



## 2009 ASSEMBLY BILL 369

August 12, 2009 – Introduced by Representatives NYGREN, BROOKS, KESTELL, KNODL, KRAMER, LEMAHIEU, LOTHIAN, NASS, NEWCOMER, A. OTT, PETERSEN, PETROWSKI, PRIDEMORE, SPANBAUER, TOWNSEND, VOS and VUKMIR, cosponsored by Senator SCHULTZ. Referred to Committee on Insurance.

1     **AN ACT** *to amend* 601.423 (2), 601.423 (3) (a) (intro.) and 601.423 (3) (b) (intro.);  
2             and *to create* 13.0966 of the statutes; **relating to:** social and financial impact  
3             reports.

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### ***Analysis by the Legislative Reference Bureau***

Current law requires that, if any bill contains a health insurance mandate affecting an insurance policy, plan, or contract, the Commissioner of Insurance must submit to the presiding officer of the house in which the bill is introduced a report on the social and financial impact of the mandate. Current law provides that the presiding officer may require that the report be printed and distributed as are amendments, but current law does not specify a time by which the report must be submitted. This bill requires that the report be submitted if any amendment, as well as any bill, contains a health insurance mandate. The report is printed as an appendix to the bill or amendment and is distributed to the members of the legislature before any public hearing on the bill or amendment or before any vote is taken on the bill or amendment by either house of the legislature or by a committee.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

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1           **SECTION 1.** 13.0966 of the statutes is created to read:

2           **13.0966 Review of bills or amendments establishing health insurance**

3 **mandates. (1) DEFINITIONS.** In this section:

4           (a) “Bill” includes an amendment.

5           (b) “Office” means the office of the commissioner of insurance.

6           **(2) REPORT ON BILLS ESTABLISHING HEALTH INSURANCE MANDATES.** (a) Any bill that  
7 requires a report by the office under s. 601.423 shall have that requirement noted on  
8 its jacket when the jacket is prepared. When a bill that requires a report under s.  
9 601.423 is introduced, the legislative reference bureau shall submit a copy of the bill  
10 to the office.

11           (b) Notwithstanding par. (a), the chairperson of a standing committee to which  
12 the bill has been referred, the presiding officer of either house of the legislature, or  
13 either cochairperson of the joint committee on finance may request a report on a bill  
14 by the office under s. 601.423 and the office shall prepare the report or, if the office  
15 decides not to prepare the report, a written statement that explains the reason for  
16 not preparing the report.

17           (c) The report or written statement prepared under this section shall be printed  
18 as an appendix to the bill and shall be distributed in the same manner as  
19 amendments. The report or written statement shall be distributed before any vote  
20 is taken on the bill by either house of the legislature if the bill is not referred to a  
21 standing committee, or before any public hearing is held before any standing  
22 committee or, if no public hearing is held, before any vote is taken by the committee.

23           **SECTION 2.** 601.423 (2) of the statutes is amended to read:

24           601.423 **(2) PREPARATION OF REPORT.** The commissioner shall submit a report  
25 on the social and financial impact of any health insurance mandate, contained in any

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1 bill or amendment affecting an insurance policy, plan, or contract, to the presiding  
2 officer of that house of the legislature in which the bill or amendment is introduced.  
3 ~~At the discretion of the presiding officer, any such report may be printed and~~  
4 ~~distributed as are amendments~~ as provided under s. 13.0966.

5 **SECTION 3.** 601.423 (3) (a) (intro.) of the statutes is amended to read:

6 601.423 (3) (a) *Social impact factors.* (intro.) Any report prepared under sub.  
7 (2) shall assess to the extent possible all of the following social impact factors ~~which~~  
8 that are relevant to the type of health insurance mandate created, expanded, or  
9 continued by the bill or amendment:

10 **SECTION 4.** 601.423 (3) (b) (intro.) of the statutes is amended to read:

11 601.423 (3) (b) *Financial impact factors.* (intro.) Any report prepared under  
12 sub. (2) shall assess to the extent possible all of the following financial impact factors  
13 ~~which~~ that are relevant to the type of health insurance mandate created, expanded,  
14 or continued by the bill or amendment:

15 (END)