

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, plus, for taxable years
16 beginning after December 31, 2008, an additional \$500,000 for tax credits that may
17 be claimed for investments in nanotechnology businesses certified under sub. (1).

18 The rules shall also limit the aggregate amount of the tax credits under ss. 71.07 (5b),
19 71.28 (5b), and 71.47 (5b), and 76.638 that may be claimed for investments paid to
20 fund managers certified under sub. (2) at \$3,500,000 per calendar year for calendar
21 years beginning after December 31, 2004, and before January 1, 2008, \$6,000,000 per
22 calendar year for calendar years beginning after December 31, 2007, and before
23 January 1, 2011, and \$18,500,000 per calendar year for calendar years beginning
24 after December 31, 2010, plus, for taxable years beginning after December 31, 2008,
25 an additional \$500,000 for tax credits that may be claimed for investments in

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1 nanotechnology businesses certified under sub. (1). The rules shall also provide that,
2 for calendar years beginning after December 31, 2007, no person may receive a credit
3 under ss. 71.07 (5b) and (5d), 71.28 (5b), ~~or 71.47 (5b)~~, or 76.638 unless the person's
4 investment is kept in a certified business, or with a certified fund manager, for no less
5 than 3 years.

6 ***-1949/P1.12* SECTION 785.** 560.205 (3) (e) of the statutes is created to read:

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

19 ***-1947/P1.33* SECTION 786.** 560.207 (1) of the statutes is amended to read:

20 560.207 (1) The department of commerce shall implement a program to certify
21 taxpayers, including taxpayers who are members of dairy cooperatives, as eligible
22 for the dairy manufacturing facility investment credit under ss. 71.07 (3p), 71.28
23 (3p), and 71.47 (3p).

24 ***-1947/P1.34* SECTION 787.** 560.207 (2) of the statutes is amended to read:

1 560.207 (2) If the department of commerce certifies a taxpayer under sub. (1),
2 the department of commerce shall determine the amount of credits to allocate to that
3 taxpayer. The total amount of dairy manufacturing facility investment credits
4 allocated to taxpayers in fiscal year 2007-08 may not exceed \$600,000 and the total
5 amount of dairy manufacturing facility investment credits allocated to taxpayers
6 who are not members of dairy cooperatives in fiscal year 2008-09, and in each fiscal
7 year thereafter, may not exceed \$700,000. The total amount of dairy manufacturing
8 facility investment credits allocated to taxpayers who are members of dairy
9 cooperatives in fiscal year 2009-10 may not exceed \$600,000 and the total amount
10 of dairy manufacturing facility investment credits allocated to taxpayers who are
11 members of dairy cooperatives in fiscal year 2010-11, and in each fiscal year
12 thereafter, may not exceed \$700,000.

13 *-1948/P1.15* SECTION 788. 560.208 of the statutes is created to read:

14 **560.208 Meat processing facility investment credit.** (1) The department
15 of commerce shall implement a program to certify taxpayers as eligible for the meat
16 processing facility investment credit under ss. 71.07 (3r), 71.28 (3r), and 71.47 (3r).

17 (2) If the department of commerce certifies a taxpayer under sub. (1), the
18 department of commerce shall determine the amount of credits to allocate to that
19 taxpayer. The total amount of meat processing facility investment credits allocated
20 to taxpayers in fiscal year 2009-10 may not exceed \$300,000 and the total amount
21 of meat processing facility investment credits allocated to taxpayers in fiscal year
22 2010-11, and in each fiscal year thereafter, may not exceed \$700,000.

23 (3) The department of commerce shall inform the department of revenue of
24 every taxpayer certified under sub. (1) and the amount of credits allocated to the
25 taxpayer.

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

3 ***-1508/3.1* SECTION 789.** 560.25 (4) of the statutes is amended to read:

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

6 ***-1942/P1.39* SECTION 790.** 560.605 (2m) (g) of the statutes is repealed.

7 ***-1942/P1.40* SECTION 791.** 560.605 (7) (e) of the statutes is repealed.

8 ***-1942/P1.41* SECTION 792.** Subchapter VI (title) of chapter 560 [precedes
9 560.70] of the statutes is repealed and recreated to read:

10 **CHAPTER 560**

11 **SUBCHAPTER VI**

12 **TAX INCENTIVES FOR BUSINESS**

13 **DEVELOPMENT IN WISCONSIN**

14 ***-1942/P1.42* SECTION 793.** 560.70 (2g) of the statutes is created to read:

15 560.70 (2g) "Eligible activity" means an activity described under s. 560.702.

16 ***-1942/P1.43* SECTION 794.** 560.70 (2m) of the statutes is renumbered 560.70
17 (2m) (a) and amended to read:

18 560.70 (2m) (a) "Full Except as provided in par. (b), "full-time job" means a
19 regular, nonseasonal full-time position in which an individual, as a condition of
20 employment, is required to work at least 2,080 hours per year, including paid leave
21 and holidays, and for which the individual receives pay that is equal to at least 150%
22 of the federal minimum wage and benefits that are not required by federal or state
23 law. "Full-time job" does not include initial training before an employment position
24 begins.

25 ***-1942/P1.44* SECTION 795.** 560.70 (2m) (b) of the statutes is created to read:

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1 560.70 (2m) (b) The department may by rule specify circumstances under
2 which the department may grant exceptions to the requirement under par. (a) that
3 a full-time job means a job in which an individual, as a condition of employment, is
4 required to work at least 2,080 hours per year, but under no circumstances may a
5 full-time job mean a job in which an individual, as a condition of employment, is
6 required to work less than 37.5 hours per week.

7 *-1942/P1.45* SECTION 796. 560.70 (4m) of the statutes is created to read:

8 560.70 (4m) "Member of a targeted group" means a person who resides in an
9 area designated by the federal government as an economic revitalization area, a
10 person who is employed in an unsubsidized job but meets the eligibility requirements
11 under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who
12 is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work, real pay
13 project position under s. 49.147 (3m), a person who is eligible for child care assistance
14 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
15 disadvantaged youth, an economically disadvantaged veteran, a supplemental
16 security income recipient, a general assistance recipient, an economically
17 disadvantaged ex-convict, a dislocated worker, as defined in 29 USC 2801 (9), or a
18 food stamp recipient, if the person has been certified in the manner under 26 USC
19 51 (d) (13) (A) by a designated local agency, as defined in 26 USC 51 (d) (12).

20 *-1942/P1.46* SECTION 797. 560.70 (7) (a) of the statutes is amended to read:

21 560.70 (7) (a) Except as provided in pars. (b) ~~and~~, (c), and (d), "tax benefits"
22 means the development zones credit under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx),
23 and 76.636.

24 *-1942/P1.47* SECTION 798. 560.70 (7) (d) of the statutes is created to read:

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

3 *-1942/P1.48* SECTION 799. 560.701 of the statutes is created to read:

4 **560.701 Certification for tax benefits. (1) APPLICATION.** Any person may
5 apply to the department on a form prepared by the department for certification under
6 this section. The application shall include all of the following:

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

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

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

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

13 (e) Other information required by the department or the department of
14 revenue.

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

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

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

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

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

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

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

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

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

11 ***-1942/P1.49* SECTION 800.** 560.702 of the statutes is created to read:

12 **560.702 Eligible activities.** A person who conducts or proposes to conduct
13 any of the following may be certified under s. 560.701 (2):

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

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

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

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

6 *-1942/P1.50* SECTION 801. 560.703 of the statutes is created to read:

7 **560.703 Limits on tax benefits and claiming tax benefits. (1) LIMITS.** (a)
8 Except as provided in par. (b), the total tax benefits available to be allocated by the
9 department under ss. 560.701 to 560.706 may not exceed the sum of the tax benefits
10 remaining to be allocated under ss. 560.71 to 560.785, 560.797, 560.798, 560.7995,
11 and 560.96 on the effective date of this paragraph [LRB inserts date].

12 (b) The department may submit to the joint committee on finance a request in
13 writing to exceed the total tax benefits specified in par. (a). The department shall
14 submit with its request a justification for seeking an increase under this paragraph.
15 The joint committee on finance, following its review, may approve or disapprove an
16 increase in the total tax benefits available to be allocated under ss. 560.701 to
17 560.706.

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

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

1 *-1942/P1.51* SECTION 802. 560.704 of the statutes is created to read:

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

7 (1) The person conducts at least one eligible activity in an area designated by
8 the department as economically distressed. In designating an area as economically
9 distressed under this subsection, the department shall follow the methodology
10 established by rule under s. 560.706 (2) (e).

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

14 *-1942/P1.52* SECTION 803. 560.705 of the statutes is created to read:

15 **560.705 Revocation of certification.** The department shall revoke the
16 certification of a person who does any of the following:

17 (1) Supplies false or misleading information to obtain certification under s.
18 560.701 (2).

19 (2) Supplies false or misleading information to obtain tax benefits under s.
20 560.703.

21 (3) Leaves the state to conduct substantially the same business outside of the
22 state.

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

25 *-1942/P1.53* SECTION 804. 560.706 of the statutes is created to read:

1 **560.706 Responsibilities of the department.** The department shall do all
2 of the following:

3 **(1) ACCOUNTABILITY.** (a) Annually verify information submitted to the
4 department of revenue under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and 76.637 by
5 persons certified under s. 560.701 (2) and eligible to receive tax benefits under s.
6 560.703.

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

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

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

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

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

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

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

- 8 1. Unemployment rate.
- 9 2. Percentage of families with incomes below the poverty line established under
10 42 USC 9902 (2).
- 11 3. Median family income.
- 12 4. Median per capita income.
- 13 5. Average annual wage.
- 14 6. Real property values.
- 15 7. Other significant or irregular indicators of economic distress, such as a
16 natural disaster.

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

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

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

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

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

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

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

12 ***-1942/P1.54* SECTION 805.** 560.71 (4) of the statutes is created to read:

13 560.71 (4) No development zone may be designated under this section after the
14 effective date of this subsection [LRB inserts date].

15 ***-1942/P1.55* SECTION 806.** 560.737 (4) of the statutes is created to read:

16 560.737 (4) No premises of a business incubator may be designated as part of
17 a development zone under this section after the effective date of this subsection
18 [LRB inserts date].

19 ***-1942/P1.56* SECTION 807.** 560.74 (1) of the statutes is amended to read:

20 560.74 (1) ~~At~~ Except as provided under sub. (6), at any time after a
21 development zone is designated by the department, a local governing body may
22 submit an application to change the boundaries of the development zone. If the
23 boundary change reduces the size of a development zone, the local governing body
24 shall explain why the area excluded should no longer be in a development zone. The
25 department may require the local governing body to submit additional information.

1 ***-1942/P1.57* SECTION 808.** 560.74 (6) of the statutes is created to read:

2 560.74 (6) The department may not accept any applications under sub. (1) to
3 change the boundaries of a development zone designated under s. 560.71 on or after
4 the effective date of this subsection [LRB inserts date].

5 ***-1942/P1.58* SECTION 809.** 560.745 (1) (b) of the statutes is amended to read:

6 560.745 (1) (b) The local governing body may apply to the department for one
7 60-month extension of the designation. The department shall promulgate rules
8 establishing criteria for approving an extension of a designation of an area as a
9 development zone under this subsection. No applications may be accepted by the
10 department under this paragraph on or after the effective date of this paragraph
11 [LRB inserts date].

12 ***-1942/P1.59* SECTION 810.** 560.745 (2) (am) of the statutes is amended to
13 read:

14 560.745 (2) (am) Notwithstanding par. (a), the department may increase the
15 established limit for tax benefits for a development zone. The department may not
16 increase the limit for tax benefits established for any development zone designated
17 under s. 560.71 on or after the effective date of this paragraph [LRB inserts date].

18 ***-1942/P1.60* SECTION 811.** 560.78 (1m) of the statutes is created to read:

19 560.78 (1m) No person may be certified under s. 560.765 (3) on or after the
20 effective date of this subsection [LRB inserts date].

21 ***-1942/P1.61* SECTION 812.** 560.78 (3) (a) of the statutes is amended to read:

22 560.78 (3) (a) Except as provided in ~~par.~~ pars. (b) and (c), if the economic activity
23 for which a person is seeking certification under s. 560.765 (3) is the relocation of a
24 business into a development zone from a location that is outside the development
25 zone but within the limits of a city, village, town or federally recognized American

1 Indian reservation in which that development zone is located, the local governing
2 body that nominated that area as a development zone under s. 560.72 shall
3 determine whether sub. (2) (a) or (b) applies.

4 ***-1942/P1.62* SECTION 813.** 560.78 (3) (c) of the statutes is created to read:
5 560.78 (3) (c) No local governing body may make any determination under this
6 subsection on or after the effective date of this paragraph [LRB inserts date].

7 ***-1942/P1.63* SECTION 814.** 560.785 (1) (intro.) of the statutes is amended to
8 read:

9 560.785 (1) (intro.) For the development zone program under ss. 560.70 and
10 560.71 to 560.78, the development opportunity zone program under s. 560.795 and
11 the enterprise development zone program under s. 560.797, the department shall
12 promulgate rules that further define a person's eligibility for tax benefits. The rules
13 shall do at least all of the following:

14 ***-1942/P1.64* SECTION 815.** 560.797 (2) (a) (intro.) of the statutes is amended
15 to read:

16 560.797 (2) (a) (intro.) Subject to pars. (c) and, (d), and (e), the department may
17 designate an area as an enterprise development zone for a project if the department
18 determines all of the following:

19 ***-1942/P1.65* SECTION 816.** 560.797 (2) (bg) (intro.) of the statutes is amended
20 to read:

21 560.797 (2) (bg) (intro.) Notwithstanding par. (a) and subject to pars. (c) and,
22 (d), and (e), the department may designate an area as an enterprise development
23 zone for a project if the department determines all of the following:

24 ***-1942/P1.66* SECTION 817.** 560.797 (2) (e) of the statutes is created to read:

1 560.797 (2) (e) The department may not designate any area as an enterprise
2 development zone on or after the effective date of this paragraph [LRB inserts
3 date].

4 ***-1942/P1.67* SECTION 818.** 560.797 (3) (c) of the statutes is created to read:

5 560.797 (3) (c) The department may not accept or approve any applications or
6 project plans submitted under par. (a) on or after the effective date of this paragraph
7 [LRB inserts date].

8 ***-1942/P1.68* SECTION 819.** 560.797 (4) (a) of the statutes is amended to read:

9 560.797 (4) (a) If Except as provided in par. (h), if the department approves a
10 project plan under sub. (3) and designates the area in which the person submitting
11 the project plan conducts or intends to conduct the project as an enterprise
12 development zone under the criteria under sub. (2), the department shall certify the
13 person as eligible for tax benefits.

14 ***-1942/P1.69* SECTION 820.** 560.797 (4) (h) of the statutes is created to read:

15 560.797 (4) (h) No person may be certified under this subsection on or after the
16 effective date of this paragraph [LRB inserts date].

17 ***-1942/P1.70* SECTION 821.** 560.798 (2) (a) of the statutes is amended to read:

18 560.798 (2) (a) The Except as provided under par. (c), the department may
19 designate one area in the state as an agricultural development zone. The area must
20 be located in a rural municipality. An agricultural business that is located in an
21 agricultural development zone and that is certified by the department under sub. (3)
22 is eligible for tax benefits as provided in sub. (3).

23 ***-1942/P1.71* SECTION 822.** 560.798 (2) (c) of the statutes is created to read:

24 560.798 (2) (c) No area may be designated as an agricultural development zone
25 on or after the effective date of this paragraph [LRB inserts date].