



**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2009 ASSEMBLY BILL 369**

November 11, 2009 – Offered by Representative NYGREN.

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 (commissioner) 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 substitute amendment requires that the commissioner submit a report if any amendment, as well as any bill, contains a health insurance mandate. The commissioner may, however, decide not to prepare a report and submit a written statement that explains the reason for not preparing a report. In that case, the chairperson of a committee to which the bill has been referred or the presiding officer of either house may request that the commissioner submit a report instead. The report or statement is printed as an appendix to the bill or amendment, and, if the report or statement concerns a bill, rather than an amendment, it must be distributed to the members of the legislature before any public hearing is held on the

bill by a committee or before any vote is taken on the bill by either house of the legislature.

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

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,” except as otherwise provided, 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) The office shall prepare the report or, if the office decides not to prepare the  
12 report, a written statement that explains the reason for not preparing the report.  
13 If the office prepares a written statement, the chairperson of a standing committee  
14 to which the bill has been referred, the presiding officer of either house of the  
15 legislature, or either cochairperson of the joint committee on finance may request  
16 that the office prepare a report instead, in which case the office shall prepare a report.

17           (c) 1. The report or written statement prepared under this section shall be  
18 printed as an appendix to the bill and shall be distributed in the same manner as  
19 amendments.

20           2. Except as provided in subd. 3., the report or written statement shall be  
21 distributed before any vote is taken on the bill by either house of the legislature if

1 the bill is not referred to a standing committee, or before any public hearing is held  
2 before any standing committee or, if no public hearing is held, before any vote is taken  
3 by the committee.

4 3. The requirement under subd. 2. does not apply to reports or written  
5 statements prepared with respect to amendments.

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

7 601.423 (2) PREPARATION OF REPORT. The commissioner shall submit a report  
8 on the social and financial impact of any health insurance mandate, contained in any  
9 bill or amendment affecting an insurance policy, plan, or contract, to the presiding  
10 officer of that house of the legislature in which the bill or amendment is introduced.  
11 ~~At the discretion of the presiding officer, any such report may be printed and~~  
12 ~~distributed as are amendments as provided under s. 13.0966.~~

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

14 601.423 (3) (a) *Social impact factors.* (intro.) Any report prepared under sub.  
15 (2) shall assess to the extent possible all of the following social impact factors ~~which~~  
16 that are relevant to the type of health insurance mandate created, expanded, or  
17 continued by the bill or amendment:

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

19 601.423 (3) (b) *Financial impact factors.* (intro.) Any report prepared under  
20 sub. (2) shall assess to the extent possible all of the following financial impact factors  
21 ~~which~~ that are relevant to the type of health insurance mandate created, expanded,  
22 or continued by the bill or amendment:

23 (END)