health benefit plan”
8 does not include any requirements under the group health benefit plan related to
9 enrollment periods or waiting periods.

10 (b) An insurer offering a group health benefit plan shall permit, as provided in
11 par. (c), an employee who is not enrolled but who is eligible for coverage under the
12 terms of the group health benefit plan, or a participant’s or employee’s dependent
13 who is not enrolled but who is eligible for coverage under the terms of the group
14 health benefit plan, to enroll for coverage under the terms of the plan if all of the
15 following apply:

16 1. The employee or dependent is eligible for benefits under the Medical
17 Assistance program under s. 49.472 or for coverage under the Badger Care health
18 care program under s. 49.665.

19 2. The department of health and family services will purchase coverage under
20 the group health benefit plan on behalf of the employee or dependent because the
21 department of health and family services has determined that paying the portion of
22 the premium for which the employee is responsible will not be more costly than
23 providing the medical assistance or the coverage under the Badger Care health care
24 program, whichever is applicable.

1 (c) An insurer permitting an employee or dependent to enroll under this
2 subsection shall provide for an enrollment period of not less than 30 days, beginning
3 on the date on which the department of health and family services makes the
4 determination under par. (b) 2.

5 **SECTION 2658.** 704.05 (5) (a) 2. of the statutes is amended to read:

6 704.05 (5) (a) 2. Give the tenant notice, personally or by ordinary mail
7 addressed to the tenant's last-known address, of the landlord's intent to dispose of
8 the personal property by sale or other appropriate means if the property is not
9 repossessed by the tenant. If the tenant fails to repossess the property within 30 days
10 after the date of personal service or the date of the mailing of the notice, the landlord
11 may dispose of the property by private or public sale or any other appropriate means.
12 The landlord may deduct from the proceeds of sale any costs of sale and any storage
13 charges if the landlord has first stored the personalty under subd. 1. If the proceeds
14 minus the costs of sale and minus any storage charges are not claimed within 60 days
15 after the date of the sale of the personalty, the landlord is not accountable to the
16 tenant for any of the proceeds of the sale or the value of the property. The landlord
17 shall send the proceeds of the sale minus the costs of the sale and minus any storage
18 charges to the department of administration for deposit in the appropriation under
19 s. ~~20.505 (7)~~ 20.143 (2) (h).

20 **SECTION 2665.** 753.061 (5) of the statutes is amended to read:

21 753.061 (5) The state shall reimburse the county for the costs of operating one
22 of the 2 circuit court branches designated under sub. (2m) that begin to primarily
23 handle violent crime cases on September 1, 1991, including the one-time cost of
24 courtroom construction. The costs reimbursable under this subsection shall be paid
25 by the ~~state treasurer~~ secretary of administration to the county treasurer pursuant

1 to a voucher submitted by the clerk of circuit court to the director of state courts and
2 shall be paid from the appropriation under s. 20.625 (1) (as). The amount
3 reimbursable under this subsection may not exceed \$383,100 in the 1991–92 fiscal
4 year and \$0 in the 1992–93 fiscal year.

5 **SECTION 2666.** 753.07 (2) (a) of the statutes is amended to read:

6 753.07 (2) (a) The persons shall continue to receive salaries directly payable
7 from the state in the same amount as they were receiving on July 31, 1978, and such
8 salaries are subject to s. 40.05. The balance of the salaries authorized under ss.
9 230.12 and 751.02 for the judges and reporters shall be paid by the ~~state treasurer~~
10 secretary of administration to the county treasurer pursuant to a voucher submitted
11 by the clerk of circuit court to the director of state courts. The county treasurer shall
12 pay the amounts directly to the judges and reporters and the amounts paid are
13 subject to the retirement system established under chapter 201, laws of 1937.

14 **SECTION 2667.** 753.07 (3) (a) of the statutes is amended to read:

15 753.07 (3) (a) The salaries authorized under ss. 230.12 and 751.02 for the
16 judges and reporters shall be paid by the ~~state treasurer~~ secretary of administration
17 to the county treasurer pursuant to a voucher submitted by the clerk of circuit court
18 to the director of state courts. The county treasurer shall pay the amounts directly
19 to the judges and reporters and the amounts paid shall be subject to the retirement
20 system established under chapter 201, laws of 1937.

21 **SECTION 2668.** 753.07 (4) of the statutes is amended to read:

22 753.07 (4) COURT PERSONNEL; OPTIONS. As state employees, county court judges,
23 county court reporters, and assistant county court reporters, as specified in sub. (1),
24 who are denominated or become circuit court judges and reporters on August 1, 1978,
25 and persons serving as circuit court judges and circuit court reporters for Milwaukee

1 County on July 31, 1978, shall have the option of remaining as participants under
2 county life and health insurance programs to the extent of their participation in such
3 programs on February 1, 1978. The ~~state treasurer~~ secretary of administration shall
4 semiannually pay to the county treasurer, pursuant to a voucher submitted by the
5 clerk of circuit court to the director of state courts, an amount equal to the state
6 contribution for life and health insurance for other comparable state employees. The
7 county shall pay the cost of any premiums for life and health insurance exceeding the
8 sum of the state contribution and the employee contribution as required under the
9 county programs.

10 **SECTION 2669.** 757.05 (1) (b) of the statutes is amended to read:

11 757.05 (1) (b) If a fine or forfeiture is imposed by a court of record, after a
12 determination by the court of the amount due, the clerk of the court shall collect and
13 transmit the amount to the county treasurer as provided in s. 59.40 (2) (m). The
14 county treasurer shall then make payment to the ~~state treasurer~~ secretary of
15 administration as provided in s. 59.25 (3) (f) 2.

16 **SECTION 2670.** 757.05 (1) (c) of the statutes is amended to read:

17 757.05 (1) (c) If a fine or forfeiture is imposed by a municipal court, after a
18 determination by the court of the amount due, the court shall collect and transmit
19 the amount to the treasurer of the county, city, town, or village, and that treasurer
20 shall make payment to the ~~state treasurer~~ secretary of administration as provided
21 in s. 66.0114 (1) (bm).

22 **SECTION 2671.** 757.05 (1) (d) of the statutes is amended to read:

23 757.05 (1) (d) If any deposit of bail is made for a noncriminal offense to which
24 this subsection applies, the person making the deposit shall also deposit a sufficient
25 amount to include the assessment prescribed in this subsection for forfeited bail. If

1 bail is forfeited, the amount of the assessment shall be transmitted monthly to the
2 ~~state treasurer~~ secretary of administration under this subsection. If bail is returned,
3 the assessment shall also be returned.

4 **SECTION 2671g.** 757.05 (2) (a) of the statutes is amended to read:

5 757.05 (2) (a) *Law enforcement training fund.* ~~Eleven–twenty–fourths~~
6 Forty–eight percent of all moneys collected from penalty assessments under sub. (1)
7 shall be credited to the appropriation account under s. 20.455 (2) (i) and utilized in
8 accordance with ss. 20.455 (2) and 165.85 (5). The moneys credited to the
9 appropriation account under s. 20.455 (2) (i), except for the moneys transferred to s.
10 20.455 (2) (jb), constitute the law enforcement training fund.

11 **SECTION 2672.** 758.19 (7) of the statutes is amended to read:

12 758.19 (7) The director of state courts shall adopt, revise biennially and submit
13 to the cochairpersons of the joint committee on information policy and technology, the
14 governor and the ~~department of electronic government~~ secretary of administration,
15 no later than September 15 of each even–numbered year, a strategic plan for the
16 utilization of information technology to carry out the functions of the courts and
17 judicial branch agencies, as defined in s. 16.70 (5). The plan shall address the
18 business needs of the courts and judicial branch agencies and shall identify all
19 resources relating to information technology which the courts and judicial branch
20 agencies desire to acquire, contingent upon funding availability, the priority for such
21 acquisitions and the justification for such acquisitions. The plan shall also identify
22 any changes in the functioning of the courts and judicial branch agencies under the
23 plan.

24 **SECTION 2683.** 778.135 of the statutes is amended to read:

1 **778.135 Campaign finance forfeitures; how recovered.** Notwithstanding
2 s. 778.13, whenever any action or proposed action by the elections board under s. 5.05
3 (1) (c) is settled as a result of agreement between the parties without approval of the
4 court, the moneys accruing to the state on account of such settlement shall be paid
5 to the board and deposited with the ~~state treasurer~~ secretary of administration.
6 Whenever any proposed action by a county board of election commissioners under s.
7 7.21 (2m) (a) is settled as a result of agreement between the parties, the moneys
8 accruing to the county on account of such settlement shall be paid to the board of
9 election commissioners and deposited with the county treasurer in the same manner
10 as provided for forfeitures under s. 778.13.

11 **SECTION 2684.** 778.136 of the statutes is amended to read:

12 **778.136 Ethics and lobbying forfeitures; how recovered.**
13 Notwithstanding s. 778.13, whenever any moneys are received by the ethics board
14 or attorney general in settlement of a civil action or other civil matter for violation
15 of the lobbying law or code of ethics for state public officials and employees under s.
16 19.545, the moneys shall accrue to the state and be deposited with the ~~state treasurer~~
17 secretary of administration.

18 **SECTION 2685.** 778.17 of the statutes is amended to read:

19 **778.17 Statement to county board; payment to state.** Every county
20 treasurer shall, on the first day of the annual meeting of the county board, submit
21 to it a verified statement of all moneys received by the county treasurer during the
22 year next preceding from town, village, and city treasurers under this chapter,
23 containing the names of such treasurers, the amount received from each, and the
24 date of receipt. The county clerk shall deduct all expenses incurred by the county in
25 recovering such forfeitures from the aggregate amount so received, and shall

1 immediately certify to the county treasurer the amount of clear proceeds of such
2 forfeitures, so ascertained, who shall pay the same to the ~~state treasurer~~ secretary
3 of administration.

4 **SECTION 2690.** 809.25 (2) (a) 1. of the statutes is amended to read:

5 809.25 (2) (a) 1. For filing an appeal, cross–appeal, petition for review, petition
6 to bypass, or other proceeding, \$150 \$195.

7 **SECTION 2691.** 812.42 (2) (c) of the statutes is amended to read:

8 812.42 (2) (c) In addition to the \$15 garnishee fee, the garnishee shall receive
9 a \$3 fee for each payment delivered to the creditor under s. 812.39 after the first
10 payment. That additional fee shall be deducted from the moneys delivered to the
11 creditor. Those fees become part of the funds of the state if the department of
12 administration is the garnishee, or funds of the appropriate governmental
13 subdivision if any other governmental entity is the garnishee. The judgment creditor
14 shall pay the initial garnishee fee to the ~~treasurer of the state~~ secretary of
15 administration or other governmental subdivision, as applicable.

16 **SECTION 2692.** 813.16 (7) of the statutes is amended to read:

17 813.16 (7) If the person seeking the appointment of a receiver under sub. (1)
18 is a savings and loan association or savings bank supervised by the division of
19 banking or a corporation supervised by the ~~division of savings institutions~~, home
20 loan bank board, U.S. federal office of thrift supervision, federal deposit insurance
21 corporation, or resolution trust corporation, the court, unless the opposing party
22 objects, shall appoint an officer of such corporation as receiver to act without
23 compensation and to give such bond as the court requires.

24 **SECTION 2693.** 813.31 (1) of the statutes is amended to read:

1 813.31 (1) In each case of termination of receivership as provided in s. 813.28,
2 the court, except in cases where the proceedings have been certified to the proper
3 court under s. 813.26 (1), shall set aside the sum there named and direct its payment
4 by the receiver, to the ~~state treasurer~~ secretary of administration.

5 **SECTION 2694.** 813.31 (2) of the statutes is amended to read:

6 813.31 (2) ~~The state treasurer~~ secretary of administration shall retain or invest
7 the funds thus paid in.

8 **SECTION 2695.** 813.31 (3) of the statutes is amended to read:

9 813.31 (3) If at any time thereafter an absentee whose estate has been
10 distributed under a final finding and judgment made as herein provided shall appear
11 and make claim for reimbursement, the court may in a proceeding by the claimant
12 against the ~~state treasurer~~ secretary of administration order payment to the
13 claimant as in its opinion may be fair and adequate under the circumstances.

14 **SECTION 2696.** 814.60 (1) of the statutes is amended to read:

15 814.60 (1) In a criminal action, the clerk of circuit court shall collect a fee of \$20
16 for all necessary filing, entering, or recording, to be paid by the defendant when
17 judgment is entered against the defendant. Of the fees received by the clerk of circuit
18 court under this subsection, the county treasurer shall pay 50% to the ~~state treasurer~~
19 secretary of administration for deposit in the general fund and shall retain the
20 balance for the use of the county.

21 **SECTION 2697.** 814.61 (1) (a) of the statutes is amended to read:

22 814.61 (1) (a) Except as provided under pars. (c), (d), and (e), at the
23 commencement of all civil actions and special proceedings not specified in ss. 814.62
24 to 814.66, \$75. Of the fees received by the clerk under this paragraph, the county
25 treasurer shall pay \$45 to the ~~state treasurer~~ secretary of administration for deposit

1 in the general fund and shall retain the balance for the use of the county. The state
2 ~~treasurer~~ secretary of administration shall credit \$15 of the \$45 to the appropriation
3 under s. 20.680 (2) (j).

4 **SECTION 2698.** 814.61 (3) of the statutes is amended to read:

5 814.61 (3) THIRD-PARTY COMPLAINT. When any defendant files a 3rd-party
6 complaint, the defendant shall pay a fee of \$45. The defendant shall pay only one
7 such \$45 fee in an action. Of the fees received by the clerk under this subsection, the
8 county treasurer shall pay \$25 to the ~~state treasurer~~ secretary of administration for
9 deposit in the general fund and shall retain the balance for the use of the county. The
10 ~~state treasurer~~ secretary of administration shall credit \$5 of the \$25 to the
11 appropriation under s. 20.680 (2) (j).

12 **SECTION 2699.** 814.61 (7) (a) of the statutes is amended to read:

13 814.61 (7) (a) Except as provided in par. (b), upon the filing of any petition
14 under s. 767.32 (1) or any motion, by either party, for the revision of a judgment or
15 order in an action affecting the family, \$30. No fee may be collected under this
16 paragraph for any petition or motion by either party for the revision of a judgment
17 or order involving child support, family support, or maintenance if both parties have
18 stipulated to the revision of the judgment or order. Of the fees received by the clerk
19 under this paragraph, the county treasurer shall pay 50% to the ~~state treasurer~~
20 secretary of administration for deposit in the general fund and shall retain the
21 balance for the use of the county.

22 **SECTION 2700.** 814.61 (7) (b) of the statutes is amended to read:

23 814.61 (7) (b) Upon the filing of any petition, motion, or order to show cause
24 by either party under s. 767.325 or 767.327, \$50. Of the fees received by the clerk
25 under this paragraph, the county treasurer shall pay 25% to the ~~state treasurer~~

1 secretary of administration for deposit in the general fund, retain 25% for the use of
2 the county, and deposit 50% in a separate account to be used by the county exclusively
3 for the purposes specified in s. 767.11.

4 **SECTION 2701.** 814.61 (8) (c) of the statutes is amended to read:

5 814.61 (8) (c) Of the fees received by the clerk under par. (am) 1., the county
6 treasurer shall pay \$22.50 to the ~~state treasurer~~ secretary of administration for
7 deposit in the general fund and shall retain the balance for the use of the county. The
8 ~~state treasurer~~ secretary of administration shall credit \$5 of the \$22.50 to the
9 appropriation under s. 20.680 (2) (j).

10 **SECTION 2702.** 814.61 (8) (d) of the statutes is amended to read:

11 814.61 (8) (d) Of the fees received by the clerk under par. (am) 2., the county
12 treasurer shall pay \$30 to the ~~state treasurer~~ secretary of administration for deposit
13 in the general fund and shall retain the balance for the use of the county. The state
14 treasurer shall credit \$5 of the \$30 to the appropriation under s. 20.680 (2) (j).

15 **SECTION 2704.** 814.62 (1) of the statutes is amended to read:

16 814.62 (1) GARNISHMENT ACTIONS. The fee for commencing a garnishment action
17 under ch. 812, including actions under s. 799.01 (1) (d) 2., is \$20. Of the fees received
18 by the clerk under this subsection, the county treasurer shall pay \$12.50 to the ~~state~~
19 ~~treasurer~~ secretary of administration for deposit in the general fund and shall retain
20 the balance for the use of the county. The ~~state treasurer~~ secretary of administration
21 shall credit \$5 of the \$12.50 to the appropriation under s. 20.680 (2) (j).

22 **SECTION 2705.** 814.62 (3) (d) 2. of the statutes is amended to read:

23 814.62 (3) (d) 2. Of the fees received by the clerk under par. (a), the county
24 treasurer shall pay \$11.80 to the ~~state treasurer~~ secretary of administration for
25 deposit in the general fund and shall retain the balance for the use of the county. The

1 ~~state treasurer~~ secretary of administration shall credit the \$11.80 to the
2 appropriation under s. 20.680 (2) (j).

3 **SECTION 2706.** 814.62 (3) (d) 3. of the statutes is amended to read:

4 814.62 (3) (d) 3. Of the fees received by the clerk under par. (b), the county
5 treasurer shall pay \$27.20 to the ~~state treasurer~~ secretary of administration for
6 deposit in the general fund and shall retain the balance for the use of the county. The
7 ~~state treasurer~~ secretary of administration shall credit \$10 of the \$27.20 to the
8 appropriation under s. 20.680 (2) (j).

9 **SECTION 2707.** 814.63 (5) of the statutes is amended to read:

10 814.63 (5) Of the fees received by the clerk under sub. (1) (b), the county
11 treasurer shall pay \$17.50 to the ~~state treasurer~~ secretary of administration for
12 deposit in the general fund and shall retain the balance for the use of the county. The
13 ~~state treasurer~~ secretary of administration shall credit \$5 of the \$17.50 to the
14 appropriation under s. 20.680 (2) (j).

15 **SECTION 2708.** 814.634 (1) (a) of the statutes is amended to read:

16 814.634 (1) (a) Except for an action for a safety belt use violation under s.
17 347.48 (2m), the clerk of circuit court shall charge and collect a ~~\$52~~ \$68 court support
18 services fee from any person, including any governmental unit as defined in s. 108.02
19 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am) or 814.63 (1).

20 **SECTION 2709.** 814.634 (1) (b) of the statutes is amended to read:

21 814.634 (1) (b) Notwithstanding par. (a), the clerk of circuit court shall charge
22 and collect a ~~\$130~~ \$169 court support services fee from any person, including any
23 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a) or
24 (3) or 814.62 (1) or (2), if the party paying the fee seeks the recovery of money and
25 the amount claimed exceeds the amount under s. 799.01 (1) (d).