

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

7 *-1942/P1.57* SECTION 812. 560.74 (6) of the statutes is created to read:

8 560.74 (6) The department may not accept any applications under sub. (1) to
9 change the boundaries of a development zone designated under s. 560.71 on or after
10 the effective date of this subsection ... [LRB inserts date].

11 *-1942/P1.58* SECTION 813. 560.745 (1) (b) of the statutes is amended to read:

12 560.745 (1) (b) The local governing body may apply to the department for one
13 60-month extension of the designation. The department shall promulgate rules
14 establishing criteria for approving an extension of a designation of an area as a
15 development zone under this subsection. No applications may be accepted by the
16 department under this paragraph on or after the effective date of this paragraph ...
17 [LRB inserts date].

18 *-1942/P1.59* SECTION 814. 560.745 (2) (am) of the statutes is amended to
19 read:

20 560.745 (2) (am) Notwithstanding par. (a), the department may increase the
21 established limit for tax benefits for a development zone. The department may not
22 increase the limit for tax benefits established for any development zone designated
23 under s. 560.71 on or after the effective date of this paragraph ... [LRB inserts date].

24 *-1942/P1.60* SECTION 815. 560.78 (1m) of the statutes is created to read:

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

3 *-1942/P1.61* SECTION 816. 560.78 (3) (a) of the statutes is amended to read:

4 560.78 (3) (a) Except as provided in ~~par.~~ pars. (b) and (c), if the economic activity
5 for which a person is seeking certification under s. 560.765 (3) is the relocation of a
6 business into a development zone from a location that is outside the development
7 zone but within the limits of a city, village, town or federally recognized American
8 Indian reservation in which that development zone is located, the local governing
9 body that nominated that area as a development zone under s. 560.72 shall
10 determine whether sub. (2) (a) or (b) applies.

11 *-1942/P1.62* SECTION 817. 560.78 (3) (c) of the statutes is created to read:

12 560.78 (3) (c) No local governing body may make any determination under this
13 subsection on or after the effective date of this paragraph [LRB inserts date].

14 *-1942/P1.63* SECTION 818. 560.785 (1) (intro.) of the statutes is amended to
15 read:

16 560.785 (1) (intro.) For the development zone program under ss. 560.70 and
17 560.71 to 560.78, the development opportunity zone program under s. 560.795 and
18 the enterprise development zone program under s. 560.797, the department shall
19 promulgate rules that further define a person's eligibility for tax benefits. The rules
20 shall do at least all of the following:

21 *-1942/P1.64* SECTION 819. 560.797 (2) (a) (intro.) of the statutes is amended
22 to read:

23 560.797 (2) (a) (intro.) Subject to pars. (c) and, (d), and (e), the department may
24 designate an area as an enterprise development zone for a project if the department
25 determines all of the following:

1 ***-1942/P1.65* SECTION 820.** 560.797 (2) (bg) (intro.) of the statutes is amended
2 to read:

3 560.797 (2) (bg) (intro.) Notwithstanding par. (a) and subject to pars. (c) and,
4 (d), and (e), the department may designate an area as an enterprise development
5 zone for a project if the department determines all of the following:

6 ***-1942/P1.66* SECTION 821.** 560.797 (2) (e) of the statutes is created to read:

7 560.797 (2) (e) The department may not designate any area as an enterprise
8 development zone on or after the effective date of this paragraph [LRB inserts
9 date].

10 ***-1942/P1.67* SECTION 822.** 560.797 (3) (c) of the statutes is created to read:

11 560.797 (3) (c) The department may not accept or approve any applications or
12 project plans submitted under par. (a) on or after the effective date of this paragraph
13 [LRB inserts date].

14 ***-1942/P1.68* SECTION 823.** 560.797 (4) (a) of the statutes is amended to read:

15 560.797 (4) (a) If Except as provided in par. (h), if the department approves a
16 project plan under sub. (3) and designates the area in which the person submitting
17 the project plan conducts or intends to conduct the project as an enterprise
18 development zone under the criteria under sub. (2), the department shall certify the
19 person as eligible for tax benefits.

20 ***-1942/P1.69* SECTION 824.** 560.797 (4) (h) of the statutes is created to read:

21 560.797 (4) (h) No person may be certified under this subsection on or after the
22 effective date of this paragraph [LRB inserts date].

23 ***-1942/P1.70* SECTION 825.** 560.798 (2) (a) of the statutes is amended to read:

24 560.798 (2) (a) The Except as provided under par. (c), the department may
25 designate one area in the state as an agricultural development zone. The area must

1 be located in a rural municipality. An agricultural business that is located in an
2 agricultural development zone and that is certified by the department under sub. (3)
3 is eligible for tax benefits as provided in sub. (3).

4 ***-1942/P1.71* SECTION 826.** 560.798 (2) (c) of the statutes is created to read:

5 560.798 (2) (c) No area may be designated as an agricultural development zone
6 on or after the effective date of this paragraph [LRB inserts date].

7 ***-1942/P1.72* SECTION 827.** 560.798 (3) (a) of the statutes is amended to read:

8 560.798 (3) (a) The Except as provided under par. (c), the department may
9 certify for tax benefits in an agricultural development zone a new or expanding
10 agricultural business that is located in the agricultural development zone. In
11 determining whether to certify a business under this subsection, the department
12 shall consider, among other things, the number of jobs that will be created or retained
13 by the business.

14 ***-1942/P1.73* SECTION 828.** 560.798 (3) (c) of the statutes is created to read:

15 560.798 (3) (c) No business may be certified under this subsection on or after
16 the effective date of this paragraph [LRB inserts date].

17 ***-1942/P1.74* SECTION 829.** 560.7995 (2) (a) (intro.) of the statutes is amended
18 to read:

19 560.7995 (2) (a) (intro.) Subject to ~~par.~~ pars. (c) and (e), the department may
20 designate an area as an airport development zone if the department determines all
21 of the following:

22 ***-1942/P1.75* SECTION 830.** 560.7995 (2) (d) of the statutes is amended to
23 read:

24 560.7995 (2) (d) Notwithstanding pars. (a) to (c), and except as provided in par.
25 (e), the department shall designate as an airport development zone the area within

1 the boundaries of Adams, Fond du Lac, Green Lake, Juneau, Langlade, Lincoln,
2 Marathon, Marquette, Menominee, Oneida, Portage, Price, Shawano, Taylor,
3 Waupaca, Waushara, Winnebago, Wood, and Vilas counties.

4 ***-1942/P1.76* SECTION 831.** 560.7995 (2) (e) of the statutes is created to read:

5 560.7995 (2) (e) No area may be designated as an airport development zone
6 under this subsection on or after the effective date of this paragraph [LRB inserts
7 date].

8 ***-1942/P1.77* SECTION 832.** 560.7995 (4) (ar) of the statutes is created to read:

9 560.7995 (4) (ar) The department may not accept or approve any applications
10 or business plans submitted under par. (a) on or after the effective date of this
11 paragraph [LRB inserts date].

12 ***-1942/P1.78* SECTION 833.** 560.7995 (4) (b) of the statutes is renumbered

13 560.7995 (4) (b) 1. and amended to read:

14 560.7995 (4) (b) 1. If Except as provided in subd. 2., if the department approves
15 a business plan under par. (a) or (am), the department shall certify the person as
16 eligible for tax benefits. The department shall notify the department of revenue
17 within 30 days of certifying a person under this paragraph.

18 ***-1942/P1.79* SECTION 834.** 560.7995 (4) (b) 2. of the statutes is created to

19 read:

20 560.7995 (4) (b) 2. No person may be certified under this paragraph on or after
21 the effective date of this subdivision [LRB inserts date].

22 ***-1942/P1.80* SECTION 835.** 560.84 (2) (c) 2. of the statutes is amended to read:

23 560.84 (2) (c) 2. ~~A development zone designated under s. 560.71, a development~~
24 ~~opportunity zone designated under s. 560.795 or an enterprise development zone~~
25 ~~designated under s. 560.797.~~

1 ***-1942/P1.81* SECTION 836.** 560.96 (2) (a) of the statutes is amended to read:

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

6 ***-1942/P1.82* SECTION 837.** 560.96 (2) (c) of the statutes is created to read:

7 560.96 (2) (c) No area may be designated as a technology zone under this
8 subsection on or after the effective date of this paragraph [LRB inserts date].

9 ***-1942/P1.83* SECTION 838.** 560.96 (3) (a) (intro.) of the statutes is amended
10 to read:

11 560.96 (3) (a) (intro.) The Except as provided in par. (e), the department may
12 certify for tax credits in a technology zone a business that satisfies all of the following
13 requirements:

14 ***-1942/P1.84* SECTION 839.** 560.96 (3) (e) of the statutes is created to read:

15 560.96 (3) (e) No business may be certified under this subsection on or after the
16 effective date of this paragraph [LRB inserts date].

17 ***-1894/1.1* SECTION 840.** 704.35 of the statutes is created to read:

18 **704.35 Residential rental property in foreclosure. (1) DUTY OF LANDLORD**
19 **TO PROVIDE NOTICE OF FORECLOSURE.** If a foreclosure action has been commenced
20 against residential rental property, during the pendency of the action and before the
21 expiration of the redemption period, the owner of the property shall notify any
22 prospective tenant in writing of all of the following:

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

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

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

7 **(3) TENANT PROTECTIONS.** The protections under s. 846.35 apply to a residential
8 tenant if a foreclosure action is or has been commenced against the real property
9 containing the dwelling unit occupied by the tenant.

10 ***-1890/1.3* SECTION 841.** 799.40 (4) of the statutes is renumbered 799.40 (4)
11 (a).

12 ***-1890/1.4* SECTION 842.** 799.40 (4) (b) of the statutes is created to read:
13 799.40 (4) (b) The court shall stay the proceedings in a civil action of eviction
14 against a foreclosed homeowner, as defined in s. 846.40 (1) (b), under the
15 circumstances and as provided in s. 846.40 (9).

16 ***-1894/1.2* SECTION 843.** 846.35 of the statutes is created to read:

17 **846.35 Protections for tenants in foreclosure actions. (1) NOTICES FROM**
18 **PLAINTIFF.** (a) If residential rental property is the subject of a foreclosure action, the
19 plaintiff shall provide the following notices at the following times to the tenants who
20 are in possession of each rental unit when a notice is given:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 *-1890/1.5* **SECTION 844.** 846.40 of the statutes is created to read:

21 **846.40 Regulation of foreclosure reconveyances. (1) DEFINITIONS.** In this
22 section:

23 (a) "Closing" means an in-person meeting to complete final documents incident
24 to the sale of real property or the creation of a mortgage on real property that is
25 conducted by a closing agent who is not employed by, an affiliate of, or employed by

1 an affiliate of, any foreclosure purchaser involved in the closing, and who does not
2 have a business or personal relationship with any foreclosure purchaser involved in
3 the closing other than the provision of real estate settlement services.

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

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

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

12 2. A federal or state chartered bank, savings bank, savings and loan
13 association, or credit union.

14 (d) "Foreclosure reconveyance" means a transaction involving all of the
15 following:

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

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

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

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

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

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

13 **(2) CONTRACT REQUIREMENT; FORM AND LANGUAGE.** A foreclosure purchaser that
14 enters into any foreclosure reconveyance shall do so by a written contract. Every
15 contract must be written in letters of not less than 12-point boldface type, both in
16 English and in the same language principally used by the foreclosure purchaser and
17 foreclosed homeowner to negotiate the sale of the residence in foreclosure if other
18 than English, and must be fully completed, signed, and dated by the foreclosed
19 homeowner and foreclosure purchaser before the execution of any instrument of
20 conveyance of the residence in foreclosure.

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

23 1. The name, business address, and telephone number of the foreclosure
24 purchaser.

25 2. The address of the residence in foreclosure.

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

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

6 5. The time at which possession is to be transferred to the foreclosure
7 purchaser.

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

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

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

14 9. Immediately above the statement required by sub. (5) (a), in not less than
15 14-point boldface type if the contract is printed or in capital letters if the contract
16 is typed, and completed with the name of the foreclosure purchaser, the following
17 notice:

18 NOTICE REQUIRED BY WISCONSIN LAW

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

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

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

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

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

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

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

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

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

17 **NOTICE OF CANCELLATION**

18 (Enter date contract signed)

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

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

1 3. I hereby cancel this transaction.

2 (Date)

3 (Seller's signature)

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

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

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

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

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

24 1. The foreclosure purchaser verifies and can demonstrate that the foreclosed
25 homeowner has a reasonable ability to pay for the subsequent conveyance of an

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

12 2. The foreclosure purchaser and the foreclosed homeowner complete a closing
13 for any foreclosure reconveyance in which the foreclosure purchaser obtains a deed
14 or mortgage from a foreclosed homeowner.

15 3. The foreclosure purchaser obtains the written consent of the foreclosed
16 homeowner to a grant by the foreclosure purchaser of any interest in the property
17 during such times as the foreclosed homeowner maintains any interest in the
18 property.

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

20 1. Ensure that title to the subject dwelling has been reconveyed to the
21 foreclosed homeowner.

22 2. Make a payment to the foreclosed homeowner such that the foreclosed
23 homeowner has received consideration in an amount of at least 82 percent of the fair
24 market value of the property within 150 days after either the eviction of, or voluntary
25 relinquishment of possession of the dwelling by, the foreclosed homeowner. The

1 foreclosure purchaser shall make a detailed accounting of the basis for the payment
2 amount, or a detailed accounting of the reasons for failure to make a payment,
3 including providing written documentation of expenses, within this 150-day period.
4 The accounting shall be on a form prescribed by the attorney general, in consultation
5 with the secretary of agriculture, trade and consumer protection. For purposes of
6 this subdivision, all of the following apply:

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

10 b. The time for determining the fair market value amount shall be specified in
11 the foreclosure reconveyance contract as either at the time of the execution of the
12 foreclosure reconveyance contract or at resale. If the contract states that the fair
13 market value shall be determined at the time of resale, the fair market value shall
14 be the resale price if it is sold within 120 days after the eviction of, or voluntary
15 relinquishment of the property by, the foreclosed homeowner. If the contract states
16 that the fair market value shall be determined at the time of resale, and the resale
17 is not completed within 120 days after the eviction of, or voluntary relinquishment
18 of the property by, the foreclosed homeowner, the fair market value shall be
19 determined by an appraisal conducted during this 120-day period and payment, if
20 required, shall be made to the foreclosed homeowner, but the fair market value shall
21 be recalculated as the resale price on resale and an additional payment amount, if
22 appropriate based on the resale price, shall be made to the foreclosed homeowner
23 within 15 days after resale, and a detailed accounting of the basis for the payment
24 amount, or a detailed accounting of the reasons for failure to make additional
25 payment, shall be made within 15 days after resale, including providing written

1 documentation of expenses. The accounting shall be on a form prescribed by the
2 attorney general, in consultation with the secretary of agriculture, trade and
3 consumer protection.

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

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

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

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

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

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

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

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

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

19 1. Accept from the foreclosed homeowner an execution of, or induce the
20 foreclosed homeowner to execute, any instrument of conveyance of any interest in the
21 residence in foreclosure.

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

24 3. Transfer or encumber or purport to transfer or encumber any interest in the
25 residence in foreclosure to any 3rd party, provided no grant of any interest or

1 encumbrance is defeated or affected as against a bona fide purchaser or
2 encumbrance for value and without notice of a violation of this subdivision.
3 Knowledge on the part of any such person or entity that the property was residential
4 real property in foreclosure does not constitute notice of a violation of this
5 subdivision. This subdivision does not abrogate any duty of inquiry that exists as to
6 rights or interests of persons in possession of the residence in foreclosure.

7 4. Pay the foreclosed homeowner any consideration.

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

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

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

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

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

1 2. That the defendant owned the foreclosed residence.

2 3. That the defendant conveyed title to the foreclosed residence to a 3rd party
3 upon a promise that the defendant would be allowed to occupy the foreclosed
4 residence or other real property in which the foreclosure purchaser or a person acting
5 in participation with the foreclosure purchaser has an interest and that the
6 foreclosed residence or other real property would be the subject of a foreclosure
7 reconveyance.

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

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

16 (c) The stay under this subsection shall remain in effect for 90 days if the
17 defendant has not yet commenced and does not commence, within 90 days from the
18 issuance of the stay, an action in connection with a foreclosure reconveyance
19 transaction. If the defendant has commenced, or commences within 90 days from the
20 issuance of the stay, an action in connection with a foreclosure reconveyance
21 transaction, the stay shall remain in effect until the court hearing the action related
22 to the foreclosure reconveyance renders a final decision in the matter.

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

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

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

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

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

10 *-1890/1.6* SECTION 845. 846.45 of the statutes is created to read:

11 **846.45 Regulation of foreclosure consultants. (1) DEFINITIONS.** In this
12 section, unless the context requires otherwise:

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

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

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

21 a. Stop or postpone the foreclosure sale.

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

23 c. Obtain a waiver of an acceleration clause contained in a promissory note or
24 contract secured by a mortgage on the residence in foreclosure or contained in the
25 mortgage.

- 1 d. Assist the foreclosed homeowner to obtain a loan or advance of funds.
- 2 e. Avoid or ameliorate the impairment of the foreclosed homeowner's credit
3 resulting from the recording of a lis pendens or the conduct of a foreclosure sale.
- 4 f. Save the residence in foreclosure from foreclosure.
- 5 2. "Foreclosure consultant" does not include any of the following:
- 6 a. A person licensed to practice law in this state when the person renders
7 service in the course of his or her practice as an attorney at law.
- 8 b. A person licensed as a real estate broker or salesperson under ch. 452 when
9 the person engages in acts for which licensure under that chapter is required, unless
10 the person is engaged in offering services designed to, or purportedly designed to,
11 enable the foreclosed homeowner to retain possession of the residence in foreclosure.
- 12 c. A person certified or licensed to practice as a certified public accountant
13 under ch. 442 when the person is acting in any capacity for which the person is
14 certified or licensed under that chapter.
- 15 d. A person, or the person's authorized agent, acting under the express
16 authority or written approval of the department of housing and urban development
17 or other department or agency of the United States or this state to provide services.
- 18 e. A person who holds or is owed an obligation secured by a lien on any residence
19 in foreclosure when the person performs services in connection with this obligation
20 or lien if the obligation or lien did not arise as the result of or as part of a proposed
21 foreclosure reconveyance.
- 22 f. A person or entity doing business under any law of this state, or of the United
23 States, relating to a financial institution, as defined in s. 214.01 (1) (jn), to a lender
24 licensed under s. 138.09, to an insurance company, or to a mortgagee that is a federal
25 department of housing and urban development approved mortgagee; a subsidiary or

1 affiliate of any of these persons or entities; or an agent or employee of any of these
2 persons or entities while engaged in the business of these persons or entities.

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

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

8 i. A foreclosure purchaser.

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

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

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

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

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

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

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

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

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

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

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

1 6. Giving any advice, explanation, or instruction to a foreclosed homeowner
2 that in any manner relates to curing a default in or reinstating an obligation secured
3 by a lien on the residence in foreclosure, the full satisfaction of that obligation, or the
4 postponement or avoidance of a sale of a residence in foreclosure, under a power of
5 sale contained in any mortgage.

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

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

13 2. If notice of cancellation is given by certified mail, cancellation is effective
14 when the notice is deposited in the U.S. mail, properly addressed with postage
15 prepaid. If notice of cancellation is personally delivered, the foreclosure consultant
16 must give the foreclosed homeowner a receipt. Cancellation, if personally delivered,
17 is effective when the foreclosed homeowner hands the notice to the foreclosure
18 consultant.

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

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

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

4 NOTICE REQUIRED BY WISCONSIN LAW

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

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

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

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

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

22 1. The name and street or physical address of the foreclosure consultant to
23 which the notice of cancellation is to be mailed by certified mail or personally
24 delivered. A post office box does not constitute a physical address. A post office box

1 may be designated for delivery by certified mail only if it is accompanied by a street
2 or physical address at which the notice may be personally delivered.

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

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

9 NOTICE OF CANCELLATION

10 (Enter date of transaction)

11 1. You may cancel this transaction, without any penalty or obligation, within
12 3 business days from the above date.

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

19 3. I hereby cancel this transaction.

20 (Date)

21 (Owner's signature)

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

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

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

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

9 (b) Claim, demand, charge, collect, or receive any fee, interest, or any other
10 compensation for any reason that exceeds 8 percent per year of the amount of any
11 loan that the foreclosure consultant may make to the foreclosed homeowner. Any
12 loan may not, as provided in par. (c), be secured by the residence in foreclosure or any
13 other real or personal property.

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

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

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

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

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

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

6 (5) WAIVER NOT ALLOWED. Any waiver by a foreclosed homeowner of this section
7 or of a foreclosed homeowner's rights under this section is void and unenforceable as
8 contrary to public policy. Any attempt by a foreclosure consultant to induce a
9 foreclosed homeowner to waive the foreclosed homeowner's rights is a violation of
10 this section.

11 (6) PENALTIES AND REMEDIES. (a) The department of agriculture, trade and
12 consumer protection may investigate violations of this section under ss. 93.14 and
13 93.15.

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

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

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

4 (e) Whoever violates this section may be fined not less than \$25 nor more than
5 \$10,000 or imprisoned for not more than one year in the county jail, or both.

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

10 **(8) STATUTORY CONFLICTS RELATED TO ADJUSTMENT SERVICE COMPANIES.** To the
11 extent that any provision of this section is inconsistent with s. 218.02 with respect
12 to a foreclosure consultant that is licensed under s. 218.02 and engages in
13 adjustment service company business related to real estate, the provisions of this
14 section shall supersede any conflicting provision of s. 218.02.

15 ***-1896/1.183* SECTION 846.** 943.62 (2m) of the statutes is amended to read:

16 943.62 (2m) This section does not apply to a savings and loan association,
17 credit union, bank, savings bank, or a mortgage banker, mortgage loan originator,
18 or mortgage broker registered licensed under s. 224.72 or 224.725.

19 ***-1638/7.1* SECTION 847.** 2007 Wisconsin Act 20, section 9201 (1c) (a) is
20 amended to read:

21 [2007 Wisconsin Act 20] Section 9201 (1c) (a) Notwithstanding sections 20.001
22 (3) (a) to (c) and 25.40 (3) of the statutes, but subject to paragraph (d), the secretary
23 of administration shall lapse to the general fund or transfer to the general fund from
24 the unencumbered balances of state operations appropriations to executive branch
25 state agencies, other than sum sufficient appropriations and appropriations of

1 federal revenues, an amount equal to \$200,000,000 during the 2007-09 fiscal
2 biennium and ~~\$200,000,000 during the 2009-11 fiscal biennium~~. This paragraph
3 shall not apply to appropriations to the Board of Regents of the University of
4 Wisconsin System and to the technical college system board.

5 ***-1638/7.2* SECTION 848.** 2007 Wisconsin Act 20, section 9201 (1c) (b) is
6 amended to read:

7 [2007 Wisconsin Act 20] Section 9201 (1c) (b) Notwithstanding section 20.001
8 (3) (a) to (c) of the statutes, but subject to paragraph (d), the secretary of
9 administration shall lapse to the general fund or transfer to the general fund from
10 the unencumbered balances of appropriations to the Board of Regents of the
11 University of Wisconsin System, other than sum sufficient appropriations and
12 appropriations of federal revenues, an amount equal to \$25,000,000 during the
13 2007-09 fiscal biennium and ~~\$25,000,000 during the 2009-11 fiscal biennium~~ from
14 moneys allocated for University of Wisconsin System and campus administration.

15 ***-1638/7.3* SECTION 849.** 2007 Wisconsin Act 20, section 9201 (1c) (c) is
16 amended to read:

17 [2007 Wisconsin Act 20] Section 9201 (1c) (c) Notwithstanding section 20.001
18 (3) (a) to (c) of the statutes, but subject to paragraph (d), the secretary of
19 administration shall lapse to the general fund or transfer to the general fund from
20 the unencumbered balances of appropriations to the technical college system board,
21 other than sum sufficient appropriations and appropriations of federal revenues, an
22 amount equal to \$1,000,000 during the 2007-09 fiscal biennium and ~~\$1,000,000~~
23 ~~during the 2009-11 fiscal biennium~~.

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

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

6 ***-1888/P1.9110*** (2) WISCONSIN REGIONAL TRAINING PARTNERSHIP/BUILDING
7 INDUSTRY GROUP SKILLED TRADES EMPLOYMENT PROGRAM. In fiscal year 2008-09, from
8 the appropriation account under section 20.143 (1) (c) of the statutes, as affected by
9 this act, the department of commerce shall award \$1,000,000 in grant moneys to
10 expand the Wisconsin Regional Training Partnership/Building Industry Group
11 Skilled Trades Employment Program if, as a condition of receiving the award, the
12 Wisconsin Regional Training Partnership/Building Industry Group Skilled Trades
13 Employment Program enters into a contract with the department that specifies
14 permissible uses of the grant moneys and that requires the Wisconsin Regional
15 Training Partnership/Building Industry Group Skilled Trades Employment
16 Program to comply with the reporting and accountability measures established by
17 the department by rule under section 560.01 (2) (ae) 3., 6., and 7. of the statutes.

18 (3) GRANTS TO ORGANIZATIONS IN SPECIFIC BUILDING TRADES FOR GREEN JOB TRAINING
19 AND RETRAINING.

20 (a) *Grants.* Subject to paragraph (b), in fiscal year 2008-09, from the
21 appropriation account under section 20.143 (1) (c) of the statutes, as affected by this
22 act, the department of commerce shall distribute all of the following grants:

23 1. Painters and Allied Trades, District Council 7; Leadership in Energy and
24 Efficiency Design certification. A grant of \$150,000 to Painters and Allied Trades,
25 District Council 7, to train workers in the construction industry on the Leadership

1 in Energy and Efficiency Design certification process so that the workers will
2 understand green building practices, principles, and certification requirements and
3 be qualified to bid on green building projects.

4 2. Painters and Allied Trades, District Council 7; National Association of
5 Corrosion Engineers, International, and the Society for Protective Coatings
6 certification. A grant of \$175,000 to Painters and Allied Trades, District Council 7,
7 to certify individuals to provide instruction to workers in the construction industry
8 on standards established by the National Association of Corrosion Engineers,
9 International, and by the Society for Protective Coatings so that workers are trained
10 for remediation services such as lead paint abatement on bridges and overpasses.

11 3. Wisconsin State Council of Carpenters; alternative energy systems
12 installation. A grant of \$175,000 to the Wisconsin State Council of Carpenters to
13 train carpenters in the installation of windmills and other alternative energy
14 systems.

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

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

1 6. Wisconsin Laborers' District Council. A grant of \$265,000 to the Wisconsin
2 Laborers' District Council. The grant moneys awarded under this subdivision shall
3 be used as follows:

4 a. A grant of \$132,000 to provide safety instruction under guidelines
5 established by the occupational safety and health administration in the federal
6 department of labor to new workers hired to meet labor demand for incoming federal
7 stimulus or other projects.

8 b. A grant of \$80,000 to provide training to workers on proper handling of
9 hazardous wastes while conducting site reclamation on brownfields.

10 c. A grant of \$53,000 to provide training on proper methods for removing
11 asbestos to workers hired to meet labor demands for incoming federal stimulus or
12 other projects.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 ***-1152/P8.9122*** (1) HOSPITAL ASSESSMENT.

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

1 under this paragraph is final and is not subject to review under chapter 227 of the
2 statutes.

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

13 (c) *Reconciliation of 2008-09 expenses.*

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

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

24 (d) *Independent rural hospital supplement.* In state fiscal year 2008-09, from
25 the appropriation account under section 20.435 (4) (b) and (o) of the statutes, the

1 department of health services shall pay independent, rural, hospitals that are in
2 counties that border another state and that are not critical access hospitals one of the
3 following amounts:

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

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

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

15 ***-1857/2.9131* SECTION 9131. Nonstatutory provisions; Legislature.**

16 (1) LEGISLATIVE OVERSIGHT OF FEDERAL ECONOMIC STIMULUS FUNDS.

17 (a) *Definition.* In this subsection, "federal economic stimulus funds" means
18 federal moneys received by the state beginning on the effective date of this subsection
19 and ending on June 30, 2011, pursuant to federal legislation enacted during the
20 111th Congress for the purpose of reviving the economy of the United States.

21 *clear auto id* (a) (b) *Expenditure of federal economic stimulus funds for purposes other than*
22 *transportation.* As soon as practical after the receipt of any federal economic
23 stimulus funds, the governor shall submit to the joint committee on finance a plan
24 or plans for the expenditure of the federal economic stimulus funds for all purposes,
25 other than transportation purposes. After receiving the plan or plans, the

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1 cochairpersons of the joint committee on finance jointly shall determine whether the
 2 plan or plans are complete. If the cochairpersons determine that the plan or plans
 3 are complete, the joint committee on finance shall meet and either approve or modify
 4 and approve the plan or plans within 14 days after the cochairpersons determine that

5 the plan or plans are complete. The governor shall then implement the plan or plans
 6 as approved by the committee. This paragraph shall not apply to federal economic
 7 stimulus funds the expenditure of which is contained in any bill introduced in either
 8 house of the legislature at the request of the governor.

9 *(c) Expenditure of federal economic stimulus funds for transportation purposes.*

10 As soon as practical after the receipt of any federal economic stimulus funds, the
 11 governor shall submit to the joint committee on finance a plan or plans for the
 12 expenditure of the federal economic stimulus funds for transportation purposes.

13 After receiving the plan or plans, the cochairpersons of the joint committee on
 14 finance jointly shall determine whether the plan or plans are complete. If the
 15 cochairpersons determine that the plan or plans are complete, the joint committee
 16 on finance shall meet and either approve or modify and approve the plan or plans
 17 within 14 days after the cochairpersons determine that the plan or plans are

18 complete. The governor shall then implement the plan or plans as approved by the
 19 committee. This paragraph shall not apply to federal economic stimulus funds the
 20 expenditure of which is contained in any bill introduced in either house of the
 21 legislature at the request of the governor, including federal economic stimulus funds
 22 specified in SECTION 9150 (1) (b) 1.

23 *(e) State building program enumeration.* If any state building, structure, or
 24 facility is proposed to be designed or constructed, if any existing state building,
 25 structure, or facility is proposed to be repaired, remodeled, or improved, or if land is

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1 proposed to be acquired by the state for any such construction, repair, remodeling,
2 or improvement, and the design, construction, repair, remodeling, improvement, or
3 acquisition is proposed to be financed entirely with federal economic stimulus funds,
4 the project, if approved as part of a plan under paragraph (b), is not subject to
5 enumeration as required by section 20.924 of the statutes.

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

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

10 (1) PROJECTS ADVANCED BY CERTAIN FEDERAL ECONOMIC STIMULUS FUNDS.

11 (a) *Definition.* In this subsection, "federal economic stimulus funds" means
12 federal moneys received by the state beginning on the effective date of this paragraph
13 and ending on June 30, 2011, pursuant to federal legislation enacted during the
14 111th Congress for the purpose of reviving the economy of the United States, which
15 moneys are intended to be used for transportation purposes.

16 (b) *Projects advanced by federal economic stimulus funds.*

17 1. Except as provided in subdivision 2., the department of transportation may
18 encumber or expend the first \$300,000,000 of federal economic stimulus funds only
19 for one or more of the projects identified in paragraph (c).

20 2. If the department encumbered state funds or federal funds other than
21 federal economic stimulus funds for any project identified in paragraph (c) before
22 receiving the first \$300,000,000 of federal economic stimulus funds, the department
23 may substitute a different project for that project in the list under paragraph (c).

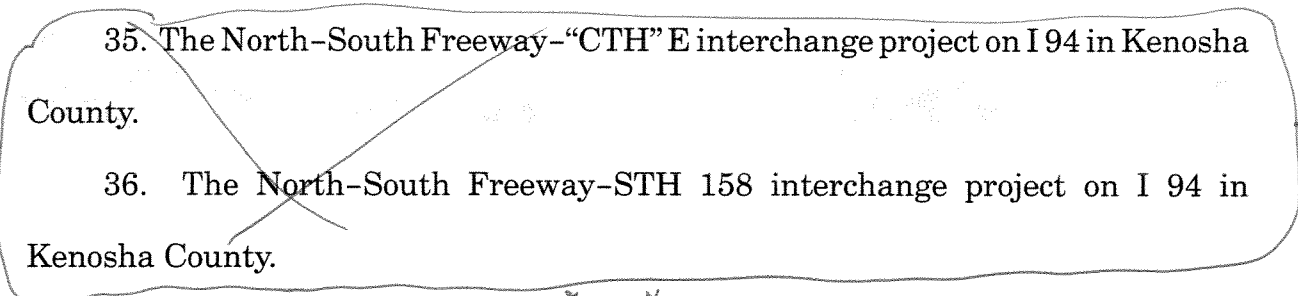
24 (c) *List of projects.* The department of transportation may encumber or expend
25 the first \$300,000,000 of federal economic stimulus funds for the following projects:

- 1 1. The Sun Prairie bypass project on USH 151 in Dane County.
- 2 2. The Madison-Milwaukee Road project on I 94 in Dane County.
- 3 3. The Madison-Janesville Road project on I 39 in Dane County.
- 4 4. The Madison-Janesville Road project on I 90 in Dane County.
- 5 5. The Maple Street village of Palmyra project on STH 59 in Jefferson County.
- 6 6. The Whitewater-Palmyra Road project on STH 59 in Jefferson County.
- 7 7. The LaCrosse-West Salem/Monegan project on STH 16 in La Crosse County.
- 8 8. The Footville-Janesville bypass project on STH 11 in Rock County.
- 9 9. The Lake Delton-I 90 Road project on USH 12 in Sauk County.
- 10 10. The Viroqua-LaFarge project on STH 82 in Vernon County.
- 11 11. The USH 12 project on USH 12 in Walworth County.
- 12 12. The Rock Freeway project on I 43 in Walworth County.
- 13 13. The Kewaskum-Eden project on USH 45 in Washington County.
- 14 14. The Meadow Lane Bridge and approach project on a town road in
15 Manitowoc County.
- 16 15. The Suamico-Abrams project on USH 41 in Oconto County.
- 17 16. The Kewaskum-Eden project on USH 45 in Fond du Lac County.
- 18 17. The Mishicot-I 43 project on STH 147 in Manitowoc County.
- 19 18. The Lily-Forest County line project on STH 52 in Langlade County.
- 20 19. The Merrill-Tomahawk project on USH 51 in Lincoln County.
- 21 20. The Mosinee-USH 45 project on STH 153 in Marathon County.
- 22 21. The Eagle River-Land O Lakes project on USH 45 in Vilas County.
- 23 22. The Fulton Street and Hillcrest Drive intersection project on STH 49 in
24 Waupaca County.
- 25 23. The Winchester-New London project on USH 45 in Waupaca County.

- 1 24. The Pittsville-Marshfield project on STH 13 in Wood County.
- 2 25. The Pittsville-Neillsville project on STH 73 in Wood County.
- 3 26. The Odanah-Saxon project on USH 2 in Ashland County.
- 4 27. The Siren-Spooner project on STH 70 in Burnett County.
- 5 28. The New Richmond-Bloomer Road project on STH 64 in Dunn County.
- 6 29. The Menomonie-Wheeler Road project on STH 25 in Dunn County.
- 7 30. The August-Fairchild Road project on USH 12 in Eau Claire County.
- 8 31. The St. Croix Falls-Turtle Lake project on USH 8 in Polk County.
- 9 32. The Ghost Lake-Clam Lake Road project on STH 77 in Sawyer County.
- 10 33. The New Richmond-Connorsville project on STH 64 in St. Croix County.
- 11 34. The North-South Freeway-^YCTH^Y G^Y interchange project on I 94 in Racine
12 County.
- 13 35. The North-South Freeway-"CTH" E interchange project on I 94 in Kenosha
14 County.
- 15 36. The North-South Freeway-STH 158 interchange project on I 94 in
16 Kenosha County.
- 17 37. The North-South Freeway-^YCTH^Y C^Y interchange project on I 94 in Kenosha
18 County.
- 19 38. The Port Washington-Manitowoc project on I 43 in Sheboygan County.
- 20 39. The Manitowoc-Green Bay project on I 43 in Manitowoc County.
- 21 40. The Milwaukee-Green Bay Road project on I 43 in Sheboygan County.
- 22 41. The Witzel Avenue overpass project on USH 41 in Winnebago County.
- 23 42. The Lake Butte des Morts Causeway project on USH 41 in Winnebago
24 County.

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1 43. The Fountain Avenue-Snell Road overpass project on USH 41 in
2 Winnebago County.

3 44. The USH 45 and Fernau Avenue-Snell Road project on USH 41 in
4 Winnebago County.

5 45. The Stevens Point-Wausau project on I 39 in Marathon County.

6 46. The Green Bay-Suamico project on USH 41 in Brown County.

7 ***-1940/2.9152* SECTION 9152. Nonstatutory provisions; University of**
8 **Wisconsin Hospitals and Clinics Authority.**

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

12 ***-1638/7.9201* SECTION 9201. Fiscal changes; Administration.**

13 (1) LAPSE OR TRANSFER OF UNENCUMBERED MONEYS IN APPROPRIATION ACCOUNTS
14 AND FUNDS.

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

18 (b) Notwithstanding section 20.001 (3) (a) to (c) and 25.40 (3) of the statutes,
19 but subject to paragraph (c), the secretary of administration shall lapse or transfer
20 to the general fund from the unencumbered balances of appropriations to state
21 agencies, other than appropriations of federal revenues, and from unappropriated
22 moneys in state funds an amount equal to \$125,000,000 before July 1, 2011. The
23 secretary may reestimate appropriation amounts of sum sufficient appropriations to
24 achieve the required lapse or transfer. The amounts lapsed or transferred under this

1 paragraph shall be in addition to the amounts lapsed or transferred under 2007
2 Wisconsin Act 20, section 9201 (1c) (a) to (c).

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

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

11 3. From appropriations under section 20.765 of the statutes, for the purpose of
12 accomplishing the lapse and transfer of moneys under paragraph (b), the secretary
13 of administration shall lapse \$500,000.

14 ***-1902/2.9208* SECTION 9208. Fiscal changes; Children and Families.**

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

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

1 in which this subsection takes effect for the purposes for which the appropriation is
2 made.

3 **SECTION 9210. Fiscal changes; Commerce.**

4 ***-1885/P2.9210*** (1) HOUSING GRANTS AND LOANS; GENERAL PURPOSE REVENUE.
5 In the schedule under section 20.005 (3) of the statutes for the appropriation to the
6 Department of Commerce under section 20.143 (2) (b) of the statutes, as affected by
7 the acts of 2009, the dollar amount is increased by \$200,000 for the second fiscal year
8 of the fiscal biennium in which this subsection takes effect to fund the grant under
9 SECTION 9110 (1) of this act.

10 ***-1888/P1.9210*** (2) WISCONSIN REGIONAL TRAINING PARTNERSHIP/BUILDING
11 INDUSTRY GROUP SKILLED TRADES EMPLOYMENT PROGRAM. In the schedule under section
12 20.005 (3) of the statutes for the appropriation to the department of commerce under
13 section 20.143 (1) (c) of the statutes, as affected by the acts of 2009, the dollar amount
14 is increased by \$1,000,000 for the second fiscal year of the fiscal biennium in which
15 this subsection takes effect for the purpose of expanding the Wisconsin Regional
16 Training Partnership/Building Industry Group Skilled Trades Employment
17 Program.

18 (3) GRANTS TO ORGANIZATIONS IN SPECIFIC BUILDING TRADES FOR GREEN JOB TRAINING
19 AND RETRAINING. In the schedule under section 20.005 (3) of the statutes for the
20 appropriation to the department of commerce under section 20.143 (1) (c) of the
21 statutes, as affected by the acts of 2009, the dollar amount is increased by \$1,630,000
22 for the second fiscal year of the fiscal biennium in which this subsection takes effect
23 for the purpose of providing training and retraining for green jobs in specific building
24 trades.

25 **SECTION 9222. Fiscal changes; Health Services.**

1 ***-1152/P8.9222*** (1) MEDICAL ASSISTANCE TRUST FUND. In the schedule under
2 section 20.005 (3) of the statutes for the appropriation to the department of health
3 services under section 20.435 (4) (w) of the statutes, as affected by the acts of 2009,
4 the dollar amount is increased by \$79,206,800 for the second fiscal year of the fiscal
5 biennium in which this subsection takes effect for the purpose for which the
6 appropriation is made.

7 (2) MEDICAL ASSISTANCE GENERAL PURPOSE REVENUE APPROPRIATION DECREASE. In
8 the schedule under section 20.005 (3) of the statutes for the appropriation to the
9 department of health services under section 20.435 (4) (b) of the statutes, as affected
10 by the acts of 2009, the dollar amount is decreased by \$78,456,800 for the second
11 fiscal year of the fiscal biennium in which this subsection takes effect for the
12 purposes for which the appropriation is made.

13 ***-1937/1.9222*** (3) MEDICAL ASSISTANCE GENERAL PURPOSE REVENUE
14 APPROPRIATION INCREASE. In the schedule under section 20.005 (3) of the statutes for
15 the appropriation to the department of health services under section 20.435 (4) (b)
16 of the statutes, as affected by the acts of 2009, the dollar amount is increased by
17 \$50,000,000 for the second fiscal year of the fiscal biennium in which this subsection
18 takes effect for the purposes for which the appropriation is made.

19 ***-1878/2.9248*** SECTION 9248. **Fiscal changes; Technical College**
20 **System.**

21 (1) TRAINING PROGRAM GRANTS. In the schedule under section 20.005 (3) of the
22 statutes for the appropriation to the technical college system under section 20.292
23 (1) (eh) of the statutes, as affected by the acts of 2009, the dollar amount is increased
24 by \$1,000,000 for the 2008-09 fiscal year to increase funding for the purpose for
25 which the appropriation is made.

1 ***-1949/P1.9310* SECTION 9310. Initial applicability; Commerce.**

2 (1) EARLY STAGE SEED INVESTMENT CREDIT. The treatment of section 560.205 (1)
3 (f) and (g), (2), and (3) (e) of the statutes first apply to taxable years beginning on
4 January 1, 2009.

5 ***-1152/P8.9322* SECTION 9322. Initial applicability; Health Services.**

6 (1) MEDICAL ASSISTANCE FEE-FOR-SERVICE HOSPITAL RATE INCREASES. Payments
7 under section 49.45 (3) (e) 11. of the statutes, as created by this act, for inpatient and
8 outpatient hospital services that are reimbursed on a fee-for-service basis first
9 apply to services provided on July 1, 2008.

10 ***-1899/P3.9325* SECTION 9325. Initial applicability; Housing and**
11 **Economic Development Authority.**

12 (1) BONDS FOR QUALIFIED SUBPRIME LOAN REFINANCING. The treatment of section
13 234.60 (1) of the statutes first applies to bonds issued after the effective date of this
14 subsection.

15 **SECTION 9343. Initial applicability; Revenue.**

16 (1) COMBINED REPORTING. The treatment of sections 71.01 (1b), (1n), (5n), (5p),
17 (7v), and (10g), 71.04 (7) (d), (dj), and (dk), 71.05 (6) (a) 24. and (b) 46., 71.07 (2dr)
18 (a), 71.10 (1) and (1m), 71.22 (1g), (1r), (1t), (3g), (3h), (3m), (6d), and (9g), 71.25
19 (intro.), (5) (b) 1. and 2., and (9) (d), (dj), and (dk), 71.255, 71.26 (2) (a) 7. and 9. and
20 (3) (x), 71.28 (4) (ad) 1., 2., and 3. and (am) 1., 71.30 (2) and (2m), 71.34 (1c), (1d), (1h),
21 and (1k) (j) and (L), 71.42 (1sg), (1sh), (1t), and (3c), 71.43 (2), 71.45 (2) (a) 16. and
22 18., 71.47 (4) (ad) 1., 2., and 3. and (am), and 71.80 (1) (b), (1m), and (23) (a) (intro.),
23 1., 2., and 3. and (b) of the statutes, the renumbering of sections 71.04 (8) (a) and
24 71.25 (10) (a) of the statutes, and the creation of sections 71.04 (8) (a) 2. and 71.25
25 (10) (a) 2. of the statutes first apply to taxable years beginning on January 1, 2009.

1 ***-1890/1.9357* SECTION 9357. Initial applicability; Other.**

2 (1) FORECLOSURE RECONVEYANCES. The treatment of sections 227.01 (13) (rm)
3 and 846.40 of the statutes, the renumbering of section 799.40 (4) of the statutes, and
4 the creation of section 799.40 (4) (b) of the statutes first apply to foreclosure
5 reconveyances that are entered into on the effective date of this subsection.

6 (2) FORECLOSURE CONSULTANTS. The treatment of section 846.45 of the statutes
7 first applies to agreements or transactions between foreclosure consultants and
8 owners of residential real property that are entered into on the effective date of this
9 subsection.

10 ***-1894/1.9157* (3) TENANT PROTECTIONS.** The treatment of sections 704.35 (3)
11 and 846.35 of the statutes first applies to foreclosure actions that are commenced on
12 the effective date of this subsection.

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

15 **SECTION 9400. Effective dates; general.** Except as otherwise provided in
16 SECTIONS 9401 to 9457 of this act, this act takes effect on the day after publication.

17 ***-1896/1.9417* SECTION 9417. Effective dates; Financial Institutions.**

18 (1) MORTGAGE LOAN ORIGINATORS, MORTGAGE BROKERS, AND MORTGAGE BANKERS.
19 The treatment of sections 15.09 (6), 15.187 (1) (intro.), (a), (b), (c), and (d), 49.857 (1)
20 (d) 12., 73.0301 (1) (d) 6., 100.55 (1) (d) 3., 220.02 (2) (g) and (3), 220.06 (1), 220.285
21 (1), 221.0402 (2) (b), 224.71 (1ag), (1b), (1bm), (1c), (1d), (1dm), (1f), (1g), (1h), (1m),
22 (1r), (1u), (2), (3) (a) 1. to 3. and (b) 1. to 7., 8., 9., 10., 11. and 12., (4) (a) and (b) 1. to
23 3., 4., 5., 6., 7., and 8., (5), (6) (a) 1. and 2. and (b), (7), (8), (10), (11), (12), (13), (15),
24 (16), and (18), 224.72 (title), (1) (intro.), (a), and (b), (1m), (2) (a), (b), (c) (title), and
25 (d), (2m), (3) (title), (a), (b), and (c), (4) (title), (a) (intro.), 1., 2., 3., and 4. and (d), (4m),

1 (4n) (intro.) and (a) 2., (4r), (5) (title), (a), and (b), (7) (title), (a), and (b), (bm), (c), (d),
2 and (e), (7m) (intro.), (am), (b), and (c), (7p), and (8), 224.725, 224.726, 224.728,
3 224.73 (title), (1), 224.74 (title), (1), (2) (title), (ag) 3. and 4., (ar), (b), and (c), and (3),
4 224.75 (title), (1) (a), (b) (intro.), 6., and 7., and (c) (intro.), (2), (3), (4), and (6), 224.76,
5 224.77 (title), (1) (intro.), (a), (b), (c), (d), (e), (f), (fg), (g), (gd), (gh), (gp), (h) to (L), (m)
6 to (q), (r), (s), (t), (tm), (u), (um), (v), (w), (x), and (y), (1m) (a), (b), and (d), (2m), (3m),
7 (4), (5) (a), (8), and (9), 224.79, 224.80 (1), (2) (intro.) and (a) 1., 224.81, 224.82, 224.83,
8 227.01 (13) (zy), 234.01 (5k), 234.49 (2) (a) 4., 234.59 (1) (h), 321.60 (1) (a) 12., 422.501
9 (2) (b) 8., 428.202 (6), 428.203 (9) (title), 428.204, 428.206, 452.01 (3) (g), and 943.62
10 (2m) of the statutes, the repeal of sections 224.74 (2) (a) (title), 224.77 (2) (title), (6)
11 (title), and (7) (title), and 224.78 (title) of the statutes, the renumbering of section
12 224.77 (1m) (c) of the statutes, the renumbering and amendment of sections 224.71
13 (5), 224.72 (1) (a), and (2) (intro.), 224.73 (2), (3), and (4), 224.74 (2) (a), 224.75 (1) (d),
14 224.755, 224.77 (2), (6), and (7), 224.78, and 428.202 (6) of the statutes, the
15 consolidation, renumbering, and amendment of section 224.77 (3) (a) and (b) of the
16 statutes, the amendment of section 224.73 (2) (title), (3) (title), and (4) (title) of the
17 statutes, the repeal and recreation of sections 224.72 (2) (title) and (7) (title) and
18 224.755 (title) of the statutes, and the creation of sections 224.73 (2) (b), (3) (b), and
19 (4) (b), 224.75 (1) (d) 2., 3., 4., and 5., 224.755 (1), (2), (3), and (4), 224.77 (1m) (c) 2.,
20 and 224.77 (3) (a) 3. and 4. of the statutes take effect on January 1, 2010, or on the
21 60th day after publication, whichever is later.

22 ***-1152/P8.9422* SECTION 9422. Effective dates; Health Services.**

23 (1) HOSPITAL ASSESSMENT. The treatment of sections 20.435 (4) (gp), 46.27 (9)
24 (a) and (10) (a) 1., 46.275 (5) (a) and (c), 46.283 (5), 46.284 (5) (a), 46.485 (2g) (intro.),
25 49.45 (5m) (am), (5r), (6m) (ag) (intro.), (6v) (b), (6x) (a), (6y) (a), (am), (ap), and (ar),

1 (6z) (a) (intro.), (8) (b), (24m) (intro.), and (52), 49.472 (6) (a) and (b), 49.473 (5), and
2 146.99 of the statutes takes effect on July 1, 2009.

3 ***-0377/P10.9443* SECTION 9443. Effective dates; Revenue.**

4 (1) MAIN STREET EQUITY ACT. The repeal of sections 46.513, 77.51 (4), 77.51 (14)
5 (d), 77.51 (14) (i), 77.51 (14) (k), 77.51 (14) (L), 77.51 (14r), 77.51 (15), 77.52 (2) (a)
6 5. b., 77.52 (3m), 77.52 (3n), 77.52 (6), 77.52 (14) (a) 2., 77.523 (title), 77.53 (4), 77.53
7 (15), 77.54 (14g), 77.54 (14s), 77.54 (20), 77.54 (20m), 77.54 (22), 77.54 (40), 77.61 (3),
8 77.65 (2) (c), 77.72 (title), 77.72 (2) and (3) and 77.77 (2) of the statutes; the
9 renumbering of sections 77.524 (1) (a) and 77.54 (48) (b) of the statutes; the
10 renumbering and amendment of sections 77.51 (1), 77.51 (21m) (by SECTION 331),
11 77.51 (6m), 77.51 (14) (g), 77.52 (1), 77.523, 77.524 (1) (b), 77.53 (9m), 77.53 (11),
12 77.54 (48) (a), 77.61 (2), 77.72 (1) and 77.77 (1) of the statutes; the consolidation,
13 renumbering, and amendment of section 77.52 (14) (a) (intro.) and 1. and (b) of the
14 statutes; the amendment of sections 66.0615 (1m) (f) 2., 70.111 (23), 71.07 (5e) (b),
15 71.07 (5e) (c) 1., 71.07 (5e) (c) 3., 71.28 (5e) (b), 71.28 (5e) (c) 1., 71.28 (5e) (c) 3., 71.47
16 (5e) (b), 71.47 (5e) (c) 1., 71.47 (5e) (c) 3., 73.03 (50) (d), 76.07 (4g) (b) 8., 77.51 (2),
17 77.51 (5), 77.51 (9) (a), 77.51 (9) (am), 77.51 (10), 77.51 (12) (b), 77.51 (13) (a), 77.51
18 (13) (b), 77.51 (13) (c), 77.51 (13) (d), 77.51 (13) (e), 77.51 (13) (f), 77.51 (13) (i), 77.51
19 (13) (j), 77.51 (13) (k), 77.51 (13) (m), 77.51 (13) (n), 77.51 (13) (o), 77.51 (13g) (intro.),
20 77.51 (13g) (a), 77.51 (13g) (b), 77.51 (13r), 77.51 (14) (intro.), 77.51 (14) (a), 77.51 (14)
21 (b), 77.51 (14) (c), 77.51 (14) (h), 77.51 (14) (j), 77.51 (14g) (a), 77.51 (14g) (b), 77.51
22 (14g) (bm), 77.51 (14g) (c), 77.51 (14g) (cm), 77.51 (14g) (d), 77.51 (14g) (e), 77.51 (14g)
23 (em), 77.51 (14g) (f), 77.51 (14g) (g), 77.51 (14g) (h), 77.51 (17) (intro.), 77.51 (18),
24 77.51 (21), 77.51 (22) (a), 77.51 (22) (b), 77.52 (2) (intro.), 77.52 (2) (a) 5. a. (by SECTION
25 348), 77.52 (2) (a) 5m., 77.52 (2) (a) 10., 77.52 (2) (a) 11., 77.52 (2m) (a), 77.52 (2m)

1 (b), 77.52 (4), 77.52 (7), 77.52 (12), 77.52 (13), 77.52 (15), 77.52 (16), 77.52 (17m) (b)
2 6., 77.52 (19), 77.525, 77.53 (1), 77.53 (2), 77.53 (3), 77.53 (9), 77.53 (10), 77.53 (12),
3 77.53 (14), 77.53 (16), 77.53 (17), 77.53 (17m), 77.53 (17r) (a), 77.53 (18), 77.54 (1),
4 77.54 (2), 77.54 (2m), 77.54 (3) (a), 77.54 (3m) (intro.), 77.54 (4), 77.54 (5) (intro.),
5 77.54 (6) (intro.), 77.54 (7m), 77.54 (8), 77.54 (9), 77.54 (9a) (intro.), 77.54 (10), 77.54
6 (11), 77.54 (12), 77.54 (13), 77.54 (14) (intro.), 77.54 (14) (a), 77.54 (14) (b), 77.54 (14)
7 (f) (intro.), 77.54 (15), 77.54 (16), 77.54 (17), 77.54 (18), 77.54 (21), 77.54 (23m), 77.54
8 (25), 77.54 (25m), 77.54 (26), 77.54 (26m), 77.54 (27), 77.54 (28), 77.54 (29), 77.54 (30)
9 (a) (intro.), 77.54 (30) (c), 77.54 (31), 77.54 (32), 77.54 (33), 77.54 (35), 77.54 (36),
10 77.54 (37), 77.54 (38), 77.54 (39), 77.54 (41), 77.54 (42), 77.54 (43), 77.54 (44), 77.54
11 (45), 77.54 (46), 77.54 (46m), 77.54 (47) (intro.), 77.54 (47) (b) 1., 77.54 (47) (b) 2.,
12 77.54 (49), 77.54 (54), 77.54 (56), 77.55 (1) (intro.), 77.55 (2), 77.55 (2m), 77.55 (3),
13 77.56 (1), 77.57, 77.58 (3) (a), 77.58 (3) (b), 77.58 (6), 77.59 (5m), 77.59 (9), 77.61 (1)
14 (b), 77.61 (1) (c), 77.61 (4) (a), 77.61 (4) (c), 77.61 (11), 77.65 (2) (a), 77.65 (2) (e), 77.65
15 (2) (f), 77.66, 77.70, 77.705, 77.706, 77.707 (1), 77.707 (2), 77.71 (1), 77.71 (2), 77.71
16 (3), 77.71 (4), 77.73 (2), 77.75, 77.785 (1), 77.785 (2), 77.98, 77.981, 77.99, 77.994 (1)
17 (intro.), 77.9941 (4), 77.995 (2), 77.996 (6), 86.195 (3) (b) 3., 218.0171 (2) (cq), 229.68
18 (15) and 229.824 (15) of the statutes; the repeal and recreation of sections 77.51 (7),
19 77.51 (12) (a), 77.51 (17m), 77.51 (20), 77.52 (1b), 77.52 (2n), 77.53 (1b), 77.63, 77.982
20 (2), 77.991 (2), 77.9951 (2), and 77.9972 (2) of the statutes; and the creation of sections
21 20.566 (1) (ho), 73.03 (28e), 73.03 (50b), 73.03 (61), 77.51 (1a), 77.51 (1b), 77.51 (1ba),
22 77.51 (1f), 77.51 (1fm), 77.51 (1pd), 77.51 (1r), 77.51 (2k), 77.51 (2m), 77.51 (3c), 77.51
23 (3n), 77.51 (3p), 77.51 (3pa), 77.51 (3pb), 77.51 (3pc), 77.51 (3pd), 77.51 (3pe), 77.51
24 (3pf), 77.51 (3pj), 77.51 (3pm), 77.51 (3pn), 77.51 (3po), 77.51 (3rm), 77.51 (3rn), 77.51
25 (3t), 77.51 (5d), 77.51 (5n), 77.51 (5r), 77.51 (7g), 77.51 (7k), 77.51 (7m), 77.51 (8m),

1 77.51 (9p), 77.51 (9s), 77.51 (10d), 77.51 (10f), 77.51 (10m), 77.51 (10n), 77.51 (10s),
2 77.51 (11d), 77.51 (11m), 77.51 (12m), 77.51 (12p), 77.51 (13g) (c), 77.51 (13rm), 77.51
3 (13rn), 77.51 (15a), 77.51 (15b), 77.51 (17w), 77.51 (17x), 77.51 (21n), 77.51 (21p),
4 77.51 (21q), 77.51 (22) (bm), 77.51 (24), 77.51 (25), 77.51 (26), 77.52 (1) (b), 77.52 (1)
5 (c), 77.52 (1) (d), 77.52 (2) (a) 5. am., 77.52 (2) (a) 5. c., 77.52 (2) (a) 13m., 77.52 (7b),
6 77.52 (14) (am), 77.52 (14) (bm), 77.52 (20), 77.52 (21), 77.52 (22), 77.52 (23), 77.522,
7 77.524 (1) (ag), 77.53 (9m) (b), 77.53 (9m) (c), 77.53 (11) (b), 77.54 (20n), 77.54 (20r),
8 77.54 (22b), 77.54 (50), 77.54 (51), 77.54 (52), 77.58 (6m), 77.58 (9a), 77.585, 77.59
9 (2m), 77.59 (9n), 77.59 (9p) (b), 77.59 (9r), 77.60 (13), 77.61 (2) (b), 77.61 (3m), 77.61
10 (5m), 77.61 (16), 77.61 (17), 77.61 (18), 77.65 (4) (fm), 77.67, 77.73 (3) and 77.77 (1)
11 (b) of the statutes take effect on October 1, 2009.

12 (2) MAIN STREET EQUITY ACT. The amendment of sections 77.51 (21m) (by
13 SECTION 330) and 77.52 (2) (a) 5. a. (by SECTION 347) of the statutes takes effect on
14 September 30, 2009.

15 (END)