



ENGROSSED 2003 ASSEMBLY BILL 486

October 8, 2003 - Printed by direction of SENATE CHIEF CLERK.

1 **AN ACT to amend** 84.063 (5), 84.30 (14), 86.196 (2) (c), 115.28 (7) (a), 196.195 (10),
2 218.0114 (13) (b), 218.11 (2) (b) 1., 218.12 (2) (b) 2., 218.22 (2) (b) 1., 218.32 (2)
3 (b) 1., 218.41 (2m) (a) 1., 218.51 (3) (b) 1., 341.19 (4), 343.02 (1), 343.305 (6) (a),
4 343.305 (11), 440.06, 452.10 (2) (b), 563.15 (1), 601.04 (3), 632.68 (2) (b) (intro.),
5 632.68 (4) (b), 633.14 (1) (intro.) and 633.14 (2) (intro.); **to repeal and recreate**
6 118.19 (2), 299.05 and 440.03 (1m); and **to create** 5.059, 13.63 (3), 13.92 (1) (b)
7 2m., 16.07, 22.21, 29.026, 45.54 (11), 46.284 (3m), 48.66 (2r), 49.481, 50.02 (4m),
8 51.031, 73.303, 85.16 (3), 93.125, 93.13, 101.022, 101.023, 103.275 (2m), 103.91
9 (2m), 103.92 (2m), 104.07 (4m), 105.06 (1r), 125.04 (3m), 145.025, 146.525,
10 168.165, 196.195 (5m), 224.50, 224.60, 250.043, 299.06, 562.05 (12), 563.15 (4),
11 563.92 (5), 601.58 and 628.093 of the statutes; **relating to:** periods in which
12 state agencies will act on certain applications, petitions, and motions, approval

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

Analysis by the Legislative Reference Bureau***Engrossment information:***

The text of Engrossed 2003 Assembly Bill 486 consists of the bill, as passed by the assembly on October 2, 2003, as affected by the following Assembly Amendments adopted in the assembly on September 25, 2003: Assembly Amendment 1 (as affected by the September 25 chief clerk's correction and Assembly Amendment 1 to Assembly Amendment 1) and Assembly Amendment 2.

Content of Engrossed 2003 Assembly Bill 486:***Deadlines for agency action***

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

Automatic approval upon failure to meet deadlines

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

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

Approvals for which failure to act by a deadline results in automatic approval include: high-capacity well approvals, water pollution permits, solid or hazardous waste facility operating licenses, and permits and other determinations related to structures and deposits in navigable waters issued by DNR; nursery dealer, pesticide manufacturer, commercial feed manufacturer, food processing plant, and grain dealer licenses, and farm-raised deer registrations issued by DATCP; approvals of construction site erosion control plans, approvals of exemptions from requirements related to the retention and disclosure of information about toxic substances, and approvals of agencies that inspect manufactured homes issued by the Department of Commerce; approvals of plans for mergers by certain business entities and approvals relating to the operations of state banks, savings banks and savings and loans, and credit unions issued by DFI; approval of subcontractors for state building contracts and of state construction contracts by DOA; approval of ballots and voting devices by the Elections Board; approval of building projects by the Building Commission; approval of the disposition of public records and of public records retention schedules by the Public Records Board; and approval of proposed alterations to the state capitol or executive residence by the State Capitol and Executive Residence Board.

Fee refunds upon failure to meet deadlines

For the kinds of approvals that are not subject to automatic approval under the bill, an agency must refund fees paid by an applicant for an approval if the agency fails to act within the period established by rule. An agency may extend the period for these approvals on the grounds that an application was incomplete if the agency provides written notice to the applicant within 15 days of receiving the application describing the information that must be provided to complete the application.

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

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insurance and benefit plan administrator licenses issued by OCI; and lobbyist licenses issued by the Ethics Board.

Partial deregulation of telecommunications services

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

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

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

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

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

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

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

7 **(2) FAILURE TO MEET DEADLINE.** (a) Subject to subs. (4) (c) and (d) and (5), failure
8 by the board to provide the applicant for an approval specified in sub. (1) with written
9 notice, which may be by electronic mail, that the board has approved or disapproved
10 the application, including the specific facts upon which any disapproval is based,

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

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

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

19 **(4) OPTIONAL PROVISIONS OF RULES.** The board may include any of the following
20 in the rules required under sub. (1):

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

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

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

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

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

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

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

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

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

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

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

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

12 **SECTION 3.** 13.63 (3) of the statutes is created to read:

13 13.63 (3) DEADLINES FOR ACTION ON OCCUPATIONAL APPLICATIONS. (a) *Deadlines.*
14 The board, by rule, shall establish periods within which the board intends to approve
15 or disapprove an application for granting of licenses to lobbyists under s. 13.63 (1).

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

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

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

6 (d) *Permitted extension of deadline.* The board may extend the period
7 established under par. (a) because an application is incomplete if all of the following
8 apply:

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

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

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

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

19 **SECTION 3g.** 13.92 (1) (b) 2m. of the statutes is created to read:

20 13.92 (1) (b) 2m. Determine whether an original measure requires a person to
21 obtain a license, permit, or similar approval from a state agency and, if so, include
22 a statement to that effect in the analysis of the measure.

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

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1 **16.07 Automatic approval of certain applications. (1) DEADLINES.** The
2 department, by rule, shall establish periods within which the department intends to
3 approve or disapprove an application for any of the following:

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

5 (b).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 **SECTION 7.** 22.21 of the statutes is created to read:

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1 **22.21 Automatic approval of certain applications. (1) DEADLINES.** The
2 department, by rule, shall establish periods within which the department intends to
3 approve or disapprove an application for any of the following:

4 (a) Licensing of computer programs under s. 22.03 (4) (a).

5 (b) Proposed purchasing contracts under s. 22.09 (5).

6 (c) Proposed strategic plans of executive branch agencies under s. 22.13 (5).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 **SECTION 8.** 29.026 of the statutes is created to read:

ENGROSSED ASSEMBLY BILL 486**1 29.026 Deadlines for action on certain approval applications. (1)**

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

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

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

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

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

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

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

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

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

8 **SECTION 9.** 45.54 (11) of the statutes is created to read:

9 45.54 (11) DEADLINES FOR ACTION ON PERMITS AND APPROVALS. (a) The board, by
10 rule, shall establish periods within which the board intends to approve or disapprove
11 an application for any of the following:

- 12 1. A permit under sub. (8) (b).
- 13 2. An approval under sub. (10).

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

20 (c) The board may not disapprove an application solely because the board is
21 unable to complete its review of the application within the period established under
22 par. (a).

23 (d) In the rules under par. (a), the board shall specify a method for informing
24 applicants of the periods established under par. (a). The board shall specify the
25 method that it determines is the most cost-effective method available. The board is

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1 not required to notify an applicant if the board intends to approve or disapprove the
2 application within 14 days after receiving the application.

3 (e) The board may extend the period established under par. (a) because an
4 application is incomplete if all of the following apply:

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

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

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

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

16 **SECTION 10.** 46.284 (3m) of the statutes is created to read:

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

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

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

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

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

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

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

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

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

24 **SECTION 11.** 48.66 (2r) of the statutes is created to read:

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1 48.66 (2r) (a) The department of health and family services, by rule, shall
2 establish periods within which the department intends to approve or disapprove an
3 application for a license to operate a child welfare agency, group home, shelter care
4 facility, or day care center. The department of corrections, by rule, shall establish a
5 period within which the department intends to approve or disapprove an application
6 for a license to operate a secured child caring institution.

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

14 2. The department of health and family services or the department of
15 corrections may not disapprove an application for a license specified in par. (a) solely
16 because the department reviewing the application is unable to complete its review
17 of the application within the period established under par. (a) for the license.

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

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1 (d) The department of health and family services or the department of
2 corrections may extend the period established under par. (a) because an application
3 is incomplete if all of the following apply:

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

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

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

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

15 **SECTION 12.** 49.481 of the statutes is created to read:

16 **49.481 Deadline for action on certification application. (1) DEADLINE.**
17 The department, by rule, shall establish a period within which the department
18 intends to approve or disapprove an application for certification under s. 49.45 (2) (a)
19 11.

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

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

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

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

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

15 (c) The information under par. (a) is necessary to determine whether to approve
16 the application or is necessary to determine the terms or conditions of the
17 certification.

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

21 **SECTION 13.** 50.02 (4m) of the statutes is created to read:

22 **50.02 (4m) DEADLINES FOR ACTION ON APPLICATIONS.** (a) *Deadlines.* The
23 department, by rule, shall establish periods within which the department intends to
24 approve or disapprove an application for any of the following:

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

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- 1 2. A license for a nursing home under s. 50.03 (4) (a) 1. a.
- 2 3. A license for a community-based residential facility under s. 50.03 (4) (a) 1.
- 3 b.
- 4 4. A certification for an adult family home under s. 50.032 (1m) (a).
- 5 5. A license for an adult family home under s. 50.033 (1m) (a).
- 6 6. A certification for a residential care apartment complex under s. 50.034 (1)
- 7 (a).
- 8 7. A registration for a residential care apartment complex under s. 50.034 (1)
- 9 (b).
- 10 8. A certificate of approval for a hospital under s. 50.35.
- 11 9. A license for a home health agency under s. 50.49 (6) (a).
- 12 10. A provisional license for a home health agency under s. 50.49 (10).
- 13 11. A license or provisional license for a rural medical center under s. 50.52 (2).
- 14 12. A license for a hospice under s. 50.92 (2).
- 15 13. A provisional license for a hospice under s. 50.93 (3).
- 16 (b) *Failure to meet deadlines.* 1. Subject to par. (d), the department shall refund
- 17 fees paid by the applicant for a license, provisional license, certificate of approval,
- 18 registration, or certification specified in par. (a) if the department fails to provide the
- 19 applicant with written notice, which may be by electronic mail, that the department
- 20 has approved or disapproved the application for the license, provisional license,
- 21 certificate of approval, registration, or certification, including the specific facts upon
- 22 which any disapproval is based, before the expiration of the period established under
- 23 par. (a) for the license, provisional license, certificate of approval, registration, or
- 24 certification.

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

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

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

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

17 2. The information under subd. 1. is directly related to eligibility for the license,
18 provisional license, certificate of approval, registration, or certification or to terms
19 or conditions of the license, provisional license, certificate of approval, registration,
20 or certification.

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

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

4 **SECTION 14.** 51.031 of the statutes is created to read:

5 **51.031 Deadlines for action on applications.** (1) **DEADLINES.** The
6 department, by rule, shall establish periods within which the department intends to
7 approve or disapprove an application for any of the following:

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

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

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

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

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

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

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

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

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

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

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

15 (c) The information under par. (a) is necessary to determine whether to approve
16 the application or is necessary to determine the terms or conditions of the
17 certification or approval.

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

21 **SECTION 15.** 73.303 of the statutes is created to read:

22 **73.303 Deadlines for action on permit applications. (1)** In this section,
23 “department” means the department of revenue.

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

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1 (a) A permit under s. 139.34.

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

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

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

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

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

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

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

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

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

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

6 **SECTION 16.** 84.063 (5) of the statutes is amended to read:

7 84.063 (5) RULES. The department shall promulgate rules, including any rule
8 required under s. 85.16 (3), to implement and administer this section.

9 **SECTION 17.** 84.30 (14) of the statutes is amended to read:

10 84.30 (14) DEPARTMENT RULES. The department may promulgate rules deemed
11 necessary to implement and enforce this section. The department shall promulgate
12 rules to restrict the erection and maintenance of signs as to their lighting, size,
13 number and spacing when such signs are visible from the highway but outside the
14 adjacent area. The department shall by rule establish a priority system for the
15 removal or relocation of all signs not specified in sub. (5) (d) which fail to conform to
16 the requirements of sub. (5). The department's rules shall include any rule required
17 under s. 85.16 (3).

18 **SECTION 18.** 85.16 (3) of the statutes is created to read:

19 85.16 (3) (a) The department, by rule, shall establish periods within which the
20 department intends to approve or disapprove an application for any of the following:

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

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

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

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- 1 4. An outdoor advertising business license under s. 84.30 (10).
- 2 5. An outdoor advertising sign permit under s. 84.30 (10m).
- 3 6. An approval related to highway vegetation under s. 86.03 (3).
- 4 7. A permit related to excavating, filling, altering, or disturbing a highway or
- 5 bridge under s. 86.07 (2).
- 6 8. A permit for the erection and maintenance of a specific information sign
- 7 under s. 86.195 (2) (a) or a business sign under s. 86.195 (2) (b).
- 8 9. A permit for the erection and maintenance of a tourist-oriented directional
- 9 sign under s. 86.196 (2).
- 10 10. An unairworthy aircraft certificate under s. 114.20 (5).
- 11 11. A recreational vehicle dealer's license under s. 218.11.
- 12 12. A recreational vehicle salesperson's license under s. 218.12.
- 13 13. A motor vehicle salvage dealer's license under s. 218.22.
- 14 14. A motor vehicle auction dealer's license under s. 218.32.
- 15 15. A moped dealer's license under s. 218.41.
- 16 16. A buyer identification card under s. 218.51.
- 17 17. An approval related to quarterly or consecutive monthly registration under
- 18 s. 341.185 or 341.19.
- 19 18. A registration of a dealer, distributor, manufacturer, or transporter under
- 20 s. 341.51.
- 21 19. A registration of a finance company or a financial institution under s.
- 22 341.57.
- 23 20. A certificate of title under s. 342.18.
- 24 21. A permit to perform chemical analysis of the breath under s. 343.305 (6).
- 25 22. A license to conduct a driver school under s. 343.61.

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

2 24. A permit related to oversize and overweight vehicles and loads under ss.
3 348.26 or 348.27.

4 (b) Subject to par. (f), the department shall refund any applicable fee paid by
5 the applicant for any license, permit, or other approval specified in par. (a) 1. to 5.,
6 7. to 16., and 21. to 23. if the department fails to provide the applicant with written
7 notice, which may be by electronic mail, that the department has approved or
8 disapproved the application for the license, permit, or other approval, including the
9 specific facts upon which any disapproval is based, before the expiration of the period
10 established under par. (a) for the license, permit, or other approval.

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

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1 specifying any terms and conditions that apply to that license, permit, or other
2 approval.

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

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

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

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

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

20 3. Extensions of the period established under par. (a) because information
21 needed by the department to complete its review of an application is unknown or
22 cannot be determined with certainty when the department receives the application
23 if the department notifies the applicant in writing of the need for an extension within
24 30 days after the applicant submits the application. The notification may be by
25 electronic mail.

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1 3m. Extensions of the period established under par. (a) because the application
2 is incomplete if all of the following apply:

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

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

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

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

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

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

23 6. With respect to any application for a license, permit, or other approval for
24 which failure by the department to approve or disapprove the application before the
25 expiration of the period established under par. (a) constitutes approval of the

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

9 **SECTION 19.** 86.196 (2) (c) of the statutes is amended to read:

10 86.196 (2) (c) Provisions for fees to cover costs of sign manufacture, erection and
11 maintenance to be collected through a permit system and deadlines for acting on
12 permit applications as required under s. 85.16 (3).

13 **SECTION 20.** 93.125 of the statutes is created to read:

14 **93.125 Deadlines for action on occupational applications. (1)**

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

17 (a) A food inspector license under s. 93.11.

18 (b) A professional weather modification license under s. 93.35 (4).

19 (c) An individual commercial pesticide applicator license under s. 94.704.

20 (d) A pesticide applicator certification under s. 94.705.

21 (f) A buttermaker or cheesemaker license under s. 97.17.

22 (g) A butter grader or cheese grader license under s. 97.175.

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

24 (i) A grade A dairy farm permit under s. 97.22 (3).

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

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

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

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

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

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

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

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

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

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

7 **SECTION 21.** 93.13 of the statutes is created to read:

8 **93.13 Automatic approval of certain applications. (1) DEADLINES.** The
9 department, by rule, shall establish periods within which the department intends to
10 approve or disapprove an application for any of the following:

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

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

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

14 (c) A Christmas tree grower license under s. 94.10 (3g).

15 (cm) A seed labeler's license under s. 94.43.

16 (d) A ginseng grower or dealer registration under s. 94.50 (2).

17 (e) A fertilizer manufacturer or distributor license under s. 94.64 (3).

18 (em) A nonagricultural or special-use fertilizer permit under s. 94.64 (3m).

19 (f) A soil or plant additive manufacturer or distributor license under s. 94.65
20 (2).

21 (g) A soil or plant additive permit under s. 94.65 (3).

22 (gm) A license for the sale or distribution of liming material under s. 94.66 (2).

23 (h) A pesticide manufacturer or labeler license under s. 94.68 (1).

24 (i) A restricted-use pesticide dealer or distributor license under s. 94.685.

25 (im) A veterinary clinic pesticide use and repackaging permit under s. 94.702.

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- 1 (j) A commercial pesticide application business license under s. 94.703.
- 2 (k) A commercial feed manufacturer or distributor license under s. 94.72 (5).
- 3 (km) A farm-raised deer registration under s. 95.55.
- 4 (L) A fish farm registration under s. 95.60 (3m).
- 5 (m) An animal market license under s. 95.68 (2).
- 6 (mm) An animal dealer license under s. 95.69 (2).
- 7 (n) An animal trucker license under s. 95.71 (2).
- 8 (p) A license for collecting or processing dead animals under s. 95.72 (2).
- 9 (pm) A license for transporting dead animals under s. 95.72 (7).
- 10 (q) A dairy plant license under s. 97.20 (2).
- 11 (r) A bulk milk tanker license under s. 97.21 (2).
- 12 (rm) A milk distributor license under s. 97.21 (3).
- 13 (s) A food warehouse license under s. 97.27 (2).
- 14 (t) A food processing plant license under s. 97.29 (2).
- 15 (tm) A retail food establishment license under s. 97.30 (2).
- 16 (u) A meat or poultry commercial slaughtering or processing license or a meat
17 or poultry custom slaughtering or processing registration certificate under s. 97.42
18 (2).
- 19 (v) A vehicle scale license under s. 98.16.
- 20 (vm) A weights and measures servicing license under s. 98.18 (1) (a).
- 21 (w) A liquid petroleum gas meter registration under s. 98.245 (7).
- 22 (wm) A public warehouse keeper license under s. 99.02 (1).
- 23 (x) A mobile air conditioner servicing registration certificate under s. 100.45
24 (5) (c).
- 25 (xm) A grain dealer license under s. 126.11.

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1 (y) A grain warehouse keeper license under s. 126.26.

2 (ym) A milk contractor license under s. 126.41.

3 (z) A vegetable contractor license under s. 126.56.

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

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

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

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

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

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

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

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

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

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

ENGROSSED ASSEMBLY BILL 486**SECTION 21**

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

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

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

10 2. The information under subd. 1. is directly related to eligibility for the license,
11 permit, or other approval or to terms or conditions of the license, permit, or other
12 approval.

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

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

19 (d) The department may extend the period established under sub. (1) for an
20 application by not more than 30 days if, within the period established under sub. (1),
21 the department finds that there is a substantial likelihood that the activity proposed
22 to be conducted under the application would result in substantial harm to human
23 health or human safety and that the department cannot adequately review the
24 application within the period established under sub. (1) and provides written notice,

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1 which may be by electronic mail, to the applicant that states with particularity the
2 facts on which those findings are based.

3 **SECTION 22.** 101.022 of the statutes is created to read:

4 **101.022 Deadlines for action on certain applications. (1) DEFINITIONS.**

5 In this section, "license or building plan application" means any of the following:

6 (a) An application for a license, permit, or certificate of certification or
7 registration issued by the department under ss. 101.09 (3) (c), 101.122 (2) (c), 101.143
8 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2) or (2m),
9 101.653, 101.73 (5) or (6), 101.82 (2), 101.87, 101.935, 101.95, 101.951, 101.952,
10 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18, or
11 167.10 (6m).

12 (b) Forms, plans, and other information submitted to the department under s.
13 101.12 or 145.26.

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

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

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

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

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

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

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

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

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

25 **SECTION 23.** 101.023 of the statutes is created to read:

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

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

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

ENGROSSED ASSEMBLY BILL 486**SECTION 23**

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

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

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

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

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

18 (c) Extensions of the period established under sub. (2) because information
19 needed by the department to complete its review of an application is unknown or
20 cannot be determined with certainty when the department receives the application
21 if the department notifies the applicant in writing of the need for an extension within
22 30 days after the applicant submits the application. The notification may be by
23 electronic mail.

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

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

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

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

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

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

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

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

24 **SECTION 25.** 103.275 (2m) of the statutes is created to read:

ENGROSSED ASSEMBLY BILL 486**SECTION 25**

1 103.275 **(2m)** DEADLINE FOR ACTION ON CERTIFICATE APPLICATIONS. (a) The
2 department, by rule, shall establish a period within which the department intends
3 to approve or disapprove an application for a house-to-house employer certificate
4 under sub. (2).

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

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

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

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

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

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

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

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

7 **SECTION 26.** 103.91 (2m) of the statutes is created to read:

8 103.91 **(2m)** DEADLINE FOR ACTION ON CERTIFICATE APPLICATIONS. (a) The
9 department, by rule, shall establish a period within which the department intends
10 to approve or disapprove an application for a certificate under sub. (2) (a).

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

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

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

ENGROSSED ASSEMBLY BILL 486**SECTION 26**

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

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

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

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

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

13 **SECTION 27.** 103.92 (2m) of the statutes is created to read:

14 103.92 (2m) DEADLINE FOR ACTION ON CERTIFICATE APPLICATIONS. (a) The
15 department, by rule, shall establish a period within which the department intends
16 to approve or disapprove an application for a certificate under sub. (1) (a).

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

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

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

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

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

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

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

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

18 **SECTION 28.** 104.07 (4m) of the statutes is created to read:

19 104.07 (4m) (a) The department, by rule, shall establish periods within which
20 the department intends to approve or disapprove an application for a license under
21 sub. (1) or (2).

22 (b) 1. Subject to par. (d), the department shall refund all fees paid by the
23 applicant for a license under sub. (1) or (2) if the department fails to provide the
24 applicant with written notice, which may be by electronic mail, that the department
25 has approved or disapproved the application for the license, including the specific

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1 facts upon which any disapproval is based, before the expiration of the period
2 established under par. (a) for the license.

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

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

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

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

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

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

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

23 **SECTION 29.** 105.06 (1r) of the statutes is created to read:

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

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

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

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

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

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

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

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

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

6 **SECTION 31.** 115.28 (7) (a) of the statutes is amended to read:

7 115.28 (7) (a) License all teachers for the public schools of the state, make rules
8 establishing standards of attainment and procedures for the examination and
9 licensing of teachers within the limits prescribed in ss. 118.19 ~~(2) and (3)~~, 118.192 and
10 118.195, prescribe by rule standards and procedures for the approval of teacher
11 preparatory programs leading to licensure, file in the state superintendent's office
12 all papers relating to state teachers' licenses and register each such license.

13 **SECTION 32.** 118.19 (2) of the statutes is repealed and recreated to read:

14 118.19 (2) (a) The department, by rule, shall establish periods within which the
15 department intends to approve or disapprove an application for any license or permit
16 authorized to be granted by the department.

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

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

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

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

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

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

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

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

19 **SECTION 33.** 125.04 (3m) of the statutes is created to read:

20 125.04 (3m) DEADLINES FOR ACTION ON PERMIT APPLICATIONS. (a) The
21 department, by rule, shall establish periods within which the department intends to
22 approve or disapprove an application for any permit issued by the department under
23 this chapter.

24 (b) Subject to par. (e), the department shall refund any fee paid by the applicant
25 for any permit under this chapter if the department fails to provide the applicant

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

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

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

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

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

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

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

23 a. The department provides the applicant with written notice, which may be
24 by electronic mail, of the need for an extension within 15 days after the applicant
25 submits the application and the notice specifically describes the information that

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1 must be provided to complete the application or the information needed to complete
2 the department's review of the application.

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

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

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

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

15 **SECTION 34.** 145.025 of the statutes is created to read:

16 **145.025 Automatic approval of certain applications.** Except as otherwise
17 provided in this section, any form or other writing that is submitted to the
18 department under this chapter for the purpose of obtaining any approval of the
19 department that is required by law as a prerequisite to the applicant taking certain
20 actions is subject to s. 101.023. This section does not apply to an application for a
21 license, registration, or certification under s. 145.02 (4), 145.035, 145.045, 145.15,
22 145.16, 145.165, 145.17, 145.175, or 145.18, or to any form or other writing submitted
23 to the department under s. 145.26.

24 **SECTION 35.** 146.525 of the statutes is created to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 **SECTION 36.** 168.165 of the statutes is created to read:

23 **168.165 Automatic approval of certain applications.** Any form or other
24 writing that is submitted to the department under this chapter for the purpose of

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1 obtaining any approval of the department that is required by law as a prerequisite
2 to the applicant taking certain actions is subject to s. 101.023.

3 **SECTION 36g.** 196.195 (5m) of the statutes is created to read:

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

9 (b) If a petition is filed under sub. (2) (a), the commission shall, except as
10 provided in par. (d), no later than the deadline specified in the rules promulgated
11 under par. (a), complete the proceedings under subs. (2), (3), and (4), and, if
12 appropriate, enter an order under sub. (5). Except as provided in par. (d), if the
13 commission fails to complete the proceedings and, if appropriate, enter an order
14 before that deadline, the petition is considered to be granted without condition by the
15 commission and any provisions of law under sub. (5) that are specified in the petition
16 are considered to be suspended by the commission.

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

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1 (d) The commission may extend a deadline specified in the rules promulgated
2 under par. (a) if a petition that the commission receives is incomplete and if, within
3 30 days after receiving the petition, the commission provides written notice to the
4 petitioner that describes specifically the information that must be provided to
5 complete the petition.

6 **SECTION 36L.** 196.195 (10) of the statutes is amended to read:

7 196.195 (10) REVOCATION OF DEREGULATION. If necessary to protect the public
8 interest, the commission, at any time by order, may revoke its order to suspend the
9 applicability of any provision of law suspended under sub. (5). This subsection does
10 not apply to any provision of law that is considered to be suspended under sub. (5m).

11 **SECTION 37.** 218.0114 (13) (b) of the statutes is amended to read:

12 218.0114 (13) (b) The department of transportation shall promulgate rules
13 establishing the license period for each type of license described in sub. (14) (a) to (f)
14 and shall promulgate any rule required under s. 85.16 (3).

15 **SECTION 38.** 218.11 (2) (b) 1. of the statutes is amended to read:

16 218.11 (2) (b) 1. The department shall promulgate rules establishing the
17 license period under this section and shall promulgate any rule required under s.
18 85.16 (3).

19 **SECTION 39.** 218.12 (2) (b) 2. of the statutes is amended to read:

20 218.12 (2) (b) 2. The department may promulgate rules establishing a uniform
21 expiration date for all licenses issued under this section and shall promulgate any
22 rule required under s. 85.16 (3).

23 **SECTION 40.** 218.22 (2) (b) 1. of the statutes is amended to read:

24 218.22 (2) (b) 1. The department shall promulgate rules establishing a license
25 period and shall promulgate any rule required under s. 85.16 (3).

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1 **SECTION 41.** 218.32 (2) (b) 1. of the statutes is amended to read:

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

4 **SECTION 42.** 218.41 (2m) (a) 1. of the statutes is amended to read:

5 218.41 **(2m)** (a) 1. The department shall promulgate rules establishing a
6 license period and shall promulgate any rule required under s. 85.16 (3).

7 **SECTION 43.** 218.51 (3) (b) 1. of the statutes is amended to read:

8 218.51 **(3)** (b) 1. The department shall promulgate rules establishing the buyer
9 identification card period and shall promulgate any rule required under s. 85.16 (3).

10 **SECTION 44.** 224.50 of the statutes is created to read:

11 **224.50 Deadlines for action on certain applications. (1) DEFINITION.** In
12 this section, “department” means the department of financial institutions and any
13 subunit of the department of financial institutions.

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

- 17 1. A lender license under s. 138.09 (1m) (a).
- 18 2. An insurance premium finance company license under s. 138.12 (3).
- 19 3. A seller of checks license under s. 217.03.
- 20 4. An adjustment service company license under s. 218.02.
- 21 5. A collection agency license under s. 218.04.
- 22 6. A community currency exchange license under s. 218.05.
- 23 7. A mortgage banker, loan originator, or mortgage broker registration under
24 s. 224.72.
- 25 8. A nondepository small business lender license under s. 224.92.

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1 9. A broker-dealer, agent, investment adviser, or investment adviser
2 representative license under s. 551.32.

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

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

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

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

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

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

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

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

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

9 **SECTION 45.** 224.60 of the statutes is created to read:

10 **224.60 Automatic approval of certain applications. (1) DEFINITIONS.** In
11 this section:

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

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

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

23 **(3) FAILURE TO MEET DEADLINE.** (a) Subject to subs. (5) (b) and (c) and (6), failure
24 by the department to provide an applicant with written notice, which may be by
25 electronic mail, that the department has approved or disapproved the application,

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1 including specific facts upon which any disapproval is based, before the expiration
2 of the period established under sub. (2) applicable to the application constitutes
3 approval of the application by the department. An application approved under this
4 paragraph is subject to any terms or conditions specified by law for the approval and
5 the department may suspend, limit, revoke, or withdraw the approval for substantial
6 failure to comply with those terms or conditions. The department may not make the
7 approval subject to any term or condition that is not specified by statute or rule.
8 Within 30 days after an application is approved under this paragraph, the
9 department shall provide the applicant with a statement showing that the
10 application is approved and specifying any terms and conditions that apply to the
11 approval.

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

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

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

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

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

5 (c) Extensions of the period established under sub. (2) because information
6 needed by the department to complete its review of an application is unknown or
7 cannot be determined with certainty when the department receives the application
8 if the department notifies the applicant in writing of the need for an extension within
9 30 days after the applicant submits the application. The notification may be by
10 electronic mail.

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

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

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

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

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

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

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

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

12 **SECTION 46.** 250.043 of the statutes is created to read:

13 **250.043 Deadlines for action on applications.** (1) DEADLINES. The
14 department, by rule, shall establish periods within which the department intends to
15 approve or disapprove an application for any of the following:

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

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

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

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

21 (e) A license for a body piercer or a body-piercing establishment under s. 252.24
22 (2).

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

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

3 (h) Accreditation of a lead training course under rules promulgated under s.
4 254.178 (2).

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

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

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

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

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

15 (n) A registration of a site with an ionizing radiation installation under s.
16 254.35 (1).

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

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

20 (r) A certification for a food sanitarian under rules promulgated under s. 254.62
21 (2).

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

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

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

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

6 (w) A certification of Grade A dairy operations under s. 254.89.

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

8 (y) An approval of a laboratory for performing chemical analyses of blood or
9 urine for alcohol, controlled substances, or controlled substance analogs under s.
10 343.305 (6) (a).

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

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

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

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

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

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

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

16 **SECTION 47.** 299.05 of the statutes is repealed and recreated to read:

17 **299.05 Deadlines for action on occupational applications. (1)**
18 DEADLINES. The department, by rule, shall establish periods within which the
19 department intends to approve or disapprove an application for any of the following:

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

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

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

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

25 (e) An ozone-depleting refrigerant removal approval under s. 285.59.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 **SECTION 48.** 299.06 of the statutes is created to read:

13 **299.06 Automatic approval of certain applications. (1) DEADLINES.** The
14 department, by rule, shall establish periods within which the department intends to
15 approve or disapprove an application for any of the following:

16 (a) A high-capacity well approval under s. 281.17 (1).

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

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

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

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

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

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

23 (i) Permits and other determinations under ss. 30.10, 30.12, 30.123, 30.18,
24 30.19, and 30.20.

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

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

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

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

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

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

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

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

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

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

23 (5) EXTENSIONS AUTHORIZED. (a) During the period established under sub. (1),
24 the department and the applicant may jointly agree to a different period for acting

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1 on an application for a permit, approval, or other determination than that specified
2 under sub. (1).

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

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

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

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

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

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

25 **SECTION 49.** 341.19 (4) of the statutes is amended to read:

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1 341.19 (4) The department shall promulgate rules to implement this section
2 and shall promulgate any rule required under s. 85.16 (3).

3 **SECTION 50.** 343.02 (1) of the statutes is amended to read:

4 343.02 (1) The department shall administer and enforce this chapter and may
5 promulgate for that purpose such rules as the secretary considers necessary and
6 shall promulgate any rule required under s. 85.16 (3). Rules promulgated under this
7 chapter may not conflict with and shall be at least as stringent as standards set by
8 the federal commercial motor vehicle safety act, 49 USC 31301 to 31317 and the
9 regulations adopted under that act.

10 **SECTION 51.** 343.305 (6) (a) of the statutes is amended to read:

11 343.305 (6) (a) Chemical analyses of blood or urine to be considered valid under
12 this section shall have been performed substantially according to methods approved
13 by the laboratory of hygiene and by an individual possessing a valid permit to
14 perform the analyses issued by the department of health and family services. The
15 department of health and family services shall, subject to s. 250.043, approve
16 laboratories for the purpose of performing chemical analyses of blood or urine for
17 alcohol, controlled substances or controlled substance analogs and shall develop and
18 administer a program for regular monitoring of the laboratories. A list of approved
19 laboratories shall be provided to all law enforcement agencies in the state. Urine
20 specimens are to be collected by methods specified by the laboratory of hygiene. The
21 laboratory of hygiene shall furnish an ample supply of urine and blood specimen
22 containers to permit all law enforcement officers to comply with the requirements of
23 this section.

24 **SECTION 52.** 343.305 (11) of the statutes is amended to read:

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1 343.305 **(11)** RULES. The department shall promulgate rules under ch. 227
2 necessary to administer this section and shall promulgate any rule required under
3 s. 85.16 (3). The rules shall include provisions relating to the expeditious exchange
4 of information under this section between the department and law enforcement
5 agencies, circuit courts and district attorneys. The rules may not affect any
6 provisions relating to court procedure.

7 **SECTION 53.** 440.03 (1m) of the statutes is repealed and recreated to read:

8 440.03 **(1m)** (a) The department shall, by rule, establish periods within which
9 the department and credentialing boards intend to grant, or determine not to grant,
10 an application for an initial, reciprocal, or temporary credential and to renew, or
11 determine not to renew, a credential. Any period established under rules
12 promulgated under this paragraph shall be consistent with any applicable period
13 specified by statute.

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

21 2. The department or a credentialing board may not determine not to grant an
22 initial, reciprocal, or temporary credential, or to renew a credential, solely because
23 the department or credentialing board is unable to complete its review of the
24 application within the period established under the rules promulgated under par.
25 (a).

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

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

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

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

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

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

18 **SECTION 54.** 440.06 of the statutes is amended to read:

19 **440.06 Refunds and reexaminations.** The Except as provided in s. 440.03
20 (1m), the secretary may establish uniform procedures for refunds of fees paid under
21 s. 440.05 or 440.08 and uniform procedures and fees for reexaminations under chs.
22 440 to 480.

23 **SECTION 55.** 452.10 (2) (b) of the statutes is amended to read:

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

4 **SECTION 56.** 562.05 (12) of the statutes is created to read:

5 562.05 (12) (a) The department, by rule, shall establish periods within which
6 the department intends to approve or disapprove an application for any license
7 issued under this section.

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

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

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

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

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

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

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

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

11 **SECTION 57.** 563.15 (1) of the statutes is amended to read:

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

20 **SECTION 58.** 563.15 (4) of the statutes is created to read:

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

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

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

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

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

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

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

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

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

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

25 **SECTION 59.** 563.92 (5) of the statutes is created to read:

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

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

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

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

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

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

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

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

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

6 **SECTION 60.** 601.04 (3) of the statutes is amended to read:

7 601.04 (3) LICENSING. The Subject to s. 601.58, the commissioner shall issue
8 to any insurer or plan subject to this section a certificate of authority authorizing it
9 to transact the business of insurance in this state if the commissioner is satisfied that
10 it has met all requirements of law and that its methods and practices and the
11 character and value of its assets will adequately safeguard the interests of its
12 insureds and the public in this state. Each certificate shall be issued for a period of
13 no longer than one year and shall expire on May 1. It may be renewed from year to
14 year.

15 **SECTION 61.** 601.58 of the statutes is created to read:

16 **601.58 Deadlines for action on license applications. (1) DEADLINES.** The
17 commissioner, by rule, shall establish periods within which the commissioner
18 intends to approve or disapprove an application for any of the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

7 **SECTION 62.** 628.093 of the statutes is created to read:

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

10 **SECTION 63.** 632.68 (2) (b) (intro.) of the statutes is amended to read:

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

21 **SECTION 64.** 632.68 (4) (b) of the statutes is amended to read:

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

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

13 **SECTION 65.** 633.14 (1) (intro.) of the statutes is amended to read:

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

16 **SECTION 66.** 633.14 (2) (intro.) of the statutes is amended to read:

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

20 **SECTION 67. Initial applicability.**

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

23 (2x) The treatment of section 196.195 (5m) and (10) of the statutes first applies
24 to proceedings initiated by petitions filed with the public service commission, or by

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1 notices made on the public service commission's own motion, on the effective date of
2 this subsection.

3 **SECTION 68. Effective date.**

4 (1) This act takes effect on the first day of the 13th month beginning after
5 publication.

6 (END)