

1           **\*-1261/5.902\* \*-1267/P1.375\* SECTION 3640.** 563.28 (1) of the statutes is  
2 amended to read:

3           563.28 (1) If required in a memorandum of understanding entered into under  
4 s. 49.857, the department shall suspend or restrict the supplier's license of any  
5 person who is delinquent in making court-ordered payments of child or family  
6 support, maintenance, birth expenses, medical expenses or other expenses related  
7 to the support of a child or former spouse or who has failed to comply, after  
8 appropriate notice, with a subpoena or warrant issued by the department of  
9 workforce-development children and families or a county child support agency under  
10 s. 59.53 (5) and relating to paternity or child support proceedings.

11           **\*-1261/5.903\* \*-1267/P1.376\* SECTION 3641.** 563.28 (2) of the statutes is  
12 amended to read:

13           563.28 (2) The department shall disclose the social security number of any  
14 applicant for a supplier's license to the department of workforce-development  
15 children and families for the purpose of administering s. 49.22.

16           **\*-0765/2.1\* SECTION 3642.** 565.01 (3g) of the statutes is created to read:

17           565.01 (3g) "Instant game" means a lottery game in which it may be  
18 determined from the game ticket or share alone whether the holder of the ticket or  
19 share is a game winner.

20           **\*-0765/2.2\* SECTION 3643.** 565.30 (3) (a) of the statutes is repealed and  
21 recreated to read:

22           565.30 (3) (a) *Period to claim.* 1. Except as provided in subd. 2., the holder of  
23 a winning ticket or share for an instant game may claim a prize within 180 days after  
24 the end date of the game unless the features and procedures of the game state that

1 the prize may be claimed only on the date of, and at the place of, sale of the ticket or  
2 share.

3 2. The holder of a winning ticket or share for a lottery game other than an  
4 instant game or the holder of a winning ticket or share for an instant game that was  
5 printed by a lottery terminal may claim a prize within 180 days after the date on  
6 which the drawing for the game, or other selection process for determining the  
7 winning ticket or share, is held.

8 3. A lottery prize that is not claimed within the time period described under  
9 subd. 1. or 2., whichever is applicable, is forfeited.

10 \*-0766/P2.1\* SECTION 3644. 565.30 (5) of the statutes is amended to read:

11 565.30 (5) WITHHOLDING OF DELINQUENT STATE TAXES, CHILD SUPPORT OR DEBTS  
12 OWED THE STATE. The administrator shall report the name, address and social security  
13 number or federal income tax number of each winner of a lottery prize equal to or  
14 greater than \$1,000 and the name, address and social security number or federal  
15 income tax number of each person to whom a lottery prize equal to or greater than  
16 \$1,000 has been assigned to the department of revenue to determine whether the  
17 payee or assignee of the prize is delinquent in the payment of state taxes under ch.  
18 71, 72, 76, 77, 78 or 139 or, if applicable, in the court-ordered payment of child  
19 support or has a debt owing to the state. Upon receipt of a report under this  
20 subsection, the department of revenue shall first ascertain based on certifications by  
21 the department of workforce development or its designee under s. 49.855 (1) whether  
22 any person named in the report is currently delinquent in court-ordered payment  
23 of child support and shall next certify to the administrator whether any person  
24 named in the report is delinquent in court-ordered payment of child support or  
25 payment of state taxes under ch. 71, 72, 76, 77, 78 or 139. Upon this certification by

1 the department of revenue or upon court order the administrator shall withhold the  
2 certified amount and send it to the department of revenue for remittance to the  
3 appropriate agency or person. ~~At the time of remittance, the~~ The department of  
4 revenue shall charge its the winner or assignee of the lottery prize for the department  
5 of revenue's administrative expenses associated with withholding and remitting to  
6 the debt owed to a state agency that has received the remittance and may withhold  
7 the amount of the administrative expenses from the prize payment. The  
8 administrative expenses received or withheld by the department of revenue shall be  
9 credited to the appropriation under s. 20.566 (1) (h). In instances in which the payee  
10 or assignee of the prize is delinquent both in payments for state taxes and in  
11 court-ordered payments of child support, or is delinquent in one or both of these  
12 payments and has a debt owing to the state, the amount remitted to the appropriate  
13 agency or person shall be in proportion to the prize amount as is the delinquency or  
14 debt owed by the payee or assignee.

15 \*~~-1261/5.904~~\* \*~~-1267/P1.377~~\* SECTION 3645. 565.30 (5) of the statutes, as  
16 affected by 2007 Wisconsin Act .... (this act), is amended to read:

17 565.30 (5) WITHHOLDING OF DELINQUENT STATE TAXES, CHILD SUPPORT OR DEBTS  
18 OWED THE STATE. The administrator shall report the name, address and social security  
19 number or federal income tax number of each winner of a lottery prize equal to or  
20 greater than \$1,000 and the name, address and social security number or federal  
21 income tax number of each person to whom a lottery prize equal to or greater than  
22 \$1,000 has been assigned to the department of revenue to determine whether the  
23 payee or assignee of the prize is delinquent in the payment of state taxes under ch.  
24 71, 72, 76, 77, 78 or 139 or, if applicable, in the court-ordered payment of child  
25 support or has a debt owing to the state. Upon receipt of a report under this

1 subsection, the department of revenue shall first ascertain based on certifications by  
2 the department of ~~workforce development~~ children and families or its designee under  
3 s. 49.855 (1) whether any person named in the report is currently delinquent in  
4 court-ordered payment of child support and shall next certify to the administrator  
5 whether any person named in the report is delinquent in court-ordered payment of  
6 child support or payment of state taxes under ch. 71, 72, 76, 77, 78 or 139. Upon this  
7 certification by the department of revenue or upon court order the administrator  
8 shall withhold the certified amount and send it to the department of revenue for  
9 remittance to the appropriate agency or person. The department of revenue shall  
10 charge the winner or assignee of the lottery prize for the department of revenue's  
11 administrative expenses associated with withholding and remitting debt owed to a  
12 state agency and may withhold the amount of the administrative expenses from the  
13 prize payment. The administrative expenses received or withheld by the department  
14 of revenue shall be credited to the appropriation under s. 20.566 (1) (h). In instances  
15 in which the payee or assignee of the prize is delinquent both in payments for state  
16 taxes and in court-ordered payments of child support, or is delinquent in one or both  
17 of these payments and has a debt owing to the state, the amount remitted to the  
18 appropriate agency or person shall be in proportion to the prize amount as is the  
19 delinquency or debt owed by the payee or assignee.

\*\*\*\*NOTE: This is reconciled s. 565.30 (5). This SECTION has been affected by drafts  
with the following LRB numbers: -0766 and -1261.

20 **\*-1261/5.905\* \*-1267/P1.378\* SECTION 3646.** 565.30 (5m) (a) of the statutes  
21 is amended to read:

22 565.30 (5m) (a) The administrator shall report to the department of ~~workforce~~  
23 development children and families the name, address and social security number of

1 each winner of a lottery prize that is payable in installments and the name, address  
2 and social security number or federal income tax number of the person who has been  
3 assigned a lottery prize that is payable in installments. Upon receipt of the report,  
4 the department of ~~workforce development~~ children and families shall certify to the  
5 administrator whether any payee or assignee named in the report is obligated to  
6 provide child support, spousal support, maintenance or family support under s.  
7 767.001 (1) (f) or (g), 767.225, 767.34, 767.511, 767.531, 767.56, 767.805 (4), 767.85,  
8 767.863 (3), 767.89 (3), 767.893 (2m) or 948.22 (7) or ch. 769 and the amount required  
9 to be withheld from the lottery prize under s. 767.75. Subject to par. (b), the  
10 administrator shall withhold the certified amount from each payment made to the  
11 winner or assignee and remit the certified amount to the department of ~~workforce~~  
12 development children and families.

13 **\*-0388/3.6\* SECTION 3647.** 601.32 (1) of the statutes is amended to read:

14 601.32 (1) If the moneys credited to s. 20.145 (1) (g) 1. under other sections of  
15 the statutes prove inadequate for the office's supervision of insurance industry  
16 program, the commissioner may increase any or all of the fees imposed by s. 601.31,  
17 or may in any year levy a special assessment on all domestic insurers, or both, for the  
18 general operation of that program.

19 **\*-0388/3.7\* SECTION 3648.** 601.45 (3) of the statutes is amended to read:

20 601.45 (3) DEPOSIT. The commissioner may require any examinee, before or  
21 from time to time during an examination, to deposit with the secretary of  
22 administration such deposits as the commissioner deems necessary to pay the costs  
23 of the examination. Any deposit and any payment made under subs. (1) and (2) shall  
24 be credited to the appropriation account under s. 20.145 (1) (g) 1. in the percentage  
25 specified in that ~~paragraph~~ subdivision.

1       \*-0388/3.8\* SECTION 3649. 601.45 (4) of the statutes is amended to read:

2       601.45 (4) EXEMPTIONS. On the examinee's request or on the commissioner's  
3       own motion, the commissioner may pay all or part of the costs of an examination from  
4       the appropriation under s. 20.145 (1) (g) 1, whenever the commissioner finds that  
5       because of the frequency of examinations or other factors, imposition of the costs  
6       would place an unreasonable burden on the examinee. The commissioner shall  
7       include in his or her annual report information about any instance in which the  
8       commissioner applied this subsection.

9       \*-0388/3.9\* SECTION 3650. 601.47 (1) of the statutes is amended to read:

10       601.47 (1) GENERAL. The commissioner may prepare books, pamphlets, and  
11       other publications relating to insurance and sell them in the manner and at the  
12       prices the commissioner determines. The cost of publication and distribution may  
13       be paid from the appropriation under s. 20.145 (1) (g) 1.

14       \*-0388/3.10\* SECTION 3651. 601.47 (3) of the statutes is amended to read:

15       601.47 (3) FREE DISTRIBUTION. The commissioner may furnish free copies of the  
16       publications prepared under subs. (1) and (2) to public officers and libraries in this  
17       state and elsewhere. The cost of free distribution shall be charged to the  
18       appropriation under s. 20.145 (1) (g) 1.

19       \*-0388/3.11\* SECTION 3652. 601.48 (1) of the statutes is amended to read:

20       601.48 (1) NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS. The  
21       commissioner and the office of the commissioner shall maintain close relations with  
22       the commissioners of other states and shall participate in the activities and affairs  
23       of the National Association of Insurance Commissioners and other organizations so  
24       far as it will, in the judgment of the commissioner, enhance the purposes of chs. 600

1 to 655. The actual and necessary expenses incurred thereby shall be reimbursed out  
2 of the appropriation under s. 20.145 (1) (g) 1.

3 **\*-0388/3.12\* SECTION 3653.** 601.62 (4) of the statutes is amended to read:

4 **601.62 (4) FEES IN INVESTIGATIONS AND HEARINGS.** The fees for stenographic  
5 services in investigations, examinations, and hearings may not exceed the sum  
6 provided for like services in the circuit court. The fees of officers, witnesses,  
7 interpreters, and stenographers on behalf of the commissioner or the state shall be  
8 paid by the secretary of administration, authorized by the certificate of the  
9 commissioner, and shall be charged to the appropriation under s. 20.145 (1) (g) 1.

10 **\*-0388/3.13\* SECTION 3654.** 604.04 (3) of the statutes is amended to read:

11 **604.04 (3) EXPENSES.** No full-time state officer or employee may receive  
12 additional compensation for services under chs. 604 to 607. Appropriate portions of  
13 the salaries of such persons who do work for the funds or supervise them, and other  
14 expenses including reasonable charges for state-owned or state-rented office space  
15 and the use of state-owned or state-rented office equipment shall be charged against  
16 each fund. Each fund shall pay to the commissioner amounts charged for  
17 organizational support services, which shall be credited to the appropriation account  
18 under s. 20.145 (1) (g) 2. Each fund shall also be charged a sum equivalent to the state  
19 premium tax that would be paid by a domestic mutual insurer organized or operating  
20 under ch. 611 and doing the same kind of insurance business, except that no such  
21 charge shall be made for the insurance of governmental units.

22 **\*-1553/P2.8\* SECTION 3655.** 609.87 of the statutes is created to read:

23 **609.87 Coverage of treatment for autism spectrum disorders.** Defined  
24 network plans are subject to s. 632.895 (15).

1       \*-1261/5.906\* \*-1267/P1.379\* SECTION 3656. 628.095 (4) (a) of the statutes  
2 is amended to read:

3       628.095 (4) (a) The commissioner shall disclose a social security number  
4 obtained under sub. (1) or (3) to the department of ~~workforce development~~ children  
5 and families in the administration of s. 49.22, as provided in a memorandum of  
6 understanding entered into under s. 49.857.

7       \*-1261/5.907\* \*-1267/P1.380\* SECTION 3657. 628.095 (5) of the statutes is  
8 amended to read:

9       628.095 (5) IF APPLICANT OR INTERMEDIARY HAS NO SOCIAL SECURITY NUMBER. If an  
10 applicant who is a natural person does not have a social security number, the  
11 applicant shall provide to the commissioner, along with the application for a license  
12 and on a form prescribed by the department of ~~workforce development~~ children and  
13 families, a statement made or subscribed under oath or affirmation that the  
14 applicant does not have a social security number. If an intermediary who is a natural  
15 person does not have a social security number, the intermediary shall provide to the  
16 commissioner, each time that the annual fee is paid under s. 601.31 (1) (m) and on  
17 a form prescribed by the department of ~~workforce development~~ children and  
18 families, a statement made or subscribed under oath or affirmation that the  
19 applicant does not have a social security number.

20       \*-1261/5.908\* \*-1267/P1.381\* SECTION 3658. 628.097 (1m) of the statutes is  
21 amended to read:

22       628.097 (1m) FOR FAILURE TO PAY SUPPORT OR TO COMPLY WITH SUBPOENA OR  
23 WARRANT. The commissioner shall refuse to issue to a natural person a license,  
24 including a temporary license, under this subchapter if the natural person is  
25 delinquent in court-ordered payments of child or family support, maintenance, birth



1 expenses, medical expenses or other expenses related to the support of a child or  
2 former spouse, or if the natural person fails to comply, after appropriate notice, with  
3 a subpoena or warrant issued by the department of ~~workforce development~~ children  
4 and families or a county child support agency under s. 59.53 (5) and related to  
5 paternity or child support proceedings, as provided in a memorandum of  
6 understanding entered into under s. 49.857.

7 **\*-1261/5.909\* \*-1267/P1.382\* SECTION 3659.** 628.10 (2) (c) of the statutes is  
8 amended to read:

9 628.10 (2) (c) *For failure to pay support or to comply with subpoena or warrant.*  
10 The commissioner shall suspend or limit the license of an intermediary who is a  
11 natural person, or a temporary license of a natural person under s. 628.09, if the  
12 natural person is delinquent in court-ordered payments of child or family support,  
13 maintenance, birth expenses, medical expenses or other expenses related to the  
14 support of a child or former spouse, or if the natural person fails to comply, after  
15 appropriate notice, with a subpoena or warrant issued by the department of  
16 ~~workforce development~~ children and families or a county child support agency under  
17 s. 59.53 (5) and related to paternity or child support proceedings, as provided in a  
18 memorandum of understanding entered into under s. 49.857.

19 **\*-0011/3.144\* SECTION 3660.** 631.37 (4) (e) of the statutes is amended to read:

20 631.37 (4) (e) *Motor vehicle liability policy.* Section 344.34 applies to motor  
21 vehicle liability policies certified under s. 344.31 ~~and to policies certified under s.~~  
22 ~~344.32.~~

23 **\*-0266/3.34\* SECTION 3661.** 632.48 (3) of the statutes is created to read:

24 632.48 (3) NOTICE OF CHANGES. An insurer that receives a request from the  
25 department of health and family services under s. 49.47 (4) (cr) 2. for notification

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1 shall comply with the request and notify the department of any changes to or  
2 payments made under the annuity contract to which the request for notification  
3 relates.

4 **\*-1261/5.910\* \*-1267/P1.383\* SECTION 3662.** 632.68 (2) (b) 3m. of the statutes  
5 is amended to read:

6 632.68 (2) (b) 3m. If a natural person who does not have a social security  
7 number, provides on a form prescribed by the department of ~~workforce development~~  
8 children and families a statement made or subscribed under oath or affirmation that  
9 the applicant does not have a social security number.

10 **\*-1261/5.911\* \*-1267/P1.384\* SECTION 3663.** 632.68 (2) (bc) 1. of the statutes  
11 is amended to read:

12 632.68 (2) (bc) 1. The commissioner shall disclose a social security number  
13 obtained under par. (b) to the department of ~~workforce development~~ children and  
14 families in the administration of s. 49.22, as provided in a memorandum of  
15 understanding entered into under s. 49.857.

16 **\*-1261/5.912\* \*-1267/P1.385\* SECTION 3664.** 632.68 (2) (bm) 1. of the statutes  
17 is amended to read:

18 632.68 (2) (bm) 1. Notwithstanding par. (b), the commissioner may not issue  
19 a license under this subsection to a natural person who is delinquent in  
20 court-ordered payments of child or family support, maintenance, birth expenses,  
21 medical expenses or other expenses related to the support of a child or former spouse,  
22 or who fails to comply, after appropriate notice, with a subpoena or warrant issued  
23 by the department of ~~workforce development~~ children and families or a county child  
24 support agency under s. 59.53 (5) and related to paternity or child support

1 proceedings, as provided in a memorandum of understanding entered into under s.  
2 49.857.

3 **\*-1261/5.913\* \*-1267/P1.386\* SECTION 3665.** 632.68 (2) (e) of the statutes is  
4 amended to read:

5 632.68 (2) (e) Except as provided in sub. (3), a license issued under this  
6 subsection shall be renewed annually on July 1 upon payment of the fee specified in  
7 s. 601.31 (1) (mp) and upon providing the licensee's social security number, unless  
8 the licensee does not have a social security number, or federal employer  
9 identification number, as applicable, if not previously provided on the application for  
10 the license or at a previous renewal of the license. If the licensee is a natural person  
11 who does not have a social security number, the license shall be renewed annually  
12 on July 1 upon payment of the fee specified in s. 601.31 (1) (mp) and upon providing  
13 to the commissioner a statement made or subscribed under oath or affirmation, on  
14 a form prescribed by the department of ~~workforce development~~ children and  
15 families, that the licensee does not have a social security number.

16 **\*-1261/5.914\* \*-1267/P1.387\* SECTION 3666.** 632.68 (3) (b) 1. of the statutes  
17 is amended to read:

18 632.68 (3) (b) 1. The commissioner shall suspend, limit or refuse to renew a  
19 viatical settlement provider license issued to a natural person if the natural person  
20 is delinquent in court-ordered payments of child or family support, maintenance,  
21 birth expenses, medical expenses or other expenses related to the support of a child  
22 or former spouse, or if the natural person fails to comply, after appropriate notice,  
23 with a subpoena or warrant issued by the department of ~~workforce development~~  
24 children and families or a county child support agency under s. 59.53 (5) and related

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1 to paternity or child support proceedings, as provided in a memorandum of  
2 understanding entered into under s. 49.857.

3 **\*-1261/5.915\* \*-1267/P1.388\* SECTION 3667.** 632.68 (4) (b) of the statutes is  
4 amended to read:

5 632.68 (4) (b) A person may apply to the commissioner for a viatical settlement  
6 broker license on a form prescribed by the commissioner for that purpose. The  
7 application form shall require the applicant to provide the applicant's social security  
8 number, if the applicant is a natural person unless the applicant does not have a  
9 social security number, or the applicant's federal employer identification number, if  
10 the applicant is not a natural person. The fee specified in s. 601.31 (1) (mr) shall  
11 accompany the application. The commissioner may not issue a license under this  
12 subsection unless the applicant provides his or her social security number, unless the  
13 applicant does not have a social security number, or its federal employer  
14 identification number, whichever is applicable. If the applicant is a natural person  
15 who does not have a social security number, the commissioner may not issue a license  
16 under this subsection unless the applicant provides, on a form prescribed by the  
17 department of ~~workforce development~~ children and families, a statement made or  
18 subscribed under oath or affirmation that the applicant does not have a social  
19 security number.

20 **\*-1261/5.916\* \*-1267/P1.389\* SECTION 3668.** 632.68 (4) (bc) 1. of the statutes  
21 is amended to read:

22 632.68 (4) (bc) 1. The commissioner shall disclose a social security number  
23 obtained under par. (b) to the department of ~~workforce development~~ children and  
24 families in the administration of s. 49.22, as provided in a memorandum of  
25 understanding entered into under s. 49.857.

1           \***-1261/5.917\*** \***-1267/P1.390\*** SECTION 3669. 632.68 (4) (bm) 1. of the statutes  
2       is amended to read:

3           632.68 (4) (bm) 1. The commissioner may not issue a license under this  
4       subsection to a natural person who is delinquent in court-ordered payments of child  
5       or family support, maintenance, birth expenses, medical expenses or other expenses  
6       related to the support of a child or former spouse, or who fails to comply, after  
7       appropriate notice, with a subpoena or warrant issued by the department of  
8       workforce development children and families or a county child support agency under  
9       s. 59.53 (5) and related to paternity or child support proceedings, as provided in a  
10      memorandum of understanding entered into under s. 49.857.

11          \***-1261/5.918\*** \***-1267/P1.391\*** SECTION 3670. 632.68 (4) (c) of the statutes is  
12      amended to read:

13          632.68 (4) (c) Except as provided in sub. (5), a license issued under this  
14      subsection shall be renewed annually on July 1 upon payment of the fee specified in  
15      s. 601.31 (1) (ms) and upon providing the licensee's social security number, unless the  
16      licensee does not have a social security number, or federal employer identification  
17      number, as applicable, if not previously provided on the application for the license  
18      or at a previous renewal of the license. If the licensee is a natural person who does  
19      not have a social security number, the license shall be renewed annually, except as  
20      provided in sub. (5), on July 1 upon payment of the fee specified in s. 601.31 (1) (ms)  
21      and upon providing to the commissioner a statement made or subscribed under oath  
22      or affirmation, on a form prescribed by the department of workforce development  
23      children and families, that the licensee does not have a social security number.

24          \***-1261/5.919\*** \***-1267/P1.392\*** SECTION 3671. 632.68 (5) (b) 1. of the statutes  
25      is amended to read:

1           632.68 (5) (b) 1. The commissioner shall suspend, limit or refuse to renew a  
2           viatical settlement broker license issued to a natural person if the natural person is  
3           delinquent in court-ordered payments of child or family support, maintenance, birth  
4           expenses, medical expenses or other expenses related to the support of a child or  
5           former spouse, or if the natural person fails to comply, after appropriate notice, with  
6           a subpoena or warrant issued by the department of ~~workforce development~~ children  
7           and families or a county child support agency under s. 59.53 (5) and related to  
8           paternity or child support proceedings, as provided in a memorandum of  
9           understanding entered into under s. 49.857.

10           \***-1457/3.1\*** \***-3434/1.1\*** **SECTION 3672.** 632.726 of the statutes is created to  
11           read:

12           **632.726 Current procedural terminology code changes.** (1) In this  
13           section, "current procedural terminology code" means a number established by the  
14           American Medical Association that a health care provider puts on a health insurance  
15           claim form to describe the services that he or she performed.

16           (2) If an insurer changes a current procedural terminology code that was  
17           submitted by a health care provider on a health insurance claim form, the insurer  
18           shall include on the explanation of benefits form the reason for the change to the  
19           current procedural terminology code and shall cite on the explanation of benefits  
20           form the source for the change.

21           \***-1524/P3.94\*** **SECTION 3673.** 632.745 (6) (a) 2m. of the statutes is amended  
22           to read:

23           632.745 (6) (a) 2m. A family long-term care district under s. 46.2895.

24           \***-0905/3.85\*** **SECTION 3674.** 632.746 (7m) (b) 1. of the statutes is amended to  
25           read:

1           632.746 (7m) (b) 1. The employee or dependent is eligible for benefits under the  
2           Medical Assistance program under s. 49.471 or 49.472 or for coverage under the  
3           Badger Care health care program under s. 49.665.

4           \*-1457/3.2\* SECTION 3675. 632.857 of the statutes is created to read:

5           **632.857 Explanation required for restriction or termination of**  
6           **coverage.** If an insurer restricts or terminates an insured's coverage for the  
7           treatment of a condition or complaint and, as a result, the insured becomes liable for  
8           payment for all of his or her treatment for the condition or complaint, the insurer  
9           shall provide on the explanation of benefits form a detailed explanation of the clinical  
10          rationale and of the basis in the policy, plan, or contract or in applicable law for the  
11          insurer's restriction or termination of coverage.

12          \*-1457/3.3\* \*-3090/4.6\* SECTION 3676. 632.875 (2) (g) of the statutes is  
13          amended to read:

14          632.875 (2) (g) A reasonable detailed explanation of the factual basis clinical  
15          rationale and of the basis in the policy, plan, or contract or in applicable law for the  
16          insurer's restriction or termination of coverage.

17          \*-1561/1.1\* SECTION 3677. 632.89 (1) (am) of the statutes is created to read:

18          632.89 (1) (am) "Consumer price index" means the consumer price index for all  
19          urban consumers, U.S. city average, as determined by the U.S. department of labor.

20          \*-1561/1.2\* SECTION 3678. 632.89 (2) (b) 1. of the statutes is amended to read:

21          632.89 (2) (b) 1. Except as provided in subd. 2., if a group or blanket disability  
22          insurance policy issued by an insurer provides coverage of inpatient hospital  
23          treatment or outpatient treatment or both, the policy shall provide coverage in every  
24          policy year as provided in pars. (c) to (dm), as appropriate, except that the total

## SECTION 3678

1 coverage under the policy for a policy year need not exceed \$7,000 \$20,250 or the  
2 equivalent benefits measured in services rendered.

3 **\*-1561/1.3\* SECTION 3679.** 632.89 (2) (c) 2. b. of the statutes is amended to  
4 read:

5 632.89 (2) (c) 2. b. Seven thousand Twenty thousand two hundred fifty dollars  
6 minus any applicable cost sharing at the level charged under the policy for inpatient  
7 hospital services or the equivalent benefits measured in services rendered or, if the  
8 policy does not use cost sharing, \$6,300 \$18,250 in equivalent benefits measured in  
9 services rendered.

10 **\*-1561/1.4\* SECTION 3680.** 632.89 (2) (d) 2. of the statutes is amended to read:

11 632.89 (2) (d) 2. Except as provided in par. (b), a policy under subd. 1. shall  
12 provide coverage in every policy year for not less than \$2,000 \$3,450 minus any  
13 applicable cost sharing at the level charged under the policy for outpatient services  
14 or the equivalent benefits measured in services rendered or, if the policy does not use  
15 cost sharing, \$1,800 \$3,100 in equivalent benefits measured in services rendered.

16 **\*-1561/1.5\* SECTION 3681.** 632.89 (2) (dm) 2. of the statutes is amended to  
17 read:

18 632.89 (2) (dm) 2. Except as provided in par. (b), a policy under subd. 1. shall  
19 provide coverage in every policy year for not less than \$3,000 \$5,200 minus any  
20 applicable cost sharing at the level charged under the policy for transitional  
21 treatment arrangements or the equivalent benefits measured in services rendered  
22 or, if the policy does not use cost sharing, \$2,700 \$4,650 in equivalent benefits  
23 measured in services rendered.

24 **\*-1561/1.6\* SECTION 3682.** 632.89 (2) (f) of the statutes is created to read:



1           632.89 (2) (f) *Report on coverage limits.* The department of health and family  
2           services shall report annually to the governor and the legislature on revising the  
3           coverage limits specified in this subsection based on the change in the consumer price  
4           index for medical costs.

5           \*-1553/P2.9\* SECTION 3683. 632.895 (15) of the statutes is created to read:

6           632.895 (15) TREATMENT FOR AUTISM SPECTRUM DISORDERS. (a) In this subsection,  
7           “autism spectrum disorder” means any of the following:

- 8           1. Autism disorder.
- 9           2. Asperger’s syndrome.
- 10          3. Pervasive developmental disorder not otherwise specified.

11          (b) 1. Subject to subd. 2., and except as provided in par. (d), every disability  
12          insurance policy, and every self-insured health plan of the state or a county, city,  
13          town, village, or school district, shall provide coverage for an insured of treatment  
14          for an autism spectrum disorder if the treatment is provided by any of the following:

- 15          a. A psychiatrist, as defined in s. 146.34 (1) (h).
- 16          b. A psychologist, as defined in s. 146.34 (1) (i).
- 17          c. A social worker, as defined in s. 252.15 (1) (er), who is certified or licensed  
18          to practice psychotherapy, as defined in s. 457.01 (8m).

19          2. A disability insurance policy or self-insured health plan is not required to  
20          cover the cost of more than 4 hours per month of the treatment specified in subd. 1.

21          (c) The coverage required under par. (b) may be subject to any limitations,  
22          exclusions, and cost-sharing provisions that apply generally under the disability  
23          insurance policy or self-insured health plan.

24          (d) This subsection does not apply to any of the following:

- 25          1. A disability insurance policy that covers only certain specified diseases.

## SECTION 3683

1           2. A health care plan offered by a limited service health organization, as defined  
2           in s. 609.01 (3), or by a preferred provider plan, as defined in s. 609.01 (4), that is not  
3           a defined network plan, as defined in s. 609.01 (1b).

4           3. A long-term care insurance policy.

5           4. A medicare replacement policy or a medicare supplement policy.

6           \*-1261/5.920\* \*-1267/P1.393\* SECTION 3684. 632.897 (10) (am) 2. of the  
7           statutes is amended to read:

8           632.897 (10) (am) 2. Provide family coverage under the group policy or  
9           individual policy for the individual's child, if eligible for coverage, upon application  
10          by the individual, the child's other parent, the department of ~~workforce development~~  
11          children and families or the county child support agency under s. 59.53 (5).

12          \*-1261/5.921\* \*-1267/P1.394\* SECTION 3685. 633.14 (1) (e) of the statutes is  
13          amended to read:

14          633.14 (1) (e) If an individual who does not have a social security number,  
15          provides on a form prescribed by the department of ~~workforce development~~ children  
16          and families a statement made or subscribed under oath or affirmation that he or she  
17          does not have a social security number.

18          \*-1261/5.922\* \*-1267/P1.395\* SECTION 3686. 633.14 (2c) (a) of the statutes  
19          is amended to read:

20          633.14 (2c) (a) The commissioner shall disclose a social security number  
21          obtained under sub. (1) (d) to the department of ~~workforce development~~ children and  
22          families in the administration of s. 49.22, as provided in a memorandum of  
23          understanding entered into under s. 49.857.

24          \*-1261/5.923\* \*-1267/P1.396\* SECTION 3687. 633.14 (2m) (a) of the statutes  
25          is amended to read:

1           633.14 (2m) (a) Notwithstanding sub. (1), the commissioner may not issue a  
2 license under this section if the individual applying for the license is delinquent in  
3 court-ordered payments of child or family support, maintenance, birth expenses,  
4 medical expenses or other expenses related to the support of a child or former spouse,  
5 or if the individual fails to comply, after appropriate notice, with a subpoena or  
6 warrant issued by the department of ~~workforce development~~ children and families  
7 or a county child support agency under s. 59.53 (5) and related to paternity or child  
8 support proceedings, as provided in a memorandum of understanding entered into  
9 under s. 49.857.

10           \***-1261/5.924\*** \***-1267/P1.397\*** SECTION 3688. 633.15 (1m) of the statutes is  
11 amended to read:

12           633.15 (1m) SOCIAL SECURITY NUMBER, FEDERAL EMPLOYER IDENTIFICATION  
13 NUMBER OR STATEMENT. At an annual renewal, an administrator shall provide his or  
14 her social security number, if the administrator is an individual unless he or she does  
15 not have a social security number, or its federal employer identification number, if  
16 the administrator is a corporation, limited liability company or partnership, if the  
17 social security number or federal employer identification number was not previously  
18 provided on the application for the license or at a previous renewal of the license. If  
19 an administrator who is an individual does not have a social security number, the  
20 individual shall provide to the commissioner, at each annual renewal and on a form  
21 prescribed by the department of ~~workforce development~~ children and families, a  
22 statement made or subscribed under oath or affirmation that the administrator does  
23 not have a social security number.

24           \***-1261/5.925\*** \***-1267/P1.398\*** SECTION 3689. 633.15 (2) (c) of the statutes is  
25 amended to read:

## SECTION 3689

1           633.15 (2) (c) *Failure to pay support or to comply with subpoena or warrant.*

2           The commissioner shall suspend, limit or refuse to renew a license issued under this  
3           section to an individual if the individual is delinquent in court-ordered payments of  
4           child or family support, maintenance, birth expenses, medical expenses or other  
5           expenses related to the support of a child or former spouse, or if the individual fails  
6           to comply, after appropriate notice, with a subpoena or warrant issued by the  
7           department of ~~workforce development~~ children and families or a county child  
8           support agency under s. 59.53 (5) and related to paternity or child support  
9           proceedings, as provided in a memorandum of understanding entered into under s.  
10          49.857.

11           \***-0388/3.14\* SECTION 3690.** 645.09 (2) (a) of the statutes is amended to read:

12          645.09 (2) (a) *Causes of delinquency.* The commissioner may include in his or  
13          her annual report, not later than the 2nd annual report following the initiation of any  
14          formal proceedings under this chapter, a detailed analysis of the basic causes and the  
15          contributing factors making the initiation of formal proceedings necessary, and may  
16          make recommendations for remedial legislation. For this purpose the commissioner  
17          may appoint a special assistant qualified in insurance, finance, and accounting to  
18          conduct the study and prepare the analysis, and may determine the special  
19          assistant's compensation, which shall be paid from the appropriation under s. 20.145

20          (1) (g) 1.

21           \***-0388/3.15\* SECTION 3691.** 645.09 (2) (b) of the statutes is amended to read:

22          645.09 (2) (b) *Final study.* The commissioner may include in his or her annual  
23          report, not later than the 2nd annual report following discharge of the receiver, a  
24          detailed study of the delinquency proceeding for each insurer subjected to a formal  
25          proceeding, with an analysis of the problems faced and their solutions. The

1 commissioner may also suggest alternative solutions, as well as other material of  
2 interest, for the purpose of assisting and guiding liquidators or rehabilitators in the  
3 future. For this purpose the commissioner may appoint a special assistant qualified  
4 to conduct the study and prepare the analysis, and may determine his or her  
5 compensation, which shall be paid from the appropriation under s. 20.145 (1) (g) 1.

6 **\*-0388/3.16\* SECTION 3692.** 645.46 (4) of the statutes is amended to read:

7 645.46 (4) Defray all expenses of taking possession of, conserving, conducting,  
8 liquidating, disposing of, or otherwise dealing with the business and property of the  
9 insurer. If the property of the insurer does not contain sufficient cash or liquid assets  
10 to defray the costs incurred, the liquidator may advance the costs so incurred out of  
11 the appropriation under s. 20.145 (1) (g) 1. Any amounts so paid shall be deemed  
12 expense of administration and shall be repaid for the credit of the office of the  
13 commissioner of insurance out of the first available moneys of the insurer.

14 **\*-0266/3.35\* SECTION 3693.** 647.02 (2) (g) of the statutes is amended to read:

15 647.02 (2) (g) The figure to be used by the provider as the actual or projected  
16 length of a resident's stay in the facility in the formula in the contract provision  
17 required under s. 647.05 (9) (1m) (i) and supporting information showing how the  
18 figure was determined.

19 **\*-0266/3.36\* SECTION 3694.** 647.04 (5) of the statutes is amended to read:

20 647.04 (5) Inform the commissioner of any change in the figure used by the  
21 provider as the actual or projected length of a resident's stay in the facility in the  
22 formula in the contract provision required under s. 647.05 (9) (1m) (i) within 30 days  
23 after the change is made and submit supporting information showing how the  
24 change was determined.

1           **\*-0266/3.37\* SECTION 3695.** 647.05 of the statutes is renumbered 647.05 (1m),  
2           and 647.05 (1m) (g), as renumbered, is amended to read:

3           647.05 (1m) (g) Provides that if a resident dies or the continuing care contract  
4           is terminated after the first 30 days of occupancy, but within the first 90 days of  
5           occupancy, the provider will refund at least 90% of the amount computed under sub-  
6           (6) par. (f).

7           **\*-0266/3.38\* SECTION 3696.** 647.05 (2m) of the statutes is created to read:

8           647.05 (2m) Subject to s. 49.455, a continuing care contract may require that,  
9           before a resident applies for medical assistance, the resident must spend on his or  
10          her care the resources declared for purposes of admission to the facility.

11          **\*-0388/3.17\* SECTION 3697.** 655.27 (2) of the statutes is amended to read:

12          655.27 (2) FUND ADMINISTRATION AND OPERATION. Management of the fund shall  
13          be vested with the board of governors. The commissioner shall either provide staff  
14          services necessary for the operation of the fund or, with the approval of the board of  
15          governors, contract for all or part of these services. Such a contract is subject to ss.  
16          16.753 and, 16.765, and 16.771, but is otherwise exempt from subch. IV of ch. 16. The  
17          commissioner shall adopt rules governing the procedures for creating and  
18          implementing these contracts before entering into the contracts. At least annually,  
19          the contractor shall report to the commissioner and to the board of governors  
20          regarding all expenses incurred and subcontracting arrangements. If the board of  
21          governors approves, the contractor may hire legal counsel as needed to provide staff  
22          services. The cost of contracting for staff services shall be funded from the  
23          appropriation under s. 20.145 (2) (u). The fund shall pay to the commissioner  
24          amounts charged for organizational support services, which shall be credited to the  
25          appropriation account under s. 20.145 (1) (g) 2.

\*\*\*\*NOTE: This is reconciled s. 655.27 (2). This SECTION has been affected by drafts with the following LRB numbers: LRB-0388/2 and LRB-0444/P2.

1           **\*-0444/P2.18\* SECTION 3698.** 655.27 (2) of the statutes is amended to read:

2           **655.27 (2) FUND ADMINISTRATION AND OPERATION.** Management of the fund shall

3           be vested with the board of governors. The commissioner shall either provide staff

4           services necessary for the operation of the fund or, with the approval of the board of

5           governors, contract for all or part of these services. Such a contract is subject to ss.

6           16.753 and, 16.765, and 16.771, but is otherwise exempt from subch. IV of ch. 16. The

7           commissioner shall adopt rules governing the procedures for creating and

8           implementing these contracts before entering into the contracts. At least annually,

9           the contractor shall report to the commissioner and to the board of governors

10          regarding all expenses incurred and subcontracting arrangements. If the board of

11          governors approves, the contractor may hire legal counsel as needed to provide staff

12          services. The cost of contracting for staff services shall be funded from the

13          appropriation under s. 20.145 (2) (u).

14          **\*-1261/5.926\* \*-1261/P3.574\* SECTION 3699.** 701.06 (5) (intro.) of the

15          statutes is amended to read:

16          **701.06 (5) CLAIMS FOR PUBLIC SUPPORT.** (intro.) Notwithstanding any provision

17          in the creating instrument or subs. (1) and (2), if the settlor is legally obligated to pay

18          for the public support of a beneficiary under s. 46.10, 49.345, or 301.12 or the

19          beneficiary is legally obligated to pay for the beneficiary's public support or that

20          furnished the beneficiary's spouse or minor child under s. 46.10, 49.345, or 301.12,

21          upon application by the appropriate state department or county official, the court

22          may:

## SECTION 3700

1           \***-1261/5.927\*** \***-1267/P1.399\*** SECTION 3700. 751.15 (1) of the statutes is  
2 amended to read:

3           751.15 (1) The supreme court is requested to enter into a memorandum of  
4 understanding with the department of ~~workforce development~~ children and families  
5 under s. 49.857.

6           \***-1261/5.928\*** \***-1267/P1.400\*** SECTION 3701. 751.15 (2) of the statutes is  
7 amended to read:

8           751.15 (2) The supreme court is requested to promulgate rules that require  
9 each person who has a social security number, as a condition of membership in the  
10 state bar, to provide the board of bar examiners with his or her social security  
11 number, that require each person who does not have a social security number, as a  
12 condition of membership in the state bar, to provide the board of bar examiners with  
13 a statement made or subscribed under oath or affirmation on a form prescribed by  
14 the department of ~~workforce development~~ children and families that the person does  
15 not have a social security number, and that prohibit the disclosure of that number  
16 to any person except the department of ~~workforce development~~ children and families  
17 for the purpose of administering s. 49.22.

18           \***-1261/5.929\*** \***-1267/P1.401\*** SECTION 3702. 751.15 (3) of the statutes is  
19 amended to read:

20           751.15 (3) The supreme court is requested to promulgate rules that deny,  
21 suspend, restrict or refuse to renew a license to practice law if the applicant or  
22 licensee fails to provide the information required under rules promulgated under  
23 sub. (2) or fails to comply, after appropriate notice, with a subpoena or warrant issued  
24 by the department of ~~workforce development~~ children and families or a county child  
25 support agency under s. 59.53 (5) and related to paternity or child support



1 proceedings or if the department of ~~workforce development~~ children and families  
2 certifies that the applicant or licensee has failed to pay court-ordered payments of  
3 child or family support, maintenance, birth expenses, medical expenses or other  
4 expenses related to the support of a child or former spouse. The supreme court is also  
5 requested to promulgate rules that invalidate a license to practice law if issued in  
6 reliance upon a statement made or subscribed under oath or affirmation under rules  
7 promulgated under sub. (2) that is false.

8 **\*-1577/2.4\* SECTION 3703.** 757.05 (1) (a) of the statutes is amended to read:

9 757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of  
10 state law or for a violation of a municipal or county ordinance except for a violation  
11 of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5), or for a first violation of s.  
12 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who  
13 committed the violation had a blood alcohol concentration of 0.08 or more but less  
14 than 0.1 at the time of the violation, or for a violation of state laws or municipal or  
15 county ordinances involving nonmoving traffic violations, violations under s. 343.51  
16 (1m) (b), or safety belt use violations under s. 347.48 (2m), there shall be imposed in  
17 addition a penalty surcharge under ch. 814 in an amount of ~~26~~ 27 percent of the fine  
18 or forfeiture imposed. If multiple offenses are involved, the penalty surcharge shall  
19 be based upon the total fine or forfeiture for all offenses. When a fine or forfeiture  
20 is suspended in whole or in part, the penalty surcharge shall be reduced in proportion  
21 to the suspension.

22 **\*-0110/7.2\* SECTION 3704.** 758.19 (4m) of the statutes is created to read:

23 758.19 (4m) The director of state courts may establish and charge fees for use  
24 of the circuit court automated information systems created under this section. The

1 secretary of administration shall credit all moneys collected under this subsection  
2 to the appropriation account under s. 20.680 (2) (j).

3 **\*-0108/4.1\* SECTION 3705.** 758.19 (5) (a) (intro.) of the statutes is amended to  
4 read:

5 758.19 (5) (a) (intro.) In this subsection, "circuit court costs" means one or more  
6 of the following costs:

7 **\*-0108/4.2\* SECTION 3706.** 758.19 (5) (a) 3. of the statutes is amended to read:

8 758.19 (5) (a) 3. Witness fees set under s. 814.67 (1) (b) 1. and (c) for witnesses  
9 called by the circuit court on its own motion or called by, or subpoenaed at the request  
10 of, a district attorney, the state public defender or a private attorney appointed under  
11 s. 977.08. Nothing in this subdivision affects the determination of who is obligated  
12 to pay for fees set under s. 814.67 (1) (b) 1. and (c) for witnesses called by, or  
13 subpoenaed at the request of the state public defender or a private attorney  
14 appointed under s. 977.08.

15 **\*-0108/4.3\* SECTION 3707.** 758.19 (5) (a) 4m. of the statutes is amended to  
16 read:

17 758.19 (5) (a) 4m. Fees for expert witnesses appointed under s. 907.06 by the  
18 circuit court on its own motion or by the circuit court at the request of the district  
19 attorney, the state public defender or a private attorney appointed under s. 977.08  
20 or by the circuit court upon agreement of the district attorney, the state public  
21 defender or a private attorney appointed under s. 977.08. Nothing in this subdivision  
22 affects the determination of who is obligated to pay fees for an expert witness  
23 appointed under s. 907.06.

24 **\*-0108/4.4\* SECTION 3708.** 758.19 (5) (a) 5. of the statutes is amended to read:

1           758.19 (5) (a) 5. Fees for witnesses or expert witnesses subpoenaed by the  
2           circuit court at the request of the district attorney, coroner or medical examiner  
3           under s. 979.06 (1) and (2).

4           \***-0108/4.5\* SECTION 3709.** 758.19 (5) (a) 8. of the statutes is amended to read:

5           758.19 (5) (a) 8. Any other circuit court costs, except costs related to courtroom  
6           security, including security personnel, and costs related to rent, utilities,  
7           maintenance, rehabilitation and construction of circuit court facilities.

8           \***-0108/4.6\* SECTION 3710.** 758.19 (5) (am) of the statutes is created to read:

9           758.19 (5) (am) The director of state courts may create a uniform chart of  
10          accounts that each county shall be required to use for the recording of all financial  
11          transactions relating to the operation of circuit courts and may audit the information  
12          submitted under par. (e).

13          \***-0110/7.3\* SECTION 3711.** 758.19 (5) (b) of the statutes is amended to read:

14          758.19 (5) (b) From the appropriation appropriations under s. 20.625 (1) (d) and  
15          (q), the director of state courts shall make payments to counties totaling \$9,369,800  
16          within 30 days after October 29, 1999, and on every July 1 and January 1 thereafter,  
17          which the director of state courts shall distribute as follows:

18          \***-0108/4.7\* SECTION 3712.** 758.19 (5) (d) of the statutes is repealed.

19          \***-0108/4.8\* SECTION 3713.** 758.19 (5) (e) of the statutes is amended to read:

20          758.19 (5) (e) No later than July 1, 1994, and no later than July 1 the first May  
21          15 following the effective date of this paragraph .... [revisor inserts date], and no later  
22          than May 15 of each year thereafter, each county shall submit to the director of state  
23          courts, in a format that is established by the director of state courts, and in a manner  
24          that comports with the uniform chart of accounts under par. (am), information  
25          regarding the amount of actual circuit court costs that the county incurred in the

1 previous calendar year for each of the court costs listed in par. (a) 1. to 8 and revenues  
2 collected or received by the circuit court in the previous calendar year.

3 \***-0108/4.9\*** SECTION 3714. 758.19 (5) (f) of the statutes is amended to read:

4 758.19 (5) (f) A county that fails to meet the requirements under par. (e) is not  
5 eligible for a payment under par. (b) for one fiscal year, as defined in s. 237.01 (3),  
6 after the July 1 May 15 that the information was not provided, or until the  
7 information is provided, whichever is earlier. Except as provided in this paragraph  
8 and par. (g), the information regarding the amount of actual costs reported under par.  
9 (e) does not affect the amount paid to a county under par. (b).

10 \***-0108/4.10\*** SECTION 3715. 758.19 (5) (g) of the statutes is amended to read:

11 758.19 (5) (g) Beginning with the submittal of information under par. (e) on  
12 July 1, 1995, if the director of state courts determines, based on the information  
13 submitted under par. (e), that the payment made to a county under par. (b) for any  
14 calendar year exceeds the circuit court costs incurred by the county for that calendar  
15 year, the director of state courts shall deduct the difference from the next payment  
16 under par. (b) made to that county after the director's determination. The difference  
17 shall be apportioned as provided in par. (c) among the other counties for payment  
18 under par. (b) to the other counties on that payment date. For purposes of this  
19 paragraph, the director of state courts shall treat the period beginning on August 13,  
20 1993, and ending on December 31, 1994, as a calendar year and determine from the  
21 information submitted under par. (e) on July 1, 1994, and July 1, 1995, whether the  
22 payment to a county under par. (b) on January 1, 1994, exceeds the circuit court costs  
23 incurred by the county for the period beginning on August 13, 1993, and ending on  
24 December 31, 1994.

1           \***-1261/5.930\*** \***-1267/P1.402\*** **SECTION 3716.** 767.001 (1d) of the statutes is  
2 amended to read:

3           767.001 (1d) "Department" means the department of ~~workforce development~~  
4 children and families.

5           \***-1261/5.931\*** \***-1261/P3.575\*** **SECTION 3717.** 767.001 (2) (b) of the statutes  
6 is amended to read:

7           767.001 (2) (b) With respect to the department of ~~health and family services~~  
8 or a county agency specified in s. 48.56 (1) or a licensed child welfare agency granted  
9 legal custody of a child, the rights and responsibilities specified under s. 48.02 (12).

10          \***-1261/5.932\*** \***-1261/P3.576\*** **SECTION 3718.** 767.205 (2) (a) 3. of the statutes  
11 is amended to read:

12          767.205 (2) (a) 3. Whenever aid under s. ~~46.261~~, 48.57 (3m) or (3n), 48.645,  
13 49.19, or 49.45 is provided on behalf of a dependent child or benefits are provided to  
14 the child's custodial parent under ss. 49.141 to 49.161.

15          \***-1261/5.933\*** \***-1261/P3.577\*** **SECTION 3719.** 767.205 (2) (a) 4. of the statutes  
16 is amended to read:

17          767.205 (2) (a) 4. Whenever aid under s. ~~46.261~~, 48.57 (3m) or (3n), 48.645,  
18 49.19, or 49.45 has, in the past, been provided on behalf of a dependent child, or  
19 benefits have, in the past, been provided to the child's custodial parent under ss.  
20 49.141 to 49.161, and the child's family is eligible for continuing child support  
21 services under 45 CFR 302.33.

22          \***-1261/5.934\*** \***-1261/P3.578\*** **SECTION 3720.** 767.217 (1) of the statutes is  
23 amended to read:

24          767.217 (1) NOTICE OF PLEADING OR MOTION. In an action affecting the family in  
25 which either party is a recipient of benefits under ss. 49.141 to 49.161 or aid under

1 s. 46.261, 48.645, 49.19, or 49.45, each party shall, either within 20 days after serving  
2 the opposite party with a motion or pleading requesting the court to order or to  
3 modify a previous order relating to child support, maintenance, or family support,  
4 or before filing the motion or pleading in court, serve a copy of the motion or pleading  
5 on the county child support agency under s. 59.53 (5) of the county in which the action  
6 is begun.

7 ~~\*-1261/5.935\*~~ ~~\*-1261/P3.579\*~~ **SECTION 3721.** 767.407 (1) (c) 1. of the statutes  
8 is amended to read:

9 767.407 (1) (c) 1. Aid is provided under s. ~~46.261~~, 48.57 (3m) or (3n), 48.645,  
10 49.19, or 49.45 on behalf of the child, or benefits are provided to the child's custodial  
11 parent under ss. 49.141 to 49.161, but the state and its delegate under s. 49.22 (7)  
12 are barred by a statute of limitations from commencing an action under s. 767.80 on  
13 behalf of the child.

14 ~~\*-0261/6.23\*~~ **SECTION 3722.** 767.41 (3) (a) of the statutes is amended to read:

15 767.41 (3) (a) If the interest of any child demands it, and if the court finds that  
16 neither parent is able to care for the child adequately or that neither parent is fit and  
17 proper to have the care and custody of the child, the court may declare the child to  
18 be in need of protection or services and transfer legal custody of the child to a relative  
19 of the child, as defined in s. 48.02 (15), to a county department, as defined under s.  
20 48.02 (2g), or to a licensed child welfare agency, or, in a county having a population  
21 of 500,000 or more, the department of health and family services. If the court  
22 transfers legal custody of a child under this subsection, in its order the court shall  
23 notify the parents of any applicable grounds for termination of parental rights under  
24 s. 48.415. If the court transfers legal custody under this section to an agency, the  
25 court shall also refer the matter to the court intake worker, as defined in s. 48.02 (3),

1 who shall conduct an inquiry under s. 48.24 to determine whether a petition should  
2 be filed under s. 48.13.

3 **\*-1261/5.936\* \*-0261/5.23\* SECTION 3723.** 767.41 (3) (a) of the statutes, as  
4 affected by 2007 Wisconsin Act .... (this act), is amended to read:

5 767.41 (3) (a) If the interest of any child demands it, and if the court finds that  
6 neither parent is able to care for the child adequately or that neither parent is fit and  
7 proper to have the care and custody of the child, the court may declare the child to  
8 be in need of protection or services and transfer legal custody of the child to a relative  
9 of the child, as defined in s. 48.02 (15), to a county department, as defined under s.  
10 48.02 (2g), to a licensed child welfare agency, or, in a county having a population of  
11 500,000 or more, the department of health and family services children and families.

12 If the court transfers legal custody of a child under this subsection, in its order the  
13 court shall notify the parents of any applicable grounds for termination of parental  
14 rights under s. 48.415. If the court transfers legal custody under this section to an  
15 agency, the court shall also refer the matter to the court intake worker, as defined in  
16 s. 48.02 (3), who shall conduct an inquiry under s. 48.24 to determine whether a  
17 petition should be filed under s. 48.13.

\*\*\*\*NOTE: This is reconciled s. 767.41 (3) (a). This SECTION has been affected by  
drafts with the following LRB numbers: -0261 and -1261.

18 **\*-0261/6.24\* SECTION 3724.** 767.41 (3) (am) of the statutes is created to read:

19 767.41 (3) (am) If the court transfers legal custody of a child under this  
20 subsection, the order transferring custody shall include a finding that placement of  
21 the child in his or her home would be contrary to the welfare of the child and a finding  
22 that reasonable efforts have been made to prevent the removal of the child from the  
23 home, while assuring that the health and safety of the child are the paramount

1 concerns, unless any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5.  
2 applies. If the legal custodian appointed under par. (a) is a county department, the  
3 court shall order the child into the placement and care responsibility of the county  
4 department as required under 42 USC 672 (a) (2) and shall assign the county  
5 department primary responsibility for providing services to the child. The court  
6 shall make the findings specified in this paragraph on a case-by-case basis based  
7 on circumstances specific to the child and shall document or reference the specific  
8 information on which those findings are based in the court order. A court order that  
9 merely references this paragraph without documenting or referencing that specific  
10 information in the court order or an amended court order that retroactively corrects  
11 an earlier court order that does not comply with this paragraph is not sufficient to  
12 comply with this paragraph.

13 **\*-0261/6.25\* SECTION 3725.** 767.451 (7) of the statutes is amended to read:

14 767.451 (7) TRANSFER TO DEPARTMENT. The court may order custody transferred  
15 to the department of health and family services only if that department agrees to  
16 accept custody. If the court orders custody transferred to the department of health  
17 and family services, the order transferring custody shall include the findings and  
18 order specified in s. 767.41 (3) (am).

19 **\*-1261/5.937\* \*-1261/P3.580\* SECTION 3726.** 767.451 (7) of the statutes, as  
20 affected by 2007 Wisconsin Act ... (this act), is amended to read:

21 767.451 (7) TRANSFER TO DEPARTMENT. The court may order custody transferred  
22 to the department of health and family services only if that the department agrees  
23 to accept custody. If the court orders custody transferred to the department of health  
24 and family services, the order transferring custody shall include the findings and  
25 order specified in s. 767.41 (3) (am).



\*\*\*\*NOTE: This is reconciled s. 767.451 (7). This SECTION has been affected by drafts with the following LRB numbers: -0261 and -1261.

1           **\*-1261/5.938\* \*-1261/P3.581\* SECTION 3727.** 767.521 (intro.) of the statutes  
2 is amended to read:

3           **767.521 Action by state for child support.** (intro.) The state or its delegate  
4 under s. 49.22 (7) shall bring an action for support of a minor child under s. 767.001  
5 (1) (f) or for paternity determination and child support under s. 767.80 if the child's  
6 right to support is assigned to the state under s. ~~46.261~~, 48.57 (3m) (b) 2. or (3n) (b)  
7 2., 48.645 (3), 49.145 (2) (s), 49.19 (4) (h) 1. b., or 49.775 (2) (bm) and all of the  
8 following apply:

9           **\*-1261/5.939\* \*-1261/P3.582\* SECTION 3728.** 767.55 (3) (a) 2. of the statutes  
10 is amended to read:

11           **767.55 (3) (a) 2.** The child's right to support is assigned to the state under s.  
12 ~~46.261 (3)~~, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), or 49.19 (4) (h) 1. b.

13           **\*-1589/3.2\* SECTION 3729.** 767.57 (1e) (title) of the statutes is amended to  
14 read:

15           **767.57 (1e) (title)** RECEIVING AND DISBURSING FEE FEES.

16           **\*-1589/3.3\* SECTION 3730.** 767.57 (1e) (a) of the statutes is amended to read:

17           **767.57 (1e) (a)** For receiving and disbursing maintenance, child support, or  
18 family support payments, including payments in arrears, and for maintaining the  
19 records required under ~~par. (e) sub. (1) (c)~~, the department or its designee shall collect  
20 an annual fee of ~~\$35~~ \$65 from a party ordered to make payments. The court shall  
21 order each party ordered to make payments to pay the fee in each year for which  
22 payments are ordered or in which an arrearage in any of those payments is owed.  
23 In directing the manner of payment, the court shall order that the fee be withheld

1 from income and sent to the department or its designee, as provided under s. 767.75.  
2 Fees under this paragraph shall be deposited in the appropriation account under s.  
3 20.445 (3) (ja). At the time of ordering payment of the fee, the court shall notify each  
4 party ordered to make payments of the requirement to pay, and the amount of, the  
5 fee. If the fee under this paragraph is not paid when due, the department or its  
6 designee may not deduct the fee from any maintenance, child or family support, or  
7 arrearage payment, but may move the court for a remedial sanction under ch. 785.

8 \*~~1261/5.940~~\* \*~~1267/P1.403~~\* SECTION 3731. 767.57 (1e) (a) of the statutes,  
9 as affected by 2007 Wisconsin Act ... (this act), is amended to read:

10 767.57 (1e) (a) For receiving and disbursing maintenance, child support, or  
11 family support payments, including payments in arrears, and for maintaining the  
12 records required under sub. (1) (c), the department or its designee shall collect an  
13 annual fee of \$65 from a party ordered to make payments. The court shall order each  
14 party ordered to make payments to pay the fee in each year for which payments are  
15 ordered or in which an arrearage in any of those payments is owed. In directing the  
16 manner of payment, the court shall order that the fee be withheld from income and  
17 sent to the department or its designee, as provided under s. 767.75. Fees under this  
18 paragraph shall be deposited in the appropriation account under s. ~~20.445 (3)~~ 20.437  
19 (2) (ja). At the time of ordering payment of the fee, the court shall notify each party  
20 ordered to make payments of the requirement to pay, and the amount of, the fee. If  
21 the fee under this paragraph is not paid when due, the department or its designee  
22 may not deduct the fee from any maintenance, child or family support, or arrearage  
23 payment, but may move the court for a remedial sanction under ch. 785.

\*\*\*\*NOTE: This is reconciled s. 767.57 (1e) (a). This SECTION has been affected by  
drafts with the following LRB numbers: -1261, -1589, and -1590.

1           \***-1261/5.941\*** \***-1267/P1.404\*** SECTION 3732. 767.57 (1e) (b) 1m. of the  
2 statutes is amended to read:

3           767.57 (1e) (b) 1m. The department or its designee may collect any unpaid fees  
4 under s. 814.61 (12) (b), 1997 stats., that are shown on the department's automated  
5 payment and collection system on December 31, 1998, and shall deposit all fees  
6 collected under this subdivision in the appropriation account under s. 20.445 (3)  
7 20.437 (2) (ja). The department or its designee may collect unpaid fees under this  
8 subdivision through income withholding under s. 767.75 (2m). If the department or  
9 its designee determines that income withholding is inapplicable, ineffective, or  
10 insufficient for the collection of any unpaid fees under this subdivision, the  
11 department or its designee may move the court for a remedial sanction under ch. 785.  
12 The department or its designee may contract with or employ a collection agency or  
13 other person for the collection of any unpaid fees under this subdivision and,  
14 notwithstanding s. 20.930, may contract with or employ an attorney to appear in any  
15 action in state or federal court to enforce the payment obligation. The department  
16 or its designee may not deduct the amount of unpaid fees from any maintenance,  
17 child or family support, or arrearage payment.

18           \***-1589/3.4\*** SECTION 3733. 767.57 (1e) (c) of the statutes is created to read:

19           767.57 (1e) (c) The department or its designee shall collect an annual fee of \$25  
20 from an individual receiving child support or family support payments. The fee shall  
21 comply with all requirements under 42 USC 654 (6) (B). The department or its  
22 designee may deduct the fee from maintenance, child or family support, or arrearage  
23 payments. Fees collected under this paragraph shall be deposited in the  
24 appropriation account under s. 20.445 (3) (ja).

1           \*-1261/5.942\* \*-1261/P3.583\* SECTION 3734. 767.57 (1m) (c) of the statutes  
2 is amended to read:

3           767.57 (1m) (c) The party entitled to the support or maintenance money or a  
4 minor child of the party has applied for or is receiving aid under s. ~~46.261~~ 48.645 or  
5 public assistance under ch. 49 and there is an assignment to the state under s. ~~46.261~~  
6 48.645 (3) or 49.19 (4) (h) 1. b. of the party's right to the support or maintenance  
7 money.

8           \*-1261/5.943\* \*-1261/P3.584\* SECTION 3735. 767.57 (2) of the statutes is  
9 amended to read:

10           767.57 (2) PROCEDURE IF RECIPIENT ON PUBLIC ASSISTANCE. If a party entitled to  
11 maintenance or support, or both, is receiving public assistance under ch. 49, the  
12 party may assign the party's right to support or maintenance to the county  
13 department under s. 46.215, 46.22, or 46.23 granting the assistance. The assignment  
14 shall be approved by order of the court granting the maintenance or support. The  
15 assignment may not be terminated if there is a delinquency in the amount to be paid  
16 to the assignee of maintenance and support previously ordered without the written  
17 consent of the assignee or upon notice to the assignee and a hearing. When an  
18 assignment of maintenance or support, or both, has been approved by the order, the  
19 assignee shall be deemed a real party in interest within s. 803.01 solely for the  
20 purpose of securing payment of unpaid maintenance or support ordered to be paid,  
21 by participating in proceedings to secure the payment of unpaid amounts.  
22 Notwithstanding assignment under this subsection, and without further order of the  
23 court, the department or its designee, upon receiving notice that a party or a minor  
24 child of the parties is receiving aid under s. ~~46.261~~ 48.645 or public assistance under  
25 ch. 49 or that a kinship care relative or long-term kinship care relative of the minor

1 child is receiving kinship care payments or long-term kinship care payments for the  
2 minor child, shall forward all support assigned under s. 46.261 (3), 48.57 (3m) (b) 2.  
3 or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19) to the assignee under s. 46.261  
4 (3), 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19).

5 **\*-1261/5.944\* \*-1261/P3.585\* SECTION 3736.** 767.57 (4) of the statutes is  
6 amended to read:

7 **767.57 (4) PROCEDURE FOR CERTAIN CHILD RECIPIENTS.** If an order or judgment  
8 providing for the support of one or more children not receiving aid under s. 46.261,  
9 48.57 (3m) or (3n), 48.645, or 49.19 includes support for a minor who is the  
10 beneficiary of aid under s. 46.261, 48.57 (3m) or (3n), 48.645, or 49.19, any support  
11 payment made under the order or judgment is assigned to the state under s. 46.261  
12 (3), 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), or 49.19 (4) (h) 1. b. in the amount that  
13 is the proportionate share of the minor receiving aid under s. 46.261, 48.57 (3m) or  
14 (3n), 48.645, or 49.19, except as otherwise ordered by the court on the motion of a  
15 party.

16 **\*-1261/5.945\* \*-1261/P3.586\* SECTION 3737.** 767.59 (1c) (a) (intro.) of the  
17 statutes is amended to read:

18 **767.59 (1c) (a) (intro.)** On the petition, motion, or order to show cause of either  
19 of the parties, the department, a county department under s. 46.215, 46.22, or 46.23,  
20 or a county child support agency under s. 59.53 (5) if an assignment has been made  
21 under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h), or 49.45 (19)  
22 or if either party or their minor children receive aid under s. 48.57 (3m) or (3n) or  
23 48.645 or ch. 49, a court may, except as provided in par. (b), do any of the following:

24 **\*-1261/5.946\* \*-1261/P3.587\* SECTION 3738.** 767.59 (1f) (b) 4. of the statutes  
25 is amended to read:

1           767.59 (1f) (b) 4. A difference between the amount of child support ordered by  
2           the court to be paid by the payer and the amount that the payer would have been  
3           required to pay based on the percentage standard established by the department  
4           under s. 49.22 (9) if the court did not use the percentage standard in determining the  
5           child support payments and did not provide the information required under s. 46.10  
6           (14) (d), 49.345 (14) (d), 301.12 (14) (d), or 767.511 (1n), whichever is appropriate.

7           \*~~-1261/5.947~~\* \*~~-1261/P3.588~~\* SECTION 3739. 767.59 (2) (c) of the statutes is  
8           amended to read:

9           767.59 (2) (c) If the court revises a judgment or order providing for child support  
10          that was entered under s. 48.355 (2) (b) 4., 48.357 (5m) (a), 48.363 (2), 938.183 (4),  
11          938.355 (2) (b) 4., 938.357 (5m) (a) or 938.363 (2), the court shall determine child  
12          support in the manner provided in s. ~~46.10~~ 49.345 (14) or 301.12 (14), whichever is  
13          applicable.

14          \*~~-1261/5.948~~\* \*~~-1261/P3.589~~\* SECTION 3740. 767.59 (2s) of the statutes is  
15          amended to read:

16          767.59 (2s) STIPULATION FOR REVISION OF SUPPORT. In an action under sub. (1c),  
17          the court may not approve a stipulation for the revision of a judgment or order with  
18          respect to an amount of child support or family support unless the stipulation  
19          provides for payment of an amount of child support or family support that is  
20          determined in the manner required under s. 46.10 (14), 49.345 (14), 301.12 (14),  
21          767.511, 767.805 (4), or 767.89, whichever is appropriate.

22          \*~~-1261/5.949~~\* \*~~-1261/P3.590~~\* SECTION 3741. 767.87 (2m) of the statutes is  
23          amended to read:

24          767.87 (2m) ADMISSIBILITY OF CERTAIN MEDICAL AND GENETIC INFORMATION.  
25          Medical and genetic information filed with the department of ~~health and family~~

1 services or the court under s. 48.425 (1) (am) or (2) is not admissible to prove the  
2 paternity of the child.

3 ~~\*\*\*-1261/5.950\*\*\*-1261/P3.591\*~~ SECTION 3742. 767.87 (6) (a) of the statutes is  
4 amended to read:

5 767.87 (6) (a) Whenever the state brings the action to determine paternity  
6 pursuant to an assignment under s. ~~46.261~~, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3),  
7 49.19 (4) (h) 1., or 49.45 (19), or receipt of benefits under s. 49.148, 49.155, 49.157,  
8 or 49.159, the natural mother of the child may not be compelled to testify about the  
9 paternity of the child if it has been determined that the mother has good cause for  
10 refusing to cooperate in establishing paternity as provided in 42 USC 602 (a) (26) (B)  
11 and the federal regulations promulgated pursuant to this statute, as of July 1, 1981,  
12 and pursuant to any rules promulgated by the department which define good cause  
13 in accordance with the federal regulations, as authorized by 42 USC 602 (a) (26) (B)  
14 in effect on July 1, 1981.

15 ~~\*\*\*-1261/5.951\*\*\*-1261/P3.592\*~~ SECTION 3743. 769.201 (7) of the statutes is  
16 amended to read:

17 769.201 (7) The individual asserted parentage in a declaration of paternal  
18 interest filed with the department of ~~health and family services~~ children and families  
19 under s. 48.025 or in a statement acknowledging paternity filed with the state  
20 registrar under s. 69.15 (3) (b) 1. or 3.

21 ~~\*\*\*-1261/5.952\*\*\*-1267/P1.405\*~~ SECTION 3744. 769.31 (1) of the statutes is  
22 amended to read:

23 769.31 (1) The department of ~~workforce development~~ children and families is  
24 the state information agency under this chapter.

25 ~~\*\*\*-0392/1.10\*~~ SECTION 3745. 800.02 (2) (b) of the statutes is amended to read:

1       800.02 (2) (b) Except for parking violations, in traffic regulation actions in  
2       municipal court, the uniform traffic citation specified in s. 345.11 shall be used in lieu  
3       of the citation form specified in par. (a). In actions for violations of local ordinances  
4       enacted in accordance with s. 23.33 (11) (am) or 30.77, the citation form specified in  
5       s. 23.54 shall be used in lieu of the citation form specified in par. (a).

6       \*-0011/3.145\* SECTION 3746. 800.09 (1) (c) of the statutes is amended to read:

7       800.09 (1) (c) The court may suspend the defendant's operating privilege, as  
8       defined in s. 340.01 (40), until restitution is made and the forfeiture, assessments  
9       and costs are paid, if the defendant has not done so within 60 days after the date the  
10      restitution or payments or both are to be made under par. (a) and has not notified the  
11      court that he or she is unable to comply with the judgment, as provided under s.  
12      800.095 (4) (a), except that the suspension period may not exceed 2 years. The court  
13      shall may take possession of the suspended license and shall, If the court takes  
14      possession of a license, it shall destroy the license. The court shall forward the  
15      license, along with a notice of the suspension clearly stating that the suspension is  
16      for failure to comply with a judgment of the court, to the department of  
17      transportation. This paragraph does not apply if the forfeiture is assessed for  
18      violation of an ordinance that is unrelated to the violator's operation of a motor  
19      vehicle.

20      \*-0444/P2.19\* SECTION 3747. 801.02 (1) of the statutes is amended to read:

21      801.02 (1) ~~A~~ Except as provided in s. 20.931 (5) (b), a civil action in which a  
22      personal judgment is sought is commenced as to any defendant when a summons and  
23      a complaint naming the person as defendant are filed with the court, provided service  
24      of an authenticated copy of the summons and of the complaint is made upon the  
25      defendant under this chapter within 90 days after filing.



1           \*-1537/4.7\* SECTION 3748. 803.03 (2) (c) of the statutes is amended to read:  
2           803.03 (2) (c) *Scheduling and pretrial conferences.* At the scheduling  
3           conference and pretrial conference, the judge to whom the case has been assigned  
4           shall inquire concerning the existence of and joinder of persons with subrogated,  
5           derivative or assigned rights and shall make such orders as are necessary to  
6           effectuate the purposes of this section. If the case is an action to recover damages  
7           based on alleged criminally injurious conduct, the court shall inquire to see if an  
8           award has been made under subch. I of ch. 949 and if the department of justice is  
9           subrogated to the cause of action under s. 949.15.

10          \*-0444/P2.20\* SECTION 3749. 803.09 (1) and (2) of the statutes are amended  
11          to read:

12          803.09 (1) Upon Except as provided in s. 20.931, upon timely motion anyone  
13          shall be permitted to intervene in an action when the movant claims an interest  
14          relating to the property or transaction which is the subject of the action and the  
15          movant is so situated that the disposition of the action may as a practical matter  
16          impair or impede the movant's ability to protect that interest, unless the movant's  
17          interest is adequately represented by existing parties.

18          (2) Upon Except as provided in s. 20.931, upon timely motion anyone may be  
19          permitted to intervene in an action when a movant's claim or defense and the main  
20          action have a question of law or fact in common. When a party to an action relies for  
21          ground of claim or defense upon any statute or executive order or rule administered  
22          by a federal or state governmental officer or agency or upon any regulation, order,  
23          rule, requirement or agreement issued or made pursuant to the statute or executive  
24          order, the officer or agency upon timely motion may be permitted to intervene in the

1 action. In exercising its discretion the court shall consider whether the intervention  
2 will unduly delay or prejudice the adjudication of the rights of the original parties.

3 **\*-0444/P2.21\* SECTION 3750.** 804.01 (2) (intro.) of the statutes is amended to  
4 read:

5 804.01 (2) SCOPE OF DISCOVERY. (intro.) Unless Except as provided in s. 20.931  
6 (9), and unless otherwise limited by order of the court in accordance with the  
7 provisions of this chapter, the scope of discovery is as follows:

8 **\*-0444/P2.22\* SECTION 3751.** 805.04 (1) of the statutes is amended to read:

9 805.04 (1) BY PLAINTIFF; BY STIPULATION. An Except as provided in sub. (2m), an  
10 action may be dismissed by the plaintiff without order of court by serving and filing  
11 a notice of dismissal at any time before service by an adverse party of responsive  
12 pleading or motion or by the filing of a stipulation of dismissal signed by all parties  
13 who have appeared in the action. Unless otherwise stated in the notice of dismissal  
14 or stipulation, the dismissal is not on the merits, except that a notice of dismissal  
15 operates as an adjudication on the merits when filed by a plaintiff who has once  
16 dismissed in any court an action based on or including the same claim.

17 **\*-0444/P2.23\* SECTION 3752.** 805.04 (2m) of the statutes is created to read:

18 805.04 (2m) FALSE CLAIMS. An action filed under s. 20.931 may be dismissed  
19 only by order of the court. In determining whether to dismiss the action filed under  
20 s. 20.931, the court shall take into account the best interests of the parties and the  
21 purposes of s. 20.931.

22 **\*-1537/4.8\* SECTION 3753.** 806.025 (2) (am) of the statutes is amended to read:

23 806.025 (2) (am) If money remains after the payment of all unpaid orders and  
24 judgments under par. (a), order reimbursement to the department of justice for an

1 award made under subch. I of ch. 949 for which the department is subrogated under  
2 s. 949.15.

3 **\*-1261/5.953\* \*-1261/P3.593\* SECTION 3754.** 809.105 (13) of the statutes is  
4 amended to read:

5 809.105 (13) CERTAIN PERSONS BARRED FROM PROCEEDINGS. No parent, or  
6 guardian or legal custodian, if one has been appointed, or foster parent or treatment  
7 foster parent, if the minor has been placed in a foster home or treatment foster home,  
8 and the minor's parent has signed a waiver granting the department of health and  
9 family services children and families, a county department under s. 46.215, 46.22,  
10 or 46.23, the foster parent or the treatment foster parent the authority to consent to  
11 medical services or treatment on behalf of the minor, or adult family member, as  
12 defined in s. 48.375 (2) (b), of any minor who has initiated an appeal under this  
13 section may attend or intervene in any proceeding under this section.

14 **\*-0459/2.25\* SECTION 3755.** 809.30 (2) (d) of the statutes is amended to read:

15 809.30 (2) (d) *Indigency redetermination.* Except as provided in this  
16 paragraph, whenever a person whose trial counsel is appointed by the state public  
17 defender files a notice under par. (b) requesting public defender representation for  
18 purposes of postconviction or postdisposition relief, the prosecutor may, within 5  
19 days after the notice is served and filed, file in the circuit court and serve upon the  
20 state public defender a request that the person's indigency be redetermined before  
21 counsel is appointed or transcripts are requested. This paragraph does not apply to  
22 a child or juvenile person who is entitled to be represented by counsel under s. 48.23,  
23 51.60 (1), 55.105, or 938.23.

24 **\*-1261/5.954\* \*-1261/P3.594\* SECTION 3756.** 813.12 (5) (b) of the statutes is  
25 amended to read:

## SECTION 3756

1           813.12 (5) (b) The clerk of circuit court shall provide the simplified forms  
2 provided under s. 46.95 49.165 (3) (c) to help a person file a petition.

3           \***-1261/5.955\*** \***-1261/P3.595\*** SECTION 3757. 813.122 (6) (b) of the statutes  
4 is amended to read:

5           813.122 (6) (b) Upon request, the clerk of circuit court shall provide, without  
6 cost, the simplified forms obtained under s. 46.03 48.47 (7) (d) to a petitioner.

7           \***-1575/1.5\*** \***-2195/1.6\*** SECTION 3758. 814.245 (2) (d) of the statutes is  
8 amended to read:

9           814.245 (2) (d) "State agency" does not include the public intervenor or citizens  
10 utility board.

11           \***-0905/3.86\*** SECTION 3759. 814.61 (13) of the statutes is amended to read:

12           814.61 (13) SUPPORT OR MAINTENANCE PETITION. For the cost of court services,  
13 whenever a person not receiving benefits under s. 49.148 or 49.155 or aid under s.  
14 49.19, 49.46, 49.465, 49.468 or, 49.47, or 49.471 files a petition requesting child  
15 support, maintenance or family support payments, \$10 in addition to any other fee  
16 required under this section. This subsection does not apply to a petition filed by the  
17 state or its delegate.

18           \***-0459/2.26\*** SECTION 3760. 814.69 (1) (a) of the statutes is amended to read:

19           814.69 (1) (a) For a transcript under SCR 71.04, a fee at the rate of \$1.50 per  
20 25-line page for the original and 50 cents per 25-line page for the duplicate. Except  
21 as provided in s. 967.06 (3), the fee shall be paid by the county treasurer upon the  
22 certificate of the clerk of court.

23           \***-1261/5.956\*** \***-1261/P3.596\*** SECTION 3761. 814.75 (22m) of the statutes is  
24 amended to read:

1           814.75 (22m) The supplemental food enforcement surcharge under s. 253.06  
2           49.17 (4) (c).

3           \***-1261/5.957\*** \***-1261/P3.597\*** SECTION 3762. 814.76 (15m) of the statutes is  
4           amended to read:

5           814.76 (15m) The supplemental food enforcement surcharge under s. 253.06  
6           49.17 (4) (c).

7           \***-1261/5.958\*** \***-1261/P3.598\*** SECTION 3763. 814.80 (11) of the statutes is  
8           amended to read:

9           814.80 (11) The supplemental food enforcement surcharge under s. 253.06  
10          49.17 (4) (c).

11          \***-1261/5.959\*** \***-1261/P3.599\*** SECTION 3764. 859.07 (2) (a) (intro.) of the  
12          statutes is amended to read:

13          859.07 (2) (a) (intro.) The personal representative shall provide notice of the  
14          date set under s. 859.01 to the department of health and family services, the  
15          department of children and families, or the department of corrections, as applicable,  
16          and to the county clerk of the decedent's county of residence, as defined in s. 49.001  
17          (6) if, at any time prior to or at the time of the decedent's death, any of the following  
18          applied:

19          \***-1261/5.960\*** \***-1261/P3.600\*** SECTION 3765. 859.07 (2) (a) 2. of the statutes  
20          is amended to read:

21          859.07 (2) (a) 2. The decedent was responsible for any obligation owing to the  
22          state or a county under s. 46.03 (18), 46.10, 48.36, 49.32 (1), 49.345, 301.03 (18),  
23          301.12, or 938.36.

24          \***-1261/5.961\*** \***-1261/P3.601\*** SECTION 3766. 859.15 of the statutes is  
25          amended to read:

## SECTION 3766

1           **859.15 Effect of statute of limitations.** Except as provided in ss. 46.10 (11),  
2           49.08 and, 49.195 (1), 49.345 (11), and 301.12 (11), a claim shall not be allowed which  
3           that was barred by any statute of limitations at the time of the decedent's death. A  
4           claim shall not be barred by statutes of limitation which that was not barred at the  
5           time of the decedent's death if the claim is filed against the decedent's estate in the  
6           court on or before the deadline for filing a claim under s. 859.01.

7           \***-1261/5.962\* \*-1267/P1.406\* SECTION 3767.** 885.01 (5) of the statutes is  
8           amended to read:

9           885.01 (5) By the department of ~~workforce development~~ children and families  
10           or a county child support agency under s. 59.53 (5) in the administration of ss. 49.145,  
11           49.19, 49.22, 49.46 and 49.47 and programs carrying out the purposes of 7 USC 2011  
12           to 2029.

13           \***-0905/3.87\* SECTION 3768.** 885.01 (5) of the statutes, as affected by 2007  
14           Wisconsin Act .... (this act), is amended to read:

15           885.01 (5) By the department of children and families or a county child support  
16           agency under s. 59.53 (5) in the administration of ss. 49.145, 49.19, 49.22, 49.46 and,  
17           49.47, and 49.471 and programs carrying out the purposes of 7 USC 2011 to 2029.

\*\*\*\*NOTE: This is reconciled s. 885.01 (5). This SECTION has been affected by drafts  
with the following LRB numbers: LRB-0905 and LRB-1261.

18           \***-0111/3.1\* SECTION 3769.** 885.38 (3) (a) (intro.) of the statutes is amended to  
19           read:

20           885.38 (3) (a) (intro.) ~~In criminal proceedings and in proceedings under ch. 48,~~  
21           ~~51, 55, or 938, if~~ If the court determines that the person has limited English  
22           proficiency and that an interpreter is necessary, the court shall advise the person  
23           that he or she has the right to a qualified interpreter ~~and that, if the person cannot~~

1 ~~afford one, an interpreter will be provided~~ at the public's expense if the person is one  
2 of the following:

3 **\*-0111/3.2\* SECTION 3770.** 885.38 (8) (a) (intro.) of the statutes is amended to  
4 read:

5 885.38 (8) (a) (intro.) Except as provided in par. (b), the necessary expenses of  
6 providing qualified interpreters to indigent persons with limited English proficiency  
7 under this section shall be paid as follows:

8 **\*-0444/P2.24\* SECTION 3771.** 893.981 of the statutes is created to read:

9 **893.981 False claims.** An action or claim under s. 20.931 shall be commenced  
10 within 10 years after the cause of the action or claim accrues or be barred.

11 **\*-1261/5.963\* \*-1261/P3.602\* SECTION 3772.** 895.45 (1) (a) of the statutes is  
12 amended to read:

13 895.45 (1) (a) "Abusive conduct" means domestic abuse, as defined under s.  
14 ~~46.95~~ 49.165 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined under  
15 s. 813.125 (1), sexual exploitation by a therapist under s. 940.22, sexual assault  
16 under s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under  
17 ss. 948.02 to 948.11.

18 **\*-1261/5.964\* \*-1267/P1.407\* SECTION 3773.** 895.4803 of the statutes is  
19 amended to read:

20 **895.4803 Civil liability exemption; information concerning paternity.**

21 Any member of the staff of a hospital who is designated by the hospital and trained  
22 by the department of ~~workforce development~~ children and families under s. 69.14 (1)  
23 (cm) and who in good faith provides to a child's available parents written information  
24 that is provided by the department of ~~workforce development~~ children and families  
25 and oral information or an audio or video presentation about the form that is

1 prescribed by the state registrar under s. 69.15 (3) (b) 3. and about the significance  
2 and benefits of, and alternatives to, establishing paternity, under the requirements  
3 of s. 69.14 (1) (cm), is immune from civil liability for his or her acts or omissions in  
4 providing that oral information or audio or video presentation and written  
5 information.

6 **\*-1261/5.965\* \*-1261/P3.603\* SECTION 3774.** 895.485 (4) (a) of the statutes  
7 is amended to read:

8 895.485 (4) (a) The agency has failed to provide the foster, treatment foster, or  
9 family-operated group home parent with any information relating to a medical,  
10 physical, mental, or emotional condition of the child that it is required to disclose  
11 under this paragraph. The department of ~~health and family services~~ children and  
12 families shall promulgate rules specifying the kind of information that an agency  
13 shall disclose to a foster, treatment foster, or family-operated group home parent  
14 which relates to a medical, physical, mental, or emotional condition of the child.

15 **\*-1261/5.966\* \*-1267/P1.408\* SECTION 3775.** 905.15 (1) of the statutes is  
16 amended to read:

17 905.15 (1) An employee of the department of health and family services, the  
18 department of ~~workforce development~~ children and families or a county department  
19 under s. 46.215, 46.22 or 46.23 or a member of a governing body of a federally  
20 recognized American Indian tribe who is authorized by federal law to have access to  
21 or awareness of the federal tax return information of another in the performance of  
22 duties under s. 49.19 or 49.45 or 7 USC 2011 to 2049 may claim privilege to refuse  
23 to disclose the information and the source or method by which he or she received or  
24 otherwise became aware of the information.