

1 ~~which would be cause for refusing to issue a certificate of registration to that~~  
2 ~~individual.~~

3 **\*-1896/1.149\* SECTION 686.** 224.77 (2m) of the statutes is created to read:

4 224.77 (2m) DIVISION ACTION ON LICENSE. (a) 1. In addition to any other  
5 authority provided to the division under this subchapter, if the division finds that a  
6 mortgage banker, mortgage loan originator, or mortgage broker has violated any  
7 provision of this subchapter or any rule promulgated by the division under this  
8 subchapter, the division may do any of the following:

9 a. Deny any application for initial issuance or renewal of a license.

10 b. Revoke, suspend, limit, or condition any license of the mortgage banker,  
11 mortgage loan originator, or mortgage broker.

12 c. Reprimand the mortgage banker, mortgage loan originator, or mortgage  
13 broker.

14 (b) In addition to any other authority provided to the division under this  
15 subchapter, if the division finds that an applicant for initial issuance or renewal of  
16 a license under this subchapter made any material misstatement in the application  
17 or withheld material information, or that the applicant no longer satisfies the  
18 requirements under s. 224.72 or 224.725 for issuance or renewal of the license, the  
19 division may deny the application or, if the license has already been issued, suspend  
20 or revoke the license.

21 **\*-1896/1.150\* SECTION 687.** 224.77 (3) (a) and (b) of the statutes are  
22 consolidated, renumbered 224.77 (3) (a) (intro.) and amended to read:

23 224.77 (3) (a) *Orders to prevent or correct actions.* (intro.) The division may  
24 issue general and special orders necessary, including temporary orders that become  
25 immediately effective, to prevent or correct actions by a mortgage banker, mortgage

1 loan originator, or mortgage broker that constitute ~~cause under this section for~~  
2 ~~revoking, suspending or limiting a certificate of registration.~~ (b) ~~Types of special~~  
3 ~~orders.~~ Special a violation of any provision of this subchapter or of any rule  
4 promulgated under this subchapter, including special orders may direct that do any  
5 of the following:

6 1. Direct a mortgage banker, mortgage loan originator, or mortgage broker to  
7 cease and desist from engaging in a particular activity or may direct the, from  
8 conducting business, or from otherwise violating any provision of this subchapter or  
9 any rule promulgated under this subchapter.

10 2. Direct a mortgage banker, mortgage loan originator, or mortgage broker to  
11 refund or remit to a residential mortgage loan applicant or borrower amounts that  
12 the mortgage banker, mortgage loan originator, or mortgage broker got from actions  
13 which that constitute cause under this section for revoking, suspending or limiting  
14 a certificate of registration a violation of any provision of this subchapter or of any  
15 rule promulgated under this subchapter.

16 \*-1896/1.151\* SECTION 688. 224.77 (3) (a) 3. and 4. of the statutes are created  
17 to read:

18 224.77 (3) (a) 3. Direct a mortgage banker, mortgage loan originator, or  
19 mortgage broker to cease business under a license issued under this subchapter if  
20 the division determines that the license was erroneously issued or the licensee is  
21 currently in violation of any provision of this subchapter or of any rule promulgated  
22 under this subchapter.

23 4. Direct a mortgage banker, mortgage loan originator, or mortgage broker to  
24 undertake any affirmative action, consistent with the provisions of this subchapter,  
25 that the division deems necessary.

1           \***-1896/1.152\*** SECTION 689. 224.77 (3m) of the statutes is amended to read:

2           224.77 (3m) HEARING RIGHTS FOR REGISTRATION LICENSE DENIAL, REVOCATION, OR  
3           SUSPENSION. A person whose ~~certificate of registration~~ license has been denied,  
4           revoked ~~or~~, suspended, limited, or conditioned under this section may request a  
5           hearing under s. 227.44 within 30 days after the date of denial, revocation ~~or~~,  
6           suspension, limitation, or conditioning of the ~~certificate of registration~~ license. The  
7           division may appoint a hearing examiner under s. 227.46 to conduct the hearing.

8           \***-1896/1.153\*** SECTION 690. 224.77 (4) of the statutes is amended to read:

9           224.77 (4) PERIOD OF DISCIPLINARY ACTION; LICENSE INELIGIBILITY FOR  
10          REGISTRATION. (a) *Period*. Except as provided in par. (b), the division shall determine  
11          in each case the period that a revocation, suspension ~~or~~, limitation, or condition of  
12          a ~~certificate of registration~~ license is effective.

13          (b) *Ineligibility*. 1. Except as provided in subd. 2., if the division denies or  
14          revokes a ~~certificate of registration~~ license under sub. (1) (2m) (a), the person is not  
15          eligible for a ~~certificate of registration~~ license until the expiration of a period  
16          determined in each case by the division.

17          2. If the division revokes a ~~certificate of registration~~ license under sub. (1) (p)  
18          or (q), the person is not eligible for a ~~certificate of registration~~ license until 5 years  
19          after the effective date of the revocation.

20          \***-1896/1.154\*** SECTION 691. 224.77 (5) (a) of the statutes is amended to read:

21          224.77 (5) (a) *Mandatory revocation or suspension*. Notwithstanding sub. (1)  
22          (intro.) subs. (2m) (a) and (4), if the division finds that a mortgage banker, mortgage  
23          loan originator, or mortgage broker has violated sub. (1) (p) or (q), the division shall:

24          1. For the first offense, suspend the registration license of the mortgage banker,  
25          mortgage loan originator, or mortgage broker for not less than 90 days.

1           2. For the 2nd offense, revoke the registration license of the mortgage banker,  
2 mortgage loan originator, or mortgage broker.

3           \*-1896/1.155\* SECTION 692. 224.77 (6) (title) of the statutes is repealed.

4           \*-1896/1.156\* SECTION 693. 224.77 (6) of the statutes is renumbered 224.77  
5 (2m) (c) and amended to read:

6           224.77 (2m) (c) The department division shall restrict or suspend the  
7 registration license of a mortgage banker, mortgage loan originator, or mortgage  
8 broker if the registrant licensee is an individual who fails to comply, after  
9 appropriate notice, with a subpoena or warrant issued by the department of children  
10 and families or a county child support agency under s. 59.53 (5) and related to  
11 paternity or child support proceedings or who is delinquent in making court-ordered  
12 payments of child or family support, maintenance, birth expenses, medical expenses,  
13 or other expenses related to the support of a child or former spouse, as provided in  
14 a memorandum of understanding entered into under s. 49.857. A registrant An  
15 individual whose registration license is restricted or suspended under this  
16 subsection is entitled to a notice and hearing only as provided in a memorandum of  
17 understanding entered into under s. 49.857 and is not entitled to any other notice or  
18 hearing under this section.

19           \*-1896/1.157\* SECTION 694. 224.77 (7) (title) of the statutes is repealed.

20           \*-1896/1.158\* SECTION 695. 224.77 (7) of the statutes is renumbered 224.77  
21 (2m) (d) and amended to read:

22           224.77 (2m) (d) The department division shall revoke the ~~certificate of~~  
23 registration license of a mortgage banker, mortgage loan originator, or mortgage  
24 broker if the department of revenue certifies under s. 73.0301 that the registrant  
25 licensee is liable for delinquent taxes. A registrant licensee whose ~~certificate of~~

1 ~~registration~~ license is revoked under this subsection for delinquent taxes is entitled  
2 to a notice under s. 73.0301 (2) (b) 1. b. and a hearing under s. 73.0301 (5) (a) but is  
3 not entitled to any other notice, hearing or review under this section.

4 \***-1896/1.159\*** SECTION 696. 224.77 (8) of the statutes is amended to read:

5 224.77 (8) VOLUNTARY SURRENDER. A mortgage banker, mortgage loan  
6 originator, or mortgage broker may voluntarily surrender a ~~registration~~ license to  
7 the division, but the division may refuse to accept the surrender if the division has  
8 an open investigation or examination or received allegations of unprofessional  
9 conduct against the mortgage banker, mortgage loan originator, or mortgage broker.  
10 The division may negotiate stipulations in consideration for accepting the surrender  
11 of ~~registration~~ the license.

12 \***-1896/1.160\*** SECTION 697. 224.77 (9) of the statutes is created to read:

13 224.77 (9) REPORTING VIOLATIONS. The division shall report regularly violations  
14 of this subchapter or of rules promulgated under this subchapter, as well as  
15 enforcement actions and other relevant information, to the nationwide mortgage  
16 licensing system and registry. Except as provided in s. 224.728 (4) (b) and (c), these  
17 reports shall be confidential.

18 \***-1896/1.161\*** SECTION 698. 224.78 (title) of the statutes is repealed.

19 \***-1896/1.162\*** SECTION 699. 224.78 of the statutes is renumbered 224.77 (1)  
20 (jm) and amended to read:

21 224.77 (1) (jm) ~~A mortgage banker, loan originator, or mortgage broker may~~  
22 ~~not pay~~ Pay a person who is not ~~registered~~ licensed under this subchapter a  
23 commission, money, or other thing of value for performing an act as a mortgage  
24 banker, mortgage loan originator, or mortgage broker.

25 \***-1896/1.164\*** SECTION 700. 224.79 of the statutes is amended to read:

1           **224.79 Consumer mortgage Mortgage brokerage agreements and**  
2 **consumer disclosures. (1) FORM AND CONTENT OF CONSUMER MORTGAGE BROKERAGE**  
3 **AGREEMENTS.** Every contract between a mortgage broker and ~~a consumer~~ an  
4 individual under which the mortgage broker agrees to provide brokerage services to  
5 the ~~consumer~~ individual relating to a residential mortgage loan shall be in writing,  
6 in the form prescribed by rule of the division, and shall contain all information  
7 required by rule of the division. The division shall promulgate rules to administer  
8 this subsection in consultation with the mortgage loan originator council under s.  
9 15.187 (1). The division shall design these rules to facilitate the comparison of  
10 similar charges and total charges assessed by different mortgage brokers.

11           **(2) CONSUMER DISCLOSURE DISCLOSURE STATEMENT.** Before entering into a  
12 contract with ~~a consumer~~ an individual to provide brokerage services relating to a  
13 residential mortgage loan, a mortgage broker shall give the ~~consumer~~ individual a  
14 copy of a ~~consumer~~ disclosure statement, explain the content of the statement, and  
15 ensure that the ~~consumer~~ individual initials or signs the statement, acknowledging  
16 that the ~~consumer~~ individual has read and understands the statement. The  
17 ~~consumer~~ disclosure statement shall contain a brief explanation of the relationship  
18 between the ~~consumer~~ individual and the mortgage broker under the proposed  
19 contract, a brief explanation of the manner in which the mortgage broker may be  
20 compensated under the proposed contract, and any additional information required  
21 by rule of the division. The division shall promulgate rules to administer this  
22 subsection in consultation with the mortgage loan originator council under s. 15.187  
23 (1) and, by rule, shall specify the form and content of the ~~consumer~~ disclosure  
24 statement required under this subsection.

25           \*-1896/1.165\* SECTION 701. 224.80 (1) of the statutes is amended to read:

1           224.80 (1) PENALTIES. A person who violates ~~s. 224.72 (1m)~~ any provision of this  
2 subchapter or any rule promulgated under this subchapter may be fined not more  
3 than ~~\$2,000~~ \$25,000 or imprisoned for not more than 9 months or both. The district  
4 attorney of the county where the violation occurs shall enforce the penalty under this  
5 subsection on behalf of the state.

6           \***-1896/1.166\*** SECTION 702. 224.80 (2) (intro.) of the statutes is amended to  
7 read:

8           224.80 (2) PRIVATE CAUSE OF ACTION. (intro.) A person who is aggrieved by an  
9 act which is committed by a mortgage banker, mortgage loan originator, or mortgage  
10 broker ~~and which is described in s. 224.77 (1) in violation of any provision of this~~  
11 subchapter or of any rule promulgated under this subchapter may recover all of the  
12 following in a private action:

13           \***-1896/1.167\*** SECTION 703. 224.80 (2) (a) 1. of the statutes is amended to read:

14           224.80 (2) (a) 1. Twice the amount of the cost of loan origination connected with  
15 the transaction, except that the liability under this subdivision may not be less than  
16 \$100 nor greater than ~~\$2,000~~ \$25,000 for each violation.

17           \***-1896/1.168\*** SECTION 704. 224.81 of the statutes is amended to read:

18           **224.81    Limitation on actions for commissions and other**  
19 **compensation.** A person who is engaged in the business or acting in the capacity  
20 of a mortgage banker, mortgage loan originator, or mortgage broker in this state may  
21 not bring or maintain an action in this state to collect a commission, money, or other  
22 thing of value for performing an act as a mortgage banker, mortgage loan originator,  
23 or mortgage broker without alleging and proving that the person was registered  
24 licensed under this subchapter as a mortgage banker, mortgage loan originator, or  
25 mortgage broker when the alleged cause of action arose.

1           **\*-1896/1.169\* SECTION 705.** 224.82 of the statutes is amended to read:

2           **224.82 Compensation presumed.** In a prosecution arising from a violation  
3 of this subchapter, proof that a person acted as a mortgage banker, mortgage loan  
4 originator, or mortgage broker is sufficient, unless rebutted, to establish that  
5 compensation was received by, or promised to, that person.

6           **\*-1896/1.170\* SECTION 706.** 224.83 of the statutes is created to read:

7           **224.83 Loan processors and underwriters.** An individual engaging solely  
8 in loan processor or underwriter activities may not represent to the public, through  
9 advertising or another means of communication such as the use of business cards,  
10 stationery, brochures, signs, rate lists, or other promotional items, that the  
11 individual can or will perform any of the activities of a mortgage loan originator.

12           **\*-1890/1.2\* SECTION 707.** 227.01 (13) (rm) of the statutes is created to read:

13           227.01 (13) (rm) Is a form prescribed by the attorney general for an accounting  
14 under s. 846.40 (8) (b) 2.

15           **\*-1896/1.172\* SECTION 708.** 227.01 (13) (zy) of the statutes is created to read:

16           227.01 (13) (zy) Relates to any form prescribed by the division of banking in  
17 the department of financial institutions in connection with the licensing of mortgage  
18 bankers or mortgage brokers under s. 224.72 or the licensing of mortgage loan  
19 originators under s. 224.725.

20           **\*-0377/P10.345\* \*-4294/P1.324\* SECTION 709.** 229.68 (15) of the statutes is  
21 amended to read:

22           229.68 (15) Impose, by the adoption of a resolution, the taxes under subch. V  
23 of ch. 77. A district may not levy any taxes that are not expressly authorized under  
24 subch. V of ch. 77 and that do not receive the affirmative vote of a supermajority of  
25 the district board. If a district adopts a resolution which imposes taxes, it shall



1 deliver a certified copy of the resolution to the secretary of revenue at least ~~30~~ 120  
2 days before its effective date.

3 \*~~0377/P10.346~~\* \*~~4294/P1.325~~\* SECTION 710. 229.824 (15) of the statutes is  
4 amended to read:

5 229.824 (15) Impose, by the adoption of a resolution, the taxes under subch. V  
6 of ch. 77, except that the taxes imposed by the resolution may not take effect until  
7 the resolution is approved by a majority of the electors in the district's jurisdiction  
8 voting on the resolution at a referendum, to be held at the first spring primary or  
9 September primary following by at least 45 days the date of adoption of the  
10 resolution. Two questions shall appear on the ballot. The first question shall be:  
11 "Shall a sales tax and a use tax be imposed at the rate of 0.5% in .... County for  
12 purposes related to football stadium facilities in the .... Professional Football  
13 Stadium District?" The 2nd question shall be: "Shall excess revenues from the 0.5%  
14 sales tax and use tax be permitted to be used for property tax relief purposes in ....  
15 County?" Approval of the first question constitutes approval of the resolution of the  
16 district board. Approval of the 2nd question is not effective unless the first question  
17 is approved. The clerk of the district shall publish the notices required under s. 10.06  
18 (4) (c), (f) and (i) for any referendum held under this subsection. Notwithstanding  
19 s. 10.06 (4) (c), the type A notice under s. 10.01 (2) (a) relating to the referendum is  
20 valid even if given and published late as long as it is given and published prior to the  
21 election as early as practicable. A district may not levy any taxes that are not  
22 expressly authorized under subch. V of ch. 77. The district may not levy any taxes  
23 until the professional football team and the governing body of the municipality in  
24 which the football stadium facilities are located agree on how to fund the  
25 maintenance of the football stadium facilities. The district may not levy any taxes

1 until the professional football team and the governing body of the municipality in  
2 which the football stadium facilities are located agree on how to distribute the  
3 proceeds, if any, from the sale of naming rights related to the football stadium  
4 facilities. If a district board adopts a resolution that imposes taxes and the resolution  
5 is approved by the electors, the district shall deliver a certified copy of the resolution  
6 to the secretary of revenue at least ~~30~~ 120 days before its effective date. If a district  
7 board adopts a resolution that imposes taxes and the resolution is not approved by  
8 the electors, the district is dissolved.

9 **\*-1887/P1\* SECTION 711.** 231.01 (4) (a) of the statutes is amended to read:

10 231.01 (4) (a) "Cost" means the sum of all costs incurred by a participating  
11 health institution, participating educational institution, participating research  
12 institution, or participating child care provider, as approved by the authority, as are  
13 reasonable and necessary to accomplish the project, exclusive of any private or  
14 federal, state, or local financial assistance received by the participating health  
15 institution, participating educational institution, participating research institution,  
16 or participating child care provider for the payment of the project cost.

17 **\*-1887/P1\*SECTION 712.** 231.01 (4) (b) 1. of the statutes is amended to read:

18 231.01 (4) (b) 1. The cost incurred by or on behalf of the participating health  
19 institution, participating educational institution, participating research institution,  
20 or participating child care provider of all necessary developmental, planning, and  
21 feasibility studies, surveys, plans, and specifications, architectural, engineering,  
22 legal, or other special services, the cost of acquisition of land and any buildings and  
23 improvements on the land, site preparation, and development including demolition  
24 or removal of existing structures, construction, reconstruction, and equipment,  
25 including machinery, fixed equipment, and personal property.

1           **\*-1887/P1\*SECTION 713.** 231.01 (4) (b) 2. of the statutes is amended to read:  
2           231.01 (4) (b) 2. The reasonable cost of financing incurred by a participating  
3 health institution, participating educational institution, participating research  
4 institution, or participating child care provider in the course of the development of  
5 the project to the occupancy date.

6           **\*-1887/P1\*SECTION 714.** 231.01 (4) (c) of the statutes is amended to read:  
7           231.01 (4) (c) All rents and other net revenues from the operation of the real  
8 property, improvements, or personal property on the project site by a participating  
9 health institution, participating educational institution, participating research  
10 institution, or participating child care provider on and after the date on which the  
11 contract between a participating health institution, participating educational  
12 institution, participating research institution, or participating child care provider  
13 and the authority was entered into, but prior to the occupancy date, shall reduce the  
14 sum of all costs in this subsection.

15           **\*-1887/P1\*SECTION 715.** 231.01 (6t) of the statutes is created to read:  
16           231.01 (6t) "Participating research institution" means an entity that provides  
17 or operates a research facility and that undertakes the financing and construction  
18 or acquisition of a project or undertakes the refunding or refinancing of obligations  
19 or of a mortgage or of advances as provided in this chapter.

20           **\*-1887/P1\*SECTION 716.** 231.01 (7) (a) 1. of the statutes is amended to read:  
21           231.01 (7) (a) 1. A specific health facility, educational facility, research facility,  
22 or child care center work or improvement to be refinanced, acquired, constructed,  
23 enlarged, remodeled, renovated, improved, furnished, or equipped by the authority  
24 with funds provided in whole or in part under this chapter.

25           **\*-1887/P1\*SECTION 717.** 231.01 (7) (a) 2. of the statutes is amended to read:

1           231.01 (7) (a) 2. One or more structures suitable for use as a child care center,  
2 research facility, health facility, laboratory, laundry, nurses' or interns' residence or  
3 other multi-unit housing facility for staff, employees, patients or relatives of  
4 patients admitted for treatment or care in a health facility, physician's facility,  
5 administration building, research facility, maintenance, storage, or utility facility.

6           \*-1887/P1\*SECTION 718. 231.01 (7) (a) 4. of the statutes is amended to read:

7           231.01 (7) (a) 4. Any structure useful for the operation of a health facility,  
8 educational facility, research facility, or child care center, including facilities or  
9 supporting service structures essential or convenient for the orderly conduct of the  
10 health facility, educational facility, research facility, or child care center.

11           \*-1887/P1\*SECTION 719. 231.01 (7) (c) of the statutes is amended to read:

12           231.01 (7) (c) "Project" may include any combination of projects undertaken  
13 jointly by any participating health institution, participating educational institution,  
14 participating research institution, or participating child care provider with one or  
15 more other participating health institutions, participating educational institutions,  
16 participating research institutions, or participating child care providers.

17           \*-1887/P1\*SECTION 720. 231.01 (8c) of the statutes is created to read:

18           231.01 (8c) "Research facility" means an institution, place, building, or agency  
19 that satisfies all of the following:

20           (a) Is owned by an entity that is described in section 501 (c) (3) of the Internal  
21 Revenue Code and that is exempt from federal income tax under section 501 (a) of  
22 the Internal Revenue Code.

23           (b) Is or will be used in whole or in part for basic research for the advancement  
24 of scientific, medical, or technological knowledge and that does not have a specific  
25 commercial objective.

1           \*-1887/P1\*SECTION 721. 231.02 (6) (b) of the statutes is amended to read:

2           231.02 (6) (b) Notwithstanding any other provision of law, it is not a conflict  
3 of interest or violation of this section or of any other law for a trustee, director, officer,  
4 or employee of a participating health institution, participating educational  
5 institution, participating research institution, or participating child care provider or  
6 for a person having the required favorable reputation for skill, knowledge, and  
7 experience in state and municipal finance or for a person having the required  
8 favorable reputation for skill, knowledge, and experience in the field of health  
9 facility, educational facility, research facility, or child care center architecture to  
10 serve as a member of the authority; if in each case to which par. (a) is applicable, the  
11 trustee, director, officer, or employee of the participating health institution,  
12 participating educational institution, participating research institution, or  
13 participating child care provider abstains from discussion, deliberation, action, and  
14 vote by the authority in specific respect to any undertaking pursuant to this chapter  
15 in which his or her participating health institution, participating educational  
16 institution, participating research institution, or participating child care provider  
17 has an interest, or the person having the required favorable reputation for skill,  
18 knowledge, and experience in state and municipal finance abstains from discussion,  
19 deliberation, action, and vote by the authority in specific respect to any sale,  
20 purchase, or ownership of bonds of the authority in which any business of which such  
21 person is a participant, owner, officer, or employee has a past, current, or future  
22 interest, or such person having the required favorable reputation for skill,  
23 knowledge, and experience in the field of health facility, educational facility, research  
24 facility, or child care center architecture abstains from discussion, deliberation,  
25 action, and vote by the authority in specific respect to construction or acquisition of

1 any project of the authority in which any business of which such person is a  
2 participant, owner, officer, or employee has a past, current, or future interest.

3 **\*-1887/P1\*SECTION 722.** 231.03 (5) of the statutes is amended to read:

4 231.03 (5) Determine the location and character of any project to be financed  
5 under this chapter, and construct, reconstruct, remodel, maintain, enlarge, alter, add  
6 to, repair, lease as lessee or lessor and regulate the same, enter into contracts for any  
7 such purpose, enter into contracts for the management and operation of a project or  
8 other health facilities, educational facilities, research facilities, or child care centers  
9 owned by the authority, and designate a participating health institution,  
10 participating educational institution, participating research institution, or  
11 participating child care provider as its agent to determine the location and character  
12 of a project undertaken by the participating health institution, participating  
13 educational institution, participating research institution, or participating child  
14 care provider under this chapter and as the agent of the authority, to construct,  
15 reconstruct, remodel, maintain, manage, enlarge, alter, add to, repair, operate, lease  
16 as lessee or lessor and regulate the same, and as the agent of the authority, to enter  
17 into contracts for any such purpose, including contracts for the management and  
18 operation of such project or other health facilities, educational facilities, research  
19 facilities, or child care centers owned by the authority.

20 **\*-1887/P1\*SECTION 723.** 231.03 (6) (h) of the statutes is created to read:

21 231.03 (6) (h) Finance any project undertaken for a research facility by a  
22 participating research institution.

23 **\*-1887/P1\*SECTION 724.** 231.03 (6) (i) of the statutes is created to read:

24 231.03 (6) (i) Refinance outstanding debt of any participating research  
25 institution.

1           **\*-1887/P1\*SECTION 725.** 231.03 (7) of the statutes is amended to read:

2           231.03 (7) Fix and revise from time to time and charge and collect rates, rents,  
3 fees, and charges for the use of and for the services furnished or to be furnished by  
4 a project or other health facilities, educational facilities, research facilities, or child  
5 care centers owned by the authority or any portion thereof, contract with any person  
6 in respect thereto and coordinate its policies and procedures, and cooperate with  
7 recognized health facility, educational facility, research facility, or child care center  
8 rate setting mechanisms.

9           **\*-1887/P1\*SECTION 726.** 231.03 (8) of the statutes is amended to read:

10          231.03 (8) Adopt rules for the use of a project or other health facility,  
11 educational facility, research facility, or child care center or any portion of the project  
12 or facility owned, financed, or refinanced in whole or in part by the authority,  
13 including any property used as security for a loan secured through, from, or with the  
14 assistance of the authority. The authority may designate a participating health  
15 institution, participating educational institution, participating research institution,  
16 or participating child care provider as its agent to establish rules for the use of a  
17 project or other health facilities, educational facilities, research facilities, or child  
18 care centers undertaken for that participating health institution, participating  
19 educational institution, participating research institution, or participating child  
20 care provider. The rules shall ensure that a project, health facility, educational  
21 facility, research facility, child care center, or property may not be used primarily for  
22 sectarian instruction or study or as a place for devotional activities or religious  
23 worship.

24          **\*-1887/P1\*SECTION 727.** 231.03 (11) of the statutes is amended to read:

1           231.03 (11) Establish or contract with others to carry out on its behalf a health  
2 facility, educational facility, research facility, or child care center project cost  
3 estimating service, and make this service available on all projects to provide expert  
4 cost estimates and guidance to the participating health institution, participating  
5 educational institution, participating research institution, or participating child  
6 care provider and to the authority. To implement this service and, through it, to  
7 contribute to cost containment, the authority may require such reasonable reports  
8 and documents from health facility, educational facility, research facility, or child  
9 care center projects as are required for this service and for the development of cost  
10 reports and guidelines. The authority shall appoint a technical committee on health  
11 facility, educational facility, research facility, or child care center project costs and  
12 cost containment.

13           \*-1887/P1\*SECTION 728. 231.03 (13) of the statutes is amended to read:

14           231.03 (13) Make loans to any participating health institution, participating  
15 educational institution, participating research institution, or, before May 1, 2000,  
16 participating child care provider for the cost of a project in accordance with an  
17 agreement between the authority and the participating health institution,  
18 participating educational institution, participating research institution, or  
19 participating child care provider. The authority may secure the loan by a mortgage  
20 or other security arrangement on the health facility, educational facility, research  
21 facility, or child care center granted by the participating health institution,  
22 participating educational institution, participating research institution, or  
23 participating child care provider to the authority. The loan may not exceed the total  
24 cost of the project as determined by the participating health institution,



1 participating educational institution, participating research institution, or  
2 participating child care provider and approved by the authority.

3 **\*-1887/P1\*SECTION 729.** 231.03 (14) of the statutes is amended to read:

4 231.03 (14) Make loans to a health facility, educational facility, research  
5 facility, or, before May 1, 2000, child care center for which bonds may be issued under  
6 sub. (6) (b) or (d) or under s. 231.03 (6) (f), 1999 stats., to refinance the health  
7 facility's, educational facility's, research facility's, or child care center's outstanding  
8 debt. The authority may secure the loan or bond by a mortgage or other security  
9 arrangement on the health facility, educational facility, research facility, or child care  
10 center granted by the participating health institution, participating educational  
11 institution, participating research institution, or participating child care provider to  
12 the authority.

13 **\*-1887/P1\*SECTION 730.** 231.03 (15) of the statutes is amended to read:

14 231.03 (15) Mortgage all or any portion of a project and other health facilities,  
15 educational facilities, research facilities, or child care centers and the site thereof,  
16 whether owned or thereafter acquired, for the benefit of the holders of bonds issued  
17 to finance the project, health facilities, educational facilities, research facilities, or  
18 child care centers or any portion thereof or issued to refund or refinance outstanding  
19 indebtedness of participating health institutions, educational institutions, research  
20 institutions, or child care providers as permitted by this chapter.

21 **\*-1887/P1\*SECTION 731.** 231.03 (16) of the statutes is amended to read:

22 231.03 (16) Lease to a participating health institution, participating  
23 educational institution, participating research institution, or participating child  
24 care provider the project being financed or other health facilities, educational  
25 facilities, research facilities, or child care centers conveyed to the authority in

1 connection with such financing, upon such terms and conditions as the authority  
2 deems proper, and charge and collect rents therefor, and terminate any such lease  
3 upon the failure of the lessee to comply with any of the obligations thereof; and  
4 include in any such lease, if desired, provisions that the lessee thereof shall have  
5 options to renew the term of the lease for such periods and at such rent as the  
6 authority determines or to purchase all or any part of the health facilities,  
7 educational facilities, research facilities, or child care centers or that, upon payment  
8 of all of the indebtedness incurred by the authority for the financing of such project  
9 or health facilities, educational facilities, research facilities, or child care centers or  
10 for refunding outstanding indebtedness of a participating health institution,  
11 participating educational institution, participating research institution, or  
12 participating child care provider, the authority may convey all or any part of the  
13 project or such other health facilities, educational facilities, research facilities, or  
14 child care centers to the lessees thereof with or without consideration.

15 **\*-1887/P1\* SECTION 732.** 231.03 (17) of the statutes is amended to read:

16 231.03 (17) Charge to and apportion among participating health institutions,  
17 participating educational institutions, participating research institutions, and  
18 participating child care providers its administrative costs and expenses incurred in  
19 the exercise of the powers and duties conferred by this chapter.

20 **\*-1887/P1\* SECTION 733.** 231.03 (18) of the statutes is amended to read:

21 231.03 (18) Make studies of needed health facilities, educational facilities,  
22 research facilities, and child care centers that could not sustain a loan were it made  
23 under this chapter and recommend remedial action to the legislature; and do the  
24 same with regard to any laws or rules that prevent health facilities, educational  
25 facilities, research facilities, and child care centers from benefiting from this chapter.

1           **\*-1887/P1\*SECTION 734.** 231.03 (19) of the statutes is amended to read:

2           231.03 (19) Obtain, or aid in obtaining, from any department or agency of the  
3           United States or of this state or any private company, any insurance or guaranty  
4           concerning the payment or repayment of, interest or principal, or both, or any part  
5           thereof, on any loan, lease, or obligation or any instrument evidencing or securing  
6           the same, made or entered into under the provisions of this chapter; and  
7           notwithstanding any other provisions of this chapter, to enter into any agreement,  
8           contract, or any other instrument with respect to that insurance or guaranty, to  
9           accept payment in the manner and form provided therein in the event of default by  
10          a participating health institution, participating educational institution,  
11          participating research institution, or participating child care provider, and to assign  
12          the insurance or guaranty as security for the authority's bonds.

13           **\*-1887/P1\*SECTION 735.** 231.04 of the statutes is amended to read:

14           **231.04 Expenses.** All expenses of the authority incurred in carrying out this  
15          chapter shall be payable solely from funds provided under the authority of this  
16          chapter, and no liability may be incurred by the authority beyond the extent to which  
17          moneys have been provided under this chapter except that, for the purposes of  
18          meeting the necessary expenses of initial organization and operation of the authority  
19          for the period commencing on June 19, 1974 and continuing until such date as the  
20          authority derives moneys from funds provided to it under the authority of this  
21          chapter, the authority may borrow such moneys as it requires to supplement the  
22          funds provided under s. 20.440. Such moneys borrowed by the authority shall  
23          subsequently be charged to and apportioned among participating health  
24          institutions, participating educational institutions, participating research

1 institutions, and participating child care providers in an equitable manner, and  
2 repaid with appropriate interest over a reasonable period of time.

3 **\*-1887/P1\*SECTION 736.** 231.05 (1) of the statutes is amended to read:

4 231.05 (1) By means of this chapter, it is the intent of the legislature to provide  
5 assistance and alternative methods of financing to nonprofit health institutions to  
6 aid them in providing needed health services consistent with the state's health plan,  
7 to nonprofit educational institutions to aid them in providing needed educational  
8 services, to nonprofit research institutions to aid them in providing needed research  
9 facilities, and to nonprofit child care providers to aid them in providing needed child  
10 care services.

11 **\*-1887/P1\*SECTION 737.** 231.06 of the statutes is amended to read:

12 **231.06 Property acquisition.** The authority may acquire, directly or by and  
13 through a participating health institution, participating educational institution,  
14 participating research institution, or participating child care provider as its agent,  
15 by purchase or by gift or devise, such lands, structures, property, rights,  
16 rights-of-way, franchises, easements, and other interests in lands, including lands  
17 lying under water and riparian rights, which are located within this state as it deems  
18 necessary or convenient for the construction or operation of a project, upon such  
19 terms and at such prices as it considers reasonable and can be agreed upon between  
20 it and the owner thereof, and take title thereto in the name of the authority or in the  
21 name of a health facility, educational facility, research facility, or child care center  
22 as its agent.

23 **\*-1887/P1\*SECTION 738.** 231.07 (1) (b) of the statutes is amended to read:

24 231.07 (1) (b) Convey to the participating health institution, participating  
25 educational institution, participating research institution, or participating child

1 care provider the authority's interest in the project and in any other health facility,  
2 educational facility, research facility, or child care center leased, mortgaged, or  
3 subject to a deed of trust or any other form of security arrangement to secure the  
4 bond.

5 **\*-1887/P1\*SECTION 739.** 231.07 (2) (a) of the statutes is amended to read:

6 231.07 (2) (a) The principal of and interest on any bond issued by the authority  
7 to finance a project or to refinance or refund outstanding indebtedness of one or more  
8 participating health institutions, participating educational institutions,  
9 participating research institutions, or participating child care providers, including  
10 any refunding bonds issued to refund and refinance the bond, have been fully paid  
11 and the bonds retired or if the adequate provision has been made to pay fully and  
12 retire the bond; and

13 **\*-1887/P1\*SECTION 740.** 231.08 (5) of the statutes is amended to read:

14 231.08 (5) In addition to the other authorizations under this section, bonds of  
15 the authority may be secured by a pooling of leases whereby the authority may assign  
16 its rights, as lessor, and pledge rents under 2 or more leases of health facilities,  
17 educational facilities, research facilities, or child care centers with 2 or more health  
18 institutions, educational institutions, research institutions, or child care providers,  
19 as lessees respectively, upon such terms as may be provided for in bond resolutions  
20 of the authority.

21 **\*-1887/P1\*SECTION 741.** 231.10 (1) of the statutes is amended to read:

22 231.10 (1) The state is not liable on notes or bonds of the authority and the notes  
23 and bonds are not a debt of the state. All notes and bonds of the authority shall  
24 contain on the face thereof a statement to this effect. The issuance of bonds under  
25 this chapter shall not, directly or indirectly or contingently, obligate the state or any

1 political subdivision thereof to levy any form of taxation therefor or to make any  
2 appropriation for their payment. Nothing in this section prevents the authority from  
3 pledging its full faith and credit or the full faith and credit of a health institution,  
4 educational institution, research institution, or child care provider to the payment  
5 of bonds authorized under this chapter.

6 \*-1887/P1\*SECTION 742. 231.12 of the statutes is amended to read:

7 **231.12 Studies and recommendations.** It is the intent and purpose of this  
8 chapter that the exercise by the authority of the powers granted to it shall be in all  
9 respects for the benefit of the people of this state to assist them to provide needed  
10 health facilities, educational facilities, research facilities, and child care centers of  
11 the number, size, type, distribution, and operation that will assure admission and  
12 health care, education, research opportunities, or child care of high quality to all who  
13 need it. The authority shall identify and study all projects which are determined by  
14 health planning agencies to be needed, but which could not sustain a loan were such  
15 to be made to it under this chapter. The authority shall formulate and recommend  
16 to the legislature such amendments to this and other laws, and such other specific  
17 measures as grants, loan guarantees, interest subsidies, or other actions the state  
18 may provide which would render the construction and operation of needed health  
19 facilities, educational facilities, research facilities, and child care centers feasible  
20 and in the public interest. The authority also shall identify and study any laws or  
21 rules which it finds handicaps or bars a needed health facility, educational facility,  
22 research facility, or child care center from participating in the benefits of this chapter,  
23 and recommend to the legislature such actions as will remedy such situation.

24 \*-1887/P1\*SECTION 743. 231.13 (1) (intro.) of the statutes is amended to read:

1           231.13 (1) (intro.) The authority shall collect rents for the use of, or other  
2 revenues relating to the financing of, each project. The authority shall contract with  
3 a participating health institution, participating educational institution,  
4 participating research institution, or participating child care provider for each  
5 issuance of bonds. The contract shall provide that the rents or other revenues  
6 payable by the health facility, educational facility, research facility, or child care  
7 center shall be sufficient at all times to:

8           \*-1887/P1\*SECTION 744. 231.13 (2) of the statutes is amended to read:

9           231.13 (2) The authority shall pledge the revenues derived and to be derived  
10 from a project and other related health facilities, educational facilities, research  
11 facilities, or child care centers for the purposes specified in sub. (1), and additional  
12 bonds may be issued which may rank on a parity with other bonds relating to the  
13 project to the extent and on the terms and conditions provided in the bond resolution.  
14 Such pledge shall be valid and binding from the time when the pledge is made, the  
15 revenues so pledged by the authority shall immediately be subject to the lien of such  
16 pledge without any physical delivery thereof or further act and the lien of any such  
17 pledge shall be valid and binding as against all parties having claims of any kind in  
18 tort, contract, or otherwise against the authority, irrespective of whether such  
19 parties have notice thereof. Neither the bond resolution nor any financing  
20 statement, continuation statement, or other instrument by which a pledge is created  
21 or by which the authority's interest in revenues is assigned need be filed or recorded  
22 in any public records in order to perfect the lien thereof as against 3rd parties, except  
23 that a copy thereof shall be filed in the records of the authority and with the  
24 department of financial institutions.

25           \*-1887/P1\*SECTION 745. 231.16 (1) of the statutes is amended to read:

1           231.16 (1) The authority may issue bonds to refund any outstanding bond of  
2 the authority or indebtedness that a participating health institution, participating  
3 educational institution, participating research institution, or participating child  
4 care provider may have incurred for the construction or acquisition of a project prior  
5 to or after April 30, 1980, including the payment of any redemption premium on the  
6 outstanding bond or indebtedness and any interest accrued or to accrue to the  
7 earliest or any subsequent date of redemption, purchase, or maturity, or to pay all  
8 or any part of the cost of constructing and acquiring additions, improvements,  
9 extensions, or enlargements of a project or any portion of a project. Except for bonds  
10 to refund bonds issued under s. 231.03 (6) (g), no bonds may be issued under this  
11 section unless the authority has first entered into a new or amended agreement with  
12 a participating health institution, participating educational institution,  
13 participating research institution, or participating child care provider to provide  
14 sufficient revenues to pay the costs and other items described in s. 231.13.

15           \*-1887/P1\*SECTION 746. 231.20 of the statutes is amended to read:

16           **231.20 Waiver of construction and bidding requirements.** In exercising  
17 its powers under s. 101.12, the department of commerce or any city, village, town, or  
18 county may, within its discretion for proper cause shown, waive any particular  
19 requirements relating to public buildings, structures, grounds, works, and  
20 improvements imposed by law upon projects under this chapter; the requirements  
21 of s. 101.13 may not be waived, however. If, however, the prospective lessee so  
22 requests in writing, the authority shall, through the participating health institution,  
23 participating educational institution, participating research institution, or  
24 participating child care provider as its agent, call for construction bids in such  
25 manner as is determined by the authority with the approval of the lessee.



1           \*-1887/P1\*SECTION 747. 231.23 of the statutes is amended to read:

2           **231.23 Nonprofit institutions.** It is intended that all nonprofit health and  
3           institutions, educational institutions, research institutions, and child care providers  
4           in this state be enabled to benefit from and participate in this chapter. To this end,  
5           all nonprofit health and institutions, educational institutions, research institutions,  
6           and child care providers operating, or authorized to be operated, under any law of  
7           this state may undertake projects and utilize the capital financing sources and  
8           methods of repayment provided by this chapter, the provisions of any other laws to  
9           the contrary notwithstanding.

10          \*-1942/P1.29\* SECTION 748. 234.01 (4n) (a) 3m. e. of the statutes is amended  
11          to read:

12               234.01 (4n) (a) 3m. e. The facility is located in a targeted area, as determined  
13               by the authority after considering the factors set out in s. 560.605 (2m) (c), 2005  
14               stats., s. 560.605 (2m) (d), 2005 stats., s. 560.605 (2m) (e), 2005 stats., s. 560.605 (2m)  
15               (g), 2007 stats., and s. 560.605 (2m) (a), (b), and (f) ~~to~~, and (h).

16          \*-1896/1.173\* SECTION 749. 234.01 (5k) of the statutes is amended to read:

17               234.01 (5k) "Financial institution" means a bank, savings bank, savings and  
18               loan association, credit union, insurance company, finance company, mortgage  
19               banker registered licensed under s. 224.72, community development corporation,  
20               small business investment corporation, pension fund or other lender which provides  
21               commercial loans in this state.

22          \*-1942/P1.30\* SECTION 750. 234.03 (2m) of the statutes is amended to read:

23               234.03 (2m) To issue notes and bonds in accordance with ss. 234.08, 234.40,  
24               234.50, 234.60, 234.61, 234.626, 234.63, and 234.65.

25          \*-1942/P1.31\* SECTION 751. 234.03 (11) of the statutes is amended to read:

1           234.03 (11) To collect fees and charges on mortgage loans and economic  
2 development loans and airport development loans under s. 234.63 (3), 2007 stats.,  
3 for the purpose of paying all or a portion of authority costs as the authority  
4 determines are reasonable and as approved by the authority.

5           **\*-1899/P3.1\* SECTION 752.** 234.04 (2) of the statutes is amended to read:

6           234.04 (2) The authority may make or participate in the making and enter into  
7 commitments for the making of long-term mortgage loans to eligible sponsors of  
8 housing projects for occupancy by persons and families of low and moderate income,  
9 or for the making of homeownership mortgage loans or housing rehabilitation loans  
10 or loans for the refinancing of qualified subprime loans under s. 234.592 to persons  
11 and families of low and moderate income, an applicant under s. 234.59 or 234.592,  
12 or other eligible beneficiaries as defined in s. 234.49. The loans may be made only  
13 upon the determination by the authority that they are not otherwise available from  
14 private lenders upon reasonably equivalent terms and conditions. The authority  
15 may not make a loan to a person whose name appears on the statewide support lien  
16 docket under s. 49.854 (2) (b), unless the person provides to the authority a payment  
17 agreement that has been approved by the county child support agency under s. 59.53  
18 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a). The  
19 authority may employ, for such compensation as it determines, the services of any  
20 financial institution in connection with any loan.

21           **\*-1942/P1.32\* SECTION 753.** 234.08 (1) of the statutes is amended to read:

22           234.08 (1) The authority may issue its negotiable notes and bonds in such  
23 principal amount, as, in the opinion of the authority, is necessary to provide sufficient  
24 funds for achieving its corporate purposes, including the purchase of certain  
25 mortgages and securities and the making of secured loans for low- and

1 moderate-income housing, for the rehabilitation of existing structures and for the  
2 construction of facilities appurtenant thereto as provided in this chapter; for the  
3 making of secured loans to assist eligible elderly homeowners in paying property  
4 taxes and special assessments; for the payment of interest on notes and bonds of the  
5 authority during construction; ~~for the awarding of airport development loans under~~  
6 ~~s. 234.63 (3)~~; for the establishment of reserves to secure such notes and bonds; for the  
7 provision of moneys for the housing development fund in order to make temporary  
8 loans to sponsors of housing projects as provided in this chapter; and for all other  
9 expenditures of the authority incident to and necessary or convenient to carry out its  
10 corporate purposes and powers.

11 **\*-1899/P3.2\* SECTION 754.** 234.265 (2) of the statutes is amended to read:

12 234.265 (2) Records or portions of records consisting of personal or financial  
13 information provided by a person seeking a grant or loan under s. 234.63, 2007 stats.,  
14 or s. 234.04, 234.08, 234.49, 234.59, 234.592, 234.61, 234.63, 234.65, 234.67, 234.83,  
15 234.84, 234.90, 234.905, 234.907, or 234.91, seeking a loan under ss. 234.621 to  
16 234.626, seeking financial assistance under s. 234.66, 2005 stats., seeking  
17 investment of funds under s. 234.03 (18m), or in which the authority has invested  
18 funds under s. 234.03 (18m), unless the person consents to disclosure of the  
19 information.

20 **\*-1942/P1.34\* SECTION 755.** 234.40 (4) of the statutes is amended to read:

21 234.40 (4) The limitations established in ss. 234.18, 234.50, 234.60, 234.61,  
22 ~~234.63~~, and 234.65 are not applicable to bonds issued under the authority of this  
23 section. The authority may not have outstanding at any one time bonds for veterans  
24 housing loans in an aggregate principal amount exceeding \$61,945,000, excluding  
25 bonds being issued to refund outstanding bonds.

1           **\*-1896/1.174\* SECTION 756.** 234.49 (2) (a) 4. of the statutes is amended to read:

2           234.49 (2) (a) 4. To designate as an authorized lender the authority or any local  
3 government agency, housing authority under s. 59.53 (22), 61.73, 66.1201 or 66.1213,  
4 bank, savings bank, savings and loan institution, mortgage banker registered  
5 licensed under s. 224.72 or credit union, if the designee has a demonstrated history  
6 or potential of ability to adequately make and service housing rehabilitation loans.

7           **\*-1942/P1.35\* SECTION 757.** 234.50 (4) of the statutes is amended to read:

8           234.50 (4) The limitations established in ss. 234.18, 234.40, 234.60, 234.61,  
9 234.63, and 234.65 are not applicable to bonds issued under the authority of this  
10 section. The authority may not have outstanding at any one time bonds for housing  
11 rehabilitation loans in an aggregate principal amount exceeding \$100,000,000,  
12 excluding bonds being issued to refund outstanding bonds. The authority shall  
13 consult with and coordinate the issuance of bonds with the building commission prior  
14 to the issuance of bonds.

15           **\*-1896/1.175\* SECTION 758.** 234.59 (1) (h) of the statutes is amended to read:

16           234.59 (1) (h) "Mortgage banker" means a mortgage banker registered licensed  
17 under s. 224.72, but does not include a person licensed under s. 138.09.

18           **\*-1899/P3.3\* SECTION 759.** 234.59 (1) (j) of the statutes is amended to read:

19           234.59 (1) (j) "Principal residence" means ~~an eligible~~ residential real property  
20 in this state ~~which~~ that an applicant maintains as a full-time residence, but does not  
21 use as a vacation home or for trade or business purposes.

22           **\*-1899/P3.4\* SECTION 760.** 234.59 (2) (intro.) of the statutes is amended to  
23 read:

24           234.59 (2) POWERS AND DUTIES OF THE AUTHORITY. (intro.) The authority shall  
25 establish and administer a homeownership mortgage loan program to encourage

1 homeownership and to facilitate the acquisition or rehabilitation of eligible property  
2 by applicants. To implement the program, the authority:

3 **\*-1899/P3.5\* SECTION 761.** 234.59 (3) (c) of the statutes is amended to read:

4 234.59 (3) (c) The authority shall notify an eligible authorized lender if a  
5 person's name appears on the statewide support lien docket under s. 49.854 (2) (b).  
6 An eligible authorized lender may not make a loan to an applicant if it receives  
7 notification under this paragraph concerning the applicant, unless the applicant  
8 provides to the lender a payment agreement that has been approved by the county  
9 child support agency under s. 59.53 (5) and that is consistent with rules promulgated  
10 under s. 49.858 (2) (a).

11 **\*-1899/P3.6\* SECTION 762.** 234.592 of the statutes is created to read:

12 **234.592 Qualified subprime loan refinancing. (1) DEFINITIONS.** In this  
13 section:

14 (a) "Authorized lender" has the meaning given in s. 234.59 (1) (a).

15 (b) "Eligible property" has the meaning given in s. 234.59 (1) (d) 1.

16 (c) "Principal residence" has the meaning given in s. 234.59 (1) (j).

17 (d) "Qualified subprime loan" means an adjustable rate single-family  
18 residential mortgage loan made after December 31, 2001, and before January 1,  
19 2008.

20 **(2) POWERS AND DUTIES OF THE AUTHORITY.** The authority shall establish and  
21 administer a qualified subprime loan refinancing program to encourage  
22 homeownership and to facilitate the retention of eligible property by applicants. To  
23 implement the program, the authority:

1 (a) May finance the acquisition or replacement of a qualified subprime loan and  
2 may enter into contracts permitting an authorized lender to finance the acquisition  
3 or replacement of a qualified subprime loan or both.

4 (b) Shall maintain a current list of authorized lenders.

5 (c) May enter into agreements to insure or provide additional security for loans  
6 or bonds or notes issued under s. 234.60.

7 (3) LOAN CONDITIONS. (a) Except as provided in par. (b), the authority may  
8 finance the acquisition or replacement of or enter into contracts permitting an  
9 authorized lender to finance the acquisition or replacement of an existing mortgage  
10 given by an applicant on an eligible property only if all of the following conditions are  
11 satisfied:

12 1. The eligible property is and will remain the principal residence of the  
13 applicant.

14 2. The existing mortgage was originally financed through a qualified subprime  
15 loan and has not subsequently been refinanced.

16 3. The authority makes a determination that the mortgage described in subd.  
17 2. will be reasonably likely to cause financial hardship to the applicant if not  
18 refinanced.

19 4. The term of any refinancing agreement entered into under this paragraph  
20 does not exceed 30 years.

21 5. The monthly payments to be made by an applicant under an agreement  
22 entered into under this paragraph include principal, interest, property taxes, and  
23 insurance. In this subdivision, "insurance" includes mortgage insurance,  
24 homeowner's insurance, and, if applicable, flood insurance.

1           6. The authority complies with special rules for subprime refinancing  
2 established under 26 USC 143 (k) (12).

3           (b) The authority may not enter into an agreement under this subsection if the  
4 applicant's name appears on the statewide support lien docket under s. 49.854 (2) (b),  
5 unless the applicant provides to the authority a payment agreement that has been  
6 approved by the county child support agency under s. 59.53 (5) and that is consistent  
7 with rules promulgated under s. 49.858 (2) (a).

8           \*-1899/P3.7\* SECTION 763. 234.60 (title) of the statutes is amended to read:

9           **234.60 (title) Bonds for homeownership mortgage loans and qualified**  
10 **subprime loan refinancing.**

11           \*-1899/P3.8\* SECTION 764. 234.60 (1) of the statutes is amended to read:

12           234.60 (1) The authority may issue its bonds or notes to fund homeownership  
13 mortgage loans or the refinancing of qualified subprime loans under s. 234.592.

14           \*-1942/P1.36\* SECTION 765. 234.60 (2) of the statutes is amended to read:

15           234.60 (2) The limitations in ss. 234.18, 234.40, 234.50, 234.61, 234.63, and  
16 234.65 do not apply to bonds or notes issued under this section.

17           \*-1899/P3.9\* SECTION 766. 234.60 (5) (c) of the statutes is created to read:

18           234.60 (5) (c) The secretary of administration shall determine the date after  
19 which no bond or note may be issued under this section for the purpose of financing  
20 the acquisition or replacement of an existing mortgage under s. 234.592.

21           \*-1899/P3.10\* SECTION 767. 234.60 (9) of the statutes is amended to read:

22           234.60 (9) The executive director of the authority shall make every effort to  
23 encourage participation in the homeownership mortgage loan program and the  
24 qualified subprime loan refinancing program by women and minorities.

25           \*-1942/P1.37\* SECTION 768. 234.61 (1) of the statutes is amended to read:

1           234.61 (1) Upon the authorization of the department of health services, the  
2 authority may issue bonds or notes and make loans for the financing of housing  
3 projects which are residential facilities as defined in s. 46.28 (1) (d) and the  
4 development costs of those housing projects, if the department of health services has  
5 approved the residential facilities for financing under s. 46.28 (2). The limitations  
6 in ss. 234.18, 234.40, 234.50, 234.60, 234.63, and 234.65 do not apply to bonds or  
7 notes issued under this section. The definition of "nonprofit corporation" in s. 234.01  
8 (9) does not apply to this section.

9           \***-1942/P1.38\*** SECTION 769. 234.63 of the statutes is repealed.

10           \***-1896/1.176\*** SECTION 770. 321.60 (1) (a) 12. of the statutes is amended to  
11 read:

12           321.60 (1) (a) 12. A license or certificate of registration issued by the  
13 department of financial institutions, or a division of it, under ss. 138.09, 138.12,  
14 217.06, 218.0101 to 218.0163, 218.02, 218.04, 218.05, 224.72, 224.725, or 224.93 or  
15 subch. IV of ch. 551.

16           \***-1896/1.177\*** SECTION 771. 422.501 (2) (b) 8. of the statutes is amended to  
17 read:

18           422.501 (2) (b) 8. A person registered licensed as a mortgage banker, mortgage  
19 loan originator, or mortgage broker under s. 224.72 or 224.725 if the person is acting  
20 within the course and scope of ~~that registration~~ the license.

21           \***-1896/1.178\*** SECTION 772. 428.202 (6) of the statutes is renumbered 428.202  
22 (9) and amended to read:

23           428.202 (9) "Loan Mortgage loan originator" has the meaning given in s. 224.71  
24 (~~1r~~) (6).



1           **\*-1896/1.179\* SECTION 773.** 428.203 (9) (title) of the statutes is amended to  
2 read:

3           428.203 (9) (title) ~~UNREGISTERED~~ UNLICENSED MORTGAGE BANKERS AND BROKERS.

4           **\*-1896/1.180\* SECTION 774.** 428.204 of the statutes is amended to read:

5           **428.204 False statements.** No lender, licensed lender, mortgage loan  
6 originator, mortgage banker, or mortgage broker may knowingly make, propose, or  
7 solicit fraudulent, false, or misleading statements on any document relating to a  
8 covered loan.

9           **\*-1896/1.181\* SECTION 775.** 428.206 of the statutes is amended to read:

10          **428.206 Recommending default.** No lender, licensed lender, mortgage loan  
11 originator, mortgage banker, or mortgage broker may recommend or encourage an  
12 individual to default on an existing loan or other obligation before and in connection  
13 with the making of a covered loan that refinances all or any portion of that existing  
14 loan or obligation.

15          **\*-1896/1.182\* SECTION 776.** 452.01 (3) (g) of the statutes is amended to read:

16          452.01 (3) (g) A person ~~registered~~ licensed as a mortgage banker under s.  
17 224.72 who does not engage in activities described under sub. (2).

18          **\*-1949/P1.5\* SECTION 777.** 560.205 (1) (intro.) of the statutes is amended to  
19 read:

20          560.205 (1) ANGEL INVESTMENT TAX CREDITS. (intro.) The department shall  
21 implement a program to certify businesses for purposes of s. 71.07 (5d). A business  
22 desiring certification shall submit an application to the department in each taxable  
23 year for which the business desires certification. The business shall specify in its  
24 application the investment amount it wishes to raise and the department may certify  
25 the business and determine the amount that qualifies for purposes of s. 71.07 (5d).

1 Unless otherwise provided under the rules of the department, a business may be  
2 certified under this subsection, and may maintain such certification, only if the  
3 business satisfies all of the following conditions:

4 **\*-1949/P1.6\* SECTION 778.** 560.205 (1) (f) of the statutes is repealed and  
5 recreated to read:

6 560.205 (1) (f) It has the potential for increasing jobs in this state, increasing  
7 capital investment in this state, or both, and any of the following apply:

8 1. It is engaged in, or has committed to engage in, innovation in any of the  
9 following:

10 a. Manufacturing, biotechnology, nanotechnology, communications,  
11 agriculture, or clean energy creation or storage technology.

12 b. Processing or assembling products, including medical devices,  
13 pharmaceuticals, computer software, computer hardware, semiconductors, any  
14 other innovative technology products, or other products that are produced using  
15 manufacturing methods that are enabled by applying proprietary technology.

16 c. Services that are enabled by applying proprietary technology.

17 2. It is undertaking pre-commercialization activity related to proprietary  
18 technology that includes conducting research, developing a new product or business  
19 process, or developing a service that is principally reliant on applying proprietary  
20 technology.

21 **\*-1949/P1.7\* SECTION 779.** 560.205 (1) (g) of the statutes is amended to read:

22 560.205 (1) (g) It is not primarily engaged in real estate development,  
23 insurance, banking, lending, lobbying, political consulting, professional services  
24 provided by attorneys, accountants, business consultants, physicians, or health care  
25 consultants, wholesale or retail trade, leisure, hospitality, transportation, or

1 construction, except construction of power production plants that derive energy from  
2 a renewable resource, as defined in s. 196.378 (1) (h).

3 **\*-1949/P1.9\* SECTION 780.** 560.205 (1) (k) of the statutes is amended to read:

4 560.205 (1) (k) ~~It~~ For taxable years beginning before January 1, 2008, it has  
5 not received more than \$1,000,000 in investments that have qualified for tax credits  
6 under s. 71.07 (5d).

7 **\*-1949/P1.10\* SECTION 781.** 560.205 (1) (kn) of the statutes is created to read:

8 560.205 (1) (kn) For taxable years beginning after December 31, 2007 and  
9 before January 1, 2011, it has not received more than \$4,000,000 in investments that  
10 have qualified for tax credits under ss. 71.07 (5b) and (5d), 71.28 (5b), 71.47 (5b), and  
11 76.638.

12 **SECTION 782.** 560.205 (1) (L) of the statutes is created to read:

13 560.205 (1) (L) For taxable years beginning after December 31, 2010, it has not  
14 received more than \$8,000,000 in investments that have qualified for tax credits  
15 under ss. 71.07 (5b) and (5d), 71.28 (5b), 71.47 (5b), and 76.638.

16 **SECTION 783.** 560.205 (2) of the statutes is amended to read:

17 560.205 (2) **EARLY STAGE SEED INVESTMENT TAX CREDITS.** The department shall  
18 implement a program to certify investment fund managers for purposes of ss. 71.07  
19 (5b), 71.28 (5b), and, 71.47 (5b), and 76.638. An investment fund manager desiring  
20 certification shall submit an application to the department. The investment fund  
21 manager shall specify in the application the investment amount that the manager  
22 wishes to raise and the department may certify the manager and determine the  
23 amount that qualifies for purposes of ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638.

24 In determining whether to certify an investment fund manager, the department  
25 shall consider the investment fund manager's experience in managing venture

1 capital funds, the past performance of investment funds managed by the applicant,  
2 the expected level of investment in the investment fund to be managed by the  
3 applicant, and any other relevant factors. The department may certify only  
4 investment fund managers that commit to consider placing investments in  
5 businesses certified under sub. (1).

6 \*-1949/P1.11\* SECTION 784. 560.205 (3) (d) of the statutes is amended to read:

7 560.205 (3) (d) Rules. The department of commerce, in consultation with the  
8 department of revenue, shall promulgate rules to administer this section. The rules  
9 shall further define "bona fide angel investment" for purposes of s. 71.07 (5d) (a) 1.  
10 The rules shall limit the aggregate amount of tax credits under s. 71.07 (5d) that may  
11 be claimed for investments in businesses certified under sub. (1) at \$3,000,000 per  
12 calendar year for calendar years beginning after December 31, 2004, and before  
13 January 1, 2008, \$5,500,000 per calendar year for calendar years beginning after  
14 December 31, 2007, and before January 1, 2011, and \$18,000,000 per calendar year  
15 for calendar years beginning after December 31, 2010. The rules shall also limit the

16 aggregate amount of the tax credits under ss. 71.07 (5b), 71.28 (5b), and 71.47 (5b),  
17 and 76.638 that may be claimed for investments paid to fund managers certified  
18 under sub. (2) at \$3,500,000 per calendar year for calendar years beginning after  
19 December 31, 2004, and before January 1, 2008, \$6,000,000 per calendar year for  
20 calendar years beginning after December 31, 2007, and before January 1, 2011, and  
21 \$18,500,000 per calendar year for calendar years beginning after December 31, 2010.

22 The rules shall also provide that, for calendar years beginning after December 31,  
23 2007, no person may receive a credit under ss. 71.07 (5b) and (5d), 71.28 (5b), or 71.47  
24 (5b), or 76.638 unless the person's investment is kept in a certified business, or with  
25 a certified fund manager, for no less than 3 years.

INSERT  
336-15  
JK

INSERT  
336 21  
JK

*in a 12-month period*

1           **\*-1949/P1.12\* SECTION 785.** 560.205 (3) (e) of the statutes is created to read:

2           560.205 (3) (e) *Transfer.* A person who is eligible to claim a credit under s. 71.07  
3 (5b), 71.28 (5b), 71.47 (5b), or 76.638 may sell or otherwise transfer the credit to  
4 another person who is subject to the taxes or fees imposed under s. 71.02, 71.23,  
5 71.47, or subch. III of ch. 76, if the person receives prior authorization from the  
6 investment fund manager and the manager then notifies the department of  
7 commerce and the department of revenue of the transfer and submits with the  
8 notification a copy of the transfer documents. No person may sell or otherwise  
9 transfer a credit as provided in this paragraph more than once. The department may  
10 charge any person selling or otherwise transferring a credit under this paragraph a  
11 fee equal to 1 percent of the credit amount sold or transferred. The department shall  
12 deposit all fees collected under this paragraph in the appropriation account under  
13 s. 20.143 (1) (gm).

14           **\*-1947/P1.33\* SECTION 786.** 560.207 (1) of the statutes is amended to read:

15           560.207 (1) The department of commerce shall implement a program to certify  
16 taxpayers, including taxpayers who are members of dairy cooperatives, as eligible  
17 for the dairy manufacturing facility investment credit under ss. 71.07 (3p), 71.28  
18 (3p), and 71.47 (3p).

19           **\*-1947/P1.34\* SECTION 787.** 560.207 (2) of the statutes is amended to read:

20           560.207 (2) If the department of commerce certifies a taxpayer under sub. (1),  
21 the department of commerce shall determine the amount of credits to allocate to that  
22 taxpayer. The total amount of dairy manufacturing facility investment credits  
23 allocated to taxpayers in fiscal year 2007-08 may not exceed \$600,000 and the total  
24 amount of dairy manufacturing facility investment credits allocated to taxpayers  
25 who are not members of dairy cooperatives in fiscal year 2008-09, and in each fiscal

1 year thereafter, may not exceed \$700,000. The total amount of dairy manufacturing  
2 facility investment credits allocated to taxpayers who are members of dairy  
3 cooperatives in fiscal year 2009-10 may not exceed \$600,000 and the total amount  
4 of dairy manufacturing facility investment credits allocated to taxpayers who are  
5 members of dairy cooperatives in fiscal year 2010-11, and in each fiscal year  
6 thereafter, may not exceed \$700,000.

7 **\*-1948/P1.15\* SECTION 788.** 560.208 of the statutes is created to read:

8 **560.208 Meat processing facility investment credit.** (1) The department  
9 of commerce shall implement a program to certify taxpayers as eligible for the meat  
10 processing facility investment credit under ss. 71.07 (3r), 71.28 (3r), and 71.47 (3r).

11 (2) If the department of commerce certifies a taxpayer under sub. (1), the  
12 department of commerce shall determine the amount of credits to allocate to that  
13 taxpayer. The total amount of meat processing facility investment credits allocated  
14 to taxpayers in fiscal year 2009-10 may not exceed \$300,000 and the total amount  
15 of meat processing facility investment credits allocated to taxpayers in fiscal year  
16 2010-11, and in each fiscal year thereafter, may not exceed \$700,000.

17 (3) The department of commerce shall inform the department of revenue of  
18 every taxpayer certified under sub. (1) and the amount of credits allocated to the  
19 taxpayer.

20 (4) The department of commerce, in consultation with the department of  
21 revenue, shall promulgate rules to administer this section.

22 **\*-1508/3.1\* SECTION 789.** 560.25 (4) of the statutes is amended to read:

23 560.25 (4) LIMIT ON GRANTS. Beginning with fiscal year 2004-05 2009-10, the  
24 department may award \$1,500,000 in grants under this section in each fiscal year.

25 **\*-1942/P1.39\* SECTION 790.** 560.605 (2m) (g) of the statutes is repealed.



**SECTION 796**

1           **\*-1942/P1.45\* SECTION 796.** 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 797.** 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 798.** 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 799.** 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 800.** 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 801.** 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 802. 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 803. 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 804. 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 805.** 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 806.** 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 807.** 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 808.** 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 809.** 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].

## SECTION 810

1           **\*-1942/P1.59\* SECTION 810.** 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 811.** 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 812.** 560.78 (3) (a) of the statutes is amended to read:  
11          560.78 (3) (a) Except as provided in ~~par.~~ pars. (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 813.** 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 814.** 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 815.** 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 816.** 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 817.** 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 818.** 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 819.** 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 820.** 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 821.** 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 822.** 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 823.** 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 824.** 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].