

1 ***-1942/P1.45* SECTION 719.** 560.70 (4m) of the statutes is created to read:

2 560.70 (4m) "Member of a targeted group" means a person who resides in an
3 area designated by the federal government as an economic revitalization area, a
4 person who is employed in an unsubsidized job but meets the eligibility requirements
5 under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who
6 is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work, real pay
7 project position under s. 49.147 (3m), a person who is eligible for child care assistance
8 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
9 disadvantaged youth, an economically disadvantaged veteran, a supplemental
10 security income recipient, a general assistance recipient, an economically
11 disadvantaged ex-convict, a dislocated worker, as defined in 29 USC 2801 (9), or a
12 food stamp recipient, if the person has been certified in the manner under 26 USC
13 51 (d) (13) (A) by a designated local agency, as defined in 26 USC 51 (d) (12).

14 ***-1942/P1.46* SECTION 720.** 560.70 (7) (a) of the statutes is amended to read:

15 560.70 (7) (a) Except as provided in pars. (b) ~~and~~, (c), and (d), "tax benefits"
16 means the development zones credit under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx),
17 and 76.636.

18 ***-1942/P1.47* SECTION 721.** 560.70 (7) (d) of the statutes is created to read:

19 560.70 (7) (d) In ss. 560.701 to 560.706, "tax benefits" means the economic
20 development tax credit under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and 76.637.

21 ***-1942/P1.48* SECTION 722.** 560.701 of the statutes is created to read:

22 **560.701 Certification for tax benefits. (1) APPLICATION.** Any person may
23 apply to the department on a form prepared by the department for certification under
24 this section. The application shall include all of the following:

25 (a) The name and address of the person.

1 (b) The federal tax identification number of the person.

2 (c) The names and addresses of the locations where the person conducts
3 business and a description of the business activities conducted at those locations.

4 (d) A description of each eligible activity conducted or proposed to be conducted
5 by the person.

6 (e) Other information required by the department or the department of
7 revenue.

8 **(2) CERTIFICATION.** (a) The department may certify a person who submits an
9 application under sub. (1) if, after conducting an investigation, the department
10 determines that the person is conducting or intends to conduct at least one eligible
11 activity.

12 (b) The department shall provide a person certified under this section and the
13 department of revenue with a copy of the certification.

14 **(3) CONTRACT.** A person certified under this section shall enter into a written
15 contract with the department. The contract shall include provisions that detail all
16 of the following:

17 (a) A description of each eligible activity being conducted or proposed to be
18 conducted by the person.

19 (b) Whether any of the eligible activities will occur in an economically
20 distressed area, as designated by the department under s. 560.704 (1).

21 (c) Whether any of the eligible activities will benefit members of a targeted
22 group, as determined by the department under s. 560.704 (2).

23 (d) A compliance schedule that includes a sequence of anticipated actions to be
24 taken or goals to be achieved by the person before the person may receive tax benefits
25 under s. 560.703.

1 (e) The reporting requirements with which the person must comply.

2 (f) If feasible, a determination of the tax benefits the person will be authorized
3 to claim under s. 560.703 (2) if the person fulfills the terms of the contract.

4 ***-1942/P1.49* SECTION 723.** 560.702 of the statutes is created to read:

5 **560.702 Eligible activities.** A person who conducts or proposes to conduct
6 any of the following may be certified under s. 560.701 (2):

7 (1) **JOB CREATION PROJECT.** A project that creates and maintains for a period of
8 time established by the department by rule full-time jobs in addition to any existing
9 full-time jobs provided by the person.

10 (2) **CAPITAL INVESTMENT PROJECT.** A project that involves a significant
11 investment of capital, as defined by the department by rule under s. 560.706 (2) (b),
12 by the person in new equipment, machinery, real property, or depreciable personal
13 property.

14 (3) **EMPLOYEE TRAINING PROJECT.** A project that involves significant investments
15 in the training or reeducation of employees, as defined by the department by rule
16 under s. 560.706 (2) (c), by the person for the purpose of improving the productivity
17 or competitiveness of the business of the person.

18 (4) **PROJECT RELATED TO PERSONS WITH CORPORATE HEADQUARTERS IN WISCONSIN.**
19 A project that will result in the location or retention of a person's corporate
20 headquarters in Wisconsin or that will result in the retention of employees holding
21 full-time jobs in Wisconsin if the person's corporate headquarters are located in
22 Wisconsin.

23 ***-1942/P1.50* SECTION 724.** 560.703 of the statutes is created to read:

24 **560.703 Limits on tax benefits and claiming tax benefits.** (1) **LIMITS.** (a)
25 Except as provided in par. (b), the total tax benefits available to be allocated by the

1 department under ss. 560.701 to 560.706 may not exceed the sum of the tax benefits
2 remaining to be allocated under ss. 560.71 to 560.785, 560.797, 560.798, 560.7995,
3 and 560.96 on the effective date of this paragraph [LRB inserts date].

4 (b) The department may submit to the joint committee on finance a request in
5 writing to exceed the total tax benefits specified in par. (a). The department shall
6 submit with its request a justification for seeking an increase under this paragraph.
7 The joint committee on finance, following its review, may approve or disapprove an
8 increase in the total tax benefits available to be allocated under ss. 560.701 to
9 560.706.

10 (2) AUTHORITY TO CLAIM TAX BENEFITS. The department may authorize a person
11 certified under s. 560.701 (2) to claim tax benefits only after the person has submitted
12 a report to the department that documents to the satisfaction of the department that
13 the person has complied with the terms of the contract under s. 560.701 (3) and the
14 requirements of any applicable rules promulgated under s. 560.706 (2).

15 (3) NOTICE OF ELIGIBILITY. The department shall provide to the person and to
16 the department of revenue a notice of eligibility to receive tax benefits that reports
17 the amount of tax benefits for which the person is eligible.

18 *-1942/P1.51* SECTION 725. 560.704 of the statutes is created to read:

19 **560.704 Eligible activities in economically distressed areas and**
20 **benefiting members of targeted groups.** The department may authorize a
21 person certified under s. 560.701 (2) to claim additional tax benefits under s. 560.703
22 if, after conducting an investigation, the department determines any of the
23 following:

24 (1) The person conducts at least one eligible activity in an area designated by
25 the department as economically distressed. In designating an area as economically

1 distressed under this subsection, the department shall follow the methodology
2 established by rule under s. 560.706 (2) (e).

3 (2) The person conducts at least one eligible activity that benefits, creates,
4 retains, or significantly upgrades full-time jobs for, that trains, or that reeducates,
5 members of a targeted group.

6 *-1942/P1.52* **SECTION 726.** 560.705 of the statutes is created to read:

7 **560.705 Revocation of certification.** The department shall revoke the
8 certification of a person who does any of the following:

9 (1) Supplies false or misleading information to obtain certification under s.
10 560.701 (2).

11 (2) Supplies false or misleading information to obtain tax benefits under s.
12 560.703.

13 (3) Leaves the state to conduct substantially the same business outside of the
14 state.

15 (4) Ceases operations in the state and does not renew operation of the business
16 or a similar business within 12 months.

17 *-1942/P1.53* **SECTION 727.** 560.706 of the statutes is created to read:

18 **560.706 Responsibilities of the department.** The department shall do all
19 of the following:

20 (1) **ACCOUNTABILITY.** (a) Annually verify information submitted to the
21 department of revenue under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and 76.637 by
22 persons certified under s. 560.701 (2) and eligible to receive tax benefits under s.
23 560.703.

24 (b) Notify and obtain written approval from the secretary for any certification
25 under sub. (2) (j).

1 (2) RULES. Establish by rule all of the following:

2 (a) A schedule of hourly wage ranges to be paid, and health insurance benefits
3 to be provided, to an employee by a person certified under s. 560.701 (2) and the
4 corresponding per employee tax benefit for which a person certified under s. 560.701
5 (2) may be eligible.

6 (b) A definition of "significant investment of capital" for purposes of s. 560.702
7 (2), together with a corresponding schedule of tax benefits for which a person who is
8 certified under s. 560.701 (2) and who conducts a project described in s. 560.702 (2)
9 may be eligible. The department shall include in the definition required under this
10 paragraph a schedule of investments that takes into consideration the size or nature
11 of the business.

12 (c) A definition of "significant investments in the training or reeducation of
13 employees" for purposes of s. 560.702 (3), together with a corresponding schedule of
14 tax benefits for which a person who is certified under s. 560.701 (2) and who conducts
15 a project under s. 560.702 (3) may be eligible.

16 (d) A schedule of tax benefits for which a person who is certified under s.
17 560.701 (2) and who conducts a project that will result in the location or retention
18 of a person's corporate headquarters in Wisconsin may be eligible.

19 (e) The methodology for designating an area as economically distressed under
20 s. 560.704 (1). The methodology under this paragraph shall require the department
21 to consider the most current data available for the area and for the state on the
22 following indicators:

23 1. Unemployment rate.

24 2. Percentage of families with incomes below the poverty line established under
25 42 USC 9902 (2).

1 3. Median family income.

2 4. Median per capita income.

3 5. Average annual wage.

4 6. Real property values.

5 7. Other significant or irregular indicators of economic distress, such as a
6 natural disaster.

7 (f) A schedule of additional tax benefits for which a person who is certified
8 under s. 560.701 (2) and who conducts an eligible activity described under s. 560.704
9 may be eligible.

10 (g) Reporting requirements, minimum benchmarks, and outcomes expected of
11 a person certified under s. 560.701 (2) before that person may receive tax benefits
12 under s. 560.703.

13 (h) Policies, criteria, and methodology for allocating a portion of the tax benefits
14 available under s. 560.703 to rural areas.

15 (i) Policies, criteria, and methodology for allocating a portion of the tax benefits
16 available under s. 560.703 to small businesses.

17 (j) Policies and criteria for certifying a person who may be eligible for tax
18 benefits greater than or equal to \$3,000,000.

19 (k) Procedures for implementing ss. 560.701 to 560.706.

20 **(3) REPORTING.** Annually, 6 months after the report has been submitted under
21 s. 560.01 (2) (am), submit to the joint legislative audit committee and to the
22 appropriate standing committees of the legislature under s. 13.172 (3) a
23 comprehensive report assessing the program under ss. 560.701 to 560.706. The
24 report under this subsection shall update the applicable information provided in the
25 report under s. 560.01 (2) (am).

1 ***-1942/P1.54* SECTION 728.** 560.71 (4) of the statutes is created to read:
2 560.71 (4) No development zone may be designated under this section after the
3 effective date of this subsection [LRB inserts date].

4 ***-1942/P1.55* SECTION 729.** 560.737 (4) of the statutes is created to read:
5 560.737 (4) No premises of a business incubator may be designated as part of
6 a development zone under this section after the effective date of this subsection
7 [LRB inserts date].

8 ***-1942/P1.56* SECTION 730.** 560.74 (1) of the statutes is amended to read:
9 560.74 (1) ~~At~~ Except as provided under sub. (6), at any time after a
10 development zone is designated by the department, a local governing body may
11 submit an application to change the boundaries of the development zone. If the
12 boundary change reduces the size of a development zone, the local governing body
13 shall explain why the area excluded should no longer be in a development zone. The
14 department may require the local governing body to submit additional information.

15 ***-1942/P1.57* SECTION 731.** 560.74 (6) of the statutes is created to read:
16 560.74 (6) The department may not accept any applications under sub. (1) to
17 change the boundaries of a development zone designated under s. 560.71 on or after
18 the effective date of this subsection [LRB inserts date].

19 ***-1942/P1.58* SECTION 732.** 560.745 (1) (b) of the statutes is amended to read:
20 560.745 (1) (b) The local governing body may apply to the department for one
21 60-month extension of the designation. The department shall promulgate rules
22 establishing criteria for approving an extension of a designation of an area as a
23 development zone under this subsection. No applications may be accepted by the
24 department under this paragraph on or after the effective date of this paragraph
25 [LRB inserts date].

1 ***-1942/P1.59* SECTION 733.** 560.745 (2) (am) of the statutes is amended to
2 read:

3 560.745 (2) (am) Notwithstanding par. (a), the department may increase the
4 established limit for tax benefits for a development zone. The department may not
5 increase the limit for tax benefits established for any development zone designated
6 under s. 560.71 on or after the effective date of this paragraph [LRB inserts date].

7 ***-1942/P1.60* SECTION 734.** 560.78 (1m) of the statutes is created to read:

8 560.78 (1m) No person may be certified under s. 560.765 (3) on or after the
9 effective date of this subsection [LRB inserts date].

10 ***-1942/P1.61* SECTION 735.** 560.78 (3) (a) of the statutes is amended to read:

11 560.78 (3) (a) ~~Except as provided in par.~~ par. (b) and (c), if the economic activity
12 for which a person is seeking certification under s. 560.765 (3) is the relocation of a
13 business into a development zone from a location that is outside the development
14 zone but within the limits of a city, village, town or federally recognized American
15 Indian reservation in which that development zone is located, the local governing
16 body that nominated that area as a development zone under s. 560.72 shall
17 determine whether sub. (2) (a) or (b) applies.

18 ***-1942/P1.62* SECTION 736.** 560.78 (3) (c) of the statutes is created to read:

19 560.78 (3) (c) No local governing body may make any determination under this
20 subsection on or after the effective date of this paragraph [LRB inserts date].

21 ***-1942/P1.63* SECTION 737.** 560.785 (1) (intro.) of the statutes is amended to
22 read:

23 560.785 (1) (intro.) For the development zone program under ss. 560.70 and
24 560.71 to 560.78, the development opportunity zone program under s. 560.795 and
25 the enterprise development zone program under s. 560.797, the department shall

1 promulgate rules that further define a person's eligibility for tax benefits. The rules
2 shall do at least all of the following:

3 ***-1942/P1.64* SECTION 738.** 560.797 (2) (a) (intro.) of the statutes is amended
4 to read:

5 560.797 (2) (a) (intro.) Subject to pars. (c) ~~and~~, (d), and (e), the department may
6 designate an area as an enterprise development zone for a project if the department
7 determines all of the following:

8 ***-1942/P1.65* SECTION 739.** 560.797 (2) (bg) (intro.) of the statutes is amended
9 to read:

10 560.797 (2) (bg) (intro.) Notwithstanding par. (a) and subject to pars. (c) ~~and~~,
11 (d), and (e), the department may designate an area as an enterprise development
12 zone for a project if the department determines all of the following:

13 ***-1942/P1.66* SECTION 740.** 560.797 (2) (e) of the statutes is created to read:

14 560.797 (2) (e) The department may not designate any area as an enterprise
15 development zone on or after the effective date of this paragraph [LRB inserts
16 date].

17 ***-1942/P1.67* SECTION 741.** 560.797 (3) (c) of the statutes is created to read:

18 560.797 (3) (c) The department may not accept or approve any applications or
19 project plans submitted under par. (a) on or after the effective date of this paragraph
20 [LRB inserts date].

21 ***-1942/P1.68* SECTION 742.** 560.797 (4) (a) of the statutes is amended to read:

22 560.797 (4) (a) If Except as provided in par. (h), if the department approves a
23 project plan under sub. (3) and designates the area in which the person submitting
24 the project plan conducts or intends to conduct the project as an enterprise

1 development zone under the criteria under sub. (2), the department shall certify the
2 person as eligible for tax benefits.

3 ***-1942/P1.69* SECTION 743.** 560.797 (4) (h) of the statutes is created to read:
4 560.797 (4) (h) No person may be certified under this subsection on or after the
5 effective date of this paragraph [LRB inserts date].

6 ***-1942/P1.70* SECTION 744.** 560.798 (2) (a) of the statutes is amended to read:
7 560.798 (2) (a) The Except as provided under par. (c), the department may
8 designate one area in the state as an agricultural development zone. The area must
9 be located in a rural municipality. An agricultural business that is located in an
10 agricultural development zone and that is certified by the department under sub. (3)
11 is eligible for tax benefits as provided in sub. (3).

12 ***-1942/P1.71* SECTION 745.** 560.798 (2) (c) of the statutes is created to read:
13 560.798 (2) (c) No area may be designated as an agricultural development zone
14 on or after the effective date of this paragraph [LRB inserts date].

15 ***-1942/P1.72* SECTION 746.** 560.798 (3) (a) of the statutes is amended to read:
16 560.798 (3) (a) The Except as provided under par. (c), the department may
17 certify for tax benefits in an agricultural development zone a new or expanding
18 agricultural business that is located in the agricultural development zone. In
19 determining whether to certify a business under this subsection, the department
20 shall consider, among other things, the number of jobs that will be created or retained
21 by the business.

22 ***-1942/P1.73* SECTION 747.** 560.798 (3) (c) of the statutes is created to read:
23 560.798 (3) (c) No business may be certified under this subsection on or after
24 the effective date of this paragraph [LRB inserts date].

1 ***-1942/P1.74* SECTION 748.** 560.7995 (2) (a) (intro.) of the statutes is amended
2 to read:

3 560.7995 (2) (a) (intro.) Subject to ~~par.~~ pars. (c) and (e), the department may
4 designate an area as an airport development zone if the department determines all
5 of the following:

6 ***-1942/P1.75* SECTION 749.** 560.7995 (2) (d) of the statutes is amended to
7 read:

8 560.7995 (2) (d) Notwithstanding pars. (a) to (c), and except as provided in par.
9 (e), the department shall designate as an airport development zone the area within
10 the boundaries of Adams, Fond du Lac, Green Lake, Juneau, Langlade, Lincoln,
11 Marathon, Marquette, Menominee, Oneida, Portage, Price, Shawano, Taylor,
12 Waupaca, Waushara, Winnebago, Wood, and Vilas counties.

13 ***-1942/P1.76* SECTION 750.** 560.7995 (2) (e) of the statutes is created to read:

14 560.7995 (2) (e) No area may be designated as an airport development zone
15 under this subsection on or after the effective date of this paragraph [LRB inserts
16 date].

17 ***-1942/P1.77* SECTION 751.** 560.7995 (4) (ar) of the statutes is created to read:

18 560.7995 (4) (ar) The department may not accept or approve any applications
19 or business plans submitted under par. (a) on or after the effective date of this
20 paragraph [LRB inserts date].

21 ***-1942/P1.78* SECTION 752.** 560.7995 (4) (b) of the statutes is renumbered
22 560.7995 (4) (b) 1. and amended to read:

23 560.7995 (4) (b) 1. If Except as provided in subd. 2., if the department approves
24 a business plan under par. (a) or (am), the department shall certify the person as

1 eligible for tax benefits. The department shall notify the department of revenue
2 within 30 days of certifying a person under this paragraph.

3 ***-1942/P1.79* SECTION 753.** 560.7995 (4) (b) 2. of the statutes is created to
4 read:

5 560.7995 (4) (b) 2. No person may be certified under this paragraph on or after
6 the effective date of this subdivision [LRB inserts date].

7 ***-1942/P1.80* SECTION 754.** 560.84 (2) (c) 2. of the statutes is amended to read:

8 560.84 (2) (c) 2. A development zone designated under s. 560.71, a development
9 opportunity zone designated under s. 560.795 or an enterprise development zone
10 designated under s. 560.797.

11 ***-1942/P1.81* SECTION 755.** 560.96 (2) (a) of the statutes is amended to read:

12 560.96 (2) (a) The Except as provided in par. (c), the department may designate
13 up to 8 areas in the state as technology zones. A business that is located in a
14 technology zone and that is certified by the department under sub. (3) is eligible for
15 a tax credit as provided in sub. (3).

16 ***-1942/P1.82* SECTION 756.** 560.96 (2) (c) of the statutes is created to read:

17 560.96 (2) (c) No area may be designated as a technology zone under this
18 subsection on or after the effective date of this paragraph [LRB inserts date].

19 ***-1942/P1.83* SECTION 757.** 560.96 (3) (a) (intro.) of the statutes is amended
20 to read:

21 560.96 (3) (a) (intro.) The Except as provided in par. (e), the department may
22 certify for tax credits in a technology zone a business that satisfies all of the following
23 requirements:

24 ***-1942/P1.84* SECTION 758.** 560.96 (3) (e) of the statutes is created to read:

1 560.96 (3) (e) No business may be certified under this subsection on or after the
2 effective date of this paragraph [LRB inserts date].

3 *-1894/1.1* SECTION 759. 704.35 of the statutes is created to read:

4 **704.35 Residential rental property in foreclosure. (1) DUTY OF LANDLORD**
5 TO PROVIDE NOTICE OF FORECLOSURE. If a foreclosure action has been commenced
6 against residential rental property, during the pendency of the action and before the
7 expiration of the redemption period, the owner of the property shall notify any
8 prospective tenant in writing of all of the following:

9 (a) That a foreclosure action has been commenced against the rental property.

10 (b) If judgment has been entered, the date on which the redemption period
11 expires.

12 (2) RENTAL AGREEMENT MUST VERIFY NOTICE OR IS VOIDABLE. Any rental
13 agreement entered into between the property owner and a tenant during the
14 pendency of the foreclosure action and before the expiration of the redemption period
15 shall include a separate written statement, signed by the tenant, that the owner has
16 provided written notice as required under sub. (1). A rental agreement that does not
17 include the statement signed by the tenant is voidable at the option of the tenant.

18 (3) TENANT PROTECTIONS. The protections under s. ~~846.40~~ ^{846.35} apply to a residential
19 tenant if a foreclosure action is or has been commenced against the real property
20 containing the dwelling unit occupied by the tenant.

21 *-1890/1.3* SECTION 760. 799.40 (4) of the statutes is renumbered 799.40 (4)

22 (a).

23 *-1890/1.4* SECTION 761. 799.40 (4) (b) of the statutes is created to read:

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1 799.40 (4) (b) The court shall stay the proceedings in a civil action of eviction
2 against a foreclosed homeowner, as defined in s. 846.40 (1) (b), under the
3 circumstances and as provided in s. 846.40 (9).

4 ***-1890/1.5*** SECTION 762. 846.40 of the statutes is created to read:

5 **846.40 Regulation of foreclosure reconveyances. (1) DEFINITIONS.** In this
6 section:

7 (a) "Closing" means an in-person meeting to complete final documents incident
8 to the sale of real property or the creation of a mortgage on real property that is
9 conducted by a closing agent who is not employed by, an affiliate of, or employed by
10 an affiliate of, any foreclosure purchaser involved in the closing, and who does not
11 have a business or personal relationship with any foreclosure purchaser involved in
12 the closing other than the provision of real estate settlement services.

13 (b) "Foreclosed homeowner" means an owner of a residence in foreclosure.

14 (c) "Foreclosure purchaser" means a person that has acted as the acquirer in
15 a foreclosure reconveyance. "Foreclosure purchaser" also includes a person that has
16 acted in joint venture or joint enterprise with one or more acquirers in a foreclosure
17 reconveyance. "Foreclosure purchaser" does not include any of the following:

18 1. A natural person who shows that he or she is not in the business of
19 foreclosure purchasing and who has a prior personal relationship with the foreclosed
20 homeowner.

21 2. A federal or state chartered bank, savings bank, savings and loan
22 association, or credit union.

23 (d) "Foreclosure reconveyance" means a transaction involving all of the
24 following:

1 1. The transfer of title to real property by a foreclosed homeowner during a
2 foreclosure proceeding, either by a transfer of interest from the foreclosed
3 homeowner or by the creation of a mortgage or other lien or encumbrance during the
4 foreclosure process.

5 2. The subsequent conveyance, or promise of a subsequent conveyance, of an
6 interest back to the foreclosed homeowner by the acquirer or a person acting in
7 participation with the acquirer that allows the foreclosed homeowner to possess
8 either the residence in foreclosure or other real property, which interest includes an
9 interest in a land contract, purchase agreement, option to purchase, or lease.

10 (e) "Primary housing expenses" means the sum of payments for regular
11 principal, interest, rent, utilities, fire and casualty insurance, real estate taxes, and
12 association dues.

13 (f) "Resale" means a bona fide market sale of the property subject to the
14 foreclosure reconveyance by the foreclosure purchaser to an unaffiliated 3rd party.

15 (g) "Resale price" means the gross sale price of the property on resale.

16 (h) "Residence in foreclosure" means residential real property located in this
17 state that consists of one to 4 family dwelling units and with respect to which real
18 property there is a delinquency or default on any loan payment or debt secured by
19 or attached to the residential real property, including land contract payments. The
20 owner of the residential real property may, but is not required to, occupy the
21 residential real property as the owner's principal place of residence.

22 **(2) CONTRACT REQUIREMENT; FORM AND LANGUAGE.** A foreclosure purchaser that
23 enters into any foreclosure reconveyance shall do so by a written contract. Every
24 contract must be written in letters of not less than 12-point boldface type, both in
25 English and in the same language principally used by the foreclosure purchaser and

1 foreclosed homeowner to negotiate the sale of the residence in foreclosure if other
2 than English, and must be fully completed, signed, and dated by the foreclosed
3 homeowner and foreclosure purchaser before the execution of any instrument of
4 conveyance of the residence in foreclosure.

5 **(3) CONTRACT TERMS.** (a) Every contract required by sub. (2) must contain the
6 entire agreement of the parties and must include all of the following terms:

7 1. The name, business address, and telephone number of the foreclosure
8 purchaser.

9 2. The address of the residence in foreclosure.

10 3. The total consideration to be given by the foreclosure purchaser in connection
11 with or incident to the sale.

12 4. A complete description of the terms of payment or other consideration,
13 including any services of any nature that the foreclosure purchaser represents he or
14 she will perform for the foreclosed homeowner before or after the sale.

15 5. The time at which possession is to be transferred to the foreclosure
16 purchaser.

17 6. A complete description of the terms of any related agreement designed to
18 allow the foreclosed homeowner to remain in possession of the home, such as a rental
19 agreement, repurchase agreement, land contract, or lease with option to purchase.

20 7. The time for determining the fair market value of the property, as provided
21 under sub. (8) (b) 2. b.

22 8. A notice of cancellation as provided in sub. (5) (b).

23 9. Immediately above the statement required by sub. (5) (a), in not less than
24 14-point boldface type if the contract is printed or in capital letters if the contract

1 is typed, and completed with the name of the foreclosure purchaser, the following
2 notice:

3 NOTICE REQUIRED BY WISCONSIN LAW

4 Until your right to cancel this contract has ended, (Name of foreclosure
5 purchaser) or anyone working for (Name of foreclosure purchaser) CANNOT ask
6 you to sign or have you sign any deed or any other document.

7 (b) The contract required by this subsection survives delivery of any
8 instrument of conveyance of the residence in foreclosure and has no effect on persons
9 other than the parties to the contract.

10 (4) CONTRACT CANCELLATION. (a) In addition to any other right of rescission, the
11 foreclosed homeowner has the right to cancel any contract with a foreclosure
12 purchaser until midnight of the 5th business day following the day on which the
13 foreclosed homeowner signs a contract that complies with subs. (2) to (6) or until 8:00
14 a.m. on the last day of the period during which the foreclosed homeowner has a right
15 of redemption, whichever occurs first.

16 (b) Cancellation occurs when the foreclosed homeowner delivers to the
17 foreclosure purchaser, personally or by certified mail, a signed and dated written
18 notice of cancellation. The contract and notice of cancellation form under sub. (5) (b)
19 must contain a street or physical address to which notice of cancellation may be
20 mailed by certified mail or personally delivered. A post office box may be designated
21 for delivery by certified mail only if it is accompanied by a street or physical address
22 at which the notice may be personally delivered. If the notice of cancellation is
23 personally delivered, the foreclosure purchaser must provide a receipt to the
24 foreclosed homeowner. If cancellation is mailed by certified mail, delivery is effective
25 when the notice of cancellation is deposited in the U.S. mail. If cancellation is

1 personally delivered, delivery is effective when the notice of cancellation is handed
2 to the foreclosure purchaser.

3 (c) A notice of cancellation given by the foreclosed homeowner need not take the
4 particular form provided under sub. (5) (b).

5 (d) Within 10 days following receipt of a notice of cancellation given in
6 accordance with this subsection, the foreclosure purchaser shall return without
7 condition any original contract and any other documents signed by the foreclosed
8 homeowner.

9 **(5) NOTICE OF CANCELLATION.** (a) 1. The contract must contain conspicuously
10 and in immediate proximity to the space reserved for the foreclosed homeowner's
11 signature, in not less than 14-point boldface type if the contract is printed or in
12 capital letters if the contract is typed, the following statement: "You may cancel this
13 contract for the sale of your house without any penalty or obligation at any time
14 before (date and time of day). See the attached notice of cancellation form for an
15 explanation of this right."

16 2. The foreclosure purchaser shall accurately enter the date and time of day on
17 which the cancellation right ends.

18 (b) The contract must be accompanied by a completed form in duplicate,
19 captioned "NOTICE OF CANCELLATION" in 12-point boldface type if the contract is
20 printed or in capital letters if the contract is typed, followed by a space in which the
21 foreclosure purchaser shall enter the date on which the foreclosed homeowner
22 executes the contract. This form must be attached to the contract, must be easily
23 detachable, and must contain, in not less than 10-point type if the contract is printed
24 or in capital letters if the contract is typed, the following statement:

25 **NOTICE OF CANCELLATION**

1 (Enter date contract signed)

2 1. You may cancel this contract for the sale of your house, without any penalty
3 or obligation, at any time before (date and time of day).

4 2. To cancel this transaction, you may mail by certified mail or personally
5 deliver a signed and dated copy of this notice of cancellation to (name of purchaser)
6 at (street or physical address of purchaser's place of business) NOT LATER THAN
7 (date and time of day). If you personally deliver this notice of cancellation,
8 (name of purchaser) must give you a receipt.

9 3. I hereby cancel this transaction.

10 (Date)

11 (Seller's signature)

12 (c) The foreclosure purchaser shall provide the foreclosed homeowner with a
13 copy of the contract and the attached notice of cancellation form at the time the
14 contract is executed by all parties.

15 (d) The 5-day period under sub. (4) (a) during which the foreclosed homeowner
16 may cancel the contract does not begin to run until all parties to the contract have
17 executed the contract and the foreclosure purchaser has complied with this
18 subsection.

19 **(6) WAIVER.** Any waiver of the provisions of this section is void and
20 unenforceable as contrary to public policy, except that a foreclosed homeowner may
21 waive the 5-day right to cancel under sub. (4) (a) if the property is subject to a
22 foreclosure sale within the 5 business days and the foreclosed homeowner agrees to
23 waive his or her right to cancel in a handwritten statement signed by all parties
24 holding title to the foreclosed property.

1 (7) LIABILITY. Any provision in a contract entered into on or after the effective
2 date of this subsection [LRB inserts date], that attempts or purports to require
3 arbitration of any dispute arising under this section is void at the option of the
4 foreclosed homeowner.

5 (8) GENERAL PROHIBITIONS AND REQUIREMENTS. (a) A foreclosure purchaser may
6 not enter into, or attempt to enter into, a foreclosure reconveyance with a foreclosed
7 homeowner unless all of the following are satisfied:

8 1. The foreclosure purchaser verifies and can demonstrate that the foreclosed
9 homeowner has a reasonable ability to pay for the subsequent conveyance of an
10 interest back to the foreclosed homeowner. In the case of a lease with an option to
11 purchase, payment ability also includes the reasonable ability to make the lease
12 payments and purchase the property within the term of the option to purchase.
13 There is a rebuttable presumption that a foreclosed homeowner is reasonably able
14 to pay for the subsequent conveyance if the foreclosed homeowner's payments for
15 primary housing expenses and regular principal and interest payments on other
16 personal debt, on a monthly basis, do not exceed 60 percent of the foreclosed
17 homeowner's monthly gross income. There is a rebuttable presumption that the
18 foreclosure purchaser has not verified reasonable payment ability if the foreclosure
19 purchaser has not obtained documents other than a statement by the foreclosed
20 homeowner of assets, liabilities, and income.

21 2. The foreclosure purchaser and the foreclosed homeowner complete a closing
22 for any foreclosure reconveyance in which the foreclosure purchaser obtains a deed
23 or mortgage from a foreclosed homeowner.

24 3. The foreclosure purchaser obtains the written consent of the foreclosed
25 homeowner to a grant by the foreclosure purchaser of any interest in the property

1 during such times as the foreclosed homeowner maintains any interest in the
2 property.

3 (b) A foreclosure purchaser shall do either of the following:

4 1. Ensure that title to the subject dwelling has been reconveyed to the
5 foreclosed homeowner.

6 2. Make a payment to the foreclosed homeowner such that the foreclosed
7 homeowner has received consideration in an amount of at least 82 percent of the fair
8 market value of the property within 150 days after either the eviction of, or voluntary
9 relinquishment of possession of the dwelling by, the foreclosed homeowner. The
10 foreclosure purchaser shall make a detailed accounting of the basis for the payment
11 amount, or a detailed accounting of the reasons for failure to make a payment,
12 including providing written documentation of expenses, within this 150-day period.
13 The accounting shall be on a form prescribed by the attorney general, in consultation
14 with the secretary of agriculture, trade and consumer protection. For purposes of
15 this subdivision, all of the following apply:

16 a. There is a rebuttable presumption that an appraisal by a person licensed or
17 certified by an agency of the federal government or this state to appraise real estate
18 constitutes the fair market value of the property.

19 b. The time for determining the fair market value amount shall be specified in
20 the foreclosure reconveyance contract as either at the time of the execution of the
21 foreclosure reconveyance contract or at resale. If the contract states that the fair
22 market value shall be determined at the time of resale, the fair market value shall
23 be the resale price if it is sold within 120 days after the eviction of, or voluntary
24 relinquishment of the property by, the foreclosed homeowner. If the contract states
25 that the fair market value shall be determined at the time of resale, and the resale

1 is not completed within 120 days after the eviction of, or voluntary relinquishment
2 of the property by, the foreclosed homeowner, the fair market value shall be
3 determined by an appraisal conducted during this 120-day period and payment, if
4 required, shall be made to the foreclosed homeowner, but the fair market value shall
5 be recalculated as the resale price on resale and an additional payment amount, if
6 appropriate based on the resale price, shall be made to the foreclosed homeowner
7 within 15 days after resale, and a detailed accounting of the basis for the payment
8 amount, or a detailed accounting of the reasons for failure to make additional
9 payment, shall be made within 15 days after resale, including providing written
10 documentation of expenses. The accounting shall be on a form prescribed by the
11 attorney general, in consultation with the secretary of agriculture, trade and
12 consumer protection.

13 c. "Consideration" means any payment or thing of value provided to the
14 foreclosed homeowner, including unpaid rent or land contract payments owed by the
15 foreclosed homeowner prior to the date of eviction or voluntary relinquishment of the
16 property, reasonable costs paid to 3rd parties necessary to complete the foreclosure
17 reconveyance transaction, payment of money to satisfy a debt or legal obligation of
18 the foreclosed homeowner, the reasonable cost of repairs for damage to the dwelling
19 caused by the foreclosed homeowner, or a penalty imposed by a court for the filing
20 of a frivolous claim in an eviction action under sub. (9). "Consideration" does not
21 include amounts imputed as a down payment or fee to the foreclosure purchaser, or
22 a person acting in participation with the foreclosure purchaser, incident to a land
23 contract, lease, or option to purchase entered into as part of the foreclosure
24 reconveyance, except for reasonable costs paid to 3rd parties necessary to complete
25 the foreclosure reconveyance.

1 (c) A foreclosure purchaser may not enter into repurchase or lease terms as part
2 of the subsequent conveyance that are unfair or commercially unreasonable, or
3 engage in any other unfair conduct.

4 (d) A foreclosure purchaser may not represent, directly or indirectly, any of the
5 following:

6 1. That the foreclosure purchaser is acting as an advisor or consultant, or in any
7 other manner represent that the foreclosure purchaser is acting on behalf of the
8 foreclosed homeowner.

9 2. That the foreclosure purchaser has certification or licensure that the
10 foreclosure purchaser does not have, or that the foreclosure purchaser is not a
11 member of a licensed profession if that is untrue.

12 3. That the foreclosure purchaser is assisting the foreclosed homeowner to save
13 the house, or a substantially similar phrase.

14 4. That the foreclosure purchaser is assisting the foreclosed homeowner in
15 preventing a completed foreclosure if the result of the transaction is that the
16 foreclosed homeowner will not complete a redemption of the property.

17 (e) A foreclosure purchaser may not make any other statements, directly or by
18 implication, or engage in any other conduct that is false, deceptive, or misleading,
19 or that has the likelihood to cause confusion or misunderstanding, including
20 statements regarding the value of the residence in foreclosure, the amount of
21 proceeds the foreclosed homeowner will receive after a foreclosure sale, any contract
22 term, or the foreclosed homeowner's rights or obligations incident to or arising out
23 of the foreclosure reconveyance.

1 (f) Until the time during which the foreclosed homeowner may cancel the
2 transaction has fully elapsed, a foreclosure purchaser may not do any of the
3 following:

4 1. Accept from the foreclosed homeowner an execution of, or induce the
5 foreclosed homeowner to execute, any instrument of conveyance of any interest in the
6 residence in foreclosure.

7 2. Record or file with the register of deeds any document, including any
8 instrument of conveyance, signed by the foreclosed homeowner.

9 3. Transfer or encumber or purport to transfer or encumber any interest in the
10 residence in foreclosure to any 3rd party, provided no grant of any interest or
11 encumbrance is defeated or affected as against a bona fide purchaser or
12 encumbrance for value and without notice of a violation of this subdivision.
13 Knowledge on the part of any such person or entity that the property was residential
14 real property in foreclosure does not constitute notice of a violation of this
15 subdivision. This subdivision does not abrogate any duty of inquiry that exists as to
16 rights or interests of persons in possession of the residence in foreclosure.

17 4. Pay the foreclosed homeowner any consideration.

18 (g) If a foreclosure purchaser extends credit to, or arranges for credit to be
19 extended to, the foreclosed homeowner, the foreclosure purchaser or other person
20 with whom the foreclosure purchaser has arranged for the extension of credit shall
21 comply with all requirements specified in Regulation Z under the federal Truth in
22 Lending Act, 12 CFR 226, that apply to a creditor, as defined in 12 CFR 226.2 (a) (17)
23 (i), in a residential mortgage transaction, as defined in 12 CFR 226.2 (24), regardless
24 of whether the foreclosure purchaser or other person extending credit actually meets
25 the definition of a creditor under 12 CFR 226.2 (a) (17) (i).

1 **(9) STAY OF PROCEEDINGS IN EVICTION ACTIONS.** (a) A court hearing an eviction
2 action against a foreclosed homeowner shall stay the proceedings, without the
3 imposition of a bond, if a defendant makes a prima facie showing of all of the
4 following:

5 1. That any of the following applies to the defendant:

6 a. The defendant has commenced an action concerning a foreclosure
7 reconveyance with respect to the property that is the subject of the eviction action.

8 b. The defendant asserts, in connection with a foreclosure reconveyance, any
9 violation of this section or a claim or affirmative defense of fraud, false pretense, false
10 promise, misrepresentation, misleading statement, or deceptive practice.

11 2. That the defendant owned the foreclosed residence.

12 3. That the defendant conveyed title to the foreclosed residence to a 3rd party
13 upon a promise that the defendant would be allowed to occupy the foreclosed
14 residence or other real property in which the foreclosure purchaser or a person acting
15 in participation with the foreclosure purchaser has an interest and that the
16 foreclosed residence or other real property would be the subject of a foreclosure
17 reconveyance.

18 4. That since the conveyance to the 3rd party, the defendant has continuously
19 occupied the foreclosed residence or other real property in which the foreclosure
20 purchaser or a person acting in participation with the foreclosure purchaser has an
21 interest.

22 (b) For purposes of par. (a), notarized affidavits are acceptable means of proof
23 for meeting the defendant's burden of proof. A defendant may request, and upon a
24 showing of good cause the court may grant, up to an additional 2 weeks to produce
25 evidence to make the prima facie showing required under par. (a).

1 (c) The stay under this subsection shall remain in effect for 90 days if the
2 defendant has not yet commenced and does not commence, within 90 days from the
3 issuance of the stay, an action in connection with a foreclosure reconveyance
4 transaction. If the defendant has commenced, or commences within 90 days from the
5 issuance of the stay, an action in connection with a foreclosure reconveyance
6 transaction, the stay shall remain in effect until the court hearing the action related
7 to the foreclosure reconveyance renders a final decision in the matter.

8 (10) ENFORCEMENT. (a) A violation of this section shall be considered a fraud.

9 (b) A foreclosed homeowner against whom a violation of this section is
10 committed may bring an action for damages.

11 (c) A court may order punitive damages under s. 895.043 for a violation of this
12 section.

13 (d) 1. A foreclosure purchaser who violates this section by engaging in any
14 practice that would operate as a fraud or deceit upon a foreclosed homeowner may
15 be fined not more than \$50,000 or imprisoned for not more than one year in the
16 county jail or both.

17 2. In the absence of additional misconduct, a failure of the parties to complete
18 a foreclosure reconveyance transaction shall not subject a foreclosure purchaser to
19 the criminal penalties under subd. 1.

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③ *-1894/1.2* SECTION 763. 846.40 of the statutes is created to read:

846.35
846.40

846.35

22 PLAINTIFF. (a) If residential rental property is the subject of a foreclosure action, the
23 plaintiff shall provide the following notices at the following times to the tenants who
24 are in possession of each rental unit when a notice is given:

1 1. No later than 5 days after the foreclosure action is filed, notice that the
2 plaintiff has commenced a foreclosure action with respect to the rental property.

3 2. No later than 5 days after the judgment of foreclosure is entered, notice that
4 the plaintiff has been granted a judgment of foreclosure with respect to the rental
5 property and notice of the date on which the redemption period ends.

6 3. When the confirmation of sale hearing has been scheduled, notice of the date
7 and time of the hearing.

8 (b) The notices under par. (a) may be given in any of the following ways:

9 1. By personal service as provided in s. 801.11 (1).

10 2. By certified mail with return receipt requested. Notice given under this
11 subdivision is considered completed when it is mailed, unless the envelope enclosing
12 the notice is returned unopened to the plaintiff. All notices mailed under this
13 subdivision shall be mailed in envelopes upon which the plaintiff's, or the plaintiff's
14 attorney's, return address appears, with a request to return to that address.

15 (c) If a plaintiff fails to provide a notice under par. (a) in accordance with pars.
16 (a) and (b), the court shall award the tenant to whom the notice should have been
17 given \$250 in damages, plus reasonable attorney fees. A tenant may not recover
18 under this paragraph for more than one notice violation.

19 **(2) EXTENDED POSSESSION OF PREMISES; WITHHOLDING LAST MONTH'S RENT.** (a)
20 Notwithstanding ch. 704, all of the following apply to a tenant whose tenancy is
21 terminated as a result of a foreclosure judgment and sale with respect to the rental
22 property:

23 1. Subject to subd. 3., the tenant may retain possession of the tenant's rental
24 unit for up to 2 months after the end of the month in which the sale of the property
25 is confirmed.

1 2. The tenant may withhold rent in an amount equal to the security deposit
2 during the last period the tenant actually retains possession of the rental unit,
3 regardless of whether the tenant retains possession after the sale of the property is
4 confirmed, as authorized under subd. 1.

5 3. The tenant's right to retain possession of the rental unit expires at the end
6 of the month for which the tenant withholds rent, as authorized under subd. 2.

7 (b) Subject to par. (a) 2., a tenant who retains possession of the rental unit after
8 the sale of the property is confirmed shall pay rent for the period during which the
9 tenant retains possession at the same rate that applied immediately before the
10 confirmation of the sale of the property.

11 **(3) EXECUTION OF WRIT OF ASSISTANCE OR RESTITUTION.** No writ of assistance or
12 writ of restitution for the removal of a tenant whose tenancy is terminated as a result
13 of a foreclosure judgment and sale may be executed before the end of the 2nd month
14 beginning after the month in which the sale of the property is confirmed, unless the
15 tenant has waived in writing the right under sub. (2) (a) 1. to retain possession of the
16 rental unit.

17 **(4) EXCLUSION OF INFORMATION FROM THE CONSOLIDATED COURT AUTOMATION**
18 **PROGRAMS.** No information in a civil action, including a writ of assistance, writ of
19 restitution, or entry of judgment of eviction, concerning the removal of a tenant from
20 residential rental property may be included in the consolidated court automation
21 programs that are accessible to the public through the circuit court public access Web
22 site if that removal is the result of a mortgage foreclosure of that residential rental
23 property.

24 *-1890/1.6* **SECTION 764.** 846.45 of the statutes is created to read:

1 **846.45 Regulation of foreclosure consultants. (1) DEFINITIONS.** In this
2 section, unless the context requires otherwise:

3 (a) "Contract" means an agreement, or any term in an agreement, between a
4 foreclosure consultant and a foreclosed homeowner for the rendition of any service.

5 (b) "Foreclosed homeowner" has the meaning given in s. 846.40 (1) (b).

6 (c) 1. Except as provided in subd. 2., "foreclosure consultant" means a person
7 who, directly or indirectly, makes a solicitation, representation, or offer to a
8 foreclosed homeowner to perform for compensation, or who for compensation
9 performs, any service that the person in any manner represents will in any manner
10 do any of the following:

11 a. Stop or postpone the foreclosure sale.

12 b. Obtain any forbearance from a beneficiary or mortgagee.

13 c. Obtain a waiver of an acceleration clause contained in a promissory note or
14 contract secured by a mortgage on the residence in foreclosure or contained in the
15 mortgage.

16 d. Assist the foreclosed homeowner to obtain a loan or advance of funds.

17 e. Avoid or ameliorate the impairment of the foreclosed homeowner's credit
18 resulting from the recording of a lis pendens or the conduct of a foreclosure sale.

19 f. Save the residence in foreclosure from foreclosure.

20 2. "Foreclosure consultant" does not include any of the following:

21 a. A person licensed to practice law in this state when the person renders
22 service in the course of his or her practice as an attorney at law.

23 b. A person licensed as a real estate broker or salesperson under ch. 452 when
24 the person engages in acts for which licensure under that chapter is required, unless

1 the person is engaged in offering services designed to, or purportedly designed to,
2 enable the foreclosed homeowner to retain possession of the residence in foreclosure.

3 c. A person certified or licensed to practice as a certified public accountant
4 under ch. 442 when the person is acting in any capacity for which the person is
5 certified or licensed under that chapter.

6 d. A person, or the person's authorized agent, acting under the express
7 authority or written approval of the department of housing and urban development
8 or other department or agency of the United States or this state to provide services.

9 e. A person who holds or is owed an obligation secured by a lien on any residence
10 in foreclosure when the person performs services in connection with this obligation
11 or lien if the obligation or lien did not arise as the result of or as part of a proposed
12 foreclosure reconveyance.

13 f. A person or entity doing business under any law of this state, or of the United
14 States, relating to a financial institution, as defined in s. 214.01 (1) (jn), to a lender
15 licensed under s. 138.09, to an insurance company, or to a mortgagee that is a United
16 States department of housing and urban development approved mortgagee; a
17 subsidiary or affiliate of any of these persons or entities; or an agent or employee of
18 any of these persons or entities while engaged in the business of these persons or
19 entities.

20 g. A person registered under s. 224.72 as a mortgage banker, loan originator,
21 or mortgage broker, when acting under the authority of that registration.

22 h. A judgment creditor of the foreclosed homeowner, to the extent that the
23 judgment creditor's claim accrued prior to the recording of the lis pendens in the
24 foreclosure action.

25 i. A foreclosure purchaser.

1 j. An adjustment service company licensed under s. 218.02, but only when
2 engaged in business unrelated to real estate.

3 (d) "Foreclosure purchaser" has the meaning given in s. 846.40 (1) (c).

4 (e) "Foreclosure reconveyance" has the meaning given in s. 846.40 (1) (d).

5 (f) "Person" means any individual, partnership, corporation, limited liability
6 company, association, or other group, however organized.

7 (g) "Residence in foreclosure" has the meaning given in s. 846.40 (1) (h).

8 (h) "Service" includes any of the following:

9 1. Debt, budget, or financial counseling of any type.

10 2. Receiving money for the purpose of distributing it to creditors in payment
11 or partial payment of any obligation secured by a lien on a residence in foreclosure.

12 3. Contacting creditors on behalf of a foreclosed homeowner.

13 4. Arranging or attempting to arrange for a delay or postponement of the time
14 of sale of the residence in foreclosure.

15 5. Advising the filing of any document, or assisting in any manner in the
16 preparation of any document for filing, with a bankruptcy court.

17 6. Giving any advice, explanation, or instruction to a foreclosed homeowner
18 that in any manner relates to curing a default in or reinstating an obligation secured
19 by a lien on the residence in foreclosure, the full satisfaction of that obligation, or the
20 postponement or avoidance of a sale of a residence in foreclosure, under a power of
21 sale contained in any mortgage.

22 **(2) CANCELLATION OF FORECLOSURE CONSULTANT CONTRACT.** (a) In addition to any
23 other right under law to rescind a contract, a foreclosed homeowner has the right to
24 cancel a contract until midnight of the 3rd business day after the day on which the
25 foreclosed homeowner signs a contract that complies with sub. (3).

1 (b) 1. Cancellation occurs when the foreclosed homeowner delivers, personally
2 or by certified mail, written notice of cancellation to the foreclosure consultant at the
3 foreclosure consultant's address specified in the contract.

4 2. If notice of cancellation is given by certified mail, cancellation is effective
5 when the notice is deposited in the U.S. mail, properly addressed with postage
6 prepaid. If notice of cancellation is personally delivered, the foreclosure consultant
7 must give the foreclosed homeowner a receipt. Cancellation, if personally delivered,
8 is effective when the foreclosed homeowner hands the notice to the foreclosure
9 consultant.

10 (c) Notice of cancellation given by the foreclosed homeowner need not take the
11 particular form provided with the contract under sub. (3) (e). However expressed,
12 notice is effective if it indicates the intention of the foreclosed homeowner not to be
13 bound by the contract.

14 **(3) CONTRACT.** (a) Every contract must be in writing and must fully disclose
15 the exact nature of the foreclosure consultant's services and the total amount and
16 terms of compensation.

17 (b) The following notice, printed in not less than 14-point boldface type and
18 completed with the name of the foreclosure consultant, must be printed immediately
19 above the statement required by par. (c):

20 **NOTICE REQUIRED BY WISCONSIN LAW**

21 (name of foreclosure consultant) or anyone working for him or her CANNOT
22 do any of the following:

23 1. Take any money from you or ask you for money until (name of foreclosure
24 consultant) has completely finished doing everything he or she said he or she would
25 do.

1 2. Ask you to sign or have you sign any lien, mortgage, or deed.

2 (c) The contract must be written both in English and in the same language as
3 principally used by the foreclosure consultant to describe his or her services or to
4 negotiate the contract if other than English, must be dated and signed by the
5 foreclosed homeowner, and must contain in immediate proximity to the space
6 reserved for the foreclosed homeowner's signature, in not less than 10-point boldface
7 type, the following statement: "You, the owner, may cancel this transaction at any
8 time prior to midnight of the 3rd business day after the date of this transaction. See
9 the attached notice of cancellation form for an explanation of this right."

10 (d) The notice of cancellation form under par. (e) must contain, and the contract
11 must contain on the first page, in a type size that is no smaller than that generally
12 used in the body of the document, both of the following:

13 1. The name and street or physical address of the foreclosure consultant to
14 which the notice of cancellation is to be mailed by certified mail or personally
15 delivered. A post office box does not constitute a physical address. A post office box
16 may be designated for delivery by certified mail only if it is accompanied by a street
17 or physical address at which the notice may be personally delivered.

18 2. The date the foreclosed homeowner signed the contract.

19 (e) The contract must be accompanied by a completed form in duplicate,
20 captioned "NOTICE OF CANCELLATION." This form must be attached to the contract,
21 must be easily detachable, and must contain, in not less than 10-point type and
22 written in the same language or languages as used in the contract, the following
23 statement:

24 NOTICE OF CANCELLATION

25 (Enter date of transaction)

1 1. You may cancel this transaction, without any penalty or obligation, within
2 3 business days from the above date.

3 2. To cancel this transaction, you may either mail by certified mail or personally
4 deliver a signed and dated copy of this notice of cancellation, or any other written
5 notice of cancellation, to (name of foreclosure consultant) at (street or physical
6 address of foreclosure consultant's place of business) NOT LATER THAN
7 MIDNIGHT OF (date). If you personally deliver a notice of cancellation, (name
8 of foreclosure consultant) must give you a receipt.

9 3. I hereby cancel this transaction.

10 (Date)

11 (Owner's signature)

12 (f) The foreclosure consultant shall provide the foreclosed homeowner with a
13 copy of the contract and the attached notice of cancellation immediately upon
14 execution of the contract.

15 (g) The 3 business days during which the foreclosed homeowner may cancel the
16 contract shall not begin to run until the foreclosure consultant has complied with this
17 subsection.

18 **(4) VIOLATIONS.** It is a violation of this section for a foreclosure consultant to
19 do any of the following:

20 (a) Claim, demand, charge, collect, or receive any compensation until after the
21 foreclosure consultant has fully performed each and every service the foreclosure
22 consultant contracted to perform or represented that he or she would perform.

23 (b) Claim, demand, charge, collect, or receive any fee, interest, or any other
24 compensation for any reason that exceeds 8 percent per year of the amount of any
25 loan that the foreclosure consultant may make to the foreclosed homeowner. Any

1 loan may not, as provided in par. (c), be secured by the residence in foreclosure or any
2 other real or personal property.

3 (c) Take a wage assignment, a lien of any type on real or personal property, or
4 any other security to secure the payment of compensation. Any security taken to
5 secure the payment of compensation is void and unenforceable.

6 (d) Receive any consideration from any 3rd party in connection with services
7 rendered to a foreclosed homeowner unless the consideration is first fully disclosed
8 to the foreclosed homeowner.

9 (e) Acquire any interest, directly or indirectly or by means of a subsidiary or
10 affiliate, in a residence in foreclosure from a foreclosed homeowner with whom the
11 foreclosure consultant has contracted.

12 (f) Except as otherwise provided by law, take any power of attorney from a
13 foreclosed homeowner for any purpose.

14 (g) Induce or attempt to induce any foreclosed homeowner to enter into a
15 contract that does not comply in all respects with subs. (2) and (3).

16 (h) Fail to give a receipt to a foreclosed homeowner if the foreclosed homeowner
17 personally delivers timely written notice of cancellation of a contract under sub. (2)
18 (b).

19 **(5) WAIVER NOT ALLOWED.** Any waiver by a foreclosed homeowner of this section
20 or of a foreclosed homeowner's rights under this section is void and unenforceable as
21 contrary to public policy. Any attempt by a foreclosure consultant to induce a
22 foreclosed homeowner to waive the foreclosed homeowner's rights is a violation of
23 this section.

1 **(6) PENALTIES AND REMEDIES.** (a) The department of agricultural, trade and
2 consumer protection may investigate violations of this section under ss. 93.14 and
3 93.15.

4 (b) Any person suffering a pecuniary loss because of a violation of this section
5 may commence an action against the violator. If the court determines that the person
6 suffered a pecuniary loss because of the violation, the court shall award the person
7 twice the amount of the pecuniary loss or \$200, whichever is greater, for each
8 violation, together with costs and, notwithstanding s. 814.04 (1), reasonable attorney
9 fees.

10 (c) The department of agricultural, trade and consumer protection may
11 commence an action to restrain a violation of this section. In addition to providing
12 any equitable relief, the court may award any person who suffered a pecuniary loss
13 because of the violation twice the amount of the pecuniary loss or \$200, whichever
14 is greater, for each violation.

15 (d) The department of agricultural, trade and consumer protection or the
16 district attorney may commence an action to recover a forfeiture of not less than \$100
17 nor more than \$10,000 for a violation of this section.

18 (e) Whoever violates this section may be fined not less than \$25 nor more than
19 \$10,000 or imprisoned for not more than one year in the county jail, or both.

20 **(7) CONTRACT PROVISION FOR ARBITRATION VOIDABLE.** Any provision in a contract
21 entered into on or after the effective date of this subsection [LRB inserts date],
22 that attempts or purports to require arbitration of any dispute arising under this
23 section is voidable at the option of the foreclosed homeowner.

24 **(8) STATUTORY CONFLICTS RELATED TO ADJUSTMENT SERVICE COMPANIES.** To the
25 extent that any provision of this section is inconsistent with s. 218.02 with respect

1 to a foreclosure consultant that is licensed under s. 218.02 and engages in
2 adjustment service company business related to real estate, the provisions of this
3 section shall supersede any conflicting provision of s. 218.02.

4 ***-1896/1.183* SECTION 765.** 943.62 (2m) of the statutes is amended to read:

5 943.62 (2m) This section does not apply to a savings and loan association,
6 credit union, bank, savings bank, or a mortgage banker, mortgage loan originator,
7 or mortgage broker registered licensed under s. 224.72 or 224.725.

8 ***-1638/7.1* SECTION 766.** 2007 Wisconsin Act 20, section 9201 (1c) (a) is
9 amended to read:

10 [2007 Wisconsin Act 20] Section 9201 (1c) (a) Notwithstanding sections 20.001
11 (3) (a) to (c) and 25.40 (3) of the statutes, but subject to paragraph (d), the secretary
12 of administration shall lapse to the general fund or transfer to the general fund from
13 the unencumbered balances of state operations appropriations to executive branch
14 state agencies, other than sum sufficient appropriations and appropriations of
15 federal revenues, an amount equal to \$200,000,000 during the 2007-09 fiscal
16 biennium and ~~\$200,000,000 during the 2009-11 fiscal biennium~~. This paragraph
17 shall not apply to appropriations to the Board of Regents of the University of
18 Wisconsin System and to the technical college system board.

19 ***-1638/7.2* SECTION 767.** 2007 Wisconsin Act 20, section 9201 (1c) (b) is
20 amended to read:

21 [2007 Wisconsin Act 20] Section 9201 (1c) (b) Notwithstanding section 20.001
22 (3) (a) to (c) of the statutes, but subject to paragraph (d), the secretary of
23 administration shall lapse to the general fund or transfer to the general fund from
24 the unencumbered balances of appropriations to the Board of Regents of the
25 University of Wisconsin System, other than sum sufficient appropriations and

1 appropriations of federal revenues, an amount equal to \$25,000,000 during the
2 2007-09 fiscal biennium and ~~\$25,000,000 during the 2009-11 fiscal biennium~~ from
3 moneys allocated for University of Wisconsin System and campus administration.

4 ***-1638/7.3* SECTION 768.** 2007 Wisconsin Act 20, section 9201 (1c) (c) is
5 amended to read:

6 [2007 Wisconsin Act 20] Section 9201 (1c) (c) Notwithstanding section 20.001
7 (3) (a) to (c) of the statutes, but subject to paragraph (d), the secretary of
8 administration shall lapse to the general fund or transfer to the general fund from
9 the unencumbered balances of appropriations to the technical college system board,
10 other than sum sufficient appropriations and appropriations of federal revenues, an
11 amount equal to \$1,000,000 during the 2007-09 fiscal biennium and ~~\$1,000,000~~
12 ~~during the 2009-11 fiscal biennium.~~

13 **SECTION 9110. Nonstatutory provisions; Commerce.**

14 ***-1885/P2.9110*** (1) TENANT RESOURCE CENTER GRANT. In fiscal year 2008-09,
15 the department of commerce shall award to the Tenant Resource Center in Madison
16 from the appropriation under section 20.143 (2) (b) of the statutes, as affected by this
17 act, a grant not to exceed \$200,000, for providing foreclosure education and
18 assistance to tenants.

19 ***-1888/P1.9110*** (2) WISCONSIN REGIONAL TRAINING PARTNERSHIP/BUILDING
20 INDUSTRY GROUP SKILLED TRADES EMPLOYMENT PROGRAM. In fiscal year 2008-09, from
21 the appropriation account under section 20.143 (1) (c) of the statutes, as affected by
22 this act, the department of commerce shall award \$1,000,000 in grant moneys to
23 expand the Wisconsin Regional Training Partnership/Building Industry Group
24 Skilled Trades Employment Program if, as a condition of receiving the award, the
25 Wisconsin Regional Training Partnership/Building Industry Group Skilled Trades

1 Employment Program enters into a contract with the department that specifies
2 permissible uses of the grant moneys and that requires the Wisconsin Regional
3 Training Partnership/Building Industry Group Skilled Trades Employment
4 Program to comply with the reporting and accountability measures established by
5 the department by rule under section 560.01 (2) (ae) 3., 6., and 7. of the statutes.

6 (3) GRANTS TO ORGANIZATIONS IN SPECIFIC BUILDING TRADES FOR GREEN JOB TRAINING
7 AND RETRAINING. (a) *Grants*. Subject to paragraph (b), in fiscal year 2008-09, from
8 the appropriation account under section 20.143 (1) (c) of the statutes, as affected by
9 this act, the department of commerce shall distribute all of the following grants:

10 1. Painters and Allied Trades, District Council 7; Leadership in Energy and
11 Efficiency Design certification. A grant of \$150,000 to Painters and Allied Trades,
12 District Council 7, to train workers in the construction industry on the Leadership
13 in Energy and Efficiency Design certification process so that the workers will
14 understand green building practices, principles, and certification requirements and
15 be qualified to bid on green building projects.

16 2. Painters and Allied Trades, District Council 7; National Association of
17 Corrosion Engineers, International, and the Society for Protective Coatings
18 certification. A grant of \$175,000 to Painters and Allied Trades, District Council 7,
19 to certify individuals to provide instruction to workers in the construction industry
20 on standards established by the National Association of Corrosion Engineers,
21 International, and by the Society for Protective Coatings.

22 3. Wisconsin State Council of Carpenters; alternative energy systems
23 installation. A grant of \$175,000 to the Wisconsin State Council of Carpenters to
24 train carpenters in the installation of windmills and other alternative energy
25 systems.

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1 4. Wisconsin State Council of Carpenters; sustainable green building practices.
2 A grant of \$72,000 to the Wisconsin State Council of Carpenters to train carpenters
3 in sustainable green building practices.

4 5. Wisconsin Pipe Trades Association, Local 75; mobile worker training facility.
5 A grant of \$248,000 to the Wisconsin Pipe Trades Association, Local 75, to build,
6 using green building practices, a mobile training facility to be used in connection
7 with training programs for workers in the pipe trades. Training programs shall be
8 provided across the state and on new building codes, environmentally sound
9 construction practices, and new initiatives for green construction.

10 6. Wisconsin Laborers' District Council. A grant of \$265,000 to the Wisconsin
11 Laborers' District Council.

12 7. Wisconsin Operating Engineers; geothermal energy and wind energy
13 technologies. A grant of \$275,000 to the Wisconsin Operating Engineers to train
14 workers in the construction of geothermal energy and wind energy systems.

15 8. International Brotherhood of Electrical Workers; solar electricity
16 installation. A grant of \$210,000 to the International Brotherhood of Electrical
17 Workers to purchase equipment for three laboratories to be established in the state
18 for training workers in the installation of solar electricity systems.

19 9. International Brotherhood of Electrical Workers; solar electricity
20 installation. A grant of \$60,000 to the International Brotherhood of Electrical
21 Workers for instructor training and start-up costs in connection with the
22 laboratories described in subdivision 8.

23 (b) *Conditions for receiving a grant.* The department of commerce may not
24 award a grant to an organization under this subsection unless the organization, as
25 a condition of receiving the grant moneys, enters into a contract with the department

1 that specifies permissible uses of the grant moneys and that requires the
2 organization to comply with the reporting and accountability measures established
3 by the department by rule under section 560.01 (2) (ae) 3., 6., and 7. of the statutes.

4 ***-1942/P1.9110*** (4) DEVELOPMENT ZONE TAX BENEFIT CONSOLIDATION;
5 EMERGENCY RULES. The department of commerce may use the procedure under
6 section 227.24 of the statutes to promulgate rules under section 560.706 (2) of the
7 statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the
8 statutes, emergency rules promulgated under this subsection remain in effect until
9 July 1, 2010, or the date on which permanent rules take effect, whichever is sooner.
10 Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not
11 required to provide evidence that promulgating a rule under this subsection as an
12 emergency rule is necessary for the preservation of the public peace, health, safety,
13 or welfare and is not required to provide a finding of emergency for a rule
14 promulgated under this subsection.

15 (5) DEVELOPMENT ZONE TAX BENEFIT CONSOLIDATION; ECONOMIC IMPACT REPORT.
16 Notwithstanding sections 227.137 (2) and 227.138 (2) of the statutes, if the secretary
17 of administration requires the department of commerce to prepare an economic
18 impact report for the rules required under section 560.706 (2) of the statutes, as
19 created by this act, the department may submit the proposed rules to the legislature
20 for review under section 227.19 (2) of the statutes before the department completes
21 the economic impact report and before the department receives a copy of the report
22 and approval under section 227.138 (2) of the statutes.

23 ***-1896/1.9117*** **SECTION 9117. Nonstatutory provisions; Financial**
24 **Institutions.**

25 (1) MORTGAGE LOAN ORIGINATORS, MORTGAGE BROKERS, AND MORTGAGE BANKERS.

1 (a) In this subsection, "division" means the division of banking in the
2 department of financial institutions.

3 (b) Notwithstanding any other provision of subchapter III of chapter 224 of the
4 statutes, as affected by this act, the division shall, by rule, institute any system of
5 initial license issuance or license renewal that it deems advisable for the purpose of
6 implementing an orderly and efficient transition from the registration system under
7 subchapter III of chapter 224, 2007 stats., to the license system under subchapter III
8 of chapter 224 of the statutes, as affected by this act. A transition system adopted
9 under this paragraph may include the requirement that registrants under section
10 224.72, 2007 stats., apply for a license under section 224.72 of the statutes, as
11 affected by this act, or under section 224.725 of the statutes, as created by this act,
12 and pay any applicable fees, before the scheduled expiration of the registration
13 period under section 224.72, 2007 stats. A transition system adopted under this
14 paragraph may also provide for the initial issuance of licenses under section 224.72
15 of the statutes, as affected by this act, and under section 224.725 of the statutes, as
16 created by this act, that are valid for an initial period that is greater or less than the
17 ordinary valid period of such licenses. If a transition system adopted under this
18 paragraph results in a shorter registration or license period than that which would
19 ordinarily be applicable, the division shall prorate or rebate fees corresponding to the
20 unused or unexpired portion of the ordinarily applicable registration or license
21 period. For previously registered or licensed individuals the division may establish
22 under the transition system expedited review and licensing procedures.

23 (c) The division shall submit in proposed form the rules required under
24 paragraph (b) to the legislative council staff under section 227.15 (1) of the statutes
25 no later than 60 days after the effective date of this paragraph.

1 (d) Using the emergency rules procedure under section 227.24 of the statutes,
2 the division shall promulgate the rules required under paragraph (b) for the period
3 before the effective date of the rules submitted under paragraph (c). The division
4 shall promulgate these emergency rules no later than 60 days after the effective date
5 of this paragraph. Notwithstanding section 227.24 (1) (c) and (2) of the statutes,
6 these emergency rules may remain in effect until July 1, 2011, or the date on which
7 permanent rules take effect, whichever is sooner. Notwithstanding section 227.24
8 (1) (a) and (3) of the statutes, the division is not required to provide evidence that
9 promulgating a rule under this paragraph as an emergency rule is necessary for the
10 preservation of the public peace, health, safety, or welfare and is not required to
11 provide a finding of emergency for a rule promulgated under this paragraph.

12 **SECTION 9122. Nonstatutory provisions; Health Services.**

13 ***-1152/P8.9122*** (1) HOSPITAL ASSESSMENT.

14 (a) *Assessment payment deadlines.* Notwithstanding section 50.38 (4) of the
15 statutes, as created by this act, hospitals shall pay the assessment for state fiscal
16 year 2008-09 that is required under section 50.38 (2) of the statutes, as created by
17 this act, in 2 equal amounts. Hospitals shall make the first payment by March 31,
18 2009, or 10 days after the effective date of this paragraph, whichever is later.
19 Hospitals shall make the 2nd payment by June 30, 2009. At the discretion of the
20 department of health services, a hospital that is unable timely to make a payment
21 by a date specified under this paragraph may be allowed to make a delayed payment.
22 A determination by the department that a hospital may not make a delayed payment
23 under this paragraph is final and is not subject to review under chapter 227 of the
24 statutes.

1 (b) *Medical Assistance fee-for-service schedule used as basis for managed care*
2 *reimbursement.* The department of health services shall present the inpatient and
3 outpatient hospital diagnosis related groupings rate and weight schedules
4 established by the department for state fiscal year 2007-08 to health maintenance
5 organizations and hospitals as the applicable schedule for reimbursement rates
6 under agreements between health maintenance organizations and hospitals that
7 reference the fee-for-services schedule to establish the rates that health
8 maintenance organizations shall reimburse hospitals for services provided to
9 recipients of the Medical Assistance Program under subchapter IV of chapter 49 of
10 the statutes in state fiscal year 2008-09.

11 (c) *Reconciliation of 2008-09 expenses.* 1. Notwithstanding the deadline under
12 section 50.38 (6) (b) of the statutes, as created by this act, for state fiscal year
13 2008-09, the department shall make the refunds required under section 50.38 (6) (b),
14 by December 31, 2009.

15 2. Notwithstanding section 20.001 (3) (a) of the statutes, the unencumbered
16 balance in the appropriation under section 20.435 (4) (xc) of the statutes does not
17 revert to the hospital assessment fund at the end of state fiscal year 2008-09; and
18 the department of health services may expend in state fiscal year 2009-10 this
19 amount in addition to the amounts in the schedule under section 20.005 (3) of the
20 statutes for the appropriation under section 20.435 (4) (xc) of the statutes for state
21 fiscal year 2009-10.

22 (d) *Independent rural hospital supplement.* In state fiscal year 2008-09, from
23 the appropriation account under section 20.435 (4) (b) and (o) of the statutes, the
24 department of health services shall pay independent, rural, hospitals that are in

1 counties that border another state and that are not critical access hospitals one of the
2 following amounts:

3 1. If the percentage of the hospital's gross patient revenue that is attributable
4 to the Medical Assistance Program under subchapter IV of chapter 49 of the statutes
5 is less than 7 percent, \$250,000.

6 2. If the percentage of the hospital's gross patient revenue that is attributable
7 to the Medical Assistance Program under subchapter IV of chapter 49 of the statutes
8 is equal to or greater than 7 percent, \$500,000.

9 (e) *Budgeting practices.* This act does not affect any requirements under
10 section 16.46 of the statutes. The departments of administration and health services
11 shall review, reestimate, and request general purpose revenue for hospital payments
12 under the Medical Assistance Program under subchapter IV of chapter 49 of the
13 statutes as needed.

14 ***-2006/1.9122*** (2) FEDERAL MEDICAL ASSISTANCE PERCENTAGES. If permitted
15 under federal law, and notwithstanding section 49.45 (25), (30), (30e), (39) (b), (41),
16 and (45) of the statutes, for Medical Assistance services under section 49.45 (25),
17 (30), (30e), (39) (b), (41), and (45) of the statutes, for which the department of health
18 services disburses to the provider the federal share, or a percentage of the federal
19 share, of allowable costs for providing the service, the percentages used to determine
20 the federal share shall be the following, regardless of whether the federal
21 government increases the percentages:

22 (a) For services provided during the period from October 1, 2008, through
23 September 30, 2009, the federal Medical Assistance percentages for federal fiscal
24 year 2009 that are published in the federal register on November 28, 2007, on pages
25 67304 to 67306.

1 (b) For services provided during the period from October 1, 2009, through
2 December 31, 2010, the federal Medical Assistance percentages for federal fiscal year
3 2010 that are published in the federal register on November 26, 2008, on pages 72051
4 to 72053.

5 ***-1857/2.9131* SECTION 9131. Nonstatutory provisions; Legislature.**

6 (1) REQUIRED GENERAL FUND STRUCTURAL BALANCE. Section 20.003 (4) (fv) and
7 (4m) of the statutes shall not apply to the 2008-09 fiscal year.

8 ***-2008/P1.9150* SECTION 9150. Nonstatutory provisions;**
9 **Transportation.**

10 (1) REPORT RELATED TO FEDERAL ECONOMIC STIMULUS FUNDS.

11 (a) *Definition.* In this subsection, “federal economic stimulus funds” means
12 federal moneys received or expected to be received by the state, pursuant to federal
13 legislation enacted during the 111th Congress, for the purpose of reviving the
14 economy of the United States, which moneys are intended to be used for
15 transportation purposes.

16 (b) *Review of allocation plan for expenditure of federal economic stimulus funds.*
17 The department of transportation shall, for all federal economic stimulus funds in
18 excess of \$300,000,000, submit to the joint committee on finance by June 15, 2009,
19 or by the 2nd day after the effective date of this paragraph, whichever is later, an
20 allocation plan for expenditure of these federal economic stimulus funds. After
21 receiving the plan, the cochairpersons of the joint committee on finance jointly shall
22 determine whether the plan is complete. If the joint committee on finance meets and
23 either approves or modifies and approves the plan within 14 days after the
24 cochairpersons determine that the plan is complete, the department of
25 transportation may implement the plan as approved by the committee. If the joint

1 committee on finance does not meet and either approve or modify and approve the
2 plan within 14 days after the cochairpersons determine that the plan is complete, the
3 department of transportation may implement the proposed plan.

4 ***-1940/2.9152* SECTION 9152. Nonstatutory provisions; University of**
5 **Wisconsin Hospitals and Clinics Authority.**

6 (1) PAYMENT TO STATE. No later than June 30, 2009, the University of Wisconsin
7 Hospitals and Clinics Authority shall pay to the state, for deposit in the general fund,
8 an amount equal to \$49,000,000.

9 ***-1894/1.9157* SECTION 9157. Nonstatutory provisions; Other**

10 (1) TENANT PROTECTIONS. The treatment of sections 704.35 (3) and 846.40 of the
11 statutes first applies to foreclosure actions that are commenced on the effective date
12 of this subsection.

13 (2) RENTAL AGREEMENTS. The treatment of section 704.35 (2) of the statutes first
14 applies to rental agreements entered into on the effective date of this subsection.

15 ***-1638/7.9201* SECTION 9201. Fiscal changes; Administration.**

16 (1) LAPSE OR TRANSFER OF UNENCUMBERED MONEYS IN APPROPRIATION ACCOUNTS
17 AND FUNDS.

18 (a) In this subsection, "state agency" has the meaning given in section 20.001
19 (1) of the statutes, but does not include the investment board or the department of
20 employee trust funds.

21 (b) Notwithstanding section 20.001 (3) (a) to (c) and 25.40 (3) of the statutes,
22 but subject to paragraph (c), the secretary of administration shall lapse or transfer
23 to the general fund from the unencumbered balances of appropriations to state
24 agencies, other than appropriations of federal revenues, an amount equal to
25 \$125,000,000 before July 1, 2011. The secretary may reestimate appropriation

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Handwritten annotations:
- A large circle around the Section 9157 header and its two subsections.
- "L" above the circle.
- "subject to p. 350" with an arrow pointing to the circle.
- "846.35" with a checkmark and an arrow pointing to the number in the first subsection.
- "L" above the number 846.40 in the first subsection.

1 amounts of sum sufficient appropriations to achieve the required lapse or transfer.
2 The amounts lapsed or transferred under this paragraph shall be in addition to the
3 amounts lapsed or transferred under 2007 Wisconsin Act 20, section 9201 (1c) (a) to
4 (c).

5 (c) 1. The secretary of administration may not lapse or transfer moneys under
6 paragraph (b) if the lapse or transfer would violate a condition imposed by the federal
7 government on the expenditure of the moneys or if the lapse or transfer would violate
8 the federal or state constitution.

9 2. The secretary of administration may not lapse or transfer moneys under
10 paragraph (b) from an appropriation to the department of transportation under
11 section 20.395 (3) (bq), (cq), and (cr) of the statutes, other than moneys for
12 department operations and services engaged under section 84.01 (13) of the statutes.

13 ***-1902/2.9208* SECTION 9208. Fiscal changes; Children and Families.**

14 (1) TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAMS. In the schedule
15 under section 20.005 (3) of the statutes for the appropriation to the department of
16 children and families under section 20.437 (2) (dz) of the statutes, as affected by the
17 acts of 2009, the dollar amount is decreased by \$22,529,000 for the second fiscal year
18 of the fiscal biennium in which this subsection takes effect for the purposes for which
19 the appropriation is made.

20 (2) FEDERAL BLOCK GRANT AIDS. In the schedule under section 20.005 (3) of the
21 statutes for the appropriation to the department of children and families under
22 section 20.437 (2) (md) of the statutes, as affected by the acts of 2009, the dollar
23 amount is increased by \$47,175,000 for the second fiscal year of the fiscal biennium
24 in which this subsection takes effect for the purposes for which the appropriation is
25 made.