

1 ↪ **SECTION 57.** 55.01 (6g) of the statutes, as created by 2005 Wisconsin Act 388,
2 is renumbered 55.01 (6w).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Renumbers provision to maintain alphabetical order of definitions.

3 ↪ **SECTION 58.** 55.01 (6t) of the statutes, as created by 2005 Wisconsin Act 387,
4 is renumbered 55.01 (6s).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 264 also created a provision numbered s. 55.01 (6t).

5 ↪ **SECTION 59.** 55.06 (3) (d) of the statutes, as created by 2005 Wisconsin Act 387,
6 is renumbered 55.075 (5) (bm).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 264 renumbered s. 55.06 (3) (c) to s. 55.075 (5) (a).

7 ↪ **SECTION 60.** 66.0216 (1) (a) (intro.) of the statutes, as created by 2005 Wisconsin
8 Act 25, is renumbered 66.0216 (1) (intro.).

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b). This provision is introductory to paragraphs (b) to (h) and should have been created as a subsection (intro.) provision.

9 ↪ **SECTION 61.** 66.0617 (9) (a) of the statutes, as affected by 2005 Wisconsin Act
10 477, is amended to read:

11 66.0617 (9) (a) Subject to par. (b), an ordinance enacted under this section shall
12 specify that impact fees that are imposed and collected by a municipality but are not
13 used within 7 years after they are collected to pay the capital costs for which they
14 were imposed shall be refunded to the current owner of the property with respect to
15 which the impact fees were imposed, along with any interest that has accumulated,
16 ~~in~~ as described in sub. (8). The ordinance shall specify, by type of public facility,
17 reasonable time periods within which impact fees must be spent or refunded under
18 this subsection, subject to the 7-year limit in this paragraph and the extended time
19 period specified in par. (b). In determining the length of the time periods under the

1 ordinance, a municipality shall consider what are appropriate planning and
2 financing periods for the particular types of public facilities for which the impact fees
3 are imposed.

NOTE: Inserts correct word.

4 + SECTION 62. 66.0617 (9) (b) of the statutes, as created by 2005 Wisconsin Act
5 203, is amended to read:

6 66.0617 (9) (b) The 7-year time limit for using impact fees that is specified
7 under par. (a) may be extended for 3 years if the ~~political subdivision~~ municipality
8 adopts a resolution stating that, due to extenuating circumstances or hardship in
9 meeting the 7-year limit, it needs an additional 3 years to use the impact fees that
10 were collected. The resolution shall specify the extenuating circumstances or
11 hardship that led to the need to adopt a resolution under this paragraph.

NOTE: 2005 Wis. Act 203 created this provision. 2005 Wis. Act 477 changed the
term "political subdivision" to "municipality" throughout all of the previously existing s.
66.0617 without taking the creation of sub. (9) (b) into account.

NOTE: See my change to note. CJS

12 + SECTION 63. 66.1105 (4) (gm) 4. a. of the statutes is amended to read:

13 66.1105 (4) (gm) 4. a. Not less than 50%, by area, of the real property within
14 the district is at least one of the following: a blighted area; in need of rehabilitation
15 or conservation work, as defined in s. 66.1337 (2m) (b) ~~(a)~~; suitable for industrial sites
16 within the meaning of s. 66.1101 and has been zoned for industrial use; or suitable
17 for mixed-use development; and

NOTE: Corrects cross-reference. "Rehabilitation or conservation work" is defined
in s. 66.1337 (2m) (a).

18 + SECTION 64. 66.1333 (5r) (b) 2. b. of the statutes, as affected by 2005 Wisconsin
19 Act 453, section 4, is renumbered 66.1333 (5r) (b) 1. b.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act
453 renumbered s. 66.1333 (5r) (b) 2. to s. 66.1333 (5r) (b) 2. b. but renumbered the

remainder of s. 66.1333 (5r) (b) 2. to s. 66.1333 (5r) (b) 1. (intro.) and a. It did not renumber or create any other provision as a part of s. 66.1333 (5r) (b) 2.

1 ~~SECTION 65.~~ 70.511 (2) (bm) of the statutes, as created by 2005 Wisconsin Act
2 405, is amended to read:

3 70.511 (2) (bm) No later than July 1 of each year, each municipality that pays
4 a refund under par. (b) for property that is assessed under s. 70.995 shall notify the
5 department of administration of the amount of all such refunds paid by the
6 municipality in the previous fiscal year. Annually, no later than the 3rd Monday in
7 November, from the appropriation account under s. 20.835 (2) ~~(bm)~~ (br), the
8 department of administration shall pay to each municipality that pays a refund
9 under par. (b) for property that is assessed under s. 70.995 an amount that is equal
10 to 20 percent of the interest on such refunds paid by the municipality in the previous
11 fiscal year and that has accrued up to the date of the determination by the tax appeals
12 commission of the municipality's obligation.

NOTE: Section 20.835 (2) (bm), as created by 2004 Wisconsin Act 405, is renumbered 20.835 (2) (br) by this bill.

13 ~~SECTION 66.~~ 71.05 (6) (a) 15. of the statutes, as affected by 2005 Wisconsin Acts
14 361, 479 and 483, is amended to read:

15 71.05 (6) (a) 15. The amount of the credits computed under s. 71.07 (2dd), (2de),
16 (2di), (2dj), (2dL), (2dm), (2dr), (2ds), (2dx), (3g), (3n), (3s), (3t), (3w), (5b), (5d), and
17 (5e), (5f), and (5h) and not passed through by a partnership, limited liability
18 company, or tax-option corporation that has added that amount to the partnership's,
19 company's, or tax-option corporation's income under s. 71.21 (4) or 71.34 (1) (g).

NOTE: Deletes extra "and".

20 ~~SECTION 67.~~ 71.07 (2dm) (a) 1. of the statutes, as affected by 2005 Wisconsin
21 Act 487, is amended to read:

1 71.07 (2dm) (a) 1. "Certified" means entitled under s. 560.795 (3) (a) 4. to claim
2 tax benefits or certified under s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4).

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

3 ~~SECTION 68.~~ 71.07 (2dm) (a) 3. of the statutes, as affected by 2005 Wisconsin
4 Act 487, is amended to read:

5 71.07 (2dm) (a) 3. "Development zone" means a development opportunity zone
6 under s. 560.795 (1) (e) and (f) or 560.798, or an airport development zone under s.
7 ~~560.799~~ 560.7995.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

8 ~~SECTION 69.~~ 71.07 (2dm) (f) 1. of the statutes, as affected by 2005 Wisconsin Act
9 487, is amended to read:

10 71.07 (2dm) (f) 1. A copy of a verification from the department of commerce that
11 the claimant may claim tax benefits under s. 560.795 (3) (a) 4. or is certified under
12 s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4).

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

13 ~~SECTION 70.~~ 71.07 (2dm) (j) of the statutes, as affected by 2005 Wisconsin Act
14 487, is amended to read:

15 71.07 (2dm) (j) If a person who is entitled under s. 560.795 (3) (a) 4. to claim
16 tax benefits becomes ineligible for such tax benefits, or if a person's certification
17 under s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4) is revoked, that person may
18 claim no credits under this subsection for the taxable year that includes the day on
19 which the person becomes ineligible for tax benefits, the taxable year that includes
20 the day on which the certification is revoked, or succeeding taxable years, and that
21 person may carry over no unused credits from previous years to offset tax under this

1 chapter for the taxable year that includes the day on which the person becomes
2 ineligible for tax benefits, the taxable year that includes the day on which the
3 certification is revoked, or succeeding taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

4 ~~SECTION 71.~~ 71.07 (2dm) (k) of the statutes, as affected by 2005 Wisconsin Act
5 487, is amended to read:

6 71.07 (2dm) (k) If a person who is entitled under s. 560.795 (3) (a) 4. to claim
7 tax benefits or certified under s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4)
8 ceases business operations in the development zone during any of the taxable years
9 that that zone exists, that person may not carry over to any taxable year following
10 the year during which operations cease any unused credits from the taxable year
11 during which operations cease or from previous taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

12 ~~SECTION 72.~~ 71.07 (2dx) (a) 2. of the statutes, as affected by 2005 Wisconsin Act
13 487, is amended to read:

14 71.07 (2dx) (a) 2. "Development zone" means a development zone under s.
15 560.70, a development opportunity zone under s. 560.795, an enterprise
16 development zone under s. 560.797, an agricultural development zone under s.
17 560.798, or an airport development zone under s. ~~560.799~~ 560.7995.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

18 ~~SECTION 73.~~ 71.07 (2dx) (b) (intro.) of the statutes, as affected by 2005
19 Wisconsin Act 487, is amended to read:

20 71.07 (2dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and
21 in s. 73.03 (35), and subject to s. 560.785, for any taxable year for which the person

1 is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3),
2 560.797 (4), 560.798 (3), or ~~560.799~~ 560.7995 (4), any person may claim as a credit
3 against the taxes otherwise due under this chapter the following amounts:

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

4 ~~SECTION 74.~~ 71.07 (2dx) (c) of the statutes, as affected by 2005 Wisconsin Act
5 487, is amended to read:

6 71.07 (2dx) (c) *Credit precluded.* If the certification of a person for tax benefits
7 under s. 560.765 (3), 560.797 (4), 560.798 (3), or ~~560.799~~ 560.7995 (4) is revoked, or
8 if the person becomes ineligible for tax benefits under s. 560.795 (3), that person may
9 not claim credits under this subsection for the taxable year that includes the day on
10 which the certification is revoked; the taxable year that includes the day on which
11 the person becomes ineligible for tax benefits; or succeeding taxable years and that
12 person may not carry over unused credits from previous years to offset tax under this
13 chapter for the taxable year that includes the day on which certification is revoked;
14 the taxable year that includes the day on which the person becomes ineligible for tax
15 benefits; or succeeding taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

16 ~~SECTION 75.~~ 71.07 (2dx) (d) of the statutes, as affected by 2005 Wisconsin Act
17 487, is amended to read:

18 71.07 (2dx) (d) *Carry-over precluded.* If a person who is entitled under s.
19 560.795 (3) to claim tax benefits or certified under s. 560.765 (3), 560.797 (4), 560.798
20 (3), or ~~560.799~~ 560.7995 (4) for tax benefits ceases business operations in the
21 development zone during any of the taxable years that that zone exists, that person
22 may not carry over to any taxable year following the year during which operations

1 cease any unused credits from the taxable year during which operations cease or
2 from previous taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

3 ~~+~~ **SECTION 76.** The treatment of 71.10 (4) (i) of the statutes by 2005 Wisconsin Act
4 361 is not repealed by 2005 Wisconsin Act 483. All treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 71.10 (4) (i)
reads:

(i) The total of claim of right credit under s. 71.07 (1), farmland preservation credit
under subch. IX, homestead credit under subch. VIII, farmland tax relief credit under s.
71.07 (3m), farmers' drought property tax credit under s. 71.07 (2fd), film production
services credit under s. 71.07 (5f) (b) 2., veterans and surviving spouses property tax
credit under s. 71.07 (6e), enterprise zone jobs credit under s. 71.07 (3w), earned income
tax credit under s. 71.07 (9e), estimated tax payments under s. 71.09, and taxes withheld
under subch. X.

5 ~~+~~ **SECTION 77.** The treatments of 71.21 (4) of the statutes by 2005 Wisconsin Acts
6 74, 361 and 479 are not repealed by 2005 Wisconsin Act 483. All treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 71.21 (4) reads:

(4) Credits computed by a partnership under s. 71.07 (2dd), (2de), (2di), (2dj),
(2dL), (2dm), (2ds), (2dx), (3g), (3n), (3s), (3t), (3w), (5b), (5e), (5f), (5g), and (5h) and
passed through to partners shall be added to the partnership's income.

7 ~~+~~ **SECTION 78.** The treatments of 71.26 (2) (a) of the statutes by 2005 Wisconsin
8 Acts 74, 361 and 479 are not repealed by 2005 Wisconsin Act 483. All treatments
9 stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 71.26 (2) (a)
reads:

(a) *Corporations in general.* The "net income" of a corporation means the gross
income as computed under the Internal Revenue Code as modified under sub. (3) minus
the amount of recapture under s. 71.28 (1di) plus the amount of credit computed under
s. 71.28 (1), (3), (4), and (5) minus, as provided under s. 71.28 (3) (c) 7., the amount of the
credit under s. 71.28 (3) that the taxpayer added to income under this paragraph at the
time that the taxpayer first claimed the credit plus the amount of the credit computed
under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx), (3g), (3n), (3t), (3w), (5b),
(5e), (5f), (5g), and (5h) and not passed through by a partnership, limited liability
company, or tax-option corporation that has added that amount to the partnership's,
limited liability company's, or tax-option corporation's income under s. 71.21 (4) or 71.34
(1) (g) plus the amount of losses from the sale or other disposition of assets the gain from
which would be wholly exempt income, as defined in sub. (3) (L), if the assets were sold
or otherwise disposed of at a gain and minus deductions, as computed under the Internal
Revenue Code as modified under sub. (3), plus or minus, as appropriate, an amount equal

to the difference between the federal basis and Wisconsin basis of any asset sold, exchanged, abandoned, or otherwise disposed of in a taxable transaction during the taxable year, except as provided in par. (b) and s. 71.45 (2) and (5).

1 ~~SECTION 79.~~ 71.28 (1dm) (a) 1. of the statutes, as affected by 2005 Wisconsin
2 Act 487, is amended to read:

3 71.28 (1dm) (a) 1. "Certified" means entitled under s. 560.795 (3) (a) 4. to claim
4 tax benefits or certified under s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4).

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

5 ~~SECTION 80.~~ 71.28 (1dm) (a) 3. of the statutes, as affected by 2005 Wisconsin Act
6 487, is amended to read:

7 71.28 (1dm) (a) 3. "Development zone" means a development opportunity zone
8 under s. 560.795 (1) (e) and (f) or 560.798, or an airport development zone under s.
9 ~~560.799~~ 560.7995.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

10 ~~SECTION 81.~~ 71.28 (1dm) (f) 1. of the statutes, as affected by 2005 Wisconsin Act
11 487, is amended to read:

12 71.28 (1dm) (f) 1. A copy of a verification from the department of commerce that
13 the claimant may claim tax benefits under s. 560.795 (3) (a) 4. or is certified under
14 s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4).

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

15 ~~SECTION 82.~~ 71.28 (1dm) (j) of the statutes, as affected by 2005 Wisconsin Act
16 487, is amended to read:

17 71.28 (1dm) (j) If a person who is entitled under s. 560.795 (3) (a) 4. to claim
18 tax benefits becomes ineligible for such tax benefits, or if a person's certification
19 under s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4) is revoked, that person may

1 claim no credits under this subsection for the taxable year that includes the day on
2 which the person becomes ineligible for tax benefits, the taxable year that includes
3 the day on which the certification is revoked, or succeeding taxable years, and that
4 person may carry over no unused credits from previous years to offset tax under this
5 chapter for the taxable year that includes the day on which the person becomes
6 ineligible for tax benefits, the taxable year that includes the day on which the
7 certification is revoked, or succeeding taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

8 ~~SECTION 83.~~ 71.28 (1dm) (k) of the statutes, as affected by 2005 Wisconsin Act
9 487 is amended to read:

10 71.28 (1dm) (k) If a person who is entitled under s. 560.795 (3) (a) 4. to claim
11 tax benefits or certified under s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4)
12 ceases business operations in the development zone during any of the taxable years
13 that that zone exists, that person may not carry over to any taxable year following
14 the year during which operations cease any unused credits from the taxable year
15 during which operations cease or from previous taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

16 ~~SECTION 84.~~ 71.28 (1dx) (a) 2. of the statutes, as affected by 2005 Wisconsin Act
17 487, is amended to read:

18 71.28 (1dx) (a) 2. "Development zone" means a development zone under s.
19 560.70, a development opportunity zone under s. 560.795, an enterprise
20 development zone under s. 560.797, an agricultural development zone under s.
21 560.798, or an airport development zone under s. ~~560.799~~ 560.7995.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

1 **SECTION 85.** 71.28 (1dx) (b) (intro.) of the statutes, as affected by 2005
2 Wisconsin Act 487, is amended to read:

3 71.28 (1dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and
4 in s. 73.03 (35), and subject to s. 560.785, for any taxable year for which the person
5 is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3),
6 560.797 (4), 560.798 (3), or ~~560.799~~ 560.7995 (4), any person may claim as a credit
7 against the taxes otherwise due under this chapter the following amounts:

 NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
 by this bill.

8 **SECTION 86.** 71.28 (1dx) (c) of the statutes, as affected by 2005 Wisconsin Act
9 487, is amended to read:

10 71.28 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits
11 under s. 560.765 (3), 560.797 (4), 560.798 (3), or ~~560.799~~ 560.7995 (4) is revoked, or
12 if the person becomes ineligible for tax benefits under s. 560.795 (3), that person may
13 not claim credits under this subsection for the taxable year that includes the day on
14 which the certification is revoked; the taxable year that includes the day on which
15 the person becomes ineligible for tax benefits; or succeeding taxable years and that
16 person may not carry over unused credits from previous years to offset tax under this
17 chapter for the taxable year that includes the day on which certification is revoked;
18 the taxable year that includes the day on which the person becomes ineligible for tax
19 benefits; or succeeding taxable years.

 NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
 by this bill.

20 **SECTION 87.** 71.28 (1dx) (d) of the statutes, as affected by 2005 Wisconsin Act
21 487, is amended to read:

1 71.28 (1dx) (d) *Carry-over precluded.* If a person who is entitled under s.
2 560.795 (3) to claim tax benefits or certified under s. 560.765 (3), 560.797 (4), 560.798
3 (3), or ~~560.799~~ 560.7995 (4) for tax benefits ceases business operations in the
4 development zone during any of the taxable years that that zone exists, that person
5 may not carry over to any taxable year following the year during which operations
6 cease any unused credits from the taxable year during which operations cease or
7 from previous taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

8 **SECTION 88.** The treatment of 71.28 (4) (a) of the statutes by 2005 Wisconsin
9 Act 25 is not repealed by 2005 Wisconsin Act 452. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 71.28 (4) (ad)
1., as renumbered from s. 71.28 (4) (a) by 2005 Wis. Act 452, reads:

1. Except as provided in subs. 2. and 3., any corporation may credit against taxes
otherwise due under this chapter an amount equal to 5 percent of the amount obtained
by subtracting from the corporation's qualified research expenses, as defined in section
41 of the Internal Revenue Code, except that "qualified research expenses" includes only
expenses incurred by the claimant, incurred for research conducted in this state for the
taxable year, except that a taxpayer may elect the alternative computation under section
41 (c) (4) of the Internal Revenue Code and that election applies until the department
permits its revocation, except as provided in par. (af), and except that "qualified research
expenses" does not include compensation used in computing the credit under subs. (1dj)
and (1dx), the corporation's base amount, as defined in section 41 (c) of the Internal
Revenue Code, except that gross receipts used in calculating the base amount means
gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (d), (df),
and (dh). Section 41 (h) of the Internal Revenue Code does not apply to the credit under
this paragraph.

10 **SECTION 89.** The treatment of 71.28 (4) (am) 1. of the statutes by 2005
11 Wisconsin Act 25 is not repealed by 2005 Wisconsin Act 452. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 71.28 (4) (am)
1. reads:

1. In addition to the credit under par. (ad), any corporation may credit against
taxes otherwise due under this chapter an amount equal to 5 percent of the amount
obtained by subtracting from the corporation's qualified research expenses, as defined in
section 41 of the Internal Revenue Code, except that "qualified research expenses"
include only expenses incurred by the claimant in a development zone under subch. VI
of ch. 560, except that a taxpayer may elect the alternative computation under section 41
(c) (4) of the Internal Revenue Code and that election applies until the department
permits its revocation and except that "qualified research expenses" do not include

compensation used in computing the credit under sub. (1dj) nor research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), the corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code, in a development zone, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (d), (df), and (dh) and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), in a development zone, if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 560.765 (3) and a statement from the department of commerce verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this subdivision. The rules under sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims under this subdivision. Section 41 (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

1 ~~SECTION 90.~~ The treatments of 71.34 (1) (g) of the statutes by 2005 Wisconsin
2 Acts 74, 361 and 479 are not repealed by 2005 Wisconsin Act 483. All treatments
3 stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 71.34 (1) (g) reads:

(g) An addition shall be made for credits computed by a tax-option corporation under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx), (3), (3g), (3n), (3t), (3w), (5b), (5e), (5f), (5g), and (5h) and passed through to shareholders.

4 ~~SECTION 91.~~ The treatments of 71.45 (2) (a) 10. of the statutes by 2005
5 Wisconsin Acts 74, 361 and 479 are not repealed by 2005 Wisconsin Act 483. All
6 treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 71.45 (2) (a) 10. reads:

10. By adding to federal taxable income the amount of credit computed under s. 71.47 (1dd) to (1dx), (3n), (3w), (5b), (5e), (5f), (5g), and (5h) and not passed through by a partnership, limited liability company, or tax-option corporation that has added that amount to the partnership's, limited liability company's, or tax-option corporation's income under s. 71.21 (4) or 71.34 (1) (g) and the amount of credit computed under s. 71.47 (1), (3), (3t), (4), and (5).

7 ~~SECTION 92.~~ 71.47 (1dm) (a) 1. of the statutes, as affected by 2005 Wisconsin
8 Act 487, is amended to read:

9 71.47 (1dm) (a) 1. "Certified" means entitled under s. 560.795 (3) (a) 4. to claim
10 tax benefits or certified under s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4).

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

1 ~~SECTION 93.~~ 71.47 (1dm) (a) 3. of the statutes, as affected by 2005 Wisconsin
2 Act 487, is amended to read:

3 71.47 (1dm) (a) 3. "Development zone" means a development opportunity zone
4 under s. 560.795 (1) (e) and (f) or 560.798, or an airport development zone under s.
5 ~~560.799~~ 560.7995.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

6 ~~SECTION 94.~~ 71.47 (1dm) (f) 1. of the statutes, as affected by 2005 Wisconsin Act
7 487, is amended to read:

8 71.47 (1dm) (f) 1. A copy of a verification from the department of commerce that
9 the claimant may claim tax benefits under s. 560.795 (3) (a) 4. or is certified under
10 s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4).

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995
by this bill.

11 ~~SECTION 95.~~ 71.47 (1dm) (j) of the statutes, as affected by 2005 Wisconsin Act
12 487, is amended to read:

13 71.47 (1dm) (j) If a person who is entitled under s. 560.795 (3) (a) 4. to claim
14 tax benefits becomes ineligible for such tax benefits, or if a person's certification
15 under s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4) is revoked, that person may
16 claim no credits under this subsection for the taxable year that includes the day on
17 which the person becomes ineligible for tax benefits, the taxable year that includes
18 the day on which the certification is revoked, or succeeding taxable years, and that
19 person may carry over no unused credits from previous years to offset tax under this
20 chapter for the taxable year that includes the day on which the person becomes
21 ineligible for tax benefits, the taxable year that includes the day on which the
22 certification is revoked, or succeeding taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

1 ~~SECTION 96.~~ 71.47 (1dm) (k) of the statutes, as affected by 2005 Wisconsin Act
2 487, is amended to read:

3 71.47 (1dm) (k) If a person who is entitled under s. 560.795 (3) (a) 4. to claim
4 tax benefits or certified under s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4)
5 ceases business operations in the development zone during any of the taxable years
6 that that zone exists, that person may not carry over to any taxable year following
7 the year during which operations cease any unused credits from the taxable year
8 during which operations cease or from previous taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

9 ~~SECTION 97.~~ 71.47 (1dx) (a) 2. of the statutes, as affected by 2005 Wisconsin Act
10 487, is amended to read:

11 71.47 (1dx) (a) 2. "Development zone" means a development zone under s.
12 560.70, a development opportunity zone under s. 560.795 or an enterprise
13 development zone under s. 560.797, an agricultural development zone under s.
14 560.798, or an airport development zone under s. ~~560.799~~ 560.7995.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

15 ~~SECTION 98.~~ 71.47 (1dx) (b) (intro.) of the statutes, as affected by 2005
16 Wisconsin Act 487, is amended to read:

17 71.47 (1dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and
18 in s. 73.03 (35), and subject to s. 560.785, for any taxable year for which the person
19 is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3),
20 560.797 (4), 560.798 (3), or ~~560.799~~ 560.7995 (4), any person may claim as a credit
21 against the taxes otherwise due under this chapter the following amounts:

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

1 ~~SECTION 99.~~ 71.47 (1dx) (c) of the statutes, as affected by 2005 Wisconsin Act
2 487, is amended to read:

3 71.47 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits
4 under s. 560.765 (3), 560.797 (4), 560.798 (3), or ~~560.799~~ 560.7995 (4) is revoked, or
5 if the person becomes ineligible for tax benefits under s. 560.795 (3), that person may
6 not claim credits under this subsection for the taxable year that includes the day on
7 which the certification is revoked; the taxable year that includes the day on which
8 the person becomes ineligible for tax benefits; or succeeding taxable years and that
9 person may not carry over unused credits from previous years to offset tax under this
10 chapter for the taxable year that includes the day on which certification is revoked;
11 the taxable year that includes the day on which the person becomes ineligible for tax
12 benefits; or succeeding taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

13 ~~SECTION 100.~~ 71.47 (1dx) (d) of the statutes, as affected by 2005 Wisconsin Act
14 487, is amended to read:

15 71.47 (1dx) (d) *Carry-over precluded.* If a person who is entitled under s.
16 560.795 (3) to claim tax benefits or certified under s. 560.765 (3), 560.797 (4), 560.798
17 (3), or ~~560.799~~ 560.7995 (4) for tax benefits ceases business operations in the
18 development zone during any of the taxable years that that zone exists, that person
19 may not carry over to any taxable year following the year during which operations
20 cease any unused credits from the taxable year during which operations cease or
21 from previous taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

1 **SECTION 101.** The treatment of 71.47 (4) (a) of the statutes by 2005 Wisconsin
2 Act 25 is not repealed by 2005 Wisconsin Act 452. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 71.47 (4) (ad) 1., as renumbered from 71.47 (4) (a) by 2005 Wis. Act 452, reads:

1. Except as provided in subds. 2. and 3., any corporation may credit against taxes otherwise due under this chapter an amount equal to 5 percent of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant, incurred for research conducted in this state for the taxable year, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation, except as provided in par. (af), and except that "qualified research expenses" does not include compensation used in computing the credit under subs. (1dj) and (1dx), the corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (d), (df), and (dh). Section 41 (h) of the Internal Revenue Code does not apply to the credit under this paragraph.

3 **SECTION 102.** The treatment of 71.47 (4) (am) of the statutes by 2005 Wisconsin
4 Act 25 is not repealed by 2005 Wisconsin Act 452. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 71.47 (4) (am) reads:

(am) *Development zone additional research credit.* In addition to the credit under par. (ad), any corporation may credit against taxes otherwise due under this chapter an amount equal to 5 percent of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" include only expenses incurred by the claimant in a development zone under subch. VI of ch. 560, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation and except that "qualified research expenses" do not include compensation used in computing the credit under sub. (1dj) nor research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), the corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code, in a development zone, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (d), (df), and (dh) and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), in a development zone, if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 560.765 (3) and a statement from the department of commerce verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this paragraph. The rules under sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims under this paragraph. Section 41 (h) of the Internal Revenue Code does not apply to the credit under this paragraph. No credit may be claimed under this paragraph for taxable years that begin on January 1, 1998, or thereafter. Credits under this paragraph for taxable years that begin before January 1, 1998, may be carried forward to taxable years that begin on January 1, 1998, or thereafter.

1 ~~SECTION 103.~~ The treatment of 71.935 (1) (a) of the statutes by 2005 Wisconsin
2 Act 254 is not repealed by 2005 Wisconsin Act 454. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 71.935 (1) (a) reads:

(a) "Debt" means a parking citation of at least \$20 that is unpaid and for which there has been no court appearance by the date specified in the citation or, if no date is specified, that is unpaid for at least 28 days; an unpaid fine, fee, restitution or forfeiture of at least \$20; and any other debt that is at least \$20, including debt related to property taxes, if the debt has been reduced to a judgment or the municipality or county to which the debt is owed has provided the debtor reasonable notice and an opportunity to be heard with regard to the debt.

3 ~~SECTION 104.~~ The treatments of 77.92 (4) of the statutes by 2005 Wisconsin
4 Acts 74, 361 and 479 are not repealed by 2005 Wisconsin Act 483. All treatments
5 stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 77.92 (4) reads:

(4) "Net business income," with respect to a partnership, means taxable income as calculated under section 703 of the Internal Revenue Code; plus the items of income and gain under section 702 of the Internal Revenue Code, including taxable state and municipal bond interest and excluding nontaxable interest income or dividend income from federal government obligations; minus the items of loss and deduction under section 702 of the Internal Revenue Code, except items that are not deductible under s. 71.21; plus guaranteed payments to partners under section 707 (c) of the Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dm), (2dr), (2ds), (2dx), (3g), (3s), (3n), (3t), (3w), (5b), (5e), (5f), (5g), and (5h); and plus or minus, as appropriate, transitional adjustments, depreciation differences, and basis differences under s. 71.05 (13), (15), (16), (17), and (19); but excluding income, gain, loss, and deductions from farming. "Net business income," with respect to a natural person, estate, or trust, means profit from a trade or business for federal income tax purposes and includes net income derived as an employee as defined in section 3121 (d) (3) of the Internal Revenue Code.

6 ~~SECTION 105.~~ 77.9961 (1) (b) of the statutes is amended to read:
7 77.9961 (1) (b) The department may require, before or after the license is
8 issued, that any person who submits an application for a license under par. (a)
9 provide a security deposit to the department. For purposes of this paragraph, s.
10 77.61 (2), as it applies to a security deposit related to a seller's permit, applies to the
11 a security deposit required under this subsection.

NOTE: Deletes unnecessary word.

12 ~~SECTION 106.~~ 87.304 (2) (a) 1. of the statutes is amended to read:

1 87.304 (2) (a) 1. Issuing variances to floodplain zoning ordinances that will be
2 consistent with 44 CFR ~~606~~ 60.6 but that will allow repair or rehabilitation of historic
3 properties in floodplains to the maximum extent feasible.

NOTE: Inserts missing decimal point. There is no 44 CFR 606. Variances and exceptions to floodplain management regulations are governed by 44 CFR 60.6.

4 + **SECTION 107.** 101.985 (4) of the statutes, as created by 2005 Wisconsin Act 456,
5 is amended to read:

6 101.985 (4) **CRIMINAL BACKGROUND CHECK.** Upon receipt of an application for a
7 license under sub. (1), (2) (a), or (3), the department, with the assistance of the
8 department of justice, shall conduct a background investigation of the applicant to
9 determine if the information provided by the applicant under sub. (7) (a) 10. is true
10 and if the applicant has any arrests or convictions tending to indicate that the
11 applicant is not adequately qualified and able to provide services authorized under
12 the license applied for.

NOTE: Inserts missing article.

13 + **SECTION 108.** The treatment of 111.01 (2) of the statutes by 2005 Wisconsin Act
14 253 is not repealed by 2005 Wisconsin Act 441. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 111.01 (2) reads:

(2) Industrial peace, regular and adequate income for the employee, and uninterrupted production of goods and services are promotive of all of these interests. They are largely dependent upon the maintenance of fair, friendly, and mutually satisfactory employment relations and the availability of suitable machinery for the peaceful adjustment of whatever controversies may arise. It is recognized that certain employers, including farmers, farmer cooperatives, and unincorporated farmer cooperative associations, in addition to their general employer problems, face special problems arising from perishable commodities and seasonal production which require adequate consideration. It is also recognized that whatever may be the rights of disputants with respect to each other in any controversy regarding employment relations, they should not be permitted, in the conduct of their controversy, to intrude directly into the primary rights of 3rd parties to earn a livelihood, transact business, and engage in the ordinary affairs of life by any lawful means and free from molestation, interference, restraint, or coercion.

1 ~~SECTION 109.~~ 165.25 (4) (ar) of the statutes, as affected by 2005 Wisconsin Act
2 458, is amended to read:

3 165.25 (4) (ar) The department of justice shall furnish all legal services
4 required by the department of agriculture, trade and consumer protection relating
5 to the enforcement of ss. 100.171, 100.173, 100.174, 100.175, 100.177, 100.18,
6 100.182, 100.195, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37, 100.42,
7 100.50, and 100.51, ~~and 100.195~~ and chs. 126, 136, 344, 704, 707, and 779, together
8 with any other services as are necessarily connected to the legal services.

NOTE: Places cross-references in numerical order consistent with current style.

NOTE: The Act 458 treatment has a delayed effective date. This section needs the
same effective date. Please add. CJS

9 ~~SECTION 110.~~ 182.0715 (2r) of the statutes, as created by 2005 Wisconsin Act
10 425, is renumbered 182.0175 (2r).

NOTE: Corrects transposed numbers. There is no s. 182.0715.

11 ~~SECTION 111.~~ 193.471 (2) (a) 5. of the statutes, as created by 2005 Wisconsin
12 Act 441, is amended to read:

13 193.471 (2) (a) 5. In the case of acts or omissions committed in an official
14 capacity, as defined in sub. (1) (a) 1. or 2., the potential litigant reasonably believed
15 that the acts or omissions were in the best interests of the cooperative or predecessor
16 cooperative, as applicable, and, in the case of acts or omissions committed in an
17 official capacity, as defined in sub. (1) (e) (a) 3. or 4., the potential litigant reasonably
18 believed that the conduct was not opposed to the best interests of the cooperative or
19 predecessor cooperative, as applicable. If the acts or omissions relate to conduct as
20 a director, officer, trustee, employee, or agent of an employee benefit plan, the
21 conduct is not considered to be opposed to the best interests of the cooperative or
22 predecessor cooperative if the potential litigant reasonably believed that the conduct

1 was in the best interests of the participants or beneficiaries of the employee benefit
2 plan.

NOTE: Corrects cross-reference. There is no s. 193.471 (1) (c) 3. or. 4. "Official capacity" is defined in s. 193.471 (1) (a).

3 ~~SECTION 112.~~ 218.04 (1) (a) of the statutes, as affected by 2005 Wisconsin Acts
4 158 and 462, is amended to read:

5 218.04 (1) (a) "Collection agency" means any person engaging in the business
6 of collecting or receiving for payment for others of any account, bill or other
7 indebtedness. It shall not include attorneys at law authorized to practice in this state
8 and resident herein, banks, express companies, state savings banks, state savings
9 and loan associations, insurers and their agents, trust companies, district attorneys
10 acting under s. 971.41, persons contracting with district attorneys under s. 971.41
11 (5),⁵ real estate brokers, and real estate salespersons.

NOTE: The underscored comma was removed by 2005 Wis. Act 158 but was required by the addition of text by 2005 Wis. Act 462. The stricken comma was inserted by 2005 Wis. Act 462 but was rendered surplusage by 2005 Wis. Act 158.

12 ~~SECTION 113.~~ 227.21 (2) (a) of the statutes is amended to read:

13 227.21 (2) (a) Except as provided in s. 601.41 (3) (b), to avoid unnecessary
14 expense an agency may, with the consent of ~~the revisor and~~ the attorney general,
15 adopt standards established by technical societies and organizations of recognized
16 national standing by incorporating the standards in its rules by reference to the
17 specific issue or issues of the publication in which they appear, without reproducing
18 the standards in full.

NOTE: Makes provision consistent with s. 227.21 (2) (b), as amended by 2005 Wis. Act 249. The joint legislative council note to that amendment explains that amendment as follows:

Current law also requires that the agency receive the consent of the revisor of statutes and the attorney general in order to incorporate the standard by reference. This SECTION eliminates the requirement for the agency to receive the consent of the revisor.

1 **SECTION 114.** 234.63 (2) (b) of the statutes, as created by 2005 Wisconsin Act
2 487, is amended to read:

3 234.63 (2) (b) The limits in ss. 234.18 (1), 234.40, 234.50, 234.60, 234.61,
4 234.65, and 234.66 do not apply to bonds issued under par. (a).

NOTE: Corrects cross-reference consistent with s. 234.66 (3) (b). Section 234.18 is
not divided into subsections.

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5 **SECTION 115.** 253.15 (8) of the statutes, as created by 2005 Wisconsin Act 165,
6 is amended to read:

7 253.15 (8) IDENTIFICATION OF SHAKEN OR IMPACTED BABIES. The department of
8 health and family services shall identify all infants and young children who have
9 shaken baby syndrome or who are impacted babies and all infants and young
10 children who have died as a result of being shaken or thrown by using the statewide
11 automated child welfare information system established under s. 46.03 (7) (g) (7g)
12 and child fatality information compiled by the department of justice. For each infant
13 or young child so identified, the department of health and family services shall
14 document the age, sex, and other characteristics of the infant or young child that are
15 relevant to the prevention of shaken baby syndrome and impacted babies and, if
16 known, the age, sex, employment status, and residence of the person who shook or
17 threw the infant or young child, the relationship of that person to the infant or young
18 child, and any other characteristics of that person that are relevant to the prevention
19 of shaken baby syndrome and impacted babies.

NOTE: Inserts correct cross-reference. Section 46.03 (7) (g) was renumbered to s.
46.03 (7g) by 2005 Wis. Act 406.

20 **SECTION 116.** 255.05 (1) (b) of the statutes is amended to read:
21 255.05 (1) (b) "Nonprofit corporation" means a nonstock corporation organized
22 under ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17). (b)

1 ~~“Nonprofit corporation” means a nonstock corporation organized under ch. 181 that~~
2 ~~is a nonprofit corporation, as defined in s. 181.0103 (17).~~

NOTE: The text of the provision was printed twice in the 2003-04 published volumes. The correct text is shown in the 2005-06 published volumes.

3 ~~+~~ **SECTION 117.** 281.35 (1) (b) 2. of the statutes is amended to read:

4 281.35 (1) (b) 2. If subd. 1. does not apply, the highest average daily water loss
5 over any 30-day period that is reported to the department or the public service
6 commission under sub. (3) (c) or s. 281.17 (1), 2001 stats., or s. 30.18 (6) (c), 196.98,
7 281.34, or 281.41 ~~or s. 281.17 (1), 2001 stats.~~

NOTE: Places cross-references in correct order in accordance with current style.

8 ~~+~~ **SECTION 118.** 292.15 (7) (d) of the statutes, as created by 2005 Wisconsin Act
9 418, is amended to read:

10 292.15 (7) (d) A solid waste facility that was licensed under ~~s. 289.31~~ or s.
11 144.44, 1993 stats., or s. 289.31.

NOTE: Places cross-references in correct order in accordance with current style.

12 ~~+~~ **SECTION 119.** 292.23 (3) (f) of the statutes, as created by 2005 Wisconsin Act
13 418, is amended to read:

14 292.23 (3) (f) Subsection (2) does not apply to a solid waste facility that was
15 licensed under ~~s. 289.31~~ or s. 144.44, 1993 stats., or s. 289.31.

NOTE: Places cross-references in correct order in accordance with current style.

16 ~~+~~ **SECTION 120.** 301.03 (3c) of the statutes is amended to read:

17 301.03 (3c) If requested by the department of health and family services,
18 contract with that department to supervise and provide services to persons who are
19 conditionally transferred or discharged under s. 51.37 (9), conditionally released
20 under s. 971.17 (3), or placed on supervised release under s. 980.06 (2), 1997 stats.,
21 or s. 980.08.

NOTE: Inserts a serial comma. The change is shown in the printed volumes.

1 + **SECTION 121.** 301.03 (20) of the statutes, as created by 2005 Wisconsin Act 451,
2 is renumbered 301.03 (20m).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 431 also created a provision numbered s. 301.03 (20).

3 + **SECTION 122.** 301.45 (2) (a) 4. d. of the statutes is amended to read:
4 301.45 (2) (a) 4. d. The date the person was ordered to comply with ~~s. 301.45~~
5 this section.

NOTE: Corrects citation form consistent with current style.

6 + **SECTION 123.** 301.45 (6) (a) 2. a. of the statutes is amended to read:
7 301.45 (6) (a) 2. a. The person was ordered under s. 51.20 (13) (ct) 1m., 938.34
8 (15m) (am), 938.345 (3), 971.17 (1m) (b) 1m., or 973.048 (1m) to comply with the
9 reporting requirements under ~~s. 301.45~~ this section based on a finding that he or she
10 committed or solicited, conspired, or attempted to commit a misdemeanor.

NOTE: Corrects citation form consistent with current style.

11 + **SECTION 124.** 301.45 (6) (ag) 2. a. of the statutes is amended to read:
12 301.45 (6) (ag) 2. a. The person was ordered under s. 51.20 (13) (ct) 1m., 938.34
13 (15m) (am), 938.345 (3), 971.17 (1m) (b) 1m., or 973.048 (1m) to comply with the
14 reporting requirements under ~~s. 301.45~~ this section based on a finding that he or she
15 committed or solicited, conspired, or attempted to commit a misdemeanor.

NOTE: Corrects citation form consistent with current style.

16 + **SECTION 125.** 301.45 (10) (title) of the statutes is created to read:
17 301.45 (10) (title) ANNUAL FEE.

NOTE: Section 301.45 (10) was created without a title by 2005 Wis. Act 25. The other subsections of s. 301.45 have titles.

18 + **SECTION 126.** 301.48 (2) (b) 2. of the statutes, as created by 2005 Wisconsin Act
19 431, is amended to read:

1 301.48 (2) (b) 2. A court discharges the person under s. 980.10, 2003 stats., or
2 s. 980.09 ~~or 980.10~~. This subdivision does not apply if the person was on supervised
3 release immediately before being discharged.

NOTE: Section 980.10 was repealed by 2005 Wis. Act 434, which changed all
existing cross-references to s. 980.10 to s. 980.10, 2003 stats.

4 + **SECTION 127.** 301.48 (3) (c) of the statutes, as created by 2005 Wisconsin Act
5 431, is amended to read:

6 301.48 (3) (c) For each person who is subject to global positioning system
7 tracking under this section, the department shall create individualized exclusion
8 and inclusion zones for the person, if necessary to protect public safety. In creating
9 exclusion zones, the department shall focus on areas where children congregate,
10 with perimeters of 100 to 250 feet, and on areas where the person has been prohibited
11 from going as a condition of probation, extended supervision, parole, conditional
12 release, or supervised release. In creating inclusion zones for a person on supervised
13 release, the department shall consider s. 980.08 ~~(7)~~ (9).

NOTE: Section 980.08 (7), as created by 2005 Wis. Act 431, is renumbered s. 980.08
(9) by this bill.

14 + **SECTION 128.** 343.61 (6) (c) of the statutes, as created by 2005 Wisconsin Act
15 466, is renumbered 343.71 (5) (c).

NOTE: 2005 Wis. Act 397 renumbered the remainder of s. 343.61 (6) to 343.71 (5).

16 + **SECTION 129.** 351.02 (1) (a) 3. of the statutes is amended to read:

17 351.02 (1) (a) 3. Driving or operating a motor vehicle in violation of s. ~~346.63~~
18 ~~(1) or (2) or s. 346.63 (1m), 1985 stats., or s. 346.63 (1) or (2).~~

NOTE: Places cross-references in correct order in accordance with current style.

19 + **SECTION 130.** 560.799 of the statutes, as created by 2005 Wisconsin Act 487,
20 is renumbered 560.7995.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act
361 also created a provision numbered s. 560.799.

~~INSERT attached~~ *****NOTE: A cross-reference in s. 234.63 (3) (a) still has to be treated. CJS

1 ~~SECTION 131.~~ 560.85 (3) (a) of the statutes is amended to read:

2 560.85 (3) (a) Develop procedures to evaluate applications and monitor project
3 performance for grants awarded for early planning projects under s. 560.835 (6),
4 2001 stats., or s. 560.82 or s. 560.835 (6), 2001 stats.

NOTE: Places cross-references in correct order in accordance with current style.

5 ~~SECTION 132.~~ 609.01 (4) of the statutes is amended to read:

6 609.01 (4) "Preferred provider plan" means a health care plan offered by an
7 organization established under ch. 185, 193, 611, 613, or 614 or issued a certificate
8 of authority under ch. 618 that makes available to its enrollees, without referral and
9 for consideration other than predetermined periodic fixed payments, coverage of
10 either comprehensive health care services or a limited range of health care services,
11 regardless of whether the health care services are performed by participating or
12 nonparticipating providers.

NOTE: 2005 Wis. Act 441, section 107, provides that "600.03 (37m) of the statutes, as affected by 2005 Wisconsin Act (Senate Bill 617), is amended." Senate Bill 617 was vetoed in its entirety. Senate Bill 617 renumbered s. 609.01 (4) to 600.03 (37m) and amended the provision. This bill effectuates the purpose of Act 441, section 107, by amending s. 609.01 (4) to insert the cross-reference inserted by Act 441, section 107 into s. 600.03 (37m).

13 ~~SECTION 133.~~ 616.09 (1) (c) 1. of the statutes, as affected by 2005 Wisconsin Act
14 441, is amended to read:

15 616.09 (1) (c) 1. Plans authorized under s. 616.06 are subject to ch. 185 or 193,
16 as applicable, except that ss. 185.03 (5) and (6), 185.05 (1) (c), 185.55, 185.61, 185.62,
17 185.63, 185.64, 185.71 to 185.76, 185.81, ~~193.151~~, 193.215 (2) (a) 2., 193.225, 193.301
18 (9), 193.801, 193.805, 193.905 to 193.971, and those provisions applicable to
19 cooperatives or unincorporated cooperative associations with stock do not apply.

NOTE: There is no s. 193.151.

1 ~~SECTION 134.~~ 632.899 of the statutes is amended to read:

2 **632.899 Medical savings accounts study.** If the federal government enacts
3 legislation providing for a federal income tax exemption for amounts deposited in a
4 medical savings account and for any interest, dividends or other gain that accrues
5 in the account if redeposited in the account, the commissioner shall conduct a study,
6 to be completed within 4 years after the enactment of the federal legislation, of
7 individuals and groups that had coverage under a high cost-share health plan, as
8 defined in s. 632.898 (1) (c), 1995 stats., and that terminated that coverage in order
9 to enroll in a health benefit plan that was not a high cost-share health plan, as
10 defined in s. 632.898 (1) (c), 1995 stats. The commissioner shall submit a report of
11 all findings, conclusions and recommendations to the appropriate standing
12 committees in the manner provided under section s. 13.172 (3) of the statutes.

NOTE: Corrects citation form. The correction has been made in the printed volumes.

13 ~~SECTION 135.~~ 706.11 (4) of the statutes is amended to read:

14 **706.11 (4)** Subsection (1) does not apply to a 2nd mortgage assigned to or
15 executed to the department of veterans affairs under ~~s. 45.79 (3) (a) 1. or s. 45.80 (4)~~
16 ~~(a) 1., 1989 stats., or s. 45.37 (3).~~

NOTE: 1999 Wis. Act 63 renumbered s. 45.79 (3) (a) 1. to s. 45.79 (3) (a). 2005 Wis. Act 22 repealed and recreated ch. 45, recreating the language of s. 45.79 (3) (a) as s. 45.37 (3). The cross-references are placed in the correct order in accordance with current style.

17 ~~SECTION 136.~~ 757.05 (1) (a) of the statutes, as affected by 2005 Wisconsin Acts
18 25, 60 and 455, is amended to read:

19 **757.05 (1) (a)** Whenever a court imposes a fine or forfeiture for a violation of
20 state law or for a violation of a municipal or county ordinance except for a violation
21 of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5), or for a first violation of s.
22 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who

1 committed the violation had a blood alcohol concentration of 0.08 or more but less
2 than 0.1 at the time of the violation, or for a violation of state laws or municipal or
3 county ordinances involving nonmoving traffic violations, violations under s. 343.51
4 (1m) (b), or safety belt use violations under s. 347.48 (2m), there shall be imposed in
5 addition a penalty surcharge under ch. 814 in an amount of 25 26 percent of the fine
6 or forfeiture imposed. If multiple offenses are involved, the penalty surcharge shall
7 be based upon the total fine or forfeiture for all offenses. When a fine or forfeiture
8 is suspended in whole or in part, the penalty surcharge shall be reduced in proportion
9 to the suspension.

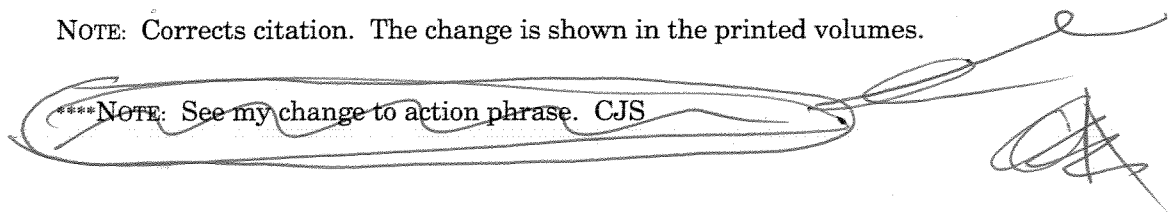
NOTE: 2005 Wis. Act 460 replaced "25%" with "26 percent" to make a substantive change and to change the form of how percentages are written consistent with current style. 2005 Wis. Act 445 replaced "25%" with "25 percent" only to change the form of how percentages are written consistent with current style. This amendment clarifies that the substantive change is given effect.

10 ~~SECTION 137.~~ 757.48 (1) (a) of the statutes, as affected by 2005 Wisconsin Acts
11 387 and 443, is amended to read:

12 757.48 (1) (a) Except as provided in s. 879.23 (4), in all matters in which a
13 guardian ad litem is appointed by the court, the guardian ad litem shall be an
14 attorney admitted to practice in this state. In order to be appointed as a guardian
15 ad litem under s. 767.407, an attorney shall have completed 3 hours of approved
16 continuing legal education that relates to the functions and duties of a guardian ad
17 litem under ch. 767 and that includes training on the dynamics of domestic violence
18 and the effects of domestic violence on victims of domestic violence and on children.
19 In order to be appointed as a guardian ad litem under s. 54.40 (1), an attorney shall
20 have complied with ~~SRC~~ SCR chapter 36.

NOTE: Corrects citation. The change is shown in the printed volumes.

****NOTE: See my change to action phrase. CJS



1 ~~+~~**SECTION 138.** 767.225 (1) (ap) of the statutes, as affected by 2005 Wisconsin Act
2 174, section 2, and 2005 Wisconsin Act 443, section 90, is amended to read:

3 767.225 (1) (ap) Upon the request of a party, granting periods of electronic
4 communication to a party in a manner consistent with s. ~~767.24~~ 767.41. The court
5 or circuit court commissioner shall make a determination under this paragraph
6 within 30 days after the request for a temporary order regarding periods of electronic
7 communication is filed.

NOTE: 2005 Wis. Act 443 renumbered s. 767.24 to s. 767.41.

8 ~~+~~**SECTION 139.** 767.225 (1n) (b) 3. of the statutes, as affected by 2005 Wisconsin
9 Act 342, section 1, and 2005 Wisconsin Act 443, section 90, is amended to read:

10 767.225 (1n) (b) 3. If the court or circuit court commissioner requires one party
11 to cover the child under a health insurance policy or plan under sub. (1) (k), the court
12 or circuit court commissioner shall order the party to provide to the other party a
13 health insurance identification card for the child. Section ~~767.25 (4m) (bm) 2. and~~
14 ~~3.~~ 767.513 (2m) (b) and (c) applies to a failure to comply with a temporary order under
15 this subdivision.

NOTE: 2005 Wis. Act 443 renumbered s. 767.25 (4m) to s. 767.513.

16 ~~+~~**SECTION 140.** 767.24 (2) (e) of the statutes, as created by 2005 Wisconsin Act
17 471, is renumbered 767.41 (2) (e).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act
443 renumbered the remainder of s. 767.24 to s. 767.41.

18 ~~+~~**SECTION 141.** 767.24 (5) (c) of the statutes, as created by 2005 Wisconsin Act
19 471, is renumbered 767.41 (5) (c).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act
443 renumbered the remainder of s. 767.24 to s. 767.41.

20 ~~+~~**SECTION 142.** 767.325 (3m) of the statutes, as created by 2005 Wisconsin Act
21 471, is renumbered 767.451 (3m) and amended to read:

1 767.451 (3m) REINSTATEMENT OF FORMER PHYSICAL PLACEMENT ALLOCATION AND
2 SCHEDULE. If a party is a service member, as defined in s. ~~767.24~~ 767.41 (2) (e) 1., and
3 the court modifies an order of physical placement on the basis that the service
4 member has been or will be called to active duty in the U.S. armed forces,
5 notwithstanding sub. (1) the court shall require in the order that the allocation of
6 periods of physical placement and, if applicable, the physical placement schedule
7 that were in effect before the modification are reinstated immediately upon the
8 service member's discharge or release from active duty.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act
443 renumbered the remainder of s. 767.325 to s. 767.451. Corrects a cross-reference.

9 ~~SECTION 143.~~ The treatment of 767.325 (5m) (a) of the statutes by 2005
10 Wisconsin Act 443 is not repealed by 2005 Wisconsin Act 471. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 767.451 (5m)
(a), as renumbered from s. 767.325 (5m) (a) by 2005 Wis. Act 443, reads:

(a) Subject to pars. (b) and (c), in all actions to modify legal custody or physical
placement orders, the court shall consider the factors under s. 767.41 (5) (am), subject to
s. 767.41 (5) (bm), and shall make its determination in a manner consistent with s. 767.41.

11 ~~SECTION 144.~~ 767.325 (5m) (c) of the statutes, as created by 2005 Wisconsin Act
12 471, is renumbered 767.451 (5m) (c) and amended to read:

13 767.451 (5m) (c) In an action to modify a legal custody order, if a party is a
14 service member, as defined in s. ~~767.24~~ 767.41 (2) (e) 1., the court may not consider
15 as a factor in making a determination whether the service member has been or may
16 be called to active duty in the U.S. armed forces and consequently is, or in the future
17 will be or may be, absent from the service member's home.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b) and corrects
cross-reference. 2005 Wis. Act 443 renumbered the remainder of s. 767.325 to s. 767.451
and renumbered s. 767.24 to s. 767.41.

18 ~~SECTION 145.~~ 767.451 (5m) (b) of the statutes, as affected by 2005 Wisconsin
19 Act 101, section 3, and 2005 Wisconsin Act 443, section 161, is amended to read:

1 767.451 (5m) (b) In determining the best interest of the child under this
2 section, in addition to the factor under s. ~~767.24~~ 767.41 (5) (am) 12m., the court shall
3 consider whether a stepparent of the child has a criminal record and whether there
4 is evidence that a stepparent of the child has engaged in abuse, as defined in s.
5 813.122 (1) (a), of the child or any other child or neglected the child or any other child.

NOTE: 2005 Wis. Act 443 renumbered s. 767.24 to s. 767.41.

6 ~~SECTION 146.~~ 767.513 (2m) (title) of the statutes is created to read:

7 767.513 (2m) (title) HEALTH INSURANCE IDENTIFICATION CARD.

NOTE: All other subsections of s. 767.513 have titles. 2005 Act 443 renumbered 767.25 (4m) to be 767.513 and created titles for all the existing subsections, as renumbered. 2005 Wis. Act 342 created 767.25 (4m) (bm), which as a result of the Act 443 renumbering became 767.513 (2m).

8 ~~SECTION 147.~~ 767.513 (2m) (a) and (c) of the statutes, as affected by 2005
9 Wisconsin Act 342, section 2, and 2005 Wisconsin Act 443, section 104, are amended
10 to read:

11 767.513 (2m) (a) The court shall order a parent who is required to provide
12 health insurance coverage for a child under this ~~subsection~~ section to provide to the
13 other parent a health insurance identification card evidencing the child's health
14 insurance coverage.

15 (c) If the other parent is unable to obtain a health insurance identification card
16 for the child in the manner provided in ~~subd. 2.~~ par. (b), the intentional failure to
17 comply with the order to provide the card by the parent so ordered constitutes a
18 contempt of court, punishable under ch. 785.

Handwritten signature/initials

***NOTE: See my change in action phrase. CJS

19 ~~SECTION 148.~~ 767.57 (1e) (a) of the statutes, as affected by 2005 Wisconsin Act
20 443, section 129, is amended to read:

NOTE: Amends cross-references to reflect the renumbering of the provision by 2005 Wis. Act 443.

use note:std

①

1 767.57 (1e) (a) For receiving and disbursing maintenance, child support, or
2 family support payments, including payments in arrears, and for maintaining the
3 records required under ~~par. sub. (1)~~ (c), the department or its designee shall collect
4 an annual fee of \$35. The court shall order each party ordered to make payments to
5 pay the fee in each year for which payments are ordered or in which an arrearage in
6 any of those payments is owed. In directing the manner of payment, the court shall
7 order that the fee be withheld from income and sent to the department or its
8 designee, as provided under s. 767.75. Fees under this paragraph shall be deposited
9 in the appropriation account under s. 20.445 (3) (ja). At the time of ordering payment
10 of the fee, the court shall notify each party ordered to make payments of the
11 requirement to pay, and the amount of, the fee. If the fee under this paragraph is not
12 paid when due, the department or its designee may not deduct the fee from any
13 maintenance, child or family support, or arrearage payment, but may move the court
14 for a remedial sanction under ch. 785.

NOTE: Corrects cross-reference.

15 **SECTION 149.** 767.57 (3) (a) of the statutes, as affected by 2005 Wisconsin Act
16 387, section 194, and 2005 Wisconsin Act 443, section 132, is amended to read:

17 767.57 (3) (a) If maintenance or support, or both, are ordered to be paid for the
18 benefit of any individual who is committed by court order to an institution, who is
19 in confinement, or whose legal custody is vested by court order under ch. 48 or 938
20 in an agency, department, relative, or other entity, the court may order that the
21 maintenance or support be paid to the relative, agency, institution, welfare
22 department, or other entity having legal or actual custody of the individual, and that
23 it be used for the person's care and maintenance, without the appointment of a
24 guardian in this state.

NOTE: Inserts comma deleted by 2005 Wis. Act 387 but required to accommodate the treatment by 2005 Wis. Act 443.

1 ~~+~~ **SECTION 150.** 779.50 (4) (g) of the statutes is amended to read:

2 779.50 (4) (g) For collecting and paying over all sums upon the sale, ~~5%~~ 5
3 percent of the sums collected or \$10 ~~dollars~~, whichever is less.

NOTE: Deletes unnecessary word and inserts "percent" consistent with current style.

4 ~~+~~ **SECTION 151.** 813.123 (2) (b) of the statutes, as created by 2005 Wisconsin Act
5 388, is amended to read:

6 813.123 (2) (b) The court may go forward with a petition filed under sub. (6) if
7 the individual at risk has been adjudicated incompetent under ch. 880, 2003 stats.,
8 or ch. 54, notwithstanding an objection by an individual at risk who is the subject of
9 the petition, or an objection by the guardian of the individual at risk.

NOTE: Inserts correct cross-reference. 2005 Wis. Act 387 renumbered ch. 880 to ch. 54.

10 ~~+~~ **SECTION 152.** 814.04 (intro.) of the statutes, as affected by Supreme Court
11 Order 03-06 and 2005 Wisconsin Acts 155, 325, 443 and 458 is amended to read:

12 **814.04 Items of costs.** (intro.) Except as provided in ss. 93.20, 100.195 (5m)
13 (b), 100.30 (5m), 106.50 (6) (i) and (6m) (a), 115.80 (9), 281.36 (2) (b) 1., 767.553 (4)
14 (d), 769.313, 814.025, 802.05, 814.245, 895.035 (4), ~~895.506~~, 895.443 (3), 895.444 (2),
15 895.445 (3), 895.446 (3), 895.506, 943.212 (2) (b), 943.245 (2) (d), 943.51 (2) (b), and
16 995.10 (3), when allowed costs shall be as follows:

NOTE: 2005 Wis. Act 155 inserted "814.025" without showing it as underscored and deleted "814.245" without showing it as stricken. No change was intended. "895.506" is placed in numerical order. 2005 Wis. Act 458 inserted the cross-reference to s. 100.195 (5m) (b) but incorrectly showed all of the cross-references following s. 100.195 (5m) (b) as underscored.

17 ~~+~~ **SECTION 153.** The treatment of 814.65 (1) of the statutes by 2005 Wisconsin Act
18 54 is not repealed by 2005 Wisconsin Act 455. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 814.65 (1) reads:

(1) COURT COSTS. In a municipal court action, except for an action for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of an ordinance in conformity with s. 343.51 (1m) (b) or 347.48 (2m), the municipal judge shall collect a fee of not less than \$15 nor more than \$28 on each separate matter, whether it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant or summons, or the action is tried as a contested matter. Of each fee received by the judge under this subsection, the municipal treasurer shall pay monthly \$5 to the secretary of administration for deposit in the general fund and shall retain the balance for the use of the municipality.

1 ~~SECTION 154.~~ The treatment of 880.33 (9) of the statutes by 2005 Wisconsin Act
2 387 is not repealed by 2005 Wisconsin Act 451. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 54.25 (2) (c) 1. g., as renumbered from s. 880.33 (9) by 2005 Wis. Act 387, reads:

g. The right to register to vote or to vote in an election, if the court finds that the individual is incapable of understanding the objective of the elective process. Also, in accordance with s. 6.03 (3), any elector of a municipality may petition the circuit court for a determination that an individual residing in the municipality is incapable of understanding the objective of the elective process and thereby ineligible to register to vote or to vote in an election. This determination shall be made by the court in accordance with the procedures specified in this paragraph. If a petition is filed under this subd. 1. g., the finding of the court shall be limited to a determination as to voting eligibility. The appointment of a guardian is not required for an individual whose sole limitation is ineligibility to vote. The determination of the court shall be communicated in writing by the clerk of court to the election official or agency charged under s. 6.48, 6.92, 6.925, 6.93, or 7.52 (5) with the responsibility for determining challenges to registration and voting that may be directed against that elector. The determination may be reviewed as provided in s. 54.64 (2) and any subsequent determination of the court shall be likewise communicated by the clerk of court.

3 ~~SECTION 155.~~ 880.331 (4) (am) of the statutes, as created by 2005 Wisconsin Act
4 264, is renumbered 54.40 (4) (am).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 387 renumbered s. 880.331 (4) to s. 54.40 (4).

5 ~~SECTION 156.~~ 880.331 (4) (ar) of the statutes, as created by 2005 Wisconsin Act
6 264, is renumbered 54.40 (4) (ar).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 387 renumbered s. 880.331 (4) to s. 54.40 (4).

7 ~~SECTION 157.~~ 880.331 (4) (dm) of the statutes, as created by 2005 Wisconsin Act
8 264, is renumbered 54.40 (4) (dm).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 387 renumbered s. 880.331 (4) to s. 54.40 (4).

1 + **SECTION 158.** 880.331 (4) (dr) of the statutes, as created by 2005 Wisconsin Act
2 264, is renumbered 54.40 (4) (h).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 387 created an identical provision as s. 54.40 (4) (h) and renumbered s. 880.331 (4) to s. 54.40 (4).

3 + **SECTION 159.** 880.331 (4) (ds) of the statutes, as created by 2005 Wisconsin Act
4 264, is renumbered 54.40 (4) (ds).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 387 renumbered s. 880.331 (4) to s. 54.40 (4).

5 + **SECTION 160.** 893.55 (1d) (c) of the statutes, as created by 2005 Wisconsin Act
6 183, is amended to read:

7 893.55 (1d) (c) Based on actuarial studies, documentary evidence, testimony,
8 and the experiences of other states, the legislature concludes there is a dollar figure
9 so low as to deprive the injured victim of reasonable noneconomic damages, and there
10 is a dollar figure at which the cap number is so high that it fails to accomplish the
11 goals of affordable and accessible health care. The legislature concludes that the
12 number chosen is neither too high nor too low to accomplish the goals of affordable
13 and accessible health care, is a reasonable and ~~rationale~~ rational response to the
14 current medical liability situation, and is reasonably and rationally supported by the
15 legislative record.

NOTE: Corrects spelling.

16 + **SECTION 161.** 895.446 (4) of the statutes, as affected by 2005 Wisconsin Acts
17 155 and 447, is amended to read:

18 895.446 (4) Any recovery under this section shall be reduced by the amount
19 recovered as restitution under ss. 800.093 and 973.20 and ch. 938 for the same act
20 or as recompense under s. ~~939.13~~ 969.13 (5) (a) for the same act.

NOTE: Inserts correct cross-reference consistent with the remainder of 2005 Wis. Act 447. There is no s. 939.13 (5) (a).

1 + **SECTION 162.** 938.27 (5) of the statutes, as affected by 2005 Wisconsin Acts 293
2 and 344, is amended to read:

3 938.27 (5) NOTICE TO BIOLOGICAL FATHERS. Subject to sub. (3) (b), the court shall
4 make reasonable efforts to identify and notify any person who has filed a declaration
5 of paternal interest under s. 48.025, any person who has acknowledged paternity of
6 the child under s. ~~767.62~~ 767.805 (1), and any person who has been adjudged to be
7 the father of the juvenile in a judicial proceeding unless the person's parental rights
8 have been terminated.

NOTE: Corrects cross-reference. Section 767.62 was renumbered s. 767.805 by 2005 Wis. Act 443.

9 + **SECTION 163.** 938.345 (1) (e) of the statutes, as affected by 2005 Wisconsin Acts
10 344 and 387, is amended to read:

11 938.345 (1) (e) Place any juvenile not found under ch. 880, 2003 stats., or ch.
12 46, 49, 51, 54, or 115, or ch. 880, 2003 stats., to have a developmental disability or
13 a mental illness or to be a child with a disability, as defined in s. 115.76 (5), in a facility
14 that exclusively treats one or more of those categories of juveniles.

NOTE: Places cross-references in correct order according to current style.

15 + **SECTION 164.** 940.43 (5) of the statutes is amended to read:

16 940.43 (5) Where the act is committed by any person who has suffered any prior
17 conviction for any violation under s. 943.30, 1979 stats., ss. 940.42 to 940.45, s.
18 943.30, 1979 stats., or any federal statute or statute of any other state which, if the
19 act prosecuted was committed in this state, would be a violation under ss. 940.42 to
20 940.45.

NOTE: Places cross-references in correct order in accordance with current style.


21 + **SECTION 165.** 940.45 (5) of the statutes is amended to read:

1 940.45 (5) Where the act is committed by any person who has suffered any prior
2 conviction for any violation under s. 943.30, 1979 stats., ss. 940.42 to 940.45, ~~s.~~
3 ~~943.30, 1979 stats.~~, or any federal statute or statute of any other state which, if the
4 act prosecuted was committed in this state, would be a violation under ss. 940.42 to
5 940.45.

NOTE: Places cross-references in correct order in accordance with current style.

6 ~~X~~ **SECTION 166.** The treatment of 943.245 (3m) of the statutes by 2005 Wisconsin
7 Act 447 is not repealed by 2005 Wisconsin Act 462. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 943.245 (3m)
reads:

 (3m) Any recovery under this section shall be reduced by the amount recovered
as restitution for the same act under ss. 800.093 and 973.20 or as recompense under s.
969.13 (5) (a) for the same act and by any amount collected in connection with the act and
paid to the plaintiff under a deferred prosecution agreement under s. 971.41.

8 ~~X~~ **SECTION 167.** 948.01 (5) (am) of the statutes, as created by 2005 Wisconsin Act
9 435, is renumbered 948.01 (5) (a) 2.

NOTE: Renumbers provision relating to intentional touching to correspond with s.
948.01 (5) (a) (intro.), relating to intentional touching, consistent with the treatment of
s. 940.225 (5) (b) 1. (intro.) and b. by 2005 Wis. Act 435.

10 ~~X~~ **SECTION 168.** 948.075 (3) of the statutes is amended to read:

11 948.075 (3) Proof that the actor did an act, other than use a computerized
12 communication system to communicate with the individual, to effect the actor's
13 intent under sub. (1) ~~(1)~~ (1r) shall be necessary to prove that intent.

NOTE: Inserts correct cross-reference. 2005 Wis. Act 433 renumbered s. 948.075
(1) to s. 948.075 (1r).

14 ~~X~~ **SECTION 169.** 971.41 (3) of the statutes, as created by 2005 Wisconsin Act 462,
15 is repealed and recreated to read:

16 971.41 (3) CONDITIONS OF PROGRAM. A deferred prosecution agreement to which
17 this section applies may require an offender to do any of the following:

1 (a) Pay money owed for the worthless check or other order issued in violation
2 of s. 943.24 to the district attorney for remittance to the payee of the worthless check
3 or order.

4 (b) Make other payments for restitution for the offense, including payments to
5 reimburse any person for fees assessed by a financial institution in connection with
6 the person attempting to present the worthless check or other order.

7 (c) Pay administrative fees assessed under sub. (7).

8 (d) Pay for and successfully complete a class or counseling regarding financial
9 management.

NOTE: Corrects numbering errors in 2005 Wis. Act 462 that resulted in there being
two provisions numbered s. 971.41 (3) (b). The second of the two provisions is now
numbered s. 971.41 (3) (d). No changes to text are made.

10 ~~A~~ SECTION 170. 973.017 (6) (a) of the statutes is amended to read:

11 973.017 (6) (a) In this subsection, "person responsible for the welfare of the
12 child" includes the child's parent, stepparent, guardian, foster parent, or treatment
13 foster parent; an employee of a public or private residential home, institution, or
14 agency; any other person legally responsible for the child's welfare in a residential
15 setting; or a person employed by one who is legally responsible for the child's welfare
16 to exercise temporary control or care for the child.

NOTE: Inserts missing word.

17 ~~A~~ SECTION 171. 980.01 (1j) of the statutes, as created by 2005 Wisconsin Act 434,
18 is amended to read:

19 980.01 (1j) "Incarceration" includes confinement in a secured juvenile
20 correctional facility, as defined in s. 938.02 (15m) (10p), or a secured child-caring
21 institution residential care center for children and youth, as defined in s. 938.02
22 (15g), ~~or a secured group home~~, as defined in s. 938.02 (15p), if the person was placed

1 in the facility for being adjudicated delinquent under s. 48.34, 1993 stats., or under
2 s. 938.183 or 938.34 on the basis of a sexually violent offense.

NOTE: Corrects cross-references and conforms text to changes in defined terms
made by 2005 Wis. Act 344.

3 ~~+~~ **SECTION 172.** 980.02 (1) (b) 3. of the statutes, as created by 2005 Wisconsin Act
4 434, is amended to read:

5 980.02 (1) (b) 3. The county in which the person is in custody under a sentence,
6 a placement to a secured juvenile correctional facility, as defined in s. 938.02 (15m),
7 (10p), or a secured ~~child caring institution~~ residential care center for children and
8 youth, as defined in s. 938.02 (15g), ~~or a secured group home, as defined in s. 938.02~~
9 ~~(15p)~~, or a commitment order.

NOTE: Corrects cross-references and conforms text to changes in defined terms
made by 2005 Wis. Act 344.

10 ~~+~~ **SECTION 173.** 980.038 (4) (a) of the statutes, as created by 2005 Wisconsin Act
11 434, is amended to read:

12 980.038 (4) (a) A motion for postcommitment relief by a person committed
13 under s. 980.06 shall be made in the time and manner provided in ~~ss. s. 809.30 and~~
14 ~~809.40~~. An appeal by a person who has been committed under s. 980.06 from a final
15 order under s. 980.06, 980.08, or 980.09 or from an order denying a motion for
16 postcommitment relief or from both shall be taken in the time and manner provided
17 in ss. 808.04 (3), and 809.30, ~~and 809.40~~. If a person is seeking relief from an order
18 of commitment under s. 980.06, the person shall file a motion for postcommitment
19 relief in the trial court prior to an appeal unless the grounds for seeking relief are
20 sufficiency of the evidence or issues previously raised.

NOTE: Removes incorrect cross-references. The LRB analysis to 2005 SB 318,
which was enacted as 2005 Wis. Act 434, states as to section 92 of that bill, which creates
this provision, "A motion for post-commitment relief by an SVP or an appeal from a final
order or from an order denying a motion for post-commitment relief will follow criminal
appellate procedure."

Act 434 amended s. 808.04 (3) to add "or 809.30" so that the provision now reads "Except as provided in subs. (4) and (7), an appeal in a criminal case or a case under ch. 48, 51, 55 or, 938, or 980 shall be initiated within the time period specified in s. 809.30."

Section 809.30 relates to appeals in criminal and ch. 48, 51, 55, and 938 cases. Section 809.40 now relates to appeals in termination of parental rights, ch. 799, traffic regulation, municipal ordinance violation, and parental consent to abortion cases, but not criminal cases. Prior to the revision of s. 809.40 by Supreme Court Order 02-01, ss. 809.30 and 809.40 both related to criminal, ch. 48, 51, 55, and 938 cases.

1 ~~SECTION 174.~~ 980.08 (7) of the statutes, as created by 2005 Wisconsin Act 431,
2 is renumbered 980.08 (9).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis Act 434 amended s. 980.08 (6m) which resulted in it being divided into three separate subsections, s. 980.08 (6m), (7), (8).

3 ~~SECTION 175.~~ 2005 Wisconsin Act 387, section 372 is amended by replacing
4 "54.50 (4) (d) CESSATION OF POWERS." with "54.50 (4) CESSATION OF POWERS."

NOTE: Removes incorrect paragraph designation. 2005 Wis. Act 387, section 372, renumbered s. 880.15 (3) to s. 54.40 (4). Former s. 880.15 (3) was not divided into paragraphs.

*****NOTE: See my change to note. CJS*

5 ~~SECTION 176.~~ 2005 Wisconsin Act 441, section 20 is amended by replacing
6 "telecommunication service, gas, light, heat, or power" with "telecommunications
7 service, gas, light, heat, or power".

NOTE: A comma was inserted without underscoring. The change was intended. The stricken "telecommunication" should have been "telecommunications."

8 ~~SECTION 177.~~ 2005 Wisconsin Act 443, section 265 is amended by replacing

49.299 (6) (b)	767.45 (5) (c) and (6r)	767.80 (5) (c) and (6r)
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9 with

48.299 (6) (b)	767.45 (5) (c) and (6r)	767.80 (5) (c) and (6r)
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NOTE: Corrects statute citation in first column of the 2005 Wis. Act 443 cross-reference change table.

12 ~~SECTION 178.~~ 2005 Wisconsin Act 444, section 46 is amended by replacing "of
13 the minor, hold a hearing, and appoint counsel" with "of the minor, hold a hearing,
14 and appoint counsel".

NOTE: A comma was inserted without underscoring. The change was intended.

1 ~~SECTION 179.~~ 2005 Wisconsin Act 451, section 85m is amended by replacing "s.
2 6.86 (1) ~~or~~, (2), or (2m)" with "s. 6.86 (1) ~~or~~, (2), or (2m)".

NOTE: A comma was inserted without underscoring. The change was intended.

3 ~~SECTION 180.~~ 2005 Wisconsin Act 458, section 5 is amended by replacing
4 "100.195 (5m) (b), 100.30 (5m), 106.50 (6) (i) and (6m) (a), 115.80 (9), 281.36 (2) (b)
5 1., 767.33 (4) (d), 769.313, 814.025, 814.245, 895.035 (4), 895.10 (3), 895.75 (3), 895.77
6 (2), 895.79 (3), 895.80 (3), 943.212 (2) (b), 943.245 (2) (d)," with "100.195 (5m) (b),
7 100.30 (5m), 106.50 (6) (i) and (6m) (a), 115.80 (9), 281.36 (2) (b) 1., 767.33 (4) (d),
8 769.313, 814.025, 814.245, 895.035 (4), 895.10 (3), 895.75 (3), 895.77 (2), 895.79 (3),
9 895.80 (3), 943.212 (2) (b), 943.245 (2) (d),".

NOTE: Preexisting text was underscored.

****NOTE: I scored a comma that was not present in the preexisting text. Please review. CJS [This note is left over from the /P1 version -- no response was included in your markup you sent me.]

10 SECTION 181. Nonstatutory provisions.

and (b)

11 (1) The renumbering of section 880.24 (3) (a) of the statutes by 2005 Wisconsin
12 Act 264 is void.

****NOTE: Should s. 880.24 (3) (b) also be listed here? Should a revisor's note be added? CJS [This note is left over from the /P1 version -- no response was included in your markup you sent me.]

13 ~~SECTION 182.~~ Effective dates. This act takes effect on the day after
14 publication, except as follows:

15 (1) The treatment of sections 48.833 and 814.04 (intro.) of the statutes takes
16 effect on April 1, 2007, or on the day after publication, whichever is later.

17 (2) The treatment of section 101.985 (4) of the statutes takes effect on June 1,
18 2007, or on the day after publication, whichever is later.

④ NOTE: 2005 Wis. Act 387 renumbered the same provisions. The Act 387 numbering is adopted.

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1 (3) The treatment of section 301.48 (2) (b) 2. and (3) (c) of the statutes takes
2 effect on July 1, 2007, or on the day after publication, whichever is later.

3 (4) The treatment of sections 301.03 (20) and 980.08 (7) of the statutes takes
4 effect on July 1, 2007.

5 *****NOTE:** Please review effective date provision carefully. There are some changes
from the markup you sent me.

(END)

W. J. ...
D.
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~~SECTION 1.~~ 234.63 (3) (a) of the statutes, as affected by 2005 Wisconsin Act 487, is amended to read:

234.63 (3) (a) The authority may award a loan to a business, including an airport, for the purpose of financing the construction or expansion of an airport in an airport development zone established under s. ~~560.799~~ 560.7995, including financing activities to increase the number of flights to and from the airport or to encourage airlines that do not offer flights to and from the airport to offer such flights.

NOTE: Section 560.799 as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

LPS: This insert is not in the doc base - please create it from scratch.