

including immediate termination of testing by the 3rd-party tester.

SECTION 2921. 343.20 (2) (b) of the statutes is amended to read:

343.20 (2) (b) Notwithstanding par. (a), at least ~~480~~ 60 days prior to the expiration of an "H" endorsement specified in s. 343.17 (3) (d) 1m., the department of transportation shall mail a notice to the last-known address of the licensee that the licensee is required to pass a security threat assessment screening by the federal transportation security administration of the federal department of homeland security as part of the application to renew the endorsement. The notice shall inform the licensee that the licensee may commence the federal security threat assessment screening at any time, but no later than ~~90~~ 30 days before expiration of the endorsement.

SECTION 2922. 343.21 (1) (n) of the statutes is amended to read:

343.21 (1) (n) In addition to any other fee under this subsection, for the issuance, renewal, upgrading, or reinstatement of any license, endorsement, or instruction permit, a ~~federal security verification mandate license issuance~~ fee of \$10.

SECTION 2923. 343.23 (2) (b) of the statutes is amended to read:

343.23 (2) (b) The information specified in pars. (a) and (am) must be filed by the department so that the complete operator's record is available for the use of the secretary in determining whether operating privileges of such person shall be suspended, revoked, canceled, or withheld, or the person disqualified, in the interest of public safety. The record of suspensions, revocations, and convictions that would be counted under s. 343.307 (2) shall be maintained permanently, except that the department shall purge the record of a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b) after 10 years, if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, if the person does not have a commercial driver license, if the violation was not committed by a person operating a commercial motor vehicle, and if the person has no other suspension, revocation, or conviction that would be counted under s. 343.307 during that 10-year period. The record of convictions for disqualifying offenses under s. 343.315 (2) (h) shall be maintained for at least 10 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (f) ~~and, (j), and (L),~~ and all records specified in par. (am), shall be maintained for at least 3 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be maintained permanently, except that 5 years after a licensee transfers residency to another state such record may be transferred to another state of licensure of the licensee if that state accepts responsibility for maintaining a permanent record of convictions for disqualifying offenses.

Such reports and records may be cumulative beyond the period for which a license is granted, but the secretary, in exercising the power of suspension granted under s. 343.32 (2) may consider only those reports and records entered during the 4-year period immediately preceding the exercise of such power of suspension.

SECTION 2924. 343.23 (2) (b) of the statutes, as affected by 2007 Wisconsin Act 20 and 2009 Wisconsin Act ... (this act), is repealed and recreated to read:

343.23 (2) (b) The information specified in pars. (a) and (am) must be filed by the department so that the complete operator's record is available for the use of the secretary in determining whether operating privileges of such person shall be suspended, revoked, canceled, or withheld, or the person disqualified, in the interest of public safety. The record of suspensions, revocations, and convictions that would be counted under s. 343.307 (2) shall be maintained permanently, except that the department shall purge the record of a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b) after 10 years, if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, if the person does not have a commercial driver license, if the violation was not committed by a person operating a commercial motor vehicle, and if the person has no other suspension, revocation, or conviction that would be counted under s. 343.307 during that 10-year period. The record of convictions for disqualifying offenses under s. 343.315 (2) (h) shall be maintained for at least 10 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (f), (j), and (L), and all records specified in par. (am), shall be maintained for at least 3 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be maintained permanently, except that 5 years after a licensee transfers residency to another state such record may be transferred to another state of licensure of the licensee if that state accepts responsibility for maintaining a permanent record of convictions for disqualifying offenses. Such reports and records may be cumulative beyond the period for which a license is granted, but the secretary, in exercising the power of suspension granted under s. 343.32 (2) may consider only those reports and records entered during the 4-year period immediately preceding the exercise of such power of suspension. The department shall maintain the digital images of documents specified in s. 343.165 (2) (a) for at least 10 years.

SECTION 2925. 343.23 (4) (a) of the statutes is amended to read:

343.23 (4) (a) ~~Any Notwithstanding subs. (1) and (2) (b), any~~ record of an administrative suspension upon receipt of a report from the court hearing the action arising out of the same incident or occurrence that the action has been dismissed or the person has been found innocent of the charge arising out of that incident or occurrence,

except that the record of an administrative suspension for a person holding a commercial driver license may be purged only upon receipt of a court order.

SECTION 2926. 343.24 (2) (intro.) of the statutes is amended to read:

343.24 (2) (intro.) The Except as provided in pars. (b) and (c), the department shall charge the following fees to any person for conducting searches of vehicle operators' records:

SECTION 2927. 343.24 (2) (b) of the statutes is amended to read:

343.24 (2) (b) For each computerized search, \$5. The department may not charge this fee to any governmental unit, as defined in s. 895.51 (1) (dm).

SECTION 2928. 343.24 (2) (c) of the statutes is amended to read:

343.24 (2) (c) For each search requested by telephone, \$6, or an established monthly service rate determined by the department. The department may not charge this fee to any governmental unit, as defined in s. 895.51 (1) (dm).

SECTION 2929. 343.24 (2) (d) of the statutes is created to read:

343.24 (2) (d) For providing a paper copy of an abstract, \$2.

SECTION 2930. 343.245 (4) (b) of the statutes is amended to read:

343.245 (4) (b) Any person who violates sub. (3) (b) shall be fined not less than ~~\$2,500~~ \$2,750 nor more than ~~\$10,000~~ \$25,000 or imprisoned for not more than 90 days or both.

SECTION 2931. 343.315 (1) of the statutes is renumbered 343.315 (1m).

SECTION 2932. 343.315 (1g) of the statutes is created to read:

343.315 (1g) **DEFINITION.** In this section, "engaged in commercial motor vehicle-related activities" means all of the following:

(a) Operating or using a commercial motor vehicle.

(b) Operating or using any motor vehicle on or after September 30, 2005, if the person operating or using the vehicle has ever held a commercial driver license, has ever operated a commercial motor vehicle on a highway, or has ever been convicted of a violation related to, or been disqualified from, operating a commercial motor vehicle.

SECTION 2933. 343.315 (2) (a) (intro.) of the statutes is amended to read:

343.315 (2) (a) (intro.) Except as provided in ~~par. (b) and (bm)~~, a person shall be disqualified from operating a commercial motor vehicle for a one-year period upon a first conviction of any of the following offenses, ~~committed on or after July 1, 1987, while driving or operating a commercial motor vehicle or committed on or after September 30, 2005, while driving or~~

~~operating any motor vehicle engaged in commercial motor-vehicle related activities:~~

SECTION 2934. 343.315 (2) (a) 5. of the statutes is amended to read:

343.315 (2) (a) 5. Section 343.305 ~~(7) or (9)~~ or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 343.305 ~~(7) or (9)~~ or the law of another jurisdiction prohibiting refusal of a person driving or operating a motor vehicle to submit to chemical testing to determine the person's alcohol concentration or intoxication or the amount of a restricted controlled substance in the person's blood, or prohibiting positive results from such chemical testing, as those or substantially similar terms are used in that jurisdiction's laws.

SECTION 2935. 343.315 (2) (a) 8. of the statutes is amended to read:

343.315 (2) (a) 8. Causing a fatality through negligent or criminal operation of a ~~commercial~~ motor vehicle.

SECTION 2936. 343.315 (2) (am) of the statutes is created to read:

343.315 (2) (am) Except as provided in par. (b), a person shall be disqualified from operating a commercial motor vehicle for a one-year period upon a first conviction of causing a fatality through negligent or criminal operation of a motor vehicle, committed on or after July 1, 1987, and before September 30, 2005, while driving or operating any motor vehicle.

SECTION 2937. 343.315 (2) (b) of the statutes is amended to read:

343.315 (2) (b) If any of the violations listed in par. (a) ~~or (am)~~ occurred in the course of transporting hazardous materials requiring placarding or any quantity of a material listed as a select agent or toxin under 42 CFR 73 on or after July 1, 1987, the person shall be disqualified from operating a commercial motor vehicle for a 3-year period.

SECTION 2938. 343.315 (2) (bm) of the statutes is created to read:

343.315 (2) (bm) The period of disqualification under par. (a) for a disqualification imposed under par. (a) 5. shall be reduced by any period of suspension, revocation, or disqualification under this chapter previously served for an offense if all of the following apply:

1. The offense arises out of the same incident or occurrence giving rise to the disqualification.

2. The offense relates to a vehicle operator's alcohol concentration or intoxication or the amount of a restricted controlled substance in the operator's blood.

SECTION 2939. 343.315 (2) (c) of the statutes is amended to read:

343.315 (2) (c) A person shall be disqualified for life from operating a commercial motor vehicle if convicted of 2 or more violations of any of the offenses listed in par.

(a) or (am), or any combination of those offenses, arising from 2 or more separate incidents. The department shall consider only offenses committed on or after July 1, 1987, in applying this paragraph.

SECTION 2940. 343.315 (2) (e) of the statutes is amended to read:

343.315 (2) (e) A person is disqualified for life from operating a commercial motor vehicle if ~~the person uses a commercial motor vehicle on or after July 1, 1987, or uses any motor vehicle on or after September 30, 2005,~~ in the commission of a felony involving the manufacture, distribution, delivery, or dispensing of a controlled substance or controlled substance analog, or possession with intent to manufacture, distribute, deliver, or dispense a controlled substance or controlled substance analog, the person is engaged in commercial motor vehicle-related activities. No person who is disqualified under this paragraph is eligible for reinstatement under par. (d).

SECTION 2941. 343.315 (2) (f) (intro.) of the statutes is amended to read:

343.315 (2) (f) (intro.) A person is disqualified for a period of 60 days from operating a commercial motor vehicle if convicted of 2 serious traffic violations, and 120 days if convicted of 3 serious traffic violations, arising from separate occurrences committed within a 3-year period while driving or operating a commercial motor vehicle or while driving or operating any motor vehicle if the person holds a commercial driver license. The 120-day period of disqualification under this paragraph shall be in addition to any other period of disqualification imposed under this paragraph. In this paragraph, "serious traffic violations" means any of the following offenses committed while ~~operating a commercial motor vehicle, or any of the following offenses committed while operating any motor vehicle if the offense results in the revocation, cancellation, or suspension of the person's operator's license or operating privilege engaged in commercial motor vehicle-related activities~~:

SECTION 2942. 343.315 (2) (f) 2. of the statutes is amended to read:

343.315 (2) (f) 2. Violating any state or local law of this state or any law of a federally recognized American Indian tribe or band in this state in conformity with any state law or any law of another jurisdiction relating to motor vehicle traffic control, arising in connection with a fatal accident, other than parking, vehicle weight or vehicle defect violations, or violations described in par. (a) 8. or (am).

SECTION 2943. 343.315 (2) (fm) of the statutes is amended to read:

343.315 (2) (fm) A person is disqualified for a period of 60 days from operating a commercial motor vehicle if the person is convicted of violating s. 343.14 (5) or 345.17, ~~if and~~ the violation of s. 343.14 (5) or 345.17 relates to an application for a commercial driver license

or if the person's commercial driver license is cancelled by the secretary under s. 343.25 (1) or (5).

SECTION 2944. 343.315 (2) (h) of the statutes is amended to read:

343.315 (2) (h) Except as provided in par. (i), a person is shall be disqualified for a period of 90 days from operating a commercial motor vehicle if convicted of an out-of-service violation, or ~~one year~~ 2 years if convicted of 2 out-of-service violations, or 3 years if convicted of 3 or more out-of-service violations, arising from separate occurrences committed within a 10-year period while ~~driving or~~ operating a commercial motor vehicle. A disqualification under this paragraph shall be in addition to any penalty imposed under s. 343.44. In this paragraph, "out-of-service violation" means violating s. 343.44 (1) (c) or a law of another jurisdiction for an offense therein which, if committed in this state, would have been a violation of s. 343.44 (1) (c), by operating a commercial motor vehicle while the operator or vehicle is ordered out-of-service under the law of this state or another jurisdiction or under federal law, if the operator holds a commercial driver license or is required to hold a commercial driver license to operate the commercial motor vehicle.

SECTION 2945. 343.315 (2) (i) of the statutes is amended to read:

343.315 (2) (i) If the violation listed in par. (h) occurred in the course of transporting hazardous materials requiring placarding or any quantity of a material listed as a select agent or toxin under 42 CFR 73, or while operating a vehicle designed to carry, or actually carrying, 16 or more passengers, including the driver, the person shall be disqualified from operating a commercial motor vehicle for 180 days upon a first conviction, or for ~~a 3-year period~~ 3 years for a 2nd or subsequent conviction, arising from separate occurrences committed within a 10-year period while ~~driving or~~ operating a commercial motor vehicle. A disqualification under this paragraph shall be in addition to any penalty imposed under s. 343.44.

SECTION 2946. 343.315 (2) (j) (intro.) of the statutes is amended to read:

343.315 (2) (j) (intro.) A person is disqualified for a period of 60 days from operating a commercial motor vehicle if convicted of a railroad crossing violation, or 120 days if convicted of 2 railroad crossing violations or one year if convicted of 3 or more railroad crossing violations, arising from separate occurrences committed within a 3-year period while driving or operating a commercial motor vehicle. In this paragraph, "railroad crossing violation" means a violation of a federal, state, or local law, rule, or regulation, or the law of another jurisdiction, relating to any of the following offenses at a railroad crossing:

SECTION 2947. 343.315 (2) (L) of the statutes is created to read:

343.315 (2) (L) If the department receives notice from another jurisdiction of a failure to comply violation by a person issued a commercial driver license by the the department arising from the person's failure to appear to contest a citation issued in that jurisdiction or failure to pay a judgment entered against the person in that jurisdiction, the person is disqualified from operating a commercial motor vehicle until the department receives notice from the other jurisdiction terminating the failure to comply violation except that the disqualification may not be less than 30 days nor more than 2 years.

SECTION 2948. 343.315 (3) (b) of the statutes is amended to read:

343.315 (3) (b) If a person's license or operating privilege is not otherwise revoked or suspended as the result of an offense committed after March 31, 1992, which results in disqualification under sub. (2) (a) to (f), (h), ~~(i)~~, or (j), or (L), the department shall immediately disqualify the person from operating a commercial motor vehicle for the period required under sub. (2) (a) to (f), (h), ~~(i)~~, or (j), or (L). Upon proper application by the person and payment of the fees specified in s. 343.21 (1) (L) and (n), the department may issue a separate license authorizing only the operation of vehicles other than commercial motor vehicles. Upon expiration of the period of disqualification, the person may apply for authorization to operate commercial motor vehicles under s. 343.26.

SECTION 2949. 343.315 (3) (bm) of the statutes is created to read:

343.315 (3) (bm) Notwithstanding pars. (a) and (b) and the time periods for disqualification specified in sub. (2), if a person is convicted in another jurisdiction of a disqualifying offense specified in sub. (2) while the person is not licensed in or a resident of this state, that other jurisdiction disqualified the person from operating a commercial motor vehicle as a result of the conviction, and the period of disqualification in that other jurisdiction has expired, the department may not disqualify the person from operating a commercial motor vehicle as a result of the conviction.

SECTION 2950. 343.35 (1) (a) of the statutes is renumbered 343.35 (1) and amended to read:

343.35 (1) ~~Except as provided in par. (b), the~~ The department may order any person whose operating privilege has been canceled, revoked or suspended to surrender his or her license or licenses to the department. The department may order any person who is in possession of a canceled, revoked or suspended license of another to surrender the license to the department.

SECTION 2951. 343.35 (1) (b) of the statutes is repealed.

SECTION 2952. 343.43 (1) (a) of the statutes is amended to read:

343.43 (1) (a) ~~Except as provided in s. 343.35 (1) (b), represent~~ Represent as valid any canceled, revoked, suspended, fictitious or fraudulently altered license; or

SECTION 2953. 343.44 (1) (c) of the statutes is amended to read:

343.44 (1) (c) *Operating while ordered out-of-service.* No person may operate a commercial motor vehicle while the person or the commercial motor vehicle is ordered out-of-service under the law of this state or another jurisdiction or under federal law.

SECTION 2954. 343.44 (2) (as) of the statutes is amended to read:

343.44 (2) (as) Any person who violates sub. (1) (b) after July 27, 2005, shall forfeit not more than \$2,500, except that, ~~if the person has been convicted of a previous violation of sub. (1) (b) within the preceding 5-year period or if the revocation identified under sub. (1) (b) resulted from an offense that may be counted under s. 343.307 (2), the penalty under par. (b) shall apply.~~

SECTION 2955. 343.44 (2) (bm) of the statutes is amended to read:

343.44 (2) (bm) Any person who violates sub. (1) (c) shall ~~be fined not less than \$1,100 nor more than \$2,750 or imprisoned for not more than one year in the county jail or both. In imposing a sentence under this paragraph, the court shall review the record and consider the factors specified in par. (b) 1. to 5. forfeit \$2,500 for the first offense and \$5,000 for the 2nd or subsequent offense within 10 years.~~

SECTION 2956. 343.44 (4r) of the statutes is amended to read:

343.44 (4r) VIOLATION OF OUT-OF-SERVICE ORDER. In addition to other penalties for violation of this section, if a person has violated this section after ~~he or she~~ the person or the commercial motor vehicle operated by the person was ordered out-of-service under the law of this state or another jurisdiction or under federal law, the violation shall result in disqualification under s. 343.315 (2) (h) or (i).

SECTION 2957. 343.50 (5) of the statutes is renumbered 343.50 (5) (a) 1. and amended to read:

343.50 (5) (a) 1. ~~The~~ Except as provided in subd. 2., the fee for an original card and for the reinstatement of an identification card after cancellation under sub. (10) shall be \$18.

(b) The card shall be valid for the succeeding period of 8 years from the applicant's next birthday after the date of issuance, except that a card that is issued to a person who is not a United States citizen and who provides documentary proof of legal status as provided under s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United States is no longer authorized. If the documentary proof as provided under s. 343.14 (2) (er) does not state the date that the person's legal presence in the United States is no longer authorized, then the card

shall be valid for the succeeding period of 8 years from the applicant's next birthday after the date of issuance.

SECTION 2958. 343.50 (5) of the statutes, as affected by 2007 Wisconsin Act 20, section 3381, and 2009 Wisconsin Act ... (this act), is repealed and recreated to read:

343.50 (5) (a) 1. Except as provided in subd. 2., the fee for an original card, for renewal of a card, and for the reinstatement of an identification card after cancellation under sub. (10) shall be \$18.

2. The department may not charge a fee to an applicant for the initial issuance of an identification card if any of the following apply:

a. The department has canceled the applicant's valid operator's license after a special examination under s. 343.16 (5) and, at the time of cancellation, the expiration date for the canceled license was not less than 6 months after the date of cancellation.

b. The department has accepted the applicant's voluntary surrender of a valid operator's license under s. 343.265 (1) and, at the time the department accepted surrender, the expiration date for the surrendered license was not less than 6 months after the date that the department accepted surrender.

(b) Except as provided in par. (c) and s. 343.165 (4) (c), an original or reinstated card shall be valid for the succeeding period of 8 years from the applicant's next birthday after the date of issuance, and a renewed card shall be valid for the succeeding period of 8 years from the card's last expiration date.

(c) Except as provided in s. 343.165 (4) (c) and as otherwise provided in this paragraph, an identification card that is issued to a person who is not a United States citizen and who provides documentary proof of legal status as provided under s. 343.14 (2) (es) shall expire on the date that the person's legal presence in the United States is no longer authorized or on the expiration date determined under par. (b), whichever date is earlier. If the documentary proof as provided under s. 343.14 (2) (es) does not state the date that the person's legal presence in the United States is no longer authorized, then the card shall be valid for the period specified in par. (b) except that, if the card was issued or renewed based upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall, subject to s. 343.165 (4) (c), expire one year after the date of issuance or renewal.

SECTION 2959. 343.50 (5) (a) 2. of the statutes is created to read:

343.50 (5) (a) 2. The department may not charge a fee to an applicant for the initial issuance of an identification card if any of the following apply:

a. The department has canceled the applicant's valid operator's license after a special examination under s. 343.16 (5) and, at the time of cancellation, the expiration date for the canceled license was not less than 6 months after the date of cancellation.

b. The department has accepted the applicant's voluntary surrender of a valid operator's license under s. 343.265 (1) and, at the time the department accepted surrender, the expiration date for the surrendered license was not less than 6 months after the date that the department accepted surrender.

SECTION 2960. 343.50 (5m) of the statutes is amended to read:

343.50 (5m) ~~FEDERAL SECURITY VERIFICATION MANDATE CARD ISSUANCE FEE.~~ In addition to any other fee under this section, for the issuance of an original identification card or duplicate identification card or for the renewal or reinstatement of an identification card after cancellation under sub. (10), a ~~federal security verification mandate card issuance~~ card issuance fee of \$10 shall be paid to the department.

SECTION 2961. 343.50 (5m) of the statutes, as affected by 2009 Wisconsin Act ... (this act), is amended to read:

343.50 (5m) CARD ISSUANCE FEE. In addition to any other fee under this section, for the issuance of an original identification card or duplicate identification card or for the renewal or reinstatement of an identification card after cancellation under sub. (10), a card issuance fee of \$10 shall be paid to the department. The fee under this subsection does not apply to an applicant if the department may not charge the applicant a fee under sub. (5) (a) 2.

SECTION 2962g. 343.72 (5m) of the statutes is amended to read:

343.72 (5m) No driver school may represent that completion of a course of instruction will guarantee that the student will pass the driving skills test administered by the department or by a 3rd-party tester under s. 343.16 (1) (bm). A driver school may only represent by means of a certificate of completion that the student has satisfactorily completed the required course.

SECTION 2962r. 343.72 (6) of the statutes is amended to read:

343.72 (6) All licensees must ascertain from ~~state license examiners the route over the department the routes in the licensee's locale on which road tests are given, and no~~ by state license examiners and by authorized examiners of 3rd-party testers under s. 343.16 (1) (bm). No licensee may instruct ~~in those areas on these routes, except that driver schools may operate on a division of motor vehicle skills test route on these routes~~ if comparable training location opportunities are not otherwise available in the locale.

SECTION 2962t. 344.01 (2) (am) of the statutes is created to read:

344.01 (2) (am) "Minimum liability limits" means, with respect to a motor vehicle policy of liability insurance, liability limits, exclusive of interest and costs, in the following amounts:

1. Before January 1, 2010, \$25,000 because of bodily injury to or death of one person in any one accident and, subject to such limit for one person, \$50,000 because of bodily injury to or death of 2 or more persons in any one accident, and \$10,000 because of injury to or destruction of property of others in any one accident.

2. From January 1, 2010, to December 31, 2010, \$50,000 because of bodily injury to or death of one person in any one accident and, subject to such limit for one person, \$100,000 because of bodily injury to or death of 2 or more persons in any one accident, and \$15,000 because of injury to or destruction of property of others in any one accident.

3. From January 1, 2011, to December 31, 2011, \$75,000 because of bodily injury to or death of one person in any one accident and, subject to such limit for one person, \$150,000 because of bodily injury to or death of 2 or more persons in any one accident, and \$20,000 because of injury to or destruction of property of others in any one accident.

4. From January 1, 2012, to December 31, 2016, \$100,000 because of bodily injury to or death of one person in any one accident and, subject to such limit for one person, \$300,000 because of bodily injury to or death of 2 or more persons in any one accident, and \$25,000 because of injury to or destruction of property of others in any one accident.

5. After December 31, 2016, the liability limit amounts published by the department under s. 344.11 (2).

SECTION 2963c. 344.01 (2) (d) of the statutes is amended to read:

344.01 (2) (d) "Proof of financial responsibility" or "proof of financial responsibility for the future" means proof of ability to respond in damages for liability on account of accidents occurring subsequent to the effective date of such proof, arising out of the maintenance or use of a motor vehicle, ~~in the amount of \$25,000 because of bodily injury to or death of one person in any one accident and, subject to such limit for one person, in the amount of \$50,000 because of bodily injury to or death of 2 or more persons in any one accident and in the amount of \$10,000 because of injury to or destruction of property of others in any one accident~~ an amount, as of the date that proof is furnished to the department, equal to or greater than the minimum liability limits.

SECTION 2963r. 344.11 of the statutes is created to read:

344.11 Five-year indexing of insurance policy liability limits. (1) At 5-year intervals after January 1, 2012, the department shall adjust the monetary amounts of the liability limits specified in s. 344.01 (2) (am) 4. to reflect changes since January 1, 2012, in the consumer price index for all urban consumers, U.S. city average, for the medical care group, as determined by the U.S. department of labor.

(2) Beginning in January 2017, and at 5-year intervals thereafter, the department shall publish the adjusted liability limit amounts, as determined under sub. (1), in the Wisconsin Administrative Register.

SECTION 2963t. 344.14 (2) (L) of the statutes is created to read:

344.14 (2) (L) To the operator or owner involved in an accident if, at the time of the accident, the operator was complying with s. 344.62 (1) or s. 344.63 (1) applies.

SECTION 2964c. 344.15 (1) of the statutes is renumbered 344.15 (1) (intro.) and amended to read:

344.15 (1) (intro.) No policy or bond is effective under s. 344.14 unless all of the following apply:

(a) The policy or bond is issued by an insurer authorized to do an automobile liability or surety business in this state, except as provided in sub. (2), ~~or unless the~~

(b) The limits of liability under the policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than \$25,000 because of bodily injury to or death of one person in any one accident and, subject to that limit for one person, to a limit of not less than \$50,000 because of bodily injury to or death of 2 or more persons in any one accident and, if the accident has resulted in injury to or destruction of property, to a limit of not less than \$10,000 because of injury to or destruction of property of others in any one accident, as of the date of the accident, are equal to or greater than the minimum liability limits.

SECTION 2964e. 344.25 (7) of the statutes is created to read:

344.25 (7) At the time of the motor vehicle accident giving rise to the judgment, the person was complying with s. 344.62 (1) or s. 344.63 (1) applies.

SECTION 2965c. 344.33 (2) of the statutes is amended to read:

344.33 (2) **MOTOR VEHICLE LIABILITY POLICY.** A motor vehicle policy of liability insurance shall insure the person named therein using any motor vehicle with the express or implied permission of the owner, or shall insure any motor vehicle owned by the named insured and any person using such motor vehicle with the express or implied permission of the named insured, against loss from the liability imposed by law for damages arising out of the maintenance or use of the motor vehicle within the United States of America or the Dominion of Canada, subject to the minimum liability limits exclusive of interest and costs, with respect to each such motor vehicle as follows: \$25,000 because of bodily injury to or death of one person in any one accident and, subject to such limit for one person, \$50,000 because of bodily injury to or death of 2 or more persons in any one accident, and \$10,000 because of injury to or destruction of property of others in any one accident.

SECTION 2966v. 344.55 (1) (intro.) of the statutes is amended to read:

344.55 (1) (intro.) No motor vehicle may be used as a human service vehicle unless a policy of bodily injury and property damage liability insurance, issued by an insurer authorized to transact business in this state, is maintained thereon. The policy shall provide ~~property damage liability coverage with a limit of not less than \$10,000. The policy also shall provide bodily injury liability coverage with limits, as of the policy's effective date, of at least the minimum liability limits or, if greater,~~ of not less than \$75,000 for each person and, subject to such limit for each person, total limits as follows:

SECTION 2967r. Subchapter VI of chapter 344 [precedes 344.61] of the statutes is created to read:

CHAPTER 344

SUBCHAPTER VI

MANDATORY LIABILITY INSURANCE

344.61 Definitions. In this subchapter:

(1) Notwithstanding s. 344.01 (2) (b), "motor vehicle" does not include trailers, semitrailers, and all-terrain vehicles.

(2) Notwithstanding s. 344.33 (1), "motor vehicle liability policy" means a motor vehicle policy of liability insurance to which all of the following apply:

(a) The policy is issued by an insurer authorized to do a motor vehicle liability business in this state or, if the policy covers a vehicle that was not registered in this state at the time of the policy's effective date, in another state in which the vehicle was registered or the owner or operator of the vehicle resided at that time.

(b) The policy is to or for the benefit of the person named in the policy as the insured.

(c) The policy satisfies, as of the date of motor vehicle operation, all requirements specified in s. 344.33 (2) and (3).

344.62 Motor vehicle liability insurance required.

(1) Except as provided in s. 344.63, no person may operate a motor vehicle upon a highway in this state unless the owner or operator of the vehicle has in effect a motor vehicle liability policy with respect to the vehicle being operated.

(2) Except as provided in s. 344.63, no person may operate a motor vehicle upon a highway in this state unless the person, while operating the vehicle, has in his or her immediate possession proof that he or she is in compliance with sub. (1). The operator of the motor vehicle shall display the proof required under this subsection upon demand from any traffic officer.

(3) Nothing in this subchapter prohibits a person who violates this section from also being subject to any provision in subchs. I to IV of this chapter.

344.63 Exceptions to motor vehicle liability insurance requirement. (1) A person operating a motor vehicle is not subject to s. 344.62 if any of the following apply:

(a) The owner or operator of the motor vehicle has in effect a bond with respect to the vehicle that meets the

requirements under s. 344.36 (1), including the filing of the bond with the secretary, and the vehicle is being operated with the permission of the person who filed the bond.

(b) The motor vehicle is insured as required by s. 121.53, 194.41, or 194.42 and the vehicle is being operated by the owner or with the owner's permission.

(c) The motor vehicle is owned by a self-insurer holding a valid certificate of self-insurance under s. 344.16, the self-insurer has made an agreement described in s. 344.30 (4), and the vehicle is being operated with the owner's permission.

(d) The owner or operator of the motor vehicle has made a deposit of cash or securities meeting the requirements specified in s. 344.37 (1) and the vehicle is being operated by or with the permission of the person who made the deposit.

(e) The motor vehicle is subject to s. 344.51, 344.52, or 344.55.

(f) The motor vehicle is owned by or leased to the United States, this or another state, or any county or municipality of this or another state, and the vehicle is being operated with the owner's or lessee's permission.

(2) (a) The provisions of ss. 344.34 and 344.36 (2) and (3) shall apply with respect to a bond filed with the secretary under sub. (1) (a).

(b) The provisions of s. 344.37 (2) shall apply with respect to a deposit made with the secretary under sub. (1) (d). Any deposit received by the department under sub. (1) (d) shall be maintained in an interest-bearing trust account. All deposits received by the department under sub. (1) (d) shall be held for the benefit of the depositors and potential claimants against the deposits and shall be applied only to the payment of judgments and assignments relating to motor vehicle accidents, following the procedure described in s. 344.20 (2).

(3) (a) Except as provided in par. (b), the secretary shall, upon request, consent to the immediate cancellation of any bond filed under sub. (1) (a) or to the return of any deposit of money or securities made under sub. (1) (d) if any of the following apply:

1. The owner or operator of a motor vehicle provides proof satisfactory to the department that the owner or operator has in effect a motor vehicle liability policy with respect to the vehicle or provides proof that a different exception under sub. (1) applies with respect to the vehicle.

2. The person on whose behalf the bond was filed or deposit made has died, has become permanently incapacitated to operate a motor vehicle, or no longer maintains a valid operator's license.

3. The person on whose behalf the bond was filed or deposit made no longer owns any motor vehicle registered with the department.

(b) The secretary may not consent to the cancellation of any bond filed under sub. (1) (a) or to the return of any deposit of money or securities made under sub. (1) (d) if

any action for damages upon the bond or deposit is then pending or any judgment against the person, for which a claim may be made against the bond or deposit, is then unsatisfied. If a judgment is in excess of the amounts specified in s. 344.33 (2), for purposes of this paragraph the judgment is considered satisfied when payments in the amounts specified in s. 344.33 (2) have been made. An affidavit of the applicant that the applicant satisfies the provisions of this paragraph is sufficient for the department to consent to the cancellation of a bond or to return any deposit, in the absence of evidence in the records of the department contradicting the affidavit.

344.64 Fraudulent, false, or invalid proof of insurance. No person may do any of the following for purposes of creating the appearance of satisfying the requirements under s. 344.62 (2):

(1) Forge, falsify, counterfeit, or fraudulently alter any proof of insurance, policy of insurance, or other insurance document, or possess any forged, falsified, fictitious, counterfeit, or fraudulently altered proof of insurance, policy of insurance, or other insurance document.

(2) Represent that any proof of insurance, policy of insurance, or other insurance document is valid and in effect, knowing or having reason to believe that the proof of insurance, policy of insurance, or other insurance document is not valid or not in effect.

344.65 Violations. (1) (a) Any person who violates s. 344.62 (1) may be required to forfeit not more than \$500.

(b) Except as provided in par. (c), any person who violates s. 344.62 (2) may be required to forfeit \$10.

(c) No person charged with violating s. 344.62 (2) may be convicted if the person produces proof that he or she was in compliance with s. 344.62 (1) at the time the person was issued a uniform traffic citation for violating s. 344.62 (2). This proof may be produced either at the time of the person's appearance in court in response to the citation or in the office of the traffic officer issuing the citation.

(2) Any person who violates s. 344.64 may be required to forfeit not more than \$5,000.

(3) A traffic officer may not stop or inspect a vehicle solely to determine compliance with s. 344.62 or a local ordinance in conformity therewith. This subsection does not limit the authority of a traffic officer to issue a citation for a violation of s. 344.62 or a local ordinance in conformity therewith observed in the course of a stop or inspection made for other purposes, except that a traffic officer may not take a person into physical custody solely for a violation of s. 344.62 or a local ordinance in conformity therewith.

344.66 Rules. The department shall promulgate rules, and prescribe any necessary forms, to implement and administer this subchapter.

344.67 Notice. The department shall include with each operator's license issued under ch. 343 notification of the requirements and penalties under this subchapter.

SECTION 2968. 345.05 (1) (a) of the statutes is renumbered 345.05 (1) (am).

SECTION 2969. 345.05 (1) (ag) of the statutes is created to read:

345.05 (1) (ag) "Authority" means a transit authority created under s. 66.1038 or 66.1039.

SECTION 2970. 345.05 (2) of the statutes is amended to read:

345.05 (2) A person suffering any damage proximately resulting from the negligent operation of a motor vehicle owned and operated by a municipality or authority, which damage was occasioned by the operation of the motor vehicle in the course of its business, may file a claim for damages against the municipality or authority concerned and the governing body ~~thereof of the municipality, or the board of directors of the authority~~, may allow, compromise, settle and pay the claim. In this subsection, a motor vehicle is deemed owned and operated by a municipality or authority if the vehicle is either being rented or leased, or is being purchased under a contract whereby the municipality or authority will acquire title.

SECTION 2991. 347.48 (2m) (gm) of the statutes is amended to read:

347.48 (2m) (gm) ~~Notwithstanding s. 349.02, a law enforcement officer may not stop or inspect a vehicle solely to determine compliance with this subsection or sub. (1) or (2) or a local ordinance in conformity with this subsection, sub. (1) or (2) or rules of the department. This paragraph does not limit the authority of a law enforcement officer to issue a citation for a violation of this subsection or sub. (1) or (2) or a local ordinance in conformity with this subsection, sub. (1) or (2) or rules of the department observed in the course of a stop or inspection made for other purposes, except that a~~ A law enforcement officer may not take a person into physical custody solely for a violation of this subsection or sub. (1) or (2) or a local ordinance in conformity with this subsection, sub. (1) or (2) or rules of the department.

SECTION 2992. 347.50 (2m) (a) of the statutes is amended to read:

347.50 (2m) (a) Any person who violates s. 347.48 (2m) (b) or (c) and any person 16 years of age or older who violates s. 347.48 (2m) (d) ~~may~~ shall be required to forfeit \$10.

SECTION 2992e. 348.175 of the statutes is amended to read:

348.175 Seasonal operation of vehicles hauling peeled or unpeeled forest products cut crosswise or abrasives or salt for highway winter maintenance. The transportation of peeled or unpeeled forest products cut crosswise or of abrasives or salt for highway winter

maintenance in excess of gross weight limitations under s. 348.15 shall be permitted during the winter months when the highways are so frozen that no damage may result thereto by reason of such transportation. If at any time any person is so transporting such products or abrasives or salt upon a class "A" highway in such frozen condition then that person may likewise use a class "B" highway without other limitation, except that chains and other traction devices are prohibited on class "A" highways but such chains and devices may be used in cases of necessity. ~~The officers or agencies in charge of maintenance of highways, upon~~ On the first day that conditions warrant their determination of such frozen condition and freedom of damage to such highways by transportation, ~~the officers or agencies in charge of maintenance of highways~~ shall declare particular highways, or highways within areas of the state, as eligible for increased weight limitations, ~~and each declaration shall be effective as of 12:01 a.m. on the 2nd day following the declaration.~~ Such declaration shall include the maximum weight on each axle, combination of axles and the gross weight allowed. Any person transporting any such product over any highway of this state under this section is liable to the maintaining authority for any damage caused to such highway. This section does not apply to the national system of interstate and defense highways, except for that portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal designation as I 39 between USH 51 and I 90/94.

SECTION 2992m. 348.175 of the statutes, as affected by 2005 Wisconsin Act 167 and 2009 Wisconsin Act ... (this act), is repealed and recreated to read:

348.175 Seasonal operation of vehicles hauling peeled or unpeeled forest products cut crosswise or abrasives or salt for highway winter maintenance. The transportation of peeled or unpeeled forest products cut crosswise or of abrasives or salt for highway winter maintenance in excess of gross weight limitations under s. 348.15 shall be permitted during the winter months when the highways are so frozen that no damage may result thereto by reason of such transportation. If at any time any person is so transporting such products or abrasives or salt upon a class "A" highway in such frozen condition then that person may likewise use a class "B" highway without other limitation, except that chains and other traction devices are prohibited on class "A" highways but such chains and devices may be used in cases of necessity. On the first day that conditions warrant their determination of such frozen condition and freedom of damage to such highways by transportation, the officers or agencies in charge of maintenance of highways shall declare particular highways, or highways within areas of the state, as eligible for increased weight limitations, and each declaration shall be effective as of 12:01 a.m. on the 2nd day following the declaration. Such declaration shall

include the maximum weight on each axle, combination of axles and the gross weight allowed. Any person transporting any such product over any highway of this state under this section is liable to the maintaining authority for any damage caused to such highway. This section does not apply to the national system of interstate and defense highways, except for that portion of I 39 between USH 51 and I 90/94.

SECTION 2992s. 348.21 (3g) (intro.) of the statutes, as affected by 2007 Wisconsin Act 20, section 3435n, and 2007 Wisconsin Act 97, section 179, is repealed and recreated to read:

348.21 (3g) (intro.) Any person who, while operating a vehicle combination that is transporting raw forest products, violates s. 348.15 or 348.16 or any weight limitation posted as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized in an overweight permit issued under s. 348.26 or 348.27 may be penalized as follows:

SECTION 2992w. 348.25 (4) (intro.) of the statutes is amended to read:

348.25 (4) (intro.) Except as provided under s. 348.26 (5), (6), or (7) or 348.27 (3m), (4m), (9), (9m), (9r), (9t), (10), (12), (13), or (15) permits shall be issued only for the transporting of a single article or vehicle which exceeds statutory size, weight or load limitations and which cannot reasonably be divided or reduced to comply with statutory size, weight or load limitations, except that:

SECTION 2993. 348.25 (8) (e) of the statutes is amended to read:

348.25 (8) (e) The officer or agency authorized to issue a permit under s. 348.26 or 348.27 may require any applicant for a permit under s. 348.26 or 348.27 to pay the cost of any special investigation undertaken to determine whether a permit should be approved or denied ~~and to pay an additional fee established by the department by rule per permit if a department telephone call in procedure or Internet procedure is used. The fee shall approximate the cost to the department for providing this service to persons so requesting.~~

SECTION 2993c. 348.27 (4m) of the statutes is created to read:

348.27 (4m) PERMITS FOR THE TRANSPORTATION OF LOADS ON STH 31 AMONG MANUFACTURING PLANTS, DISTRIBUTION CENTERS, AND WAREHOUSES. (a) Subject to pars. (b) and (c), the department may issue annual or consecutive month permits for the transportation of loads in vehicle combinations that exceed the maximum gross weight limitations under s. 348.15 (3) (c) by not more than 18,000 pounds if the vehicle combination has 6 or more axles and the gross weight imposed on the highway by the wheels of any one axle of the vehicle combination does not exceed 18,000 pounds, except that the gross weight imposed on the highway by the wheels of any steering axle on the power unit may not exceed the

greater of 13,000 pounds or the manufacturer's rated capacity, but not to exceed 18,000 pounds. Notwithstanding s. 348.15 (8), any axle of a vehicle combination that does not impose on the highway at least 8 percent of the gross weight of the vehicle combination may not be counted as an axle for the purposes of this paragraph. A permit issued under this subsection does not authorize the operation of any vehicle combination at a maximum gross weight in excess of 98,000 pounds.

(b) A permit under this subsection is valid only for the transportation of loads between or among any of the following:

1. A manufacturing plant located in Racine County.
2. A distribution center located in Kenosha County.
3. A warehouse located in Kenosha County.
4. A warehouse located in Racine County.

(c) 1. Except as provided in subds. 2. and 3., and subject to par. (d), a permit under this subsection is valid only on STH 31 and on local highways designated in the permit that provide access to STH 31.

2. A permit under this subsection is not valid on any interstate highway designated under s. 84.29 (2) or on any highway or bridge with a posted weight limitation that is less than the vehicle combination's gross weight.

3. Except as provided in subd. 2., if any portion of STH 31 in Kenosha County or Racine County is closed, a permit under this subsection is valid on any highway providing a detour around this closed portion of STH 31.

(d) If the routes desired to be used by the applicant involve highways under the jurisdiction of local authorities, the department shall, prior to issuing the permit, submit the permit application to the officers in charge of maintenance of the local highways to be used, for their approval. The department may issue the permit, notwithstanding the objections of these officers, if, after consulting with these officers, the department determines that their objections lack merit.

SECTION 2993g. 348.27 (9m) (a) 1. of the statutes is amended to read:

348.27 (9m) (a) 1. Raw forest products or of fruits or vegetables from field to storage or processing facilities in vehicles or vehicle combinations that exceed the maximum gross weight limitations under s. 348.15 (3) (c) by not more than 10,000 pounds. A permit under this subdivision is not valid on highways designated as part of the national system of interstate and defense highways, except on I 39 between STH 29 south of Wausau and the I 90/94 interchange near Portage in Marathon, Portage, Waushara, Marquette and Columbia counties. ~~No permit authorizing the transportation of raw forest products issued under this subdivision is valid after January 1, 2011.~~

SECTION 2993m. 348.27 (9m) (a) 1. of the statutes, as affected by 2005 Wisconsin Act 167, section 13, and 2009 Wisconsin Act (this act), is repealed and recreated to read:

348.27 (9m) (a) 1. Raw forest products or of fruits or vegetables from field to storage or processing facilities in vehicles or vehicle combinations that exceed the maximum gross weight limitations under s. 348.15 (3) (c) by not more than 10,000 pounds. A permit under this subdivision is not valid on highways designated as part of the national system of interstate and defense highways, except on I 39 between STH 29 south of Wausau and the I 90/94 interchange near Portage in Marathon, Portage, Waushara, Marquette and Columbia counties.

SECTION 2993t. 349.027 of the statutes is created to read:

349.027 Collection of information related to motor vehicle stops. (1) INFORMATION COLLECTION REQUIRED. For each motor vehicle stop made on or after January 1, 2011, by a law enforcement officer, the person in charge of the law enforcement agency employing the law enforcement officer shall cause to be obtained all information relating to the traffic stop that is required to be collected under rules promulgated under s. 16.964 (16) (b) 1.

(2) SUBMISSION OF INFORMATION COLLECTED. The person in charge of a law enforcement agency shall submit the information collected under sub. (1) to the office of justice assistance using the process, and in the format, prescribed by the rules promulgated under s. 16.964 (16) (b) 2.

SECTION 2994a. 440.03 (9) (a) (intro.) of the statutes is renumbered 440.03 (9) (intro.) and amended to read:

440.03 (9) (intro.) ~~Subject to pars. (b) and (c), the The~~ department shall, ~~biennially, determine each fee for an initial credential for which no examination is required, for a reciprocal credential, and for a credential renewal by doing all of the following include all of the following with each biennial budget request that it makes under s. 16.42:~~

SECTION 2994b. 440.03 (9) (a) 1. of the statutes is renumbered 440.03 (9) (a) and amended to read:

440.03 (9) (a) ~~Recalculating~~ A recalculation of the administrative and enforcement costs of the department that are attributable to the regulation of each occupation or business under chs. 440 to 480 and that are included in the budget request.

SECTION 2994c. 440.03 (9) (a) 2. and (b) of the statutes are consolidated, renumbered 440.03 (9) (b) and amended to read:

440.03 (9) (b) ~~Not later than January 31 of each odd-numbered year, adjusting for the succeeding fiscal biennium~~ A recommended change to each fee specified under s. 440.05 (1) for an initial credential for which an examination is not required, under s. 440.05 (2) for a reciprocal credential, and, subject to under s. 440.08 (2) (a), for a credential renewal, if an adjustment the change is necessary to reflect the approximate administrative and enforcement costs of the department that are attributable to the regulation of the particular occupation or business

during the period in which the initial or reciprocal credential or credential renewal is in effect and, for purposes of the recommended change to each fee specified under s. 440.08 (2) (a) for a credential renewal, to reflect an estimate of any additional moneys available for the department's general program operations, during the budget period to which the biennial budget request applies, as a result of appropriation transfers that have been or are estimated to be made under s. 20.165 (1) (i) ~~during the fiscal biennium in progress at the time of the deadline for an adjustment under this subdivision or during the fiscal biennium beginning on the July 1 immediately following the deadline for an adjustment under this subdivision.~~ (b) prior to and during that budget period. The department may not recommend an initial credential fee that exceeds the amount of the fee that the department recommends for a renewal of the same credential, if no examination is required for the initial credential.

SECTION 2994d. 440.03 (9) (c) of the statutes is repealed.

SECTION 2994e. 440.03 (9) (d) of the statutes is repealed.

SECTION 2994eg. 440.03 (13) (b) 18g. of the statutes is created to read:

440.03 (13) (b) 18g. Chiropractic radiological technician.

SECTION 2994er. 440.03 (13) (b) 18r. of the statutes is created to read:

440.03 (13) (b) 18r. Chiropractic technician.

SECTION 2994f. 440.03 (14) (a) 1. c. of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.03 (14) (a) 1. c. The person pays the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1)~~ and files with the department evidence satisfactory to the department that he or she is certified, registered, or accredited as required under subd. 1. a.

SECTION 2994g. 440.03 (14) (a) 2. c. of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.03 (14) (a) 2. c. The person pays the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1)~~ and files with the department evidence satisfactory to the department that he or she is certified, registered, or accredited as required under subd. 2. a.

SECTION 2994h. 440.03 (14) (a) 3. c. of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.03 (14) (a) 3. c. The person pays the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1)~~ and files with the department evidence satisfactory to the department that he or she is certified, registered, or accredited as required under subd. 3. a.

SECTION 2994i. 440.03 (14) (am) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.03 (14) (am) The department may promulgate rules that establish requirements for granting a license to practice psychotherapy to a person who is registered under par. (a). Rules promulgated under this paragraph shall establish requirements for obtaining such a license that are comparable to the requirements for obtaining a clinical social worker, marriage and family therapist, or professional counselor license under ch. 457. If the department promulgates rules under this paragraph, the department shall grant a license under this paragraph to a person registered under par. (a) who pays the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1)~~ and provides evidence satisfactory to the department that he or she satisfies the requirements established in the rules.

SECTION 2994j. 440.03 (14) (c) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.03 (14) (c) The renewal dates for certificates granted under par. (a) and licenses granted under par. (am) are specified in s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee ~~determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a)~~ and evidence satisfactory to the department that the person's certification, registration, or accreditation specified in par. (a) 1. a., 2. a., or 3. a. has not been revoked.

SECTION 2994k. 440.05 (1) (a) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.05 (1) (a) Initial credential: ~~An amount determined by the department under s. 440.03 (9) (a) \$75.~~ Each applicant for an initial credential shall pay the initial credential fee to the department when the application materials for the initial credential are submitted to the department.

SECTION 2994L. 440.05 (2) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.05 (2) Reciprocal credential, including any credential described in s. 440.01 (2) (d) and any credential that permits temporary practice in this state in whole or in part because the person holds a credential in another jurisdiction: The applicable credential renewal fee ~~determined by the department under s. 440.03 (9) (a) under s. 440.08 (2) (a)~~ and, if an examination is required, an examination fee under sub. (1).

SECTION 2994m. 440.08 (2) (a) (intro.) of the statutes, as affected by 2007 Wisconsin Act 189, is amended to read:

440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04, 444.03, 444.11, 448.065, 447.04 (2) (c) 2., 449.17 (1m) (d), 449.18 (2) (d), and 461.02 (3) (a) and (b) and (4), the renewal dates and renewal fees for credentials are as follows:

SECTION 2994mg. 440.08 (2) (a) 1. to 14d. of the statutes, as affected by 2007 Wisconsin Act 20, are amended to read:

440.08 (2) (a) 1. Accountant, certified public: December 15 of each odd-numbered year; \$59.

3. Accounting corporation or partnership: December 15 of each odd-numbered year; \$56.

4. Acupuncturist: July 1 of each odd-numbered year; \$70.

4m. Advanced practice nurse prescriber: October 1 of each even-numbered year; \$73.

5. Aesthetician: April 1 of each odd-numbered year; \$87.

6. Aesthetics establishment: April 1 of each odd-numbered year; \$70.

7. Aesthetics instructor: April 1 of each odd-numbered year; \$70.

8. Aesthetics school: April 1 of each odd-numbered year; \$115.

9. Aesthetics specialty school: April 1 of each odd-numbered year; \$53.

9m. Substance abuse counselor, clinical supervisor, or prevention specialist: except as limited in s. 440.88 (4), March 1 of each odd-numbered year; \$70.

11. Appraiser, real estate, certified general: December 15 of each odd-numbered year; \$162.

11m. Appraiser, real estate, certified residential: December 15 of each odd-numbered year; \$167.

12. Appraiser, real estate, licensed: December 15 of each odd-numbered year; \$185.

13. Architect: August 1 of each even-numbered year; \$60.

14. Architectural or engineering firm, partnership or corporation: February 1 of each even-numbered year; \$70.

14d. Athlete agent: July 1 of each even-numbered year; \$53.

SECTION 2994mh. 440.08 (2) (a) 14f. of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.08 (2) (a) 14f. Athletic trainer: July 1 of each even-numbered year; \$75.

SECTION 2994mi. 440.08 (2) (a) 14g. to 21. of the statutes, as affected by 2007 Wisconsin Act 20, are amended to read:

440.08 (2) (a) 14g. Auction company: December 15 of each even-numbered year; \$56.

14r. Auctioneer: December 15 of each even-numbered year; \$174.

15. Audiologist: February 1 of each odd-numbered year; \$106.

16. Barbering or cosmetology establishment: April 1 of each odd-numbered year; \$56.

17. Barbering or cosmetology instructor: April 1 of each odd-numbered year; \$91.

18. Barbering or cosmetology manager: April 1 of each odd-numbered year; \$71.

19. Barbering or cosmetology school: April 1 of each odd-numbered year; \$138.

20. Barber or cosmetologist: April 1 of each odd-numbered year; \$63.

21. Cemetery authority, licensed: December 15 of each even-numbered year; \$343, plus an amount to be determined by rule by the cemetery board.

SECTION 2994mj. 440.08 (2) (a) 21m. of the statutes is amended to read:

440.08 (2) (a) 21m. Cemetery authority, registered: December 15 of each even-numbered year; \$10.

SECTION 2994mk. 440.08 (2) (a) 21m. of the statutes, as affected by 2009 Wisconsin Act ... (this act), is amended to read:

440.08 (2) (a) 21m. Cemetery authority, registered: December 15 of each even-numbered year; \$10.

SECTION 2994mn. 440.08 (2) (a) 22. to 27. of the statutes, as affected by 2007 Wisconsin Act 20, are amended to read:

440.08 (2) (a) 22. Cemetery preneed seller: December 15 of each even-numbered year; \$61.

23. Cemetery salesperson: December 15 of each even-numbered year; \$90.

23m. Charitable organization: August 1 of each year; \$15.

24. Chiropractor: December 15 of each even-numbered year; \$168.

24m. Crematory authority: January 1 of each even-numbered year; \$53.

25. Dental hygienist: October 1 of each odd-numbered year; \$57.

26. Dentist: October 1 of each odd-numbered year; \$131.

26m. Dentist, faculty member: October 1 of each odd-numbered year; \$131.

27. Designer of engineering systems: February 1 of each even-numbered year; \$58.

SECTION 2994mnag. 440.08 (2) (a) 23p. of the statutes is created to read:

440.08 (2) (a) 23p. Chiropractic radiological technician: December 15 of each even-numbered year; \$44.

SECTION 2994mnar. 440.08 (2) (a) 23s. of the statutes is created to read:

440.08 (2) (a) 23s. Chiropractic technician: December 15 of each even-numbered year; \$44.

SECTION 2994mnb. 440.08 (2) (a) 27m. of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.08 (2) (a) 27m. Dietitian: November 1 of each even-numbered year; \$75.

SECTION 2994mnf. 440.08 (2) (a) 29. to 51. of the statutes, as affected by 2007 Wisconsin Act 20, are amended to read:

440.08 (2) (a) 29. Drug manufacturer: June 1 of each even-numbered year; \$70.

30. Electrologist: April 1 of each odd-numbered year; \$76.

31. Electrology establishment: April 1 of each odd-numbered year; \$56.

32. Electrology instructor: April 1 of each odd-numbered year; \$86.

33. Electrology school: April 1 of each odd-numbered year; \$71.

34. Electrology specialty school: April 1 of each odd-numbered year; \$53.

35. Engineer, professional: August 1 of each even-numbered year; \$58.

35m. Fund-raising counsel: September 1 of each even-numbered year; \$53.

36. Funeral director: December 15 of each odd-numbered year; \$135.

37. Funeral establishment: June 1 of each odd-numbered year; \$56.

38. Hearing instrument specialist: February 1 of each odd-numbered year; \$106.

38g. Home inspector: December 15 of each even-numbered year; \$53.

38m. Landscape architect: August 1 of each even-numbered year; \$56.

39. Land surveyor: February 1 of each even-numbered year; \$77.

42. Manicuring establishment: April 1 of each odd-numbered year; \$53.

43. Manicuring instructor: April 1 of each odd-numbered year; \$53.

44. Manicuring school: April 1 of each odd-numbered year; \$118.

45. Manicuring specialty school: April 1 of each odd-numbered year; \$53.

46. Manicurist: April 1 of each odd-numbered year; \$133.

46m. Marriage and family therapist: March 1 of each odd-numbered year; \$84.

46r. Massage therapist or bodyworker: March 1 of each odd-numbered year; \$53.

46w. Midwife, licensed: July 1 of each even-numbered year; \$56.

48. Nurse, licensed practical: May 1 of each odd-numbered year; \$69.

49. Nurse, registered: March 1 of each even-numbered year; \$66.

50. Nurse-midwife: March 1 of each even-numbered year; \$70.

51. Nursing home administrator: July 1 of each even-numbered year; \$120.

SECTION 2994mnk. 440.08 (2) (a) 52. and 53. of the statutes, as affected by 2007 Wisconsin Act 20, are amended to read:

440.08 (2) (a) 52. Occupational therapist: ~~November~~ June 1 of each odd-numbered year; \$75.

53. Occupational therapy assistant: ~~November~~ June 1 of each odd-numbered year; \$75.

SECTION 2994mnp. 440.08 (2) (a) 54. of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.08 (2) (a) 54. Optometrist: December 15 of each odd-numbered year; \$65.

SECTION 2994mns. 440.08 (2) (a) 54m. of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.08 (2) (a) 54m. Perfusionist: ~~November~~ March 1 of each ~~odd-numbered~~ even-numbered year; \$141.

SECTION 2994mnw. 440.08 (2) (a) 55. and 56. of the statutes, as affected by 2007 Wisconsin Act 20, are amended to read:

440.08 (2) (a) 55. Pharmacist: June 1 of each even-numbered year; \$97.

56. Pharmacy, in-state and out-of-state: June 1 of each even-numbered year; \$56.

SECTION 2994mp. 440.08 (2) (a) 57. to 58. of the statutes, as affected by 2007 Wisconsin Act 20, are amended to read:

440.08 (2) (a) 57. Physical therapist: ~~November~~ March 1 of each odd-numbered year; \$75.

57m. Physical therapist assistant: ~~November~~ March 1 of each odd-numbered year; \$75.

58. Physician, other than a physician who possesses the degree of doctor of osteopathy: November 1 of each odd-numbered year; \$141.

SECTION 2994mr. 440.08 (2) (a) 58m. of the statutes is created to read:

440.08 (2) (a) 58m. Physician who possesses the degree of doctor of osteopathy: March 1 of each even-numbered year; \$141.

SECTION 2994mu. 440.08 (2) (a) 59. and 60. of the statutes, as affected by 2007 Wisconsin Act 20, are amended to read:

440.08 (2) (a) 59. Physician assistant: ~~November~~ March 1 of each odd-numbered year; \$141.

60. Podiatrist: November 1 of each ~~odd-numbered~~ even-numbered year; \$91.

SECTION 2994mx. 440.08 (2) (a) 61. to 67x. of the statutes, as affected by 2007 Wisconsin Act 20, are amended to read:

440.08 (2) (a) 61. Private detective: September 1 of each even-numbered year; \$101.

62. Private detective agency: September 1 of each odd-numbered year; \$53.

63. Private practice school psychologist: October 1 of each odd-numbered year; \$103.

63g. Private security person: September 1 of each even-numbered year; \$53.

63m. Professional counselor: March 1 of each odd-numbered year; \$76.

63t. Professional fund-raiser: September 1 of each even-numbered year; \$93.

63u. Professional geologist: August 1 of each even-numbered year; \$59.

63v. Professional geology, hydrology or soil science firm, partnership or corporation: August 1 of each even-numbered year; \$53.

63w. Professional hydrologist: August 1 of each even-numbered year; \$53.

63x. Professional soil scientist: August 1 of each even-numbered year; \$53.

64. Psychologist: October 1 of each odd-numbered year; \$157.

65. Real estate broker: December 15 of each even-numbered year; \$128.

66. Real estate business entity: December 15 of each even-numbered year; \$56.

67. Real estate salesperson: December 15 of each even-numbered year; \$83.

67m. Registered interior designer: August 1 of each even-numbered year; \$56.

67v. Registered music, art or dance therapist: October 1 of each odd-numbered year; \$53.

67x. Registered music, art, or dance therapist with psychotherapy license: October 1 of each odd-numbered year; \$53.

SECTION 2994ng. 440.08 (2) (a) 68. of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.08 (2) (a) 68. Respiratory care practitioner: ~~November~~ July 1 of each ~~odd-numbered~~ even-numbered year; \$141.

SECTION 2994nr. 440.08 (2) (a) 68b. to 72. of the statutes, as affected by 2007 Wisconsin Act 20, are amended to read:

440.08 (2) (a) 68b. Sanitarian: January 1 of each even-numbered year; \$53.

68d. Social worker: March 1 of each odd-numbered year; \$63.

68h. Social worker, advanced practice: March 1 of each odd-numbered year; \$70.

68p. Social worker, independent: March 1 of each odd-numbered year; \$58.

68t. Social worker, independent clinical: March 1 of each odd-numbered year; \$73.

68v. Speech-language pathologist: February 1 of each odd-numbered year; \$63.

69. Time-share salesperson: December 15 of each even-numbered year; \$119.

70. Veterinarian: December 15 of each odd-numbered year; \$105.

71. Veterinary technician: December 15 of each odd-numbered year; \$58.

72. Wholesale distributor of prescription drugs: June 1 of each even-numbered year; \$300, except that before June 1, 2010, the amount of the renewal fee is \$350.

SECTION 2994o. 440.08 (2) (c) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.08 (2) (c) Except as provided in sub. (3), renewal applications shall include the applicable renewal fee ~~as determined by the department under s. 440.03 (9) (a) or as specified in par. (b)~~ specified in pars. (a) and (b).

SECTION 2994p. 440.08 (3) (a) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.08 (3) (a) Except as provided in rules promulgated under par. (b), if the department does not receive an application to renew a credential before its renewal date, the holder of the credential may restore the credential by payment of the applicable renewal fee ~~determined by the department under s. 440.03 (9) (a)~~ specified in sub. (2) (a) and by payment of a late renewal fee of \$25.

SECTION 2995. 440.25 of the statutes is amended to read:

440.25 Judicial review. The department may seek judicial review under ch. 227 of any final disciplinary decision of the medical examining board or affiliated credentialing board attached to the medical examining board. The department shall be represented in such review proceedings by an attorney within the department. Upon request of the medical examining board or the interested affiliated credentialing board, the attorney general may represent the board. If the attorney general declines to represent the board, the board may retain special counsel which shall be paid for out of the appropriation under s. 20.165 (1) ~~(g)~~ (hg).

SECTION 2995ca. 440.26 (3) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.26 (3) ISSUANCE OF LICENSES; FEES. Upon receipt and examination of an application executed under sub. (2), and after any investigation that it considers necessary, the department shall, if it determines that the applicant is qualified, grant the proper license upon payment of the ~~initial credential fee determined by the department under s. 440.03 (9) (a)~~ specified in s. 440.05 (1). No license shall be issued for a longer period than 2 years, and the license of a private detective shall expire on the renewal date of the license of the private detective agency, even if the license of the private detective has not been in effect for a full 2 years. Renewals of the original licenses issued under this section shall be issued in accordance with renewal forms prescribed by the department and shall be accompanied by the ~~applicable~~ applicable fees specified in s. 440.08 ~~or determined by the department under s. 440.03 (9) (a).~~ The department may not renew a license unless the applicant provides evidence that the applicant has in force at the time of renewal the bond or liability policy specified in this section.

SECTION 2995cb. 440.26 (5m) (a) 4. of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.26 (5m) (a) 4. The individual pays to the department the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1).~~

SECTION 2995cc. 440.26 (5m) (b) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.26 (5m) (b) The renewal dates for permits issued under this subsection are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee ~~determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a).~~

SECTION 2995cd. 440.42 (1) (c) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.42 (1) (c) The department shall issue a certificate of registration to each charitable organization that is registered under this subsection. Renewal applications shall be submitted to the department, on a form provided by the department, on or before the expiration date specified in s. 440.08 (2) (a) and shall include a registration statement that complies with sub. (2) and the renewal fee ~~determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a).~~

SECTION 2995ce. 440.43 (1) (c) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.43 (1) (c) The department shall issue a certificate of registration to each fund-raising counsel that is registered under this subsection. Renewal applications shall be submitted to the department, on a form provided by the department, on or before the date specified in s. 440.08 (2) (a) and shall include the renewal fee ~~determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a)~~ and evidence satisfactory to the department that the fund-raising counsel maintains a bond that is approved under sub. (2).

SECTION 2995cf. 440.44 (1) (c) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.44 (1) (c) The department shall issue a certificate of registration to each professional fund-raiser that is registered under this subsection. Renewal applications shall be submitted to the department, on a form provided by the department, on or before the date specified in s. 440.08 (2) (a) and shall include the renewal fee ~~determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a)~~ and evidence satisfactory to the department that the professional fund-raiser maintains a bond that is approved under sub. (2).

SECTION 2995cg. 440.62 (2) (a) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.62 (2) (a) An application for initial licensure or renewal or reinstatement of a license under this section shall be submitted to the department on a form provided by the department and shall be accompanied by the applicable fee ~~determined by the department under s. 440.03~~

~~(9) (a) specified in s. 440.05 (1) or 440.08.~~ Each application shall be accompanied by a surety bond acceptable to the department in the minimum sum of \$25,000 for each location.

SECTION 2995ch. 440.63 (2) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.63 (2) APPLICATIONS; CERTIFICATION PERIOD. An application for initial certification or renewal or reinstatement of a certificate under this section shall be submitted to the department on a form provided by the department. An application for initial certification shall include the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1).~~ Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee ~~determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a),~~ and the applicable penalty for late renewal under s. 440.08 (3) if the application is submitted late.

SECTION 2995ci. 440.71 (2) (a) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.71 (2) (a) Pays the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1).~~

SECTION 2995cj. 440.71 (3) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.71 (3) RENEWAL. Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a).~~

SECTION 2995ck. 440.88 (4) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.88 (4) APPLICATIONS; CERTIFICATION PERIOD. An application for certification as a substance abuse counselor, clinical supervisor, or prevention specialist under this section shall be made on a form provided by the department and filed with the department and shall be accompanied by the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified under s. 440.05 (1).~~ The renewal date and renewal fee for certification as a substance abuse counselor, clinical supervisor, or prevention specialist is are specified under s. 440.08 (2) (a) ~~and the renewal fee for such certifications is determined by the department under s. 440.03 (9) (a).~~ Renewal of certification as a substance abuse counselor-in-training, a clinical supervisor-in-training, or a prevention specialist-in-training may be made only twice.

SECTION 2995cl. 440.91 (1) (b) 2. of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.91 (1) (b) 2. The cemetery authority pays the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1).~~

SECTION 2995cm. 440.91 (1) (c) 1. of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.91 (1) (c) 1. The renewal dates and renewal fees for licenses granted under par. (b) are specified in s. 440.08 (2) (a) ~~and the renewal fees for such licenses are determined by the department under s. 440.03 (9) (a), except that a licensed cemetery authority is not required to renew its license if the cemetery authority sells less than 20 cemetery lots or mausoleum spaces at a cemetery during a calendar year, or that has less than \$100,000 in trust fund accounts for a cemetery.~~

SECTION 2995cn. 440.91 (2) (intro.) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.91 (2) (intro.) Except as provided in sub. (10), every person that sells or solicits the sale of, or that expects to sell or solicit the sale of, 20 or more cemetery lots or mausoleum spaces per year during 2 consecutive calendar years shall be licensed by the board. A person may not be licensed as a cemetery salesperson except upon the written request of a cemetery authority and the payment of the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05.~~ The cemetery authority shall certify in writing to the board that the person is competent to act as a cemetery salesperson. An applicant for licensure as a cemetery salesperson shall furnish to the board, in such form as the board prescribes, all of the following information:

SECTION 2995co. 440.91 (4) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.91 (4) Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a).~~

SECTION 2995cp. 440.92 (1) (b) 2. of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.92 (1) (b) 2. Pays the ~~initial credential fee determined by the department under s. 440.03 (9) (a) under s. 440.05 (1).~~

SECTION 2995cq. 440.92 (1) (c) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.92 (1) (c) Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a).~~

SECTION 2995cr. 440.966 (1) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.966 (1) The renewal date and renewal fee for a certificate of registration issued under this subchapter is ~~are~~ specified in s. 440.08 (2) (a), ~~and the renewal fee for such certificate of registration is determined by the department under s. 440.03 (9) (a).~~

SECTION 2995cs. 440.972 (2) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.972 (2) The renewal date and renewal fee for certificates granted under this section is ~~are~~ specified under s. 440.08 (2) (a) 38g., ~~and the renewal fee for such certificates is determined by the department under s. 440.03 (9) (a).~~

SECTION 2995ct. 440.98 (6) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.98 (6) APPLICATIONS. An application for a sanitarian registration under this section shall be made on a form provided by the department and filed with the department and shall be accompanied by the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1).~~ The renewal date and renewal fee for a sanitarian registration is ~~are~~ specified under s. 440.08 (2) (a), ~~and the renewal fee for such registration is determined by the department under s. 440.03 (9) (a).~~

SECTION 2995ctm. 440.9805 (1) of the statutes is amended to read:

440.9805 (1) "Health care provider" means a health care provider, as defined in s. 146.81 (1) (a) to (p), a person licensed or issued a training permit as an emergency medical technician under s. 256.15, or a person certified as a first responder under s. 256.15 (8) (a).

SECTION 2995cu. 440.982 (1m) (b) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.982 (1m) (b) The person pays the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1).~~

SECTION 2995cv. 440.983 (1) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.983 (1) The renewal date for licenses granted under this subchapter is specified in s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee ~~determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a).~~

SECTION 2995cw. 440.992 (1) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.992 (1) Except as otherwise provided in sub. (2), the department shall issue a certificate of registration to an individual who complies with s. 440.9915 (1) or whose application has been accepted under s. 440.9915 (2), if the individual has paid the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1) (a).~~

SECTION 2995cx. 440.9935 of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

440.9935 Renewal. The renewal date and fee for certificates of registration issued under this subchapter is ~~are~~ specified in s. 440.08 (2) (a), ~~and the renewal fee for such certificates is determined by the department under s. 440.03 (9) (a).~~ Renewal applications shall be sub-

mitted to the department on a form provided by the department.

SECTION 2995cy. 441.01 (7) of the statutes is created to read:

441.01 (7) (a) The board shall require each applicant for the renewal of a license, certificate, or permit issued under this chapter to do all of the following as a condition for renewing the license, certificate, or permit:

1. Complete and submit to the department with the application for renewal of the license, certificate, or permit a nursing workforce survey developed by the department of workforce development under s. 106.30 (2).

2. Pay a nursing workforce survey fee of \$4. All monies received under this subdivision shall be deposited into the general fund and credited to the appropriation account under s. 20.165 (1) (jm).

(b) The board may not renew a license, certificate, or permit under this chapter unless the renewal applicant has completed the nursing workforce survey to the satisfaction of the board. The board shall establish standards to determine whether the survey has been completed. The board shall, by no later than June 30 of each odd-numbered year, submit all completed nursing workforce survey forms to the department of workforce development.

SECTION 2995cz. 441.06 (3) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

441.06 (3) A registered nurse practicing for compensation shall, on or before the applicable renewal date specified under s. 440.08 (2) (a), submit to the board on furnished forms a statement giving name, residence, and other facts that the board requires, with the nursing workforce survey and fee required under s. 441.01 (7), and the applicable renewal fee determined by the department under s. 440.03 (9) (a).

SECTION 2995d. 441.06 (3) of the statutes, as affected by 2009 Wisconsin Act ... (this act), is amended to read:

441.06 (3) A registered nurse practicing for compensation shall, on or before the applicable renewal date specified under s. 440.08 (2) (a), submit to the board on furnished forms a statement giving name, residence, and other facts that the board requires, the nursing workforce survey and fee required under s. 441.01 (7), and the applicable renewal fee ~~determined by the department under s. 440.03 (9) (a)~~ specified under s. 440.08 (2) (a).

SECTION 2995dc. 441.08 of the statutes is amended to read:

441.08 Temporary permit. A nurse who has graduated from an accredited school but is not licensed in this state may be granted a temporary permit upon payment of the fee specified in s. 440.05 (6) by the board to practice for compensation until the nurse can qualify for licensure. The temporary permit may be renewed once. Each applicant for renewal of a temporary permit under this section shall complete the nursing workforce survey

and pay the fee required under s. 441.01 (7). Further renewals may be granted in hardship cases. The board may promulgate rules limiting the use and duration of temporary permits and providing for revocation of temporary permits.

SECTION 2995de. 441.10 (3) (b) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

441.10 (3) (b) On or before the applicable renewal date specified under s. 440.08 (2) (a), a licensed practical nurse practicing for compensation shall submit to the board, on forms furnished by the department, an application for license renewal, together with a statement giving name, residence, nature and extent of practice as a licensed practical nurse during the prior year and prior unreported years, the nursing workforce survey and fee required under s. 441.01 (7), and other facts bearing upon current competency that the board requires, accompanied by the applicable license renewal fee determined by the department under s. 440.03 (9) (a).

SECTION 2995dg. 441.10 (3) (b) of the statutes, as affected by 2009 Wisconsin Act ... (this act), is amended to read:

441.10 (3) (b) On or before the applicable renewal date specified under s. 440.08 (2) (a), a licensed practical nurse practicing for compensation shall submit to the board, on forms furnished by the department, an application for license renewal, together with a statement giving name, residence, nature and extent of practice as a licensed practical nurse during the prior year and prior unreported years, the nursing workforce survey and fee required under s. 441.01 (7), and other facts bearing upon current competency that the board requires, accompanied by the applicable license renewal fee ~~determined by the department under s. 440.03 (9) (a)~~ specified under s. 440.08 (2) (a).

SECTION 2995dr. 441.15 (3) (a) 2. of the statutes, as affected by 2009 Wisconsin Act ... (this act), is amended to read:

441.15 (3) (a) 2. Pays the ~~initial credential fee determined by the department under s. 440.03 (9) (a)~~ specified under s. 440.05 (1).

SECTION 2995dt. 441.15 (3) (b) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

441.15 (3) (b) On or before the applicable renewal date specified under s. 440.08 (2) (a), a person issued a license under par. (a) and practicing nurse-midwifery shall submit to the board on furnished forms a statement giving his or her name, residence, the nursing workforce survey and fee required under s. 441.01 (7), and other information that the board requires by rule, with the applicable renewal fee determined by the department under s. 440.03 (9) (a). If applicable, the person shall also submit evidence satisfactory to the board that he or she has in effect the malpractice liability insurance required under the rules promulgated under sub. (5) (bm). The board shall grant to a person who pays the fee determined

by the department under s. 440.03 (9) (a) for renewal of a license to practice nurse-midwifery and who satisfies the requirements of this paragraph the renewal of his or her license to practice nurse-midwifery and the renewal of his or her license to practice as a registered nurse.

SECTION 2995e. 441.15 (3) (b) of the statutes, as affected by 2009 Wisconsin Act ... (this act), is amended to read:

441.15 (3) (b) On or before the applicable renewal date specified under s. 440.08 (2) (a), a person issued a license under par. (a) and practicing nurse-midwifery shall submit to the board on furnished forms a statement giving his or her name, residence, the nursing workforce survey and fee required under s. 441.01 (7), and other information that the board requires by rule, with the applicable renewal fee ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a).~~ If applicable, the person shall also submit evidence satisfactory to the board that he or she has in effect the malpractice liability insurance required under the rules promulgated under sub. (5) (bm). The board shall grant to a person who pays the fee ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a)~~ for renewal of a license to practice nurse-midwifery and who satisfies the requirements of this paragraph the renewal of his or her license to practice nurse-midwifery and the renewal of his or her license to practice as a registered nurse.

SECTION 2995ed. 441.16 (3) (d) of the statutes is amended to read:

441.16 (3) (d) Establishing procedures for maintaining a certificate to issue prescription orders, including requirements for continuing education and a requirement to complete the nursing workforce survey and submit the fee required under s. 441.01 (7).

SECTION 2995eg. 442.08 (1) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

442.08 (1) The department shall issue a license to an individual who holds an unrevoked certificate as a certified public accountant, submits an application for the license on a form provided by the department, and pays the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1).~~

SECTION 2995er. 442.08 (2) (intro.) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

442.08 (2) (intro.) The department shall issue a license to a firm that submits an application for the license on a form provided by the department, pays the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1),~~ and does each of the following:

SECTION 2995f. 442.083 of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

442.083 Renewal. The renewal dates and renewal fees for licenses issued under this chapter are specified

~~under s. 440.08 (2) (a), and the renewal fees for such licenses are determined by the department under s. 440.03 (9) (a).~~ The department may not renew a license issued to a firm unless, at the time of renewal, the firm satisfies the requirements under s. 442.08 (2) and demonstrates, to the satisfaction of the department, that the firm has complied with the requirements under s. 442.087.

SECTION 2995fg. 442.09 of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

442.09 Fees. The fees for examination and licenses granted or renewed under this chapter are specified in s. ~~ss. 440.05 and 440.08.~~ ~~The fee for renewal of such licenses is determined by the department under s. 440.03 (9) (a).~~

SECTION 2995fr. 443.07 (6) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

443.07 (6) The renewal date and renewal fee for permits under this section is are specified under s. 440.08 (2) (a), ~~and the fee for renewal of such permits is determined by the department under s. 440.03 (9) (a).~~

SECTION 2995g. 443.08 (3) (a) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

443.08 (3) (a) A firm, partnership, or corporation desiring a certificate of authorization shall submit an application to the department on forms provided by the department, listing the names and addresses of all officers and directors, and all individuals in its employment registered or granted a permit to practice architecture, professional engineering, or designing in this state who will be in responsible charge of architecture, professional engineering, or designing being practiced in this state through the firm, partnership, or corporation and other relevant information required by the examining board. A similar type of form shall also accompany the renewal fee. If there is a change in any of these persons, the change shall be reported on the same type of form, and filed with the department within 30 days after the effective date of the change. The examining board shall grant a certificate of authorization to a firm, partnership, or corporation complying with this subsection upon payment of the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1).~~ This subsection does not apply to firms, partnerships, or corporations exempt under s. 443.14 (3) or (5).

SECTION 2995gg. 443.08 (3) (b) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

443.08 (3) (b) The renewal date and renewal fee for certificates of authorization under this section is are specified under s. 440.08 (2) (a), ~~and the fee for renewal of such certificates is determined by the department under s. 440.03 (9) (a).~~

SECTION 2995gr. 443.10 (2) (b) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

443.10 (2) (b) The fees for examinations and licenses granted or renewed under this chapter are specified in s. ~~ss. 440.05, and the fee for renewal of such licenses is~~

determined by the department under s. 440.03 (9) (a) and 440.08.

SECTION 2995h. 443.10 (2) (e) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

443.10 (2) (e) The renewal date and renewal fee for certificates of registration for architects, landscape architects, and professional engineers is are specified under s. 440.08 (2) (a), ~~and the fee for renewal of such certificates is determined by the department under s. 440.03 (9) (a).~~

SECTION 2995hg. 443.10 (5) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

443.10 (5) FEES; RENEWALS. The land surveyor's section shall grant a certificate of registration as a land surveyor to any applicant who has met the applicable requirements of this chapter. The renewal date and renewal fee for the certificate is are specified under s. 440.08 (2) (a), ~~and the renewal fee for the certificate is determined by the department under s. 440.03 (9) (a).~~

SECTION 2995hr. 445.04 (2) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

445.04 (2) No person may engage in the business of a funeral director, or make a representation as engaged in such business, in whole or in part, unless first licensed as a funeral director by the examining board. Application for a license, other than a renewal, shall be in writing and verified on a form to be furnished by the department. The application must specify the address at which the applicant proposes to conduct the business of a funeral director and shall contain such other information as the examining board requires to determine compliance with the requirements of this chapter. Accompanying the application shall be the ~~initial credential fee determined by the department under s. 440.03 (9) (a)~~ specified in s. 440.05 (1), together with affidavits of recommendation from at least 2 persons of the county in which the applicant resides or proposes to conduct the business of a funeral director.

SECTION 2995i. 445.06 of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

445.06 Renewal of licenses. The renewal date and renewal fee for a funeral directors' license is are specified under s. 440.08 (2) (a), ~~and the renewal fee for such license is determined by the department under s. 440.03 (9) (a).~~ Before any renewal license is delivered to any licensed funeral director, proof must be furnished by the applicant, to the satisfaction of the examining board, that the applicant is doing business at a recognized funeral establishment, except that if such applicant is not doing business at a recognized funeral establishment at the time of application for a license, the applicant shall be given a certificate, without additional cost, to the effect that the applicant is in good standing as a funeral director, and shall be entitled to a renewal license at any time during that license period, when located at a recognized funeral establishment, without payment of any additional renewal fee. The applicant must also furnish proof of

completion of at least 15 hours of continuing education during the previous 2-year licensure period, except that new licensees are exempt from this requirement during the time between initial licensure and commencement of a full 2-year licensure period.

SECTION 2995iam. 445.105 (3) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

445.105 (3) Applications for funeral establishment permits shall be made on forms provided by the department and filed with the department and shall be accompanied by the ~~initial credential fee determined by the department under s. 440.03 (9) (a)~~ specified under s. 440.05 (1). The renewal date and renewal fee for a funeral establishment permit is are specified under s. 440.08 (2) (a), ~~and the renewal fee for such permit is determined by the department under s. 440.03 (9) (a).~~

SECTION 2995ib. 446.01 (1) of the statutes is renumbered 446.01 (1t).

SECTION 2995ibm. 446.01 (1d) of the statutes is created to read:

446.01 (1d) "Adjunctive services" means services that are preparatory or complementary to the practice of chiropractic. "Adjunctive services" includes all of the following:

(a) The taking and preparation of preliminary patient histories, as defined by the examining board by rule.

(b) Providing physiotherapy treatment, as defined by the examining board by rule.

SECTION 2995ic. 446.01 (1h) of the statutes is created to read:

446.01 (1h) "Chiropractic radiological technician" means an individual who holds a certificate as a chiropractic radiological technician granted by the examining board.

SECTION 2995icm. 446.01 (1p) of the statutes is created to read:

446.01 (1p) "Chiropractic technician" means an individual who holds a certificate as a chiropractic technician granted by the examining board.

SECTION 2995id. 446.02 (1) (intro.) of the statutes is amended to read:

446.02 (1) (intro.) Except as provided in sub. (9), no person may engage in the practice of chiropractic or attempt to do so or hold himself or herself out as authorized to do so, unless such person satisfies all of the following:

SECTION 2995idm. 446.02 (1) (a) of the statutes is amended to read:

446.02 (1) (a) Is licensed by the examining board; ~~and,~~

SECTION 2995ie. 446.02 (1) (b) of the statutes is amended to read:

446.02 (1) (b) Meets Submits evidence satisfactory to the examining board that the person meets the requirements of continuing education for license renewal as the examining board may require, which requirements shall

include current proficiency in the use of an automated external defibrillator achieved through instruction provided by an individual, organization, or institution of higher education approved under s. 46.03 (38) to provide such instruction. The person shall include the approval number assigned under sub. (5) (b) to each educational program completed by the person to satisfy the requirements of this paragraph. During the time between initial licensure and commencement of a full 2-year licensure period new licensees shall not be required to meet continuing education requirements. Any person who has not engaged in the practice of chiropractic for 2 years or more, while holding a valid license under this chapter, and desiring to engage in such practice, shall be required by the examining board to complete a continuing education course at a school of chiropractic approved by the examining board or pass a practical examination administered by the examining board or both.

SECTION 2995iem. 446.02 (2) (a) of the statutes is renumbered 446.02 (2) (a) 1. and amended to read:

446.02 (2) (a) 1. The Except as provided in subd. 2., the examining board shall grant a license to engage in the practice of chiropractic to a qualified person who submits an application for the license to the department on a form provided by the department, accompanied by satisfactory evidence of completion of the educational requirements established in the rules promulgated under par. (b), passes the examination examinations described under sub. (3) and pays the license fee specified in s. 440.05 (1).

SECTION 2995if. 446.02 (2) (a) 2. of the statutes is created to read:

446.02 (2) (a) 2. The examining board may not issue a license under this subsection to an applicant who has defaulted on any loan obtained by the applicant to finance the applicant's education. The examining board shall promulgate rules to implement this subdivision, including standards for satisfactory documentary evidence to be submitted by the applicant to verify compliance with the requirements under this subdivision.

SECTION 2995ifm. 446.02 (2) (b) 4. of the statutes is created to read:

446.02 (2) (b) 4. Has successfully completed the examinations required under sub. (3).

SECTION 2995ig. 446.02 (3) (intro.) of the statutes is created to read:

446.02 (3) (intro.) The examining board shall require each applicant for licensure to successfully complete the following examinations:

SECTION 2995igm. 446.02 (3) of the statutes is renumbered 446.02 (3) (a) and amended to read:

446.02 (3) (a) ~~Examination~~ An examination administered by the examining board. The examination shall be in the subjects usually taught in such reputable schools of chiropractic, and shall be conducted at least twice a year at such times and places as the examining board determines. The examination shall include a practical

examination of the applicant as prescribed by the examining board. ~~In lieu of its own written examination, the examining board may accept, in whole or in part, the certificate of~~ The examining board shall charge an examination fee to each applicant for licensure under sub. (2) to cover the cost of developing and administering the examination required under this paragraph.

(b) Any examination required by the national board of chiropractic examiners.

SECTION 2995ih. 446.02 (4) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

446.02 (4) The renewal date and renewal fee for all licenses granted by the examining board is are specified under s. 440.08 (2) (a), ~~and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).~~

SECTION 2995ihm. 446.02 (5) of the statutes is renumbered 446.02 (5) (a).

SECTION 2995ii. 446.02 (5) (b) of the statutes is created to read:

446.02 (5) (b) The examining board shall assign a unique approval number to each continuing education program approved by the examining board under s. 446.028.

SECTION 2995iim. 446.02 (7) (a) of the statutes is amended to read:

446.02 (7) (a) Except as provided in ~~par. pars. (b) and (d),~~ a chiropractor who is licensed under this chapter may delegate to a person who is not licensed under this chapter the performance of ~~services that are adjunctive to the practice of chiropractic services~~ services if the services are performed under the direct, on-premises supervision of the chiropractor.

SECTION 2995ij. 446.02 (7) (d) of the statutes is created to read:

446.02 (7) (d) 1. Beginning on the effective date of this subdivision ... [LRB inserts date], a chiropractor may delegate X-ray services only to a chiropractic radiological technologist.

2. Beginning on the effective date of this subdivision ... [LRB inserts date], a chiropractor may delegate adjunctive services only to a chiropractic technologist.

SECTION 2995ijm. 446.02 (7d) of the statutes is created to read:

446.02 (7d) (a) A chiropractor shall evaluate each patient before commencing treatment of the patient to determine whether the patient has a condition that is treatable by the practice of chiropractic. The evaluation shall be based upon an examination that is appropriate to the patient. To conduct the evaluation, the chiropractor shall utilize chiropractic science, as defined by the examining board by rule, and the principles of education and training of the chiropractic profession.

(b) A chiropractor shall discontinue the practice of chiropractic on a patient if, at any time after the evaluation under par. (a) or during or following treatment of the

patient, the chiropractor determines or reasonably believes that the patient's condition is not treatable by the practice of chiropractic, or will not respond to further practice of chiropractic by the chiropractor, except that a chiropractor may provide maintenance, supportive, and wellness care to the patient if the patient is being treated by another health care professional.

(c) A chiropractor who discontinues the practice of chiropractic as required in par. (b) shall inform the patient of the reason for discontinuing the practice of chiropractic and shall refer the patient to a physician licensed under subch. II of ch. 448. A chiropractor may continue to provide maintenance, supportive, and wellness care to a patient referred under this paragraph who requests these services from the chiropractor. A referral under this paragraph shall describe the chiropractor's findings. If the referral is written, the chiropractor shall provide the patient with a copy and shall maintain a copy in the patient's records. If the referral is oral, the chiropractor shall communicate the referral directly to the physician, shall notify the patient about the referral, and shall make a written record of the oral referral. The written record of the oral referral shall include the name of the physician to whom the patient was referred and the date of the referral. The chiropractor shall maintain a copy of the written record of the oral referral in the patient's records.

SECTION 2995ik. 446.02 (9) (d) of the statutes is amended to read:

446.02 (9) (d) A person who performs ~~services that are adjunctive to the practice of chiropractic and~~ services that are delegated to the person under sub. (7).

SECTION 2995ikm. 446.02 (10) of the statutes is created to read:

446.02 (10) (a) A chiropractor may waive all or a portion of an insured patient's copayments, coinsurance, or deductibles due to a chiropractor who engages in the practice of chiropractic on behalf of the insured patient if all of the following are satisfied:

1. The chiropractor receives from and maintains written documentation of the patient's financial hardship, as defined by the examining board by rule.

2. The chiropractor accurately reports to the patient's insurer the actual fee charged, if any, to the patient. If the chiropractor waives all or a portion of the patient's copayments, coinsurance, or deductibles due to the chiropractor, the chiropractor may not seek payment from the insurer for any portion of the copayment, coinsurance, or deductible waived by the chiropractor unless the claim for the services related to the copayment, coinsurance, or deductible is reduced by an equal amount. In this subdivision and in par. (b), "insurer" has the meaning given in s. 600.03 (27).

(b) A chiropractor who violates par. (a) shall refund the insurer for all payments received from the insurer that are related to the day on which a patient's payment was

waived or reduced or for the course of treatment for which the patient's payment was waived or reduced.

SECTION 2995iL. 446.025 of the statutes is created to read:

446.025 Regulation of chiropractic radiological technicians. (1) (a) No person may provide X-ray services on behalf of a chiropractor in connection with the practice of chiropractic unless the person is a chiropractic radiological technician and is under the direct, on-premises supervision of a chiropractor licensed under this chapter.

(b) No person may designate himself or herself as a "chiropractic radiological technician" or "chiropractor radiological technician," use or assume the title "chiropractic radiological technician" or "chiropractor radiological technician" or any title that includes "chiropractic radiological technician" or "chiropractor radiological technician," append to the person's name the letters "C.R.T.," or use any other title or designation that represents or implies that he or she is a chiropractic radiological technician unless the person is certified by the examining board under this section.

(2) (a) The examining board shall certify as a chiropractic radiological technician an individual who does all of the following:

1. Submits an application to the department on a form provided by the department.

2. Pays the fee specified in s. 440.05 (1).

3. Submits evidence satisfactory to the examining board that the individual has completed a course of study approved by the examining board.

4. Subject to ss. 111.321, 111.322, and 111.335, submits evidence satisfactory to the examining board that the individual does not have an arrest or conviction record.

5. Completes any other requirements established by the examining board by rule.

(b) The department shall assign a unique certificate number to each individual certified under this section.

(3) (a) The renewal date and fees for a certificate issued under this section are specified in s. 440.08 (2) (a).

(b) A chiropractic radiological technician shall, at the time that he or she applies for renewal of a certificate under par. (a), submit evidence satisfactory to the examining board that he or she has completed at least 12 continuing educational credit hours in programs established by rules promulgated by the examining board.

SECTION 2995iLm. 446.026 of the statutes is created to read:

446.026 Regulation of chiropractic technicians. (1) (a) No person may provide adjunctive services unless the person is a chiropractic technician and is under the direct, on-premises supervision of a chiropractor licensed under this chapter.

(b) Except as provided in s. 446.025 (1) (b), no person may designate himself or herself as a "chiropractic tech-

nician" or "chiropractor technician," use or assume the title "chiropractic technician" or "chiropractor technician" or any title that includes "chiropractic technician" or "chiropractor technician," append to the person's name the letters "C.T.," or use any other title or designation that represents or implies that he or she is a chiropractic technician unless the person is certified by the examining board under this section.

(2) (a) The examining board shall certify as a chiropractic technician an individual who does all of the following:

1. Submits an application to the department on a form provided by the department.
2. Pays the fee specified in s. 440.05 (1).
3. Submits evidence satisfactory to the examining board that the individual has completed a course of study approved by the examining board.
4. Subject to ss. 111.321, 111.322, and 111.335, submits evidence satisfactory to the examining board that the individual does not have an arrest or conviction record.
5. Completes any other requirements established by the examining board by rule.

(b) The department shall assign a unique certificate number to each individual certified under this section.

(3) (a) The renewal date and fees for a certificate issued under this section are specified in s. 440.08 (2) (a).

(b) A chiropractic technician shall, at the time that he or she applies for renewal of a certificate under par. (a), submit evidence satisfactory to the examining board that he or she has completed at least 6 continuing educational credit hours in programs established by rules promulgated by the examining board.

SECTION 2995im. 446.028 of the statutes is created to read:

446.028 Continuing education approval; program sponsors. Each program sponsor of a continuing education program required to be completed by a chiropractor as a condition of license renewal shall submit the program to the examining board for approval. In this section, "program sponsor" means the Wisconsin Chiropractic Association, the International Chiropractors Association, a college of chiropractic approved by the examining board, and a college of medicine or osteopathy accredited by an accrediting body listed as nationally recognized by the secretary of the federal department of education. "Program sponsor" does not include an individual, organization, or institution of higher education approved under s. 46.03 (38) to provide instruction in the use of an automated external defibrillator.

SECTION 2995imm. 446.03 of the statutes is amended to read:

446.03 Reprimand; license revocation, limitation, or suspension of a license or certificate. The examining board, by order, may reprimand a licensee, certificate holder, or registrant and may deny, limit, suspend or revoke any license, certificate, or certificate of registra-

tion if the licensee, certificate holder, or registrant does any of the following:

- (1) ~~Obtained~~ Obtains the license, certificate, or certificate of registration through error or fraud;₂
- (2) Is addicted to alcohol or other drugs;₂
- (3) Is hereafter convicted in a court of competent jurisdiction, either within or without this state, or in federal court, of any violation of any law governing the practice of chiropractic or of any felony, subject to ss. 111.321, 111.322 and 111.335, a certified copy of the record of conviction to be conclusive evidence of such conviction;₂
- (4) Has obtained or sought to obtain anything of value by fraudulent representation in the practice of chiropractic;₂
- (5) Is guilty of unprofessional conduct;₂
- (6) Has continued practice, knowingly having an infectious or contagious disease;₂; or
- (7) ~~If the applicant or registrant maintains~~ Maintains a professional connection or association with any other person continuing to violate this chapter after 10 days' notice in writing by the department.

SECTION 2995in. 446.04 (intro.), (1), (2), (4) and (5) (intro.) and (a) of the statutes are amended to read:

446.04 Unprofessional conduct. (intro.) Unprofessional conduct includes, without limitation because of enumeration, all of the following:

- (1) Any conduct of a character likely to deceive or defraud the public;₂
- (2) Loaning of a chiropractic license or certificate to anyone;₂
- (4) Splitting or dividing any fee for chiropractic service with any person except an associate licensed chiropractor;₂
- (5) (intro.) Use of unprofessional advertising which ~~shall include~~ includes, without limitation because of enumeration, all of the following:

(a) Any advertising statement of a character tending to deceive or mislead the public;₂

SECTION 2995inm. 446.04 (6) of the statutes is created to read:

446.04 (6) Sexual behavior, including noncontact sexual behavior, with or in the presence of a patient, including sexual contact under s. 939.22 (34), indecent exposure of genitals or pubic area, sexual gratification, sexually offensive communication, or dating a patient under treatment. The examining board shall establish by rule definitions for contact sexual behavior and noncontact sexual behavior.

SECTION 2995io. 446.05 (1m) of the statutes is created to read:

446.05 (1m) (a) Subject to the rules promulgated under s. 440.03 (1), the examining board may make investigations and conduct hearings in regard to the conduct of any chiropractic radiological technician who, it has reason to believe, violated s. 446.025 or 446.03. The

person complained against may proceed to review any action of the examining board under ch. 227.

(b) Subject to the rules promulgated under s. 440.03 (1), the examining board may make investigations and conduct hearings in regard to the conduct of any chiropractic technician who, it has reason to believe, violated s. 446.026 or 446.03. The person complained against may proceed to review any action of the examining board under ch. 227.

SECTION 2995iom. 446.05 (2) of the statutes is amended to read:

446.05 (2) Upon application and satisfactory proof that the cause of such revocation or suspension no longer exists, the examining board may reinstate any license, certificate, or registration suspended or revoked by it. This subsection does not apply to a license, certificate, or registration that is suspended under s. 440.13 (2) (c) or that is revoked under s. 440.12 or 446.07 (2) (a) 2. or (b) 3.

SECTION 2995ip. 446.07 (title) of the statutes is repealed and recreated to read:

446.07 (title) Penalties.

SECTION 2995ipm. 446.07 of the statutes is renumbered 446.07 (1).

SECTION 2995ir. 446.07 (2) of the statutes is created to read:

446.07 (2) (a) Any licensee or holder of a certificate issued under this chapter who is investigated under s. 446.05 (1) and found guilty of contact sexual behavior, as defined by the examining board under s. 446.04 (6) and prohibited under ss. 446.03 (5) and 446.04 (6), shall be subject to the following penalties:

1. For the first violation, the examining board shall suspend the individual's license or certificate for a period of 12 months. A chiropractor whose license is suspended under this subdivision shall be prohibited from entering onto the premises of his or her practice and may not hire any person to oversee the chiropractor's practice during the chiropractor's suspension.

2. For the 2nd violation, the examining board shall permanently revoke the individual's license or certificate.

(b) Any licensee or holder of a certificate issued under this chapter who is investigated under s. 446.05 (1) and found guilty of noncontact sexual behavior, as defined by the examining board under s. 446.04 (6) and prohibited under ss. 446.03 (5) and 446.04 (6), shall be subject to the following penalties:

1. For the first violation, the examining board shall suspend the individual's license or certificate for a period of 3 months. The examining board shall require the individual to complete continuing education on the topic of effective and appropriate interaction between chiropractors and their patients.

2. For the 2nd violation, the examining board shall suspend the individual's license or certificate for a period

of 12 months. A chiropractor whose license is suspended under this subdivision shall be prohibited from entering onto the premises of his or her practice and may not hire any person to oversee the chiropractor's practice during the chiropractor's suspension.

3. For the 3rd violation, the examining board shall permanently revoke the individual's license or certificate.

SECTION 2995j. 447.05 of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

447.05 Expiration and renewal. Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a).~~ The examining board may not renew a license to practice dentistry unless the applicant for renewal attests that he or she has current proficiency in cardiopulmonary resuscitation, including the use of an automated external defibrillator achieved through instruction provided by an individual, organization, or institution of higher education approved under s. 46.03 (38) to provide such instruction. The examining board may not renew a license to practice dental hygiene unless the applicant for renewal attests that he or she has complied with s. 447.055 and any rules promulgated by the department under s. 447.055, that he or she has a current certification in cardiopulmonary resuscitation, and that he or she has current proficiency in the use of an automated external defibrillator achieved through instruction provided by an individual, organization, or institution of higher education approved under s. 46.03 (38) to provide such instruction.

SECTION 2995jg. 448.07 (2) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

448.07 (2) FEES. The fees for examination and licenses granted or renewed under this subchapter are specified in s. ~~ss. 440.05 and 440.08, and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).~~

SECTION 2995jr. 448.55 (2) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

448.55 (2) The renewal dates for licenses granted under this subchapter, other than temporary licenses granted under rules promulgated under s. 448.53 (2), are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee ~~determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a)~~ and proof of compliance with the requirements established in any rules promulgated under sub. (3).

SECTION 2995k. 448.65 (2) (a) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

448.65 (2) (a) The renewal fee ~~determined by the department under 440.03 (9) (a) specified in s. 440.08 (2) (a).~~

SECTION 2995kg. 448.86 (2) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

448.86 (2) The renewal dates for certificates granted under this subchapter, other than temporary certificates granted under s. 448.80, are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee ~~determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a).~~

SECTION 2995kr. 448.955 (2) (intro.) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

448.955 (2) (intro.) Renewal applications shall be submitted to the department on a form provided, subject to sub. (3), by the department and shall include the renewal fee ~~determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a)~~ and evidence satisfactory to the affiliated credentialing board that the licensee has all of the following:

SECTION 2995L. 448.967 (2) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

448.967 (2) The renewal dates for licenses granted under this subchapter are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee ~~determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a)~~ and a statement attesting compliance with the continuing education requirements established in rules promulgated under s. 448.965 (1) (b).

SECTION 2995Lg. 449.06 (1) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

449.06 (1) Persons practicing optometry shall, on or before the applicable renewal date specified under s. 440.08 (2) (a), register with the department, pay the applicable renewal fee ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a)~~, and provide evidence satisfactory to the examining board that he or she has complied with the rules promulgated under sub. (2m).

SECTION 2995Lr. 450.06 (2) (c) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

450.06 (2) (c) The ~~initial credential fee determined by the department under s. 440.03 (9) (a) under s. 440.05 (1)~~ is paid.

SECTION 2995m. 450.065 (2) (d) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

450.065 (2) (d) Pays the ~~initial credential fee determined by the department under s. 440.03 (9) (a) under s. 440.05 (1).~~

SECTION 2995mg. 450.07 (1) of the statutes is amended to read:

450.07 (1) No person may engage in manufacturing in this state unless the person obtains a manufacturer's license from the board. For the issuance of a license under this subsection, the applicant shall pay the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1).~~

SECTION 2995mr. 450.08 (2) (a) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

450.08 (2) (a) A pharmacist's license may be renewed by complying with continuing education requirements under s. 450.085 and paying the applicable fee ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a)~~ on or before the applicable renewal date specified under s. 440.08 (2) (a). Failure to obtain renewal within the time period specified under this paragraph terminates the right of the person to be licensed as a pharmacist, and such right can only be acquired by passing an examination to the satisfaction of the board.

SECTION 2995n. 450.08 (2) (b) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

450.08 (2) (b) A pharmacy, manufacturer's or distributor's license may be renewed by paying the applicable fee ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a)~~ on or before the applicable renewal date specified under s. 440.08 (2) (a).

SECTION 2995nd. 450.095 of the statutes is created to read:

450.095 Duty to dispense contraceptives. (1) In this section:

(a) "Contraceptive drug or device" means any drug or device approved by the federal food and drug administration that is used to prevent pregnancy, including a contraceptive drug or device restricted to distribution by a pharmacy.

(b) "Without delay" means within the usual and customary time frame reasonably expected at a pharmacy for dispensing or distributing a prescription that is not a contraceptive drug or device.

(2) Unless one or more of the following applies, a pharmacy shall dispense lawfully prescribed contraceptive drugs and devices and shall deliver contraceptive drugs and devices restricted to distribution by a pharmacy to a patient without delay:

1. The prescription contains an obvious or known error or contains inadequate instructions.

2. The prescription is contraindicated for the patient, is incompatible with another drug or device prescribed for the patient, or is prohibited by state or federal law.

3. The prescription is potentially fraudulent.

(3) Any person who violates this section may be required to forfeit not less than \$250 nor more than \$2,500 for each violation.

(4) Nothing in this section may be construed to abrogate a pharmacist's legal and ethical obligations to comply with the laws of this state.

SECTION 2995ng. 451.04 (4) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

451.04 (4) EXPIRATION AND RENEWAL. Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a).~~

SECTION 2995nr. 452.025 (1) (c) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

452.025 (1) (c) Each application for registration as a time-share salesperson shall be accompanied by an initial credential fee ~~determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1) or the applicable renewal fee determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a), whichever is appropriate.~~

SECTION 2995o. 452.025 (5) (b) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

452.025 (5) (b) An application to renew a certificate of registration granted under this section shall be submitted with the applicable renewal fee ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a)~~ on or before the applicable renewal date specified under s. 440.08 (2) (a).

SECTION 2995og. 452.10 (3) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

452.10 (3) The fees for examinations and licenses granted or renewed under this chapter are specified under s. ~~ss. 440.05 and 440.08, and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).~~

SECTION 2995or. 452.12 (2) (c) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

452.12 (2) (c) Application for a business entity license shall be made on forms prescribed by the department, listing the names and addresses of all business representatives, and shall be accompanied by the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1).~~ If there is a change in any of the business representatives, the change shall be reported to the department, on the same form, within 30 days after the effective date of the change.

SECTION 2995p. 452.12 (5) (a) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

452.12 (5) (a) Renewal applications for all licenses shall be submitted with the applicable renewal fee ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a)~~ on or before the applicable renewal date specified under s. 440.08 (2) (a).

SECTION 2995pg. 452.12 (6) (e) 1. of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

452.12 (6) (e) 1. If a person has registered as an inactive licensee before November 1, 1990, the department shall reinstate the person's original license if that person applies to the department for reinstatement of his or her original license, pays the ~~fee fees~~ specified under s. 440.05 (1) (a) and (b), passes an examination under s. 452.09 (3) and completes the education requirements established by the department under par. (f).

SECTION 2995pr. 452.12 (6) (e) 2. of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

452.12 (6) (e) 2. If a person has registered as an inactive licensee on or after November 1, 1990, the department shall reinstate the person's original license if that person applies to the department for reinstatement of his or her original license, pays the renewal fee ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a)~~ for the original license and completes 12 hours of continuing education as established by the department under par. (f). A person who is eligible for reinstatement of his or her original license under this subdivision shall complete the requirements for reinstatement under this subdivision before January 1, 1996, or within 5 years after the date on which the person registered as an inactive licensee, whichever is later.

SECTION 2995q. 453.062 (1) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

453.062 (1) RENEWAL. The renewal dates and renewal fees for veterinary licenses and veterinary technician certifications are specified under s. 440.08 (2) (a), ~~and the renewal fees for such licenses and certifications are determined by the department under s. 440.03 (9) (a).~~

SECTION 2995qg. 454.06 (1) (a) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

454.06 (1) (a) The applicant pays the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1),~~ except as provided in s. 454.13 (1).

SECTION 2995qr. 454.06 (8) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

454.06 (8) EXPIRATION AND RENEWAL. The renewal date and renewal fee for licenses issued under subs. (2) to (6) is are specified under s. 440.08 (2) (a), ~~and the renewal fees for such licenses are determined by the department under s. 440.03 (9) (a).~~

SECTION 2995r. 454.08 (3) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

454.08 (3) The examining board shall issue an establishment license to any person who pays the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1)~~ and who satisfies the requirements established by the examining board by rule, including proof of ownership of the business. Any change of ownership shall be reported to the examining board by the new owner within 5 days after the change of ownership.

SECTION 2995rg. 454.08 (9) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

454.08 (9) The renewal date and renewal fee for licenses issued under this section is are specified under s. 440.08 (2) (a), ~~and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).~~

SECTION 2995rr. 455.06 of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

455.06 Renewals. The renewal date and renewal fee for licenses issued under s. 455.04 (1) and (4) is are specified under s. 440.08 (2) (a), ~~and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).~~ An applicant for renewal of a license shall include with his or her application proof of completion of continuing education programs or courses approved under s. 455.065 (4) for the minimum number of hours required in the rules promulgated under s. 455.065 (1).

SECTION 2995s. 455.07 (2) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

455.07 (2) The fee for renewal of a license under this chapter is ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a).~~

SECTION 2995sg. 456.07 (2) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

456.07 (2) The application for a new certificate of registration shall include the applicable renewal fee ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a)~~ and evidence satisfactory to the examining board that during the biennial period immediately preceding application for registration the applicant has attended a continuation education program or course of study. During the time between initial licensure and commencement of a full 2-year licensure period new licensees shall not be required to meet continuing education requirements. All registration fees are payable on or before the applicable renewal date specified under s. 440.08 (2) (a).

SECTION 2995sm. 457.04 (8) of the statutes is created to read:

457.04 (8) Practice clinical social work, marriage and family therapy, or professional counseling without notifying his or her client in writing of the procedure to follow to resolve a grievance. The notice required under this subsection shall provide one of the following options for resolving a grievance to the client:

(a) A grievance resolution procedure that contains all of the following elements:

1. The name, address, and telephone number of, and any other contact information available for, the appropriate section of the examining board that is responsible for receiving a complaint and investigating and conducting a hearing under s. 457.26 (1).

2. The name, address, and telephone number of, and any other contact information available for, a person not involved in the services, therapy, or counseling giving

rise to the complaint who would be available to receive and investigate a complaint.

3. The manner by which a client may present a complaint to a person identified in subd. 1. or 2.

4. The manner by which a client may appeal the resolution of a complaint presented in subd. 3.

5. Time limits for filing, processing, and appealing the resolution of a complaint presented under subd. 3.

6. Protections against retaliation for a client who presents a complaint under subd. 3. and for any person who assists the client to present a complaint under subd. 3.

(b) A grievance resolution procedure that complies with the rules promulgated under s. 51.61 (5) (b).

(c) A grievance resolution procedure that is available to the credential holder through a professional association of which the credential holder is a member.

SECTION 2995sr. 457.20 (3) (a) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

457.20 (3) (a) The renewal fee ~~determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a).~~

SECTION 2995st. 458.11 of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

458.11 Expiration and renewal. Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a).~~ Renewal of an appraiser certificate automatically renews the individual's appraiser license without payment of the renewal fee for the appraiser license or completion of any additional continuing education requirements that would otherwise be required for renewal of the appraiser license. Renewal applications shall be accompanied by proof of completion of the continuing education requirements in s. 458.13. Notwithstanding s. 458.06 (3) (b) 2. and (4) (b) 2., 1989 stats., and s. 458.08 (3) (b) 2. and (c) 2., 1991 stats., the department may not renew a certificate that was granted under s. 458.06 (3) or (4) before May 29, 1993, unless the holder of the certificate submits evidence satisfactory to the department that he or she has successfully completed the applicable educational requirements specified in rules promulgated under s. 458.085 (1) and the department may not renew a certificate that was granted under s. 458.08 (3) before May 29, 1993, unless the holder of the certificate submits evidence satisfactory to the department that he or she has successfully completed the applicable education and experience requirements specified in rules promulgated under s. 458.085 (1) and (2).

SECTION 2995tg. 459.09 (1) (a) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

459.09 (1) (a) Pay to the department the applicable renewal fee ~~determined by the department under s. 440.03 (9) (a) specified under s. 440.08 (2) (a).~~

SECTION 2995tr. 459.24 (5) (a) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

459.24 (5) (a) The renewal fee ~~determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a).~~

SECTION 2996f. 460.07 (2) (a) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

460.07 (2) (a) The renewal fee ~~determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a).~~

SECTION 2996fm. 461.02 (1) of the statutes, as created by 2007 Wisconsin Act 189, is amended to read:

461.02 (1) REGISTRATION REQUIRED. No person may offer or provide professional employer services, advertise that the person is a professional employer organization or that the person provides professional employer services, or otherwise hold itself out as a professional employer organization unless the person first registers with the department as provided in this section. To register under this section, a person shall file the registration form under sub. (2) and pay the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1).~~

SECTION 2996fn. 461.02 (4) of the statutes, as created by 2007 Wisconsin Act 189, is amended to read:

461.02 (4) RENEWAL REGISTRATION. A registrant that wishes to renew its registration shall, by no later than 180 days after the end of the registrant's fiscal year, renew that registration by notifying the department of any changes in the information specified in sub. (2) (a) to (e), filing an updated financial statement as described in sub. (2) (f), and paying the ~~renewal credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a).~~ A registrant may apply to the department for an extension of the time within which to renew a registration by providing with the application a letter from the certified public accountant who is auditing the registrant's financial statement stating the reasons for the delay and the anticipated completion date of the audit. A renewal registration is valid for one year after the date of renewal.

SECTION 2996fo. 461.02 (5) (a) of the statutes, as created by 2007 Wisconsin Act 189, is amended to read:

461.02 (5) (a) A professional employer organization or professional employer group that is domiciled outside this state, that is registered or licensed as a professional employer organization or professional employer group in another state, that does not maintain an office in this state or directly solicit clients that are located or domiciled in this state, and that has no more than 50 employees performing services for clients in this state on any given day may apply for limited registration under this section by filing with the department a limited registration form pre-

scribed by the department and paying the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1).~~ An applicant that is seeking limited registration shall, in addition to the information provided under sub. (2), provide the department with information and documentation showing that the applicant meets the qualifications specified in this paragraph for limited registration.

SECTION 2996fp. 461.02 (6) of the statutes, as created by 2007 Wisconsin Act 189, is amended to read:

461.02 (6) PROFESSIONAL EMPLOYER GROUP REGISTRATION. Two or more professional employer organizations that are part of a professional employer group may register under this section or renew a registration by providing the information required under sub. (2), (4), or (5) on a combined or consolidated basis, paying the ~~initial credential or renewal fee determined by the department under s. 440.03 (9) (a) specified under s. 440.05 (1) for a registration or the fee specified under s. 440.08 (2) (a) for a renewal,~~ and guaranteeing each other's obligations. If a professional employer group provides a combined or consolidated financial statement under sub. (2) (f) that includes the financial condition of entities that are not part of the professional employer group, the person controlling the professional employer group shall guarantee the obligations of the professional employer organizations in the professional employer group.

SECTION 2996fq. 461.02 (8) of the statutes, as created by 2007 Wisconsin Act 189, is amended to read:

461.02 (8) ISSUANCE OF REGISTRATION. On receipt of an application for registration or for renewal of a registration under subs. (3) to (7) and of the ~~initial credential fee or renewal fee determined by the department under s. 440.03 (9) (a) specified under s. 440.05 (1) for a registration or the fee specified under s. 440.08 (2) (a) for a renewal,~~ the department shall investigate the applicant or registrant to determine whether the applicant or registrant is qualified for registration or for renewal registration. Except as provided in s. 440.12 and 440.13, the department shall issue a registration or renewal registration if, after completing the investigation, the department determines that the applicant or registrant meets the requirements under this chapter and rules promulgated under s. 461.06 for issuance or renewal of a registration and is satisfied that the applicant or registrant will comply with this chapter and those rules.

SECTION 2996g. 470.045 (3) (a) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

470.045 (3) (a) A firm, partnership or corporation desiring a certificate of authorization shall submit an application to the department on forms provided by the department, listing the names and addresses of all officers and directors, and all individuals in its employment licensed to practice professional geology, hydrology or soil science in this state who will be in responsible charge of professional geology, hydrology or soil science being

practiced in this state through the firm, partnership or corporation and other relevant information required by the appropriate section of the examining board. A similar type of form shall also accompany the renewal fee. If there is a change in any of these persons, the change shall be reported on the same type of form, and filed with the department within 30 days after the effective date of the change. The appropriate section of the examining board shall grant a certificate of authorization to a firm, partnership or corporation complying with this subsection upon payment of the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1).~~ This subsection does not apply to firms, partnerships or corporations exempt under s. 470.025 (3).

SECTION 2996h. 470.045 (3) (b) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

470.045 (3) (b) The renewal date and renewal fee for certificates of authorization under this section is are specified under s. 440.08 (2) (a), ~~and the renewal fee for such certificates is determined by the department under s. 440.03 (9) (a).~~

SECTION 2996i. 470.07 of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

470.07 Renewal of licenses. The renewal dates for licenses granted under this chapter are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee ~~determined by the department under s. 440.03 (9) (a) specified in s. 440.08 (2) (a)~~ and evidence satisfactory to the appropriate section of the examining board that the applicant has completed any continuing education requirements specified in rules promulgated under s. 470.03 (2).

SECTION 2996j. 480.08 (3) (b) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

480.08 (3) (b) Pays the ~~initial credential fee determined by the department under s. 440.03 (9) (a) specified in s. 440.05 (1).~~

SECTION 2996k. 480.08 (5) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

480.08 (5) EXPIRATION AND RENEWAL. The renewal date and renewal fee for certificates granted under this chapter, other than temporary certificates granted under sub. (7), is are specified under s. 440.08 (2) (a), ~~and the renewal fee for certificates granted under this chapter, other than temporary certificates granted under sub. (7), is determined by the department under s. 440.03 (9) (a).~~ Renewal applications shall include evidence satisfactory to the department that the applicant holds a current permit issued under s. 77.52 (9). A renewal application for an auctioneer certificate shall be accompanied by proof of completion of continuing education requirements under sub. (6).

SECTION 2997. 551.614 (1) (a) of the statutes is amended to read:

551.614 (1) (a) There shall be a filing fee of ~~\$750~~ \$1,500 for every registration statement filed under s. 551.303 or 551.304, and for every notice filing under s. 551.302. If a registration statement is denied or withdrawn before the effective date or a pre-effective stop order is entered under s. 551.306, or a notice filing is withdrawn, the filing fee shall be retained.

SECTION 2998. 551.614 (1) (b) 1. a. of the statutes is amended to read:

551.614 (1) (b) 1. a. Elect not to include the information under subd. 1. b. and instead pay a fee of ~~\$1,500~~ \$15,000.

SECTION 2999. 551.614 (1) (b) 1. b. of the statutes is amended to read:

551.614 (1) (b) 1. b. Report the amount of securities sold to persons in this state during the preceding fiscal year or, if the registration is terminated, during the portion of the preceding fiscal year during which the registration was effective, and pay a fee of 0.05 percent of the dollar amount of the securities sold to persons in this state, but not less than ~~\$150~~ \$750 nor more than ~~\$1,500~~ \$15,000.

SECTION 3000. 551.614 (1) (b) 2. a. of the statutes is amended to read:

551.614 (1) (b) 2. a. Elect not to include the information under subd. 2. b. and instead pay a fee of ~~\$1,500~~ \$15,000.

SECTION 3001. 551.614 (1) (b) 2. b. of the statutes is amended to read:

551.614 (1) (b) 2. b. Report the amount of securities sold to persons in this state during the preceding fiscal year or, if sales have terminated, during the portion of the preceding fiscal year during which sales were made, and pay a fee of 0.05 percent of the dollar amount of the securities sold to persons in this state, but not less than ~~\$150~~ \$750 nor more than ~~\$1,500~~ \$15,000.

SECTION 3002. 551.614 (2) of the statutes is amended to read:

551.614 (2) FEES RELATED TO BROKER-DEALERS, AGENTS, INVESTMENT ADVISERS, INVESTMENT ADVISER REPRESENTATIVES, AND FEDERAL COVERED ADVISERS. Every applicant for an initial or renewal license under s. 551.401, 551.402, 551.403, or 551.404 shall pay a filing fee of \$200 in the case of a broker-dealer or investment adviser and ~~\$30~~ \$80 in the case of an agent representing a broker-dealer or issuer or an investment adviser representative. Every federal covered adviser in this state that is required to make a notice filing under s. 551.405 shall pay an initial or renewal notice filing fee of \$200. A broker-dealer, investment adviser, or federal covered adviser maintaining a branch office within this state shall pay an additional filing fee of ~~\$30~~ \$80 for each branch office. When an application is denied, or an application or a notice filing is withdrawn, the filing fee shall be retained.

SECTION 3002r. 560.03 (19) of the statutes is amended to read:

560.03 (19) Establish a ~~business development assistance~~ regulatory ombudsman center in the department to provide services as set forth in subch. III.

SECTION 3008. 560.037 (1) (intro.) of the statutes is amended to read:

560.037 (1) (intro.) Subject to sub. (3), the department may make grants from the appropriation under s. 20.143 (1) ~~(fg)~~ (fw) to the women's business initiative corporation to fund its operating costs if all of the following apply:

SECTION 3009. 560.06 of the statutes is repealed.

SECTION 3010. 560.07 (8) of the statutes is repealed.

SECTION 3011. 560.07 (9) of the statutes is repealed.

SECTION 3013p. 560.125 (2) of the statutes is amended to read:

560.125 (2) **AUTHORITY.** Beginning on July 1, 2006, and ending on June 30, ~~2011~~ 2015, the department may award a grant to an eligible applicant for the purchase and field testing of one or more idling reduction units as provided in subs. (3) and (4).

SECTION 3013q. 560.125 (4) (c) of the statutes is repealed.

SECTION 3013r. 560.125 (4) (cm) of the statutes is created to read:

560.125 (4) (cm) Subject to par. (d), the department may make grants under this section from the effective date of this paragraph [LRB inserts date], to June 30, 2015, of 50 percent of the eligible costs for an idling reduction unit installed on a truck tractor, unless the department has previously awarded a grant under this section for an idling reduction unit installed on the truck tractor.

SECTION 3013s. 560.125 (6) of the statutes is amended to read:

560.125 (6) **SUNSET.** Subsections (2) to (4) do not apply after December 31, ~~2012~~ 2016.

SECTION 3014. 560.126 (2) (b) 2. of the statutes is amended to read:

560.126 (2) (b) 2. Whether the applicant is a small business, a minority ~~owned~~-business under s. ~~560.80 (8)~~ 560.036 (1) (e), a locally owned business, or a farm.

SECTION 3015. 560.13 (2) (a) 2. (intro.) of the statutes is amended to read:

560.13 (2) (a) 2. (intro.) All of the following are unknown, cannot be located, or are financially unable to pay the cost of ~~brownfields redevelopment or associated~~ environmental remediation activities:

SECTION 3016. 560.13 (2) (b) 1. of the statutes is amended to read:

560.13 (2) (b) 1. The contribution required under par. (a) 3. may be in cash or in-kind. Cash contributions may be of private or public funds, excluding funds obtained under the program under s. 560.17 or under any program

under subch. ~~II or V or VII~~ of this chapter. In-kind contributions shall be limited to actual remediation services.

SECTION 3017. 560.13 (3) (a) (intro.) of the statutes is renumbered 560.13 (3) (intro.) and amended to read:

560.13 (3) (intro.) The department ~~shall award grants~~ may consider the following criteria in making awards under this section ~~on the basis of the following criteria:~~

SECTION 3018. 560.13 (3) (a) 1. of the statutes is renumbered 560.13 (3) (a).

SECTION 3019. 560.13 (3) (a) 2. of the statutes is repealed.

SECTION 3020. 560.13 (3) (a) 3. of the statutes is repealed.

SECTION 3021. 560.13 (3) (a) 4. of the statutes is repealed.

SECTION 3022. 560.13 (3) (b) of the statutes is repealed.

SECTION 3023. 560.13 (3) (c) of the statutes is created to read:

560.13 (3) (c) The level of financial commitment by the applicant to the project.

SECTION 3024. 560.13 (3) (d) of the statutes is created to read:

560.13 (3) (d) The extent and degree of soil and groundwater contamination at the project site.

SECTION 3025. 560.13 (3) (e) of the statutes is created to read:

560.13 (3) (e) The adequacy and completeness of the site investigation and remediation plan.

SECTION 3026. 560.13 (3) (f) of the statutes is created to read:

560.13 (3) (f) Any other factors considered by the department to be relevant to assessing the viability and feasibility of the project.

SECTION 3029. 560.138 (7) of the statutes is created to read:

560.138 (7) The department may charge the recipient of a grant or loan under this section an origination fee of not more than 2 percent of the grant or loan amount if the grant or loan equals or exceeds \$100,000. The department shall deposit all origination fees collected under this subsection into the appropriation account under s. 20.143 (1) (gm).

SECTION 3030. 560.139 (2) of the statutes is repealed.

SECTION 3031. 560.139 (3) of the statutes is repealed.

SECTION 3032. 560.139 (4) of the statutes is created to read:

560.139 (4) **ORIGINATION FEE.** The department may charge the recipient of a grant or loan under sub. (1) (a), (2), or (3) an origination fee of not more than 2 percent of the grant or loan amount if the grant or loan equals or exceeds \$100,000. The department shall deposit all origination fees collected under this subsection into the appropriation account under s. 20.143 (1) (gm).

SECTION 3033. 560.14 of the statutes is repealed.

SECTION 3033k. 560.145 of the statutes is created to read:

560.145 Grants to Center for Advanced Technology and Innovation. From the appropriation under s. 20.143 (1) (c), the department shall annually award to the Center for Advanced Technology and Innovation in Racine County a grant of \$50,000 if the Center for Advanced Technology and Innovation obtains, from a source other than the state, matching funds of at least \$50,000. The department shall enter into an agreement with the Center for Advanced Technology and Innovation specifying the uses for the grant proceeds and auditing and reporting requirements.

SECTION 3033L. 560.157 of the statutes is created to read:

560.157 Entrepreneurial assistance grants. (1) In this section, "new business" means a business organized in this state on a date not more than 12 months before the date on which the business applies for a grant under this section.

(2) (a) The department may award a grant of up to \$3,000 to a new business from the appropriation under s. 20.143 (1) (gv) for the business's expenses in hiring a student of a college or university in this state as a paid intern for the business to assist in conducting research, marketing, business plan development, or other functions relating to the creation of a new business. Grants under this subsection may be used only for the recipient's expenses in hiring students in the fields of business, engineering, information technology, or in a similar field, as determined by the department.

(b) The department shall enter into an agreement with a recipient of a grant under this section that requires the recipient to repay at least one-third of the amount of the grant no later than 2 years after the recipient receives the proceeds of a grant under this subsection. The department shall encourage a recipient to repay additional amounts when the business becomes profitable.

(3) If the department awards grants under sub. (2) to 3 or more businesses to fund internships for students of a single college or university in this state, the department may award a grant of up to \$25,000 to the college or university from the appropriation under s. 20.143 (1) (gv) for costs associated with hiring interns under sub. (2). If the department lacks sufficient funds to award grants to all qualified applicants, the department shall allocate available funds to applicants who have the greatest potential to create jobs in this state.

(4) The department shall actively pursue gifts and grants from private sources for funding grants under this section.

(5) (a) Not later than 4 years after the effective date of this paragraph [LRB inserts date], the department shall submit to the legislature under s. 13.172 (2) a report evaluating the effectiveness of grants under this section.

(b) The department may not award a grant under this section after June 30, 2014.

SECTION 3035. 560.183 (title) of the statutes is renumbered 36.60 (title).

SECTION 3036. 560.183 (1) of the statutes is renumbered 36.60 (1).

SECTION 3037. 560.183 (2) of the statutes is renumbered 36.60 (2), and 36.60 (2) (a), as renumbered, is amended to read:

36.60 (2) (a) The department board may repay, on behalf of a physician or dentist, up to \$50,000 in educational loans obtained by the physician or dentist from a public or private lending institution for education in an accredited school of medicine or dentistry or for postgraduate medical or dental training.

SECTION 3038. 560.183 (3) of the statutes is renumbered 36.60 (3) and amended to read:

36.60 (3) AGREEMENT. (a) The department board shall enter into a written agreement with the physician, in which the physician agrees to practice at least 32 clinic hours per week for 3 years in one or more eligible practice areas in this state, except that a physician specializing in psychiatry may only agree to practice psychiatry in a mental health shortage area and a physician in the expanded loan assistance program under sub. (9) may only agree to practice at a public or private nonprofit entity in a health professional shortage area. The physician shall also agree to care for patients who are insured or for whom health benefits are payable under medicare, medical assistance, or any other governmental program.

(am) The department board shall enter into a written agreement with the dentist, in which the dentist agrees to practice at least 32 clinic hours per week for 3 years in one or more dental health shortage areas in this state. The dentist shall also agree to care for patients who are insured or for whom dental health benefits are payable under medicare, medical assistance, or any other governmental program.

(b) The agreement shall specify that the responsibility of the department board to make the payments under the agreement is subject to the availability of funds in the appropriations under s. ~~20.143~~ 20.285 (1) (j), ~~(jm)~~ and ~~(kr)~~ (ks).

SECTION 3039. 560.183 (4) of the statutes is renumbered 36.60 (4), and 36.60 (4) (intro.), as renumbered, is amended to read:

36.60 (4) LOAN REPAYMENT. (intro.) Principal and interest due on loans, exclusive of any penalties, may be repaid by the department board at the following rate:

SECTION 3040. 560.183 (5) of the statutes is renumbered 36.60 (5), and 36.60 (5) (a) and (b) (intro.) and 6., as renumbered, are amended to read:

36.60 (5) (a) The obligation of the department board to make payments under an agreement entered into under sub. (3) (b) is subject to the availability of funds in the

appropriations under s. ~~20.143~~ 20.285 (1) (j), ~~(j)~~ and ~~(k)~~ (ks).

(b) (intro.) If the cost of repaying the loans of all eligible applicants, when added to the cost of loan repayments scheduled under existing agreements, exceeds the total amount in the appropriations under s. ~~20.143~~ 20.285 (1) (j), ~~(j)~~ and ~~(k)~~ (ks), the department board shall establish priorities among the eligible applicants based upon the following considerations:

6. Other considerations that the department board may specify by rule.

SECTION 3041. 560.183 (6) of the statutes is renumbered 36.60 (6) and amended to read:

36.60 (6) LOCAL PARTICIPATION. The department board shall encourage contributions to the program under this section by counties, cities, villages, and towns. Funds received under this subsection shall be deposited in the appropriation under s. ~~20.143~~ (j) ~~(j)~~ 20.285 (1) (j).

SECTION 3042. 560.183 (6m) of the statutes is renumbered 36.60 (6m), and 36.60 (6m) (a) (intro.) and (b), as renumbered, are amended to read:

36.60 (6m) (a) (intro.) The department board shall, by rule, establish penalties to be assessed by the department board against physicians and dentists who breach agreements entered into under sub. (3). The rules shall do all of the following:

(b) Any penalties assessed and collected under this subsection shall be credited to the appropriation account under s. ~~20.143~~ 20.285 (1) (j).

SECTION 3043. 560.183 (8) (intro.), (b), (d), (e) and (f) of the statutes are renumbered 36.60 (8) (intro.), (b), (d), (e) and (f), and 36.60 (8) (intro.), (b) and (d), as renumbered, are amended to read:

36.60 (8) ADMINISTRATIVE CONTRACT ADMINISTRATION. (intro.) ~~From the appropriation under s. 20.143 (1) (k), the department shall contract with the board of regents of the University of Wisconsin System for administrative services from the office of rural health of the department of professional and community development of the University of Wisconsin Medical School. Under the contract, the office of rural health~~ The board shall do all of the following:

(b) ~~Advise the department and rural health development council on the identification of~~ Identify eligible practice areas with an extremely high need for medical care and dental health shortage areas with an extremely high need for dental care.

(d) ~~Assist the department to publicize~~ Publicize the program under this section to physicians, dentists, and eligible communities.

SECTION 3044. 560.183 (8) (g) of the statutes is repealed.

SECTION 3045. 560.183 (9) of the statutes is renumbered 36.60 (9), and 36.60 (9) (intro.), as renumbered, is amended to read:

36.60 (9) EXPANDED LOAN ASSISTANCE PROGRAM. (intro.) The department board may agree to repay loans as provided under this section on behalf of a physician or dentist under an expanded physician and dentist loan assistance program that is funded through federal funds in addition to state matching funds. To be eligible for loan repayment under the expanded physician and dentist loan assistance program, a physician or dentist must fulfill all of the requirements for loan repayment under this section, as well as all of the following:

SECTION 3046. 560.184 (title) of the statutes is renumbered 36.61 (title).

SECTION 3047. 560.184 (1) of the statutes is renumbered 36.61 (1), and 36.61 (1) (ac), (ag), (bp) and (d), as renumbered, are amended to read:

36.61 (1) (ac) "Clinic hours" has the meaning given in s. ~~560.183~~ 36.60 (1) (ac).

(ag) "Dental health shortage area" has the meaning given in s. ~~560.183~~ 36.60 (1) (ad).

(bp) "Health professional shortage area" has the meaning given in s. ~~560.183~~ 36.60 (1) (aj).

(d) "Primary care shortage area" has the meaning given in s. ~~560.183~~ 36.60 (1) (cm).

SECTION 3048. 560.184 (2) of the statutes is renumbered 36.61 (2) and amended to read:

36.61 (2) ELIGIBILITY. The department board may repay, on behalf of a health care provider, up to \$25,000 in educational loans obtained by the health care provider from a public or private lending institution for education related to the health care provider's field of practice, as determined by the department board with the advice of the council.

SECTION 3049. 560.184 (3) of the statutes is renumbered 36.61 (3) and amended to read:

36.61 (3) AGREEMENT. (a) The department board shall enter into a written agreement with the health care provider. In the agreement, the health care provider shall agree to practice at least 32 clinic hours per week for 3 years in one or more eligible practice areas in this state, except that a health care provider in the expanded loan assistance program under sub. (8) who is not a dental hygienist may only agree to practice at a public or private nonprofit entity in a health professional shortage area.

(b) The agreement shall specify that the responsibility of the department board to make the payments under the agreement is subject to the availability of funds in the appropriations under s. ~~20.143~~ 20.285 (1) (j), ~~(j)~~ and ~~(k)~~ (ks).

SECTION 3050. 560.184 (4) of the statutes is renumbered 36.61 (4), and 36.61 (4) (intro.), as renumbered, is amended to read:

36.61 (4) **LOAN REPAYMENT.** (intro.) Principal and interest due on loans, exclusive of any penalties, may be repaid by the department board at the following rate:

SECTION 3051. 560.184 (5) of the statutes is renumbered 36.61 (5), and 36.61 (5) (a) and (b) (intro.) and 6., as renumbered, are amended to read:

36.61 (5) (a) The obligation of the department board to make payments under an agreement entered into under sub. (3) is subject to the availability of funds in the appropriations under s. ~~20.143~~ 20.285 (1) (j), ~~(jL)~~ and ~~(k)~~ (ks).

(b) (intro.) If the cost of repaying the loans of all eligible applicants, when added to the cost of loan repayments scheduled under existing agreements, exceeds the total amount in the appropriations under s. ~~20.143~~ 20.285 (1) (j), ~~(jL)~~ and ~~(k)~~ (ks), the department board shall establish priorities among the eligible applicants based upon the following considerations:

6. Other considerations that the department board may specify by rule.

SECTION 3052. 560.184 (6) of the statutes is renumbered 36.61 (6) and amended to read:

36.61 (6) **LOCAL PARTICIPATION.** The department board shall encourage contributions to the program under this section by counties, cities, villages and towns. Funds received under this subsection shall be credited to the appropriation account under s. ~~20.143 (1)~~ 20.285 (1) (j).

SECTION 3053. 560.184 (6m) of the statutes is renumbered 36.61 (6m), and 36.61 (6m) (a) (intro.) and (b), as renumbered, are amended to read:

36.61 (6m) (a) (intro.) The department board shall, by rule, establish penalties to be assessed by the department board against health care providers who breach an agreement entered into under sub. (3) (a). The rules shall do all of the following:

(b) Any penalties assessed and collected under this subsection shall be credited to the appropriation account under s. ~~20.143~~ 20.285 (1) (j).

SECTION 3054. 560.184 (7) (intro.), (a), (b), (c) and (d) of the statutes are renumbered 36.61 (7) (intro.), (a), (b), (c) and (d), and 36.61 (7) (intro.), (a) and (b), as renumbered, are amended to read:

36.61 (7) **ADMINISTRATIVE CONTRACT ADMINISTRATION.** (intro.) ~~From the appropriation under s. 20.143 (1) (k), the department shall contract with the board of regents of the University of Wisconsin System for administrative services from the office of rural health of the department of professional and community development of the University of Wisconsin Medical School. Under the contract, the office of rural health~~ The board shall do all of the following:

(a) ~~Advise the department and council on the identification of~~ Identify communities with an extremely high need for health care, including dental health care.

(b) ~~Assist the department to publicize~~ Publicize the program under this section to health care providers and eligible communities.

SECTION 3055. 560.184 (7) (e) of the statutes is repealed.

SECTION 3056. 560.184 (8) of the statutes is renumbered 36.61 (8), and 36.61 (8) (intro.), as renumbered, is amended to read:

36.61 (8) **EXPANDED LOAN ASSISTANCE PROGRAM.** (intro.) The department board may agree to repay loans as provided under this section on behalf of a health care provider under an expanded health care provider loan assistance program that is funded through federal funds in addition to state matching funds. To be eligible for loan repayment under the expanded health care provider loan assistance program, a health care provider must fulfill all of the requirements for loan repayment under this section, as well as all of the following:

SECTION 3057. 560.185 (intro.), (1) and (1m) of the statutes are renumbered 36.62 (intro.), (1) and (2) and amended to read:

36.62 Rural health development council. (intro.) The rural health development council created under s. ~~15.157 (8)~~ 15.917 (1) shall do all of the following:

(1) Advise the department board on matters related to the physician and dentist loan assistance program under s. ~~560.183~~ 36.60 and the health care provider loan assistance program under s. ~~560.184~~ 36.61.

(2) Advise the department board on the amount, up to \$25,000, to be repaid on behalf of each health care provider who participates in the health care provider loan assistance program under s. ~~560.184~~ 36.61.

SECTION 3058. 560.185 (2) of the statutes is repealed.

SECTION 3059. 560.185 (3) of the statutes is repealed.

SECTION 3060. 560.185 (4) of the statutes is repealed.

SECTION 3070. 560.2055 of the statutes is created to read:

560.2055 Jobs tax credit. (1) **DEFINITIONS.** In this section:

(a) 1. Except as provided in subd. 2., "business" means any organization or enterprise operated for profit, including a sole proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation, limited liability company, or association.

2. "Business" does not include a store or shop in which retail sales is the principal business.

(b) "Eligible employee" means a person employed in a full-time job by a person certified under sub. (2).

(c) "Full-time job" means a regular, nonseasonal full-time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays, and for which

the individual receives pay that is equal to at least 150 percent of the federal minimum wage and benefits that are not required by federal or state law. "Full-time job" does not include initial training before an employment position begins.

(d) "Tax benefits" means the jobs tax credit under ss. 71.07 (3q), 71.28 (3q), and 71.47 (3q).

(2) CERTIFICATION. The department may certify a person to receive tax benefits under this section if all of the following apply:

(a) The person is operating or intends to operate a business in this state.

(b) The person applies under this section and enters into a contract with the department.

(3) ELIGIBILITY FOR TAX BENEFITS. A person certified under sub. (2) may receive tax benefits under this section if, in each year for which the person claims tax benefits under this section, the person increases net employment in the person's business and one of the following apply:

(a) In a tier I county or municipality, an eligible employee for whom the person claims a tax credit will earn at least \$20,000 but not more than \$100,000 in wages from the person in the year for which the credit is claimed.

(b) In a tier II county or municipality, an eligible employee for whom the person claims a tax credit will earn at least \$30,000 but not more than \$100,000 in wages from the person in the year for which the credit is claimed.

(c) In a tier I county or municipality or a tier II county or municipality, the person improves the job-related skills of any eligible employee, trains any eligible employee on the use of job-related new technologies, or provides job-related training to any eligible employee whose employment with the person represents the employee's first full-time job.

(4) DURATION, LIMITS, AND EXPIRATION. (a) The certification of a person under sub. (2) may remain in effect for no more than 10 cumulative years.

(b) 1. The department may award to a person certified under sub. (2) tax benefits for each eligible employee in an amount equal to up to 10 percent of the wages paid by the person to that employee if that employee earned wages in the year for which the tax benefit is claimed equal to one of the following:

a. In a tier I county or municipality, at least \$20,000 but not more than \$100,000.

b. In a tier II county or municipality, at least \$30,000 but not more than \$100,000.

2. The department may award to a person certified under sub. (2) tax benefits in an amount to be determined by the department by rule for costs incurred by the person to undertake the training activities described in sub. (3) (c).

(c) The department may allocate up to \$5,000,000 in tax benefits under this section in any calendar year.

(5) DUTIES OF THE DEPARTMENT. (a) The department of commerce shall notify the department of revenue when the department of commerce certifies a person to receive tax benefits.

(b) The department of commerce shall notify the department of revenue within 30 days of revoking a certification made under sub. (2).

(c) The department may require a person to repay any tax benefits the person claims for a year in which the person failed to maintain employment required by an agreement under sub. (2) (b).

(d) The department shall determine the maximum amount of the tax credits under ss. 71.07 (3q), 71.28 (3q), and 71.47 (3q) that a certified business may claim and shall notify the department of revenue of this amount.

(e) The department shall annually verify the information submitted to the department by the person claiming tax benefits under ss. 71.07 (3q), 71.28 (3q), and 71.47 (3q).

(f) The department shall promulgate rules for the implementation and operation of this section, including rules relating to the following:

1. The definitions of a tier I county or municipality and a tier II county or municipality. The department may consider all of the following information when establishing the definitions required under this subdivision:

a. Unemployment rate.

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

c. Median family income.

d. Median per capita income.

e. Other significant or irregular indicators of economic distress, such as a natural disaster or mass layoff.

2. A schedule of additional tax benefits for which a person who is certified under sub. (2) and who incurs costs related to job training under sub. (3) (c) may be eligible.

3. Conditions for the revocation of a certification under par. (b).

4. Conditions for the repayment of tax benefits under par. (c).

SECTION 3070m. 560.206 (5) of the statutes is created to read:

560.206 (5) (a) The department shall annually submit to the cochairpersons of the joint committee on finance a report that includes all of the following:

1. The number of entities receiving tax credits under ss. 71.07 (5f) and (5h), 71.28 (5f) and (5h), and 71.47 (5f) and (5h) in the preceding year.

2. The total amount of production expenditures, as defined in ss. 71.07 (5f) (a) 3., for which tax credits were claimed in the preceding year and the county and city or village in which the production expenditures were made.

3. The number of individuals employed on each of the productions in the preceding year.

(b) The department shall gather the information required to produce the report described in par. (a) using financial tracking forms and permits that are consistent with industry standards.

SECTION 3073. 560.208 of the statutes is created to read:

560.208 Qualified new business ventures. (1) The department shall implement a program to certify qualified new business ventures for purposes of s. 71.05 (24). A business desiring certification shall submit an application to the department in each taxable year for which the business desires certification. Subject to sub. (2), a business may be certified under this subsection, and may maintain such certification, only if the business is engaged in one of the following:

(a) Developing a new product or business process.

(b) Manufacturing, agriculture, or processing or assembling products and conducting research and development.

(2) The department may not certify a business under sub. (1) if the business is engaged in real estate development, insurance, banking, lending, lobbying, political consultation, professional services provided by attorneys, accountants, business consultants, physicians, or health care consultants, wholesale or retail sales, leisure, hospitality, transportation, or construction.

(3) (a) The department shall maintain a list of businesses certified under sub. (1) and shall permit public access to the lists through the department's Internet Web site.

(b) The department of commerce shall notify the department of revenue of every certification issued under sub. (1) and the date on which a certification under sub. (1) is revoked or expires.

SECTION 3074m. 560.255 of the statutes is created to read:

560.255 Grants to Wisconsin Angel Network. Annually, from the appropriation under s. 20.143 (1) (bk), the department shall make a grant to the Wisconsin Angel Network of \$60,000. The department shall enter into an agreement with the Wisconsin Angel Network that specifies the uses for the grant proceeds and reporting and auditing requirements. The department shall promulgate rules necessary to administer this section.

SECTION 3075. 560.277 of the statutes is created to read:

560.277 Wisconsin venture fund. (1) **DEFINITION.** In this section, "eligible institution" means a research institution or nonprofit organization involved in economic development.

(2) **CAPITAL CONNECTIONS GRANTS.** From the appropriation under s. 20.143 (1) (bk), the department may award a grant to an eligible institution to fund a project that does any of the following:

(a) Expands access for Wisconsin business ventures and entrepreneurs to existing capital networks.

(b) Creates or runs a network to connect Wisconsin business ventures and entrepreneurs with available capital.

(c) Creates an activity, event, or strategy to connect Wisconsin business ventures and entrepreneurs with available capital.

(3) **VENTURE SEED GRANTS.** (a) From the appropriation under s. 20.143 (1) (bk), the department may award a grant to an eligible institution to match funds raised by the institution for funding a new business or determining proof of concept and feasibility of a new business idea, if the department determines the award of a grant will increase the amount of funding for new businesses or will leverage private investment and facilitate the creation of jobs in this state.

(b) The proceeds of a grant awarded under this subsection shall be used to provide funding as proposed by the institution in the institution's application.

(4) **RULE MAKING.** The department shall promulgate rules for the administration of this section.

(5) The department shall establish by rule a Wisconsin venture fund advisory council, which shall make recommendations to the department regarding all of the following:

(a) A process by which the department, the department of financial institutions, and other qualified persons may review proposals.

(b) The maximum amount of a grant awarded under sub. (2) or (3).

(c) Requirements that applicants for grants under subs. (2) and (3) secure funding from sources other than the state to match a portion of the amount of a grant awarded under sub. (2) or (3).

(d) Monitoring of projects funded by grants under sub. (2) or (3), including monitoring of job creation.

SECTION 3076. Subchapter II of chapter 560 [precedes 560.30] of the statutes is created to read:

CHAPTER 560

SUBCHAPTER II

FORWARD INNOVATION FUND

SECTION 3077. 560.30 of the statutes is created to read:

560.30 Definitions. In this subchapter:

(1) "Board" means the economic policy board created under s. 15.155 (2).

(2) "Business" means a company located in this state, a company that has made a firm commitment to locate a facility in this state, or a group of companies at least 80 percent of which are located in this state.

(3) "Cluster" means a geographic, categorical, horizontal, or vertical concentration of interconnected, interdependent, or synergistic businesses, industries, research

centers, or venues for the performance, creation, or display of the arts.

(4) "Community-based organization" means an organization that is involved in economic development and helps businesses that are likely to employ persons.

(5) "Economically distressed area" means an area designated by the department using the methodology established by rule under s. 560.301 (2).

(6) "Eligible activity" means any of the following:

(a) The start-up, expansion, or retention of minority businesses.

(b) The start-up, expansion, or retention of businesses in economically distressed areas.

(c) Innovative proposals to strengthen inner cities.

(d) Innovative proposals to strengthen communities in rural municipalities.

(e) Innovative programs to strengthen clusters.

(f) Innovative proposals to strengthen entrepreneurship.

(7) "Eligible recipient" means any of the following:

(a) A business or small business.

(b) The governing body of a municipality.

(c) A community-based organization.

(d) A cooperative or association incorporated under ch. 185 or organized under ch. 193.

(e) A local development corporation.

(f) A nonprofit organization whose primary purpose is to promote the economic development of or community development in a particular area or region in the state.

(8) "Governing body" means a county board, city council, village board, or town board.

(9) "Local development corporation" means any of the following:

(a) The elected governing body of a federally recognized American Indian tribe or band in this state or any business created by the elected governing body.

(b) A corporation organized under ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17), that is at least 51 percent controlled and actively managed by minority group members, and that does all of the following:

1. Operates primarily within specific geographic boundaries.

2. Promotes economic development and employment opportunities for minority group members or minority businesses within the specific geographic area.

3. Demonstrates a commitment to or experience in promoting economic development and employment opportunities for minority group members or minority businesses.

(10) "Minority business" has the meaning given in s. 560.036 (1) (e).

(11) "Minority group member" has the meaning given in s. 560.036 (1) (f).

(12) "Municipality" means a county, city, village, or town.

(13) "Rural municipality" means any of the following:

(a) A municipality that is located in a county with a population density of less than 150 persons per square mile.

(b) A municipality with a population of 6,000 or less.

(14) "Small business" means a business with fewer than 100 employees, including employees of any subsidiary or affiliated organization.

SECTION 3078. 560.301 of the statutes is created to read:

560.301 Rules, policies, and standards for awarding grants and making loans. The department, in consultation with the board, shall promulgate rules that establish procedures, policies, and standards for implementing this subchapter and awarding grants and making loans under this subchapter. The rules shall include all of the following:

(1) A statement of the department's economic development objectives for the program under this subchapter, together with the goals and accountability measures required under s. 560.01 (2) (ae).

(2) The methodology for designating an area as economically distressed. The methodology under this subsection shall require the department to consider the most current data available for the area and for the state on the following indicators:

(a) Unemployment rate.

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

(c) Median family income.

(d) Median per capita income.

(e) Average annual wage.

(f) Real property values.

(g) Other significant or irregular indicators of economic distress, such as a natural disaster.

(3) Provisions for the development of a biennial plan for awarding grants and making loans under this subchapter, before the commencement of each odd-numbered fiscal year, and for the submission of the biennial plan to the governor and the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).

(4) Procedures related to grants and loans under s. 560.304 for all of the following:

(a) Submitting applications for grants and loans.

(b) Evaluating applications.

(c) Monitoring project performance.

(d) Auditing the grants and loans.

(5) Conditions applicable to a grant awarded or loan made under s. 560.304.

(6) Procedures for monitoring the use of grants awarded and loans made under this subchapter, including

procedures for verification of economic growth, job creation, and the number and percentage of newly created jobs for which state residents are hired.

SECTION 3079. 560.302 of the statutes is created to read:

560.302 Grant and loan criteria. Upon receipt of an application by an eligible recipient, the department may consider any of the following in determining whether to award a grant or make a loan under s. 560.304:

(1) Whether the eligible activity proposed to be conducted by the eligible recipient serves a public purpose.

(2) Whether the eligible activity proposed to be conducted by the eligible recipient will retain or increase employment in this state.

(3) Whether the eligible activity proposed to be conducted by the eligible recipient is likely to occur without the grant or loan.

(4) Whether and the extent to which the eligible activity proposed to be conducted by the eligible recipient will contribute to the economic growth of this state and the well-being of residents of this state.

(5) Whether the eligible activity proposed to be conducted by the eligible recipient will be located in an economically distressed area.

(6) The economic condition of the community in which the eligible activity proposed to be conducted by the eligible recipient is proposed to occur.

(7) The potential of the eligible activity proposed to be conducted by the eligible recipient to promote the employment of minority group members.

(8) Any other criteria established by the department by rule, including the types of projects that are eligible for funding and the types of eligible projects that will receive priority.

SECTION 3080. 560.303 of the statutes is created to read:

560.303 Miscellaneous and administrative expenditures. In each biennium, the department may expend or encumber up to a total of 1 percent of the moneys appropriated under s. 20.143 (1) (fi) for that biennium for any of the following:

(1) Evaluations of proposed technical research projects.

(3) Evaluation costs, collection costs, foreclosure costs, and other costs associated with administering the loan portfolio under this subchapter, excluding staff salaries.

SECTION 3081. 560.304 of the statutes is created to read:

560.304 Forward innovation fund. The department may award a grant or make a loan to an eligible recipient from the appropriations under s. 20.143 (1) (fi) (gm), and (io). The department shall consult with the board prior to awarding a grant or making a loan under this section.

SECTION 3082. 560.305 of the statutes is created to read:

560.305 Administration. (1) The department, in cooperation with the board, shall encourage small businesses to apply for grants and loans under this subchapter by ensuring that there are no undue impediments to their participation and by actively encouraging small businesses to apply for grants and loans. The department shall do all of the following:

(a) Publish and disseminate information about projects that may be funded by a grant or loan under s. 560.304 and about procedures for applying for grants and loans under s. 560.304.

(b) Simplify the application and review procedures for small businesses so that they will not impose unnecessary administrative burdens on small businesses.

(c) Assist small businesses in preparing applications for grants and loans.

(2) The department may charge a grant or loan recipient an origination fee of not more than 2 percent of the grant or loan amount if the grant or loan equals or exceeds \$100,000. The department shall deposit all origination fees collected under this subsection into the appropriation account under s. 20.143 (1) (gm).

(3) The board shall develop a policy relating to obtaining reimbursement of grants and loans provided under this subchapter. The policy may provide that reimbursement shall be obtained through full repayment of the principal amount of the grant or loan plus interest, through receipt of a share of future profits from or an interest in a product or process, or through any other appropriate means.

(4) The board shall require, as a condition of a grant or loan, that a recipient contribute to a project an amount that is not less than 25 percent of the amount of the grant or loan.

SECTION 3082f. Subchapter III (title) of chapter 560 [precedes 560.41] of the statutes is amended to read:

CHAPTER 560

SUBCHAPTER III

BUSINESS DEVELOPMENT ASSISTANCE

REGULATORY OMBUDSMAN CENTER

SECTION 3082g. 560.41 (1m) of the statutes is amended to read:

560.41 (1m) "Center" means the ~~business development assistance~~ regulatory ombudsman center in the department.

SECTION 3082h. 560.45 of the statutes is created to read:

560.45 Small business innovation research assistance grants. (1) The department may award a grant from the appropriations under s. 20.143 (1) (ie), (ig), (im), and (ir) to a business for innovation and research assistance.

(2) The department may not award a total of more than \$250,000 in grants in a fiscal year. In each fiscal year, the department shall allocate \$100,000 for grants to businesses in the phase of development that precedes the eligibility of the businesses for grants under the federal small business innovation research program, \$100,000 for grants to businesses in phase III of the federal small business innovation research program, and \$50,000 for grants to businesses for the costs of preparing projects for participation in the federal small business innovation research program.

(3) The department shall promulgate rules necessary to administer this section.

SECTION 3083. 560.60 (1s) of the statutes is amended to read:

560.60 (1s) "Board" means the ~~development finance economic policy~~ board created under s. 15.155 (4) (2).

SECTION 3086. 560.68 (3) of the statutes is amended to read:

560.68 (3) The department may charge a grant or loan recipient an origination fee of not more than 2% of the grant or loan amount if the grant or loan equals or exceeds ~~\$200,000~~ \$100,000. The department shall deposit all origination fees collected under this subsection in the appropriation account under s. 20.143 (1) (gm).

SECTION 3092g. 560.70 (7) (b) of the statutes is renumbered 560.70 (7) (b) 1. and amended to read:

560.70 (7) (b) 1. ~~In~~ Except as provided in subd. 2., in s. 560.795, "tax benefits" means the development zones investment credit under ss. 71.07 (2di), 71.28 (1di), and 71.47 (1di) and the development zones credit under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636. With respect to the development opportunity zones under s. 560.795 (1) (e) and (f), "tax benefits" also means the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

SECTION 3092r. 560.70 (7) (b) 2. of the statutes is created to read:

560.70 (7) (b) 2. With respect to the development opportunity zones under s. 560.795 (1) (g) and (h), "tax benefits" means the development zone credits under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636 and the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

SECTION 3110b. 560.795 (1) (g) of the statutes is created to read:

560.795 (1) (g) An area in the city of Janesville, the legal description of which is provided to the department by the local governing body of the city of Janesville.

SECTION 3110e. 560.795 (1) (h) of the statutes is created to read:

560.795 (1) (h) An area in the city of Kenosha, the legal description of which is provided to the department by the local governing body of the city of Kenosha.

SECTION 3110h. 560.795 (2) (a) of the statutes is amended to read:

560.795 (2) (a) Except as provided in par. (d), the designation of each area under sub. (1) (a), (b), and (c) as a development opportunity zone shall be effective for 36 months, with the designation of the areas under sub. (1) (a) and (b) beginning on April 23, 1994, and the designation of the area under sub. (1) (c) beginning on April 28, 1995. Except as provided in par. (d), the designation of each area under sub. (1) (d) and (e) as a development opportunity zone shall be effective for 84 months, with the designation of the area under sub. (1) (d) beginning on January 1, 2000, and the designation of the area under sub. (1) (e) beginning on September 1, 2001. Except as provided in par. (d), the designation of the area under sub. (1) (f) as a development opportunity zone shall be effective for 108 months, ~~with the designation of the area under sub. (1) (f) beginning on September 1, 2001.~~ Except as provided in pars. (d) and (e), the designation of each area under sub. (1) (g) and (h) as a development opportunity zone shall be effective for 60 months, beginning on the date on which the area is designated under sub. (1).

SECTION 3110L. 560.795 (2) (b) 7. of the statutes is created to read:

560.795 (2) (b) 7. Except as provided in par. (e) 1., the limit for tax benefits for the development opportunity zone under sub. (1) (g) is \$5,000,000.

SECTION 3110p. 560.795 (2) (b) 8. of the statutes is created to read:

560.795 (2) (b) 8. Except as provided in par. (e) 2., the limit for tax benefits for the development opportunity zone under sub. (1) (h) is \$5,000,000.

SECTION 3110r. 560.795 (2) (d) 1. of the statutes is amended to read:

560.795 (2) (d) 1. Notwithstanding ~~par. (a) and (e)~~, the designation of an area as a development opportunity zone shall expire 90 days after the day on which the department determines that the forgone tax revenues under par. (c) will equal or exceed the limit for the development opportunity zone.

SECTION 3110u. 560.795 (2) (e) of the statutes is created to read:

560.795 (2) (e) 1. The department may extend the designation of an area under sub. (1) (g) as a development opportunity zone for an additional 60 months if the department determines that an extension under this subdivision would support economic development within the city. If the department extends the designation of the area as a development opportunity zone, the limit for tax benefits for the development opportunity zone under sub. (1) (g) is increased by \$5,000,000.

2. The department may extend the designation of an area under sub. (1) (h) as a development opportunity zone for an additional 60 months if the department determines that an extension under this subdivision would support economic development within the city. If the department extends the designation of the area as a development

opportunity zone, the limit for tax benefits for the development opportunity zone under sub. (1) (h) is increased by \$5,000,000.

SECTION 3110y. 560.795 (3) (a) 4. of the statutes is amended to read:

560.795 (3) (a) 4. Any person that is conducting or that intends to conduct economic activity in a development opportunity zone under sub. (1) (e) ~~or (f), (g), or (h)~~ and that, in conjunction with the local governing body of the city in which the development opportunity zone is located, submits a project plan as described in par. (b) to the department shall be entitled to claim tax benefits while the area is designated as a development opportunity zone.

SECTION 3121g. 560.799 (5m) of the statutes is created to read:

560.799 (5m) ADDITIONAL TAX BENEFITS FOR SIGNIFICANT CAPITAL EXPENDITURES. If the department determines that a business certified under sub. (5) makes a significant capital expenditure in the enterprise zone, the department may certify the business to receive additional tax benefits in an amount to be determined by the department, but not exceeding 10 percent of the business' capital expenditures. The department shall, in a manner determined by the department, allocate the tax benefits a business is certified to receive under this subsection over the remainder of the time limit of the enterprise zone under sub. (4).

SECTION 3121r. 560.799 (6) (g) 3. of the statutes is created to read:

560.799 (6) (g) 3. The definition of "significant capital expenditure" for purposes of sub. (5m).

SECTION 3128. Subchapter VII of chapter 560 [precedes 560.80] of the statutes is repealed.

SECTION 3133. 563.03 (1) of the statutes is amended to read:

563.03 (1) "Adult family home" has the meaning given in s. 50.01 (1) (a) or (b).

SECTION 3134. 600.03 (34) of the statutes is amended to read:

600.03 (34) "Office" means ~~"the office of the insurance commissioner"~~ commissioner of insurance of this state.

SECTION 3135. 601.31 (1) (n) of the statutes is amended to read:

601.31 (1) (n) For ~~listing appointing~~, or renewing ~~a listing an appointment~~ of, an agent under s. 628.11, ~~a fee to be set by the commissioner by rule but not to exceed \$8 \$16 annually for resident agents or \$24 \$50 annually for nonresident agents, unless the commissioner sets a higher fee by rule, to be paid at times and under procedures set by the commissioner.~~

SECTION 3135t. 601.41 (9) (a) of the statutes is amended to read:

601.41 (9) (a) In this subsection, "health care provider" has the meaning given in s. 146.81 (1) (a) to (p).

SECTION 3136. 601.41 (10) of the statutes is created to read:

601.41 (10) UNIFORM APPLICATION FOR INDIVIDUAL HEALTH INSURANCE POLICIES. (a) The commissioner shall by rule prescribe uniform questions and the format for applications, which may not exceed 10 pages in length, for individual major medical health insurance policies.

(b) After the effective date of the rules promulgated under par. (a), an insurer may use only the prescribed questions and format for individual major medical health insurance policy applications. The commissioner shall publish a notice in the Wisconsin Administrative Register that states the effective date of the rules promulgated under par. (a).

(c) For purposes of this subsection, an individual major medical health insurance policy includes health coverage provided on an individual basis through an association.

SECTION 3137. 601.428 of the statutes is created to read:

601.428 Cancellation and rescission reports. Beginning in 2009, every insurer that issues individual health insurance policies shall annually report to the commissioner the total number of individual health insurance policies that the insurer issued in the preceding year and the total number of individual health insurance policies with respect to which the insurer initiated or completed a cancellation or rescission in the preceding year.

SECTION 3137r. 609.655 (3) (a) of the statutes is amended to read:

609.655 (3) (a) A clinical assessment of the dependent student's nervous or mental disorders or alcoholism or other drug abuse problems, conducted by a provider described in s. 632.89 (1) (e) 2. ~~or 3, or 4~~, who is located in this state and in reasonably close proximity to the school in which the dependent student is enrolled and who may be designated by the defined network plan.

SECTION 3138. 609.755 of the statutes is created to read:

609.755 Coverage of dependents. Limited service health organizations, preferred provider plans, and defined network plans are subject to s. 632.885.

SECTION 3138g. 609.805 of the statutes is created to read:

609.805 Coverage of contraceptives. Defined network plans are subject to s. 632.895 (17).

SECTION 3138i. 609.87 of the statutes is created to read:

609.87 Coverage of treatment for autism spectrum disorders. Defined network plans are subject to s. 632.895 (12m).

SECTION 3138n. 610.65 of the statutes is amended to read:

610.65 Uniform claim processing form. Beginning no later than July 1, 2004, every insurer shall use the uni-

form claim processing form developed by the commissioner under s. 601.41 (9) (b) when processing a claim submitted by a health care provider, as defined in s. 146.81 (1) (a) to (p).

SECTION 3139. 611.11 (4) (a) of the statutes is amended to read:

611.11 (4) (a) In this subsection, "municipality" has the meaning given in s. 345.05 (1) (c), but also includes any transit authority created under s. 66.1038 or 66.1039.

SECTION 3140. 614.10 (2) (c) 3. of the statutes is amended to read:

614.10 (2) (c) 3. Notwithstanding s. 614.01 (1) (a) 2., on the application of an employee specified in subd. 2., provide insurance benefits to the employee's spouse or domestic partner under ch. 770 or a child of the employee who receives financial services or support from the employee.

SECTION 3141. 619.01 (1) (a) of the statutes is amended to read:

619.01 (1) (a) *Establishment of plans.* If the commissioner finds after a hearing that in any part of this state automobile insurance, property insurance, health care liability insurance, liability insurance but not to include coverage for risks which that are determined to be uninsurable, worker's compensation insurance, insurance coverage for foster homes or treatment foster homes, or insurance coverage for group homes is not readily available in the voluntary market, and that the public interest requires such that availability, the commissioner may by rule either promulgate plans to provide such insurance coverages for any risks in this state which that are equitably entitled to, but otherwise unable to obtain such, that coverage, or may call upon the insurance industry to prepare plans for the commissioner's approval.

SECTION 3142. 619.01 (1) (c) 1. of the statutes is amended to read:

619.01 (1) (c) 1. Each plan, except a health care liability insurance plan, a foster home protection insurance plan, a treatment foster home protection insurance plan or a group home protection insurance plan, shall require participation by all insurers doing any business in this state of the types covered by the specific plan and all agents licensed to represent such those insurers in this state for the specified types of business, except that the commissioner may exclude classes of persons for administrative convenience or because it is not equitable or practicable to require them to participate in the plan.

SECTION 3143. 619.01 (1) (c) 4m. of the statutes is repealed.

SECTION 3144. 619.01 (9) of the statutes is amended to read:

619.01 (9) FOSTER HOME PROTECTION INSURANCE. In this section "foster home protection insurance" means insurance coverage to protect persons who receive a license to operate a foster home under s. 48.62 (1) ~~(a)~~ against the unique risks, determined by the commis-

sioner, to which such those persons are exposed. If the persons have insurance which that covers any of these those risks, the foster home protection insurance may insure against any or all of the other risks, and may provide additional or excess limits coverage for any or all of these those risks.

SECTION 3145. 619.01 (9m) of the statutes is repealed.

SECTION 3147. 631.43 (3) of the statutes is amended to read:

631.43 (3) EXCEPTION. Subsection (1) does not affect the rights of insurers to exclude, limit or reduce restrict coverage under s. 632.32 (5) (b), or (c) or (f) to (j).

SECTION 3147g. 631.89 (2) (bm) of the statutes is amended to read:

631.89 (2) (bm) Require or request directly or indirectly a health care provider, as defined in s. 146.81 (1) (a) to (p), who is or may be providing or who has or may have provided health care services to an individual to reveal whether the individual or a member of the individual's family has obtained a genetic test or what the results of the test, if obtained by the individual or a member of the individual's family, were.

SECTION 3148. 632.32 (2) (a) of the statutes is renumbered 632.32 (2) (at).

SECTION 3149. 632.32 (2) (am) of the statutes is created to read:

632.32 (2) (am) "Medical payments coverage" means coverage to indemnify for medical payments or chiropractic payments or both for the protection of all persons using the insured motor vehicle from losses resulting from bodily injury or death.

SECTION 3150. 632.32 (2) (c) of the statutes is renumbered 632.32 (2) (h).

SECTION 3151. 632.32 (2) (cm) of the statutes is created to read:

632.32 (2) (cm) "Umbrella or excess liability policy" means an insurance contract providing at least \$1,000,000 of liability coverage per person or per occurrence in excess of certain required underlying liability insurance coverage or a specified amount of self-insured retention.

SECTION 3152. 632.32 (2) (d) of the statutes is created to read:

632.32 (2) (d) "Underinsured motorist coverage" means coverage for the protection of persons insured under that coverage who are legally entitled to recover damages for bodily injury, death, sickness, or disease from owners or operators of underinsured motor vehicles.

SECTION 3153. 632.32 (2) (e) of the statutes is created to read:

632.32 (2) (e) "Underinsured motor vehicle" means a motor vehicle to which all of the following apply:

1. The motor vehicle is involved in an accident with a person who has underinsured motorist coverage.

2. A bodily injury liability insurance policy applies to the motor vehicle at the time of the accident.

3. The limits under the bodily injury liability insurance policy are less than the amount needed to fully compensate the insured for his or her damages.

SECTION 3154. 632.32 (2) (f) of the statutes is created to read:

632.32 (2) (f) "Uninsured motorist coverage" means coverage for the protection of persons insured under that coverage who are legally entitled to recover damages for bodily injury, death, sickness, or disease from owners or operators of uninsured motor vehicles.

SECTION 3155. 632.32 (2) (g) of the statutes is created to read:

632.32 (2) (g) "Uninsured motor vehicle" means a motor vehicle that is involved in an accident with a person who has uninsured motorist coverage and with respect to which, at the time of the accident, a bodily injury liability insurance policy is not in effect and the owner or operator has not furnished proof of financial responsibility for the future under subch. III of ch. 344. "Uninsured motor vehicle" also includes any of the following motor vehicles involved in an accident with a person who has uninsured motorist coverage:

1. An insured motor vehicle if before or after the accident the liability insurer of the motor vehicle is declared insolvent by a court of competent jurisdiction.

2. Except as provided in subd. 3., an unidentified motor vehicle, provided that an independent 3rd party provides evidence in support of the unidentified motor vehicle's involvement in the accident.

3. An unidentified motor vehicle involved in a hit-and-run accident with the person.

SECTION 3156. 632.32 (4) (title) of the statutes is amended to read:

632.32 (4) (title) REQUIRED UNINSURED MOTORIST, UNDERINSURED MOTORIST, AND MEDICAL PAYMENTS COVERAGES.

SECTION 3157. 632.32 (4) (intro.) (except 632.32 (4) (title)) of the statutes is renumbered 632.32 (4) (a) (intro.) and amended to read:

632.32 (4) (a) (intro.) Every policy of insurance subject to this section that insures with respect to any motor vehicle registered or principally garaged in this state against loss resulting from liability imposed by law for bodily injury or death suffered by any person arising out of the ownership, maintenance, or use of a motor vehicle shall contain therein or supplemental thereto the following provisions for all of the following coverages:

SECTION 3158. 632.32 (4) (a) (title) of the statutes is repealed.

SECTION 3159. 632.32 (4) (a) 1. of the statutes is amended to read:

632.32 (4) (a) 1. ~~For the protection of persons injured who are legally entitled to recover damages from owners or operators of uninsured motor vehicles because of~~

~~bodily injury, sickness or disease, including death resulting therefrom~~ Excluding a policy written by a town mutual organized under ch. 612, uninsured motorist coverage, in limits of at least \$25,000 \$100,000 per person and \$50,000 \$300,000 per accident.

SECTION 3160. 632.32 (4) (a) 2. of the statutes is repealed.

SECTION 3161. 632.32 (4) (a) 2m. of the statutes is created to read:

632.32 (4) (a) 2m. Excluding a policy written by a town mutual organized under ch. 612, underinsured motorist coverage, in limits of at least \$100,000 per person and \$300,000 per accident.

SECTION 3162. 632.32 (4) (a) 3. of the statutes is renumbered 632.32 (4) (c) and amended to read:

632.32 (4) (c) ~~Insurers~~ Unless an insurer waives the right to subrogation, insurers making payment under the ~~uninsured motorists' coverage~~ any of the coverages under this subsection shall, to the extent of the payment, be subrogated to the rights of their insureds.

SECTION 3163. 632.32 (4) (b) (title) of the statutes is repealed.

SECTION 3164. 632.32 (4) (b) of the statutes is renumbered 632.32 (4) (a) 3m. and amended to read:

632.32 (4) (a) 3m. ~~To indemnify for medical payments or chiropractic payments or both~~ Medical payments coverage, in the amount of at least ~~\$1,000~~ \$10,000 per person ~~for protection of all persons using the insured motor vehicle from losses resulting from bodily injury or death. The named insured may reject the coverage. If the named insured rejects the coverage, it need not be provided in a subsequent renewal policy issued by the same insurer unless the insured requests it in writing. Under the medical or chiropractic payments coverage, the insurer shall be subrogated to the rights of its insured to the extent of its payments.~~ Coverage written under this paragraph subdivision may be excess coverage over any other source of reimbursement to which the insured person has a legal right.

SECTION 3165. 632.32 (4) (bc) of the statutes is created to read:

632.32 (4) (bc) Notwithstanding par. (a) 3m., the named insured may reject medical payments coverage. If the named insured rejects the coverage, the coverage need not be provided in a subsequent renewal policy issued by the same insurer unless the insured requests it in writing.

SECTION 3166. 632.32 (4m) of the statutes is repealed.

SECTION 3167. 632.32 (4r) of the statutes is created to read:

632.32 (4r) REQUIRED WRITTEN OFFERS OF UNINSURED MOTORIST AND UNDERINSURED MOTORIST COVERAGES FOR UMBRELLA OR EXCESS LIABILITY POLICIES. (a) An insurer writing umbrella or excess liability policies that insure with respect to a motor vehicle registered or principally

garaged in this state against loss resulting from liability imposed by law for bodily injury or death suffered by a person arising out of the ownership, maintenance, or use of a motor vehicle shall provide written offers of uninsured motorist coverage and underinsured motorist coverage, which offers shall include a brief description of the coverage offered. An insurer is required to provide the offers required under this subsection only one time with respect to any policy in the manner provided in par. (b).

(b) 1. Each application for an umbrella or excess liability policy issued on or after the effective date of this subdivision [LRB inserts date], shall contain a written offer of uninsured motorist coverage and a written offer of underinsured motorist coverage.

2. For umbrella or excess liability policies that are in effect on the effective date of this subdivision [LRB inserts date], the insurer shall provide a written offer of uninsured motorist coverage to the named insureds under each policy that does not include uninsured motorist coverage and a written offer of underinsured motorist coverage to the named insureds under each policy that does not include underinsured motorist coverage. The insurer shall provide an offer under this subdivision in conjunction with the notice of the first renewal of the policy occurring after the effective date of this subdivision [LRB inserts date].

(c) An applicant or named insureds may reject one or both of the coverages offered, but must do so in writing. If the applicant or named insureds reject either of the coverages offered, the insurer is not required to provide the rejected coverage under a policy that is renewed to the person by that insurer unless an insured under the policy subsequently requests the rejected coverage in writing.

(d) If an umbrella or excess liability policy that was issued on or after the effective date of this paragraph [LRB inserts date], or an umbrella or excess liability policy that was in effect on, but renewed after, the effective date of this paragraph [LRB inserts date], includes neither uninsured motorist coverage nor underinsured motorist coverage, or only one of the coverages, and the insurer did not provide a written offer required under par. (b) 1. or 2. with respect to the coverage or coverages not included, on the request of the insured the court shall reform the policy to include the coverage or coverages not included and for which the insurer did not provide a written offer, with the same limits as the liability coverage limits under the policy.

(e) This subsection does not apply to a town mutual organized under ch. 612.

SECTION 3168. 632.32 (5) (f) of the statutes is renumbered 632.32 (6) (d) and amended to read:

632.32 (6) (d) ~~A No~~ policy may provide that, regardless of the number of policies involved, vehicles involved, persons covered, claims made, vehicles or premiums shown on the policy, or premiums paid, the limits for any uninsured motorist coverage or underinsured

motorist coverage under the policy may not be added to the limits for similar coverage applying to other motor vehicles to determine the limit of insurance coverage available for bodily injury or death suffered by a person in any one accident, except that a policy may limit the number of motor vehicles for which the limits for coverage may be added to 3 vehicles.

SECTION 3169. 632.32 (5) (g) of the statutes is renumbered 632.32 (6) (e) and amended to read:

632.32 (6) (e) ~~A No~~ policy may provide that the maximum amount of uninsured motorist coverage or underinsured motorist coverage available for bodily injury or death suffered by a person who was not using a motor vehicle at the time of an accident is ~~the highest any~~ single limit of uninsured motorist coverage or underinsured motorist coverage, whichever is applicable, for any motor vehicle with respect to which the person is insured, except that a policy may limit the number of motor vehicles for which coverage limits may be added to 3 vehicles.

SECTION 3170. 632.32 (5) (h) of the statutes is renumbered 632.32 (6) (f) and amended to read:

632.32 (6) (f) ~~A No~~ policy may provide that the maximum amount of medical payments coverage available for bodily injury or death suffered by a person who was not using a motor vehicle at the time of an accident is ~~the highest any~~ single limit of medical payments coverage for any motor vehicle with respect to which the person is insured, except that a policy may limit the number of motor vehicles for which medical payments coverage limits may be added to 3 vehicles.

SECTION 3171. 632.32 (5) (i) of the statutes is renumbered 632.32 (6) (g), and 632.32 (6) (g) (intro.), as renumbered, is amended to read:

632.32 (6) (g) (intro.) ~~A No~~ policy may provide that the limits under the policy for uninsured motorist coverage or underinsured motorist coverage for bodily injury or death resulting from any one accident shall be reduced by any of the following that apply:

SECTION 3172. 632.32 (5) (j) of the statutes is renumbered 632.32 (6) (h), and 632.32 (6) (h) (intro.), as renumbered, is amended to read:

632.32 (6) (h) (intro.) ~~A No~~ policy may provide that any uninsured motorist coverage or underinsured motorist coverage under the policy does not apply to a loss resulting from the use of a motor vehicle that meets all of the following conditions:

SECTION 3172k. 632.355 of the statutes is created to read:

632.355 Prohibited bases for assessing risk. In issuing or renewing a motor vehicle insurance policy, an insurer may not do any of the following:

(1) Place the applicant or insured in a high-risk category on the basis that the applicant or insured has not previously had motor vehicle insurance.

(2) Assess the applicant's or insured's risk on the basis of the city, village, town, or county in which the insured motor vehicle is customarily kept.

SECTION 3173. 632.72 (1g) (b) of the statutes is amended to read:

632.72 (1g) (b) "Medical benefits or assistance" means health care services funded by a relief block grant under ch. 49, as defined in s. 49.001 (5p); medical assistance, as defined under s. 49.43 (8); or maternal and child health services under s. 253.05.

SECTION 3173b. 632.725 (1) of the statutes is amended to read:

632.725 (1) DEFINITION. In this section, "health care provider" has the meaning given in s. 146.81 (1) (a) to (p).

SECTION 3173d. 632.7495 (4) of the statutes is renumbered 632.7495 (4) (intro.) and amended to read:

632.7495 (4) (intro.) Notwithstanding Except as the commissioner may provide by rule under sub. (5) and notwithstanding subs. (1) and (2) and s. 631.36 (4), an insurer is not required to renew individual health benefit plan coverage that complies with all of the following:

(a) The coverage is marketed and designed to provide short-term coverage as a bridge between coverages.

SECTION 3173f. 632.7495 (4) (b) of the statutes is created to read:

632.7495 (4) (b) The coverage has a term of not more than 12 months.

SECTION 3173h. 632.7495 (4) (c) of the statutes is created to read:

632.7495 (4) (c) The coverage term aggregated with all consecutive periods of the insurer's coverage of the insured by individual health benefit plan coverage not required to be renewed under this subsection does not exceed 18 months. For purposes of this paragraph, coverage periods are consecutive if there are no more than 63 days between the coverage periods.

SECTION 3173j. 632.7495 (4) (d) of the statutes is created to read:

632.7495 (4) (d) Rules promulgated by the commissioner under sub. (5).

SECTION 3173m. 632.7495 (5) of the statutes is created to read:

632.7495 (5) The commissioner shall promulgate rules governing disclosures related to, and may promulgate rules setting standards for, the sale of individual health benefit plans that an insurer is not required to renew under sub. (4).

SECTION 3174. 632.7497 of the statutes is created to read:

632.7497 Modifications at renewal. (1) In this section, "individual major medical or comprehensive health benefit plan" includes coverage under a group policy that is underwritten on an individual basis and issued to individuals or families.

(2) An insurer that issues an individual major medical or comprehensive health benefit plan shall, at the time

of a coverage renewal, at the request of an insured, permit the insured to do either of the following:

(a) Change his or her coverage to any of the following:

1. A different but comparable individual major medical or comprehensive health benefit plan currently offered by the insurer.

2. An individual major medical or comprehensive health benefit plan currently offered by the insurer with more limited benefits.

3. An individual major medical or comprehensive health benefit plan currently offered by the insurer with higher deductibles.

(b) Modify his or her existing coverage by electing an optional higher deductible, if any, under the individual major medical or comprehensive health benefit plan.

(3) (a) The insurer may not impose any new preexisting condition exclusion under the new or modified coverage under sub. (2) that did not apply to the insured's original coverage and shall allow the insured credit under the new or modified coverage for the period of original coverage.

(b) For the new or modified coverage, the insurer may not rate for health status other than on the insured's health status at the time the insured applied for the original coverage and as the insured disclosed on the original application.

(4) (a) Annually, the insurer shall mail to each insured under an individual major medical or comprehensive health benefit plan issued by the insurer, a notice that includes all of the following information:

1. That the insured has the right to elect alternative coverage as described in sub. (2).

2. A description of the alternatives available to the insured.

3. The procedure for making the election.

(b) The insurer shall mail the notice under par. (a) not more than 3 months nor less than 60 days before the renewal date of the insured's plan.

(5) (a) Nothing in this section requires an insurer to issue alternative coverage under sub. (2) if the insured's coverage may be nonrenewed or discontinued under s. 632.7495 (2), (3) (b), or (4).

(b) Notwithstanding s. 600.01 (1) (b) 3. and 4., this section applies to a group health benefit plan described in s. 600.01 (1) (b) 3. or 4. if that group health benefit plan is an individual major medical or comprehensive health benefit plan as defined in sub. (1).

SECTION 3176. 632.76 (2) (ac) of the statutes is created to read:

632.76 (2) (ac) 1. Notwithstanding par. (a), no claim or loss incurred or disability commencing after 12 months from the date of issue of an individual disability insurance policy, as defined in s. 632.895 (1) (a), may be reduced or denied on the ground that a disease or physical condition existed prior to the effective date of coverage,

unless the condition was excluded from coverage by name or specific description by a provision effective on the date of the loss.

2. Except as provided in subd. 3., an individual disability insurance policy, as defined in s. 632.895 (1) (a), other than a short-term policy subject to s. 632.7495 (4) and (5), may not define a preexisting condition more restrictively than a condition, whether physical or mental, regardless of the cause of the condition, for which medical advice, diagnosis, care, or treatment was recommended or received within 12 months before the effective date of coverage.

3. Except as the commissioner provides by rule under s. 632.7495 (5), all of the following apply to an individual disability insurance policy that is a short-term policy subject to s. 632.7495 (4) and (5):

a. The policy may not define a preexisting condition more restrictively than a condition, whether physical or mental, regardless of the cause of the condition, for which medical advice, diagnosis, care, or treatment was recommended or received before the effective date of coverage.

b. The policy shall reduce the length of time during which a preexisting condition exclusion may be imposed by the aggregate of the insured's consecutive periods of coverage under the insurer's individual disability insurance policies that are short-term policies subject to s. 632.7495 (4) and (5). For purposes of this subd. 3. b., coverage periods are consecutive if there are no more than 63 days between the coverage periods.

SECTION 3177. 632.76 (2) (b) of the statutes is amended to read:

632.76 (2) (b) Notwithstanding par. (a), no claim for loss incurred or disability commencing after 6 months from the date of issue of a medicare supplement policy, medicare replacement policy or long-term care insurance policy may be reduced or denied on the ground that a disease or physical condition existed prior to the effective date of coverage. ~~Notwithstanding par. (ac) 2., a medicare supplement policy, medicare replacement policy, or long-term care insurance policy may not define a preexisting condition more restrictively than a condition for which medical advice was given or treatment was recommended by or received from a physician within 6 months before the effective date of coverage. Notwithstanding par. (a), if on the basis of information contained in an application for insurance a medicare supplement policy, medicare replacement policy, or long-term care insurance policy excludes from coverage a condition by name or specific description, the exclusion must terminate no later than 6 months after the date of issue of the medicare supplement policy, medicare replacement policy, or long-term care insurance policy. The commissioner may by rule exempt from this paragraph certain classes of medicare supplement policies, medicare replacement policies, and long-term care~~

insurance policies, if the commissioner finds the exemption is not adverse to the interests of policyholders and certificate holders.

SECTION 3178. 632.835 (title) of the statutes is amended to read:

632.835 (title) Independent review of adverse and experimental-treatment coverage denial determinations.

SECTION 3179. 632.835 (1) (ag) of the statutes is created to read:

632.835 (1) (ag) "Coverage denial determination" means an adverse determination, an experimental treatment determination, a preexisting condition exclusion denial determination, or the rescission of a policy or certificate.

SECTION 3180. 632.835 (1) (cm) of the statutes is created to read:

632.835 (1) (cm) "Preexisting condition exclusion denial determination" means a determination by or on behalf of an insurer that issues a health benefit plan denying or terminating treatment or payment for treatment on the basis of a preexisting condition exclusion, as defined in s. 632.745 (23).

SECTION 3181. 632.835 (2) (a) of the statutes is amended to read:

632.835 (2) (a) Every insurer that issues a health benefit plan shall establish an independent review procedure whereby an insured under the health benefit plan, or his or her authorized representative, may request and obtain an independent review of ~~an adverse determination or an experimental-treatment~~ a coverage denial determination made with respect to the insured.

SECTION 3182. 632.835 (2) (b) of the statutes is amended to read:

632.835 (2) (b) If ~~an adverse determination or an experimental-treatment~~ a coverage denial determination is made, the insurer involved in the determination shall provide notice to the insured of the insured's right to obtain the independent review required under this section, how to request the review, and the time within which the review must be requested. The notice shall include a current listing of independent review organizations certified under sub. (4). An independent review under this section may be conducted only by an independent review organization certified under sub. (4) and selected by the insured.

SECTION 3183. 632.835 (2) (bg) 3. of the statutes is amended to read:

632.835 (2) (bg) 3. For any ~~adverse determination or experimental-treatment~~ coverage denial determination for which an explanation of benefits is not provided to the insured, the insurer provides a notice that the insured may have a right to an independent review after the internal grievance process and that an insured may be entitled to expedited, independent review with respect to an urgent matter. The notice shall also include a reference to the

section of the policy or certificate that contains the description of the independent review procedure as required under subd. 1. The notice shall provide a toll-free telephone number and website, if appropriate, where consumers may obtain additional information regarding internal grievance and independent review processes.

SECTION 3184. 632.835 (2) (c) of the statutes is amended to read:

632.835 (2) (c) Except as provided in par. (d), an insured must exhaust the internal grievance procedure under s. 632.83 before the insured may request an independent review under this section. Except as provided in sub. (9) (a), an insured who uses the internal grievance procedure must request an independent review as provided in sub. (3) (a) within 4 months after the insured receives notice of the disposition of his or her grievance under s. 632.83 (3) (d).

SECTION 3185. 632.835 (2) (e) of the statutes is created to read:

632.835 (2) (e) Nothing in this section affects an insured's right to commence a civil proceeding relating to a coverage denial determination.

SECTION 3186. 632.835 (3) (a) of the statutes is amended to read:

632.835 (3) (a) To request an independent review, an insured or his or her authorized representative shall provide timely written notice of the request for independent review, and of the independent review organization selected, to the insurer that made or on whose behalf was made the ~~adverse or experimental treatment coverage denial~~ coverage denial determination. The insurer shall immediately notify the commissioner and the independent review organization selected by the insured of the request for independent review. ~~The insured or his or her authorized representative must pay a \$25 fee to the independent review organization. If the insured prevails on the review, in whole or in part, the entire amount paid by the insured or his or her authorized representative shall be refunded by the insurer to the insured or his or her authorized representative.~~ For each independent review in which it is involved, an insurer shall pay a fee to the independent review organization.

SECTION 3187. 632.835 (3) (e) of the statutes is amended to read:

632.835 (3) (e) In addition to the information under pars. (b) and (c), the independent review organization may accept for consideration any typed or printed, verifiable medical or scientific evidence that the independent review organization determines is relevant, regardless of whether the evidence has been submitted for consideration at any time previously. The insurer and the insured shall submit to the other party to the independent review any information submitted to the independent review organization under this paragraph and pars. (b) and (c). If, on the basis of any additional information, the insurer reconsiders the insured's grievance and determines that

the treatment that was the subject of the grievance should be covered, or that the policy or certificate that was rescinded should be reinstated, the independent review is terminated.

SECTION 3188. 632.835 (3) (f) of the statutes is renumbered 632.835 (3) (f) 1. and amended to read:

632.835 (3) (f) 1. If the independent review is not terminated under par. (e), the independent review organization shall, within 30 business days after the expiration of all time limits that apply in the matter, make a decision on the basis of the documents and information submitted under this subsection. The decision shall be in writing, signed on behalf of the independent review organization and served by personal delivery or by mailing a copy to the insured or his or her authorized representative and to the insurer. ~~Except as provided in subd. 2.,~~ a decision of an independent review organization is binding on the insured and the insurer.

SECTION 3189. 632.835 (3) (f) 2. of the statutes is created to read:

632.835 (3) (f) 2. A decision of an independent review organization regarding a preexisting condition exclusion denial determination or a rescission is not binding on the insured.

SECTION 3190. 632.835 (3m) (a) of the statutes is amended to read:

632.835 (3m) (a) A decision of an independent review organization regarding an adverse determination or a preexisting condition exclusion denial determination must be consistent with the terms of the health benefit plan under which the adverse determination or preexisting condition exclusion denial determination was made.

SECTION 3192. 632.835 (7) (b) of the statutes is amended to read:

632.835 (7) (b) A health benefit plan that is the subject of an independent review and the insurer that issued the health benefit plan shall not be liable to any person for damages attributable to the insurer's or plan's actions taken in compliance with any decision regarding an adverse determination or an experimental treatment determination rendered by a certified independent review organization.

SECTION 3193. 632.835 (8) of the statutes is renumbered 632.835 (8) (a) and amended to read:

632.835 (8) (a) Adverse and experimental treatment determinations. The commissioner shall make a determination that at least one independent review organization has been certified under sub. (4) that is able to effectively provide the independent reviews required under this section for adverse determinations and experimental treatment determinations and shall publish a notice in the Wisconsin Administrative Register that states a date that is 2 months after the commissioner makes that determination. The date stated in the notice shall be the date on which the independent review procedure under this

section begins operating with respect to adverse determinations and experimental treatment determinations.

SECTION 3194. 632.835 (8) (b) of the statutes is created to read:

632.835 (8) (b) *Preexisting condition exclusion denials and rescissions.* The commissioner shall make a determination that at least one independent review organization has been certified under sub. (4) that is able to effectively provide the independent reviews required under this section for preexisting condition exclusion denial determinations and rescissions and shall publish a notice in the Wisconsin Administrative Register that states a date that is 2 months after the commissioner makes that determination. The date stated in the notice shall be the date on which the independent review procedure under this section begins operating with respect to preexisting condition exclusion denial determinations and rescissions.

SECTION 3195. 632.835 (9) of the statutes is renumbered 632.835 (9) (a) and amended to read:

632.835 (9) (a) Adverse and experimental treatment determinations. The independent review required under this section with respect to an adverse determination or an experimental treatment determination shall be available to an insured who receives notice of the disposition of his or her grievance under s. 632.83 (3) (d) on or after December 1, 2000. Notwithstanding sub. (2) (c), an insured who receives notice of the disposition of his or her grievance under s. 632.83 (3) (d) on or after December 1, 2000, but before June 15, 2002, with respect to an adverse determination or an experimental treatment determination must request an independent review no later than 4 months after June 15, 2002.

SECTION 3196. 632.835 (9) (b) of the statutes is created to read:

632.835 (9) (b) *Preexisting condition exclusion denials and rescissions.* The independent review required under this section with respect to a preexisting condition exclusion denial determination or a rescission shall be available to an insured who receives notice of the disposition of his or her grievance under s. 632.83 (3) (d) on or after the date stated in the notice published in the Wisconsin Administrative Register by the commissioner under sub. (8) (b).

SECTION 3197. 632.845 of the statutes is created to read:

632.845 Prohibiting refusal to cover services because liability policy may cover. (1) In this section, "health care plan" has the meaning given in s. 628.36 (2) (a) 1.

(2) An insurer that provides coverage under a health care plan may not refuse to cover health care services that are provided to an insured under the plan and for which there is coverage under the plan on the basis that there may be coverage for the services under a liability insurance policy.

SECTION 3197n. 632.87 (4) of the statutes is amended to read:

632.87 (4) No policy, plan or contract may exclude coverage for diagnosis and treatment of a condition or complaint by a licensed dentist within the scope of the dentist's license, if the policy, plan or contract covers diagnosis and treatment of the condition or complaint by another health care provider, as defined in s. 146.81 (1) (a) to (p).

SECTION 3197p. 632.885 of the statutes is created to read:

632.885 Coverage of dependents. (1) DEFINITIONS. In this section:

(a) "Disability insurance policy" has the meaning given in s. 632.895 (1) (a).

(b) "Insured" includes an enrollee.

(c) "Self-insured health plan" has the meaning given in s. 632.745 (24).

(2) REQUIREMENT TO OFFER DEPENDENT COVERAGE.

(a) Subject to ss. 632.88 and 632.895 (5), every insurer that issues a disability insurance policy, and every self-insured health plan, shall offer and, if so requested by an applicant or an insured, provide coverage for an adult child of the applicant or insured as a dependent of the applicant or insured if the child satisfies all of the following criteria:

1. The child is over 17 but less than 27 years of age.

2. The child is not married.

3. The child is not eligible for coverage under a group health benefit plan, as defined in s. 632.745 (9), that is offered by the child's employer and for which the amount of the child's premium contribution is no greater than the premium amount for his or her coverage as a dependent under this section.

(b) Notwithstanding par. (a) 1., the coverage requirement under this section applies to an adult child who satisfies all of the following criteria:

1. The child is a full-time student, regardless of age.

2. The child satisfies the criteria under par. (a) 2. and

3.

3. The child was called to federal active duty in the national guard or in a reserve component of the U.S. armed forces while the child was attending, on a full-time basis, an institution of higher education.

4. The child was under the age of 27 years when called to federal active duty under subd. 3.

(3) PREMIUM DETERMINATION. An insurer or self-insured health plan shall determine the premium for coverage of a dependent who is over 18 years of age on the same basis as the premium is determined for coverage of a dependent who is 18 years of age or younger.

(4) DOCUMENTATION OF CRITERIA SATISFACTION. An insurer or self-insured health plan may require that an applicant or insured seeking coverage of a dependent child provide written documentation, initially and annu-

ally thereafter, that the dependent child satisfies the criteria for coverage under this section.

SECTION 3197r. 632.89 (1) (dm) of the statutes is created to read:

632.89 (1) (dm) "Licensed mental health professional" means a clinical social worker who is licensed under ch. 457, a marriage and family therapist who is licensed under s. 457.10, or a professional counselor who is licensed under s. 457.12.

SECTION 3197s. 632.89 (1) (e) 3. of the statutes is repealed and recreated to read:

632.89 (1) (e) 3. A psychologist licensed under ch. 455.

SECTION 3197t. 632.89 (1) (e) 4. of the statutes is created to read:

632.89 (1) (e) 4. A licensed mental health professional practicing within the scope of his or her license under ch. 457 and applicable rules.

SECTION 3197w. 632.895 (12m) of the statutes is created to read:

632.895 (12m) TREATMENT FOR AUTISM SPECTRUM DISORDERS. (a) In this subsection:

1. "Autism spectrum disorder" means any of the following:

- a. Autism disorder.
- b. Asperger's syndrome.
- c. Pervasive developmental disorder not otherwise specified.

2. "Insured" includes an enrollee and a dependent with coverage under the disability insurance policy or self-insured health plan.

3. "Intensive-level services" means evidence-based behavioral therapy that is designed to help an individual with autism spectrum disorder overcome the cognitive, social, and behavioral deficits associated with that disorder.

4. "Nonintensive-level services" means evidence-based therapy that occurs after the completion of treatment with intensive-level services and that is designed to sustain and maximize gains made during treatment with intensive-level services or, for an individual who has not and will not receive intensive-level services, evidence-based therapy that will improve the individual's condition.

5. "Physician" has the meaning given in s. 146.34 (1) (g).

(b) Subject to pars. (c) and (d), and except as provided in par. (e), every disability insurance policy, and every self-insured health plan of the state or a county, city, town, village, or school district, shall provide coverage for an insured of treatment for the mental health condition of autism spectrum disorder if the treatment is prescribed by a physician and provided by any of the following who are qualified to provide intensive-level services or nonintensive-level services:

1. A psychiatrist, as defined in s. 146.34 (1) (h).

2. A person who practices psychology, as described in s. 455.01 (5).

3. A social worker, as defined in s. 252.15 (1) (er), who is certified or licensed to practice psychotherapy, as defined in s. 457.01 (8m).

4. A paraprofessional working under the supervision of a provider listed under subds. 1. to 3.

5. A professional working under the supervision of an outpatient mental health clinic certified under s. 51.038.

6. A speech-language pathologist, as defined in s. 459.20 (4).

7. An occupational therapist, as defined in s. 448.96 (4).

(c) 1. The coverage required under par. (b) shall provide at least \$50,000 for intensive-level services per insured per year, with a minimum of 30 to 35 hours of care per week for a minimum duration of 4 years, and at least \$25,000 for nonintensive-level services per insured per year, except that these minimum coverage monetary amounts shall be adjusted annually, beginning in 2011, to reflect changes in the consumer price index for all urban consumers, U.S. city average, for the medical care group, as determined by the U.S. department of labor. The commissioner shall publish the new minimum coverage amounts under this subdivision each year, beginning in 2011, in the Wisconsin Administrative Register.

2. Notwithstanding subd. 1., the minimum coverage monetary amounts or duration required for treatment under subd. 1., need not be met if it is determined by a supervising professional, in consultation with the insured's physician, that less treatment is medically appropriate.

(d) The coverage required under par. (b) may be subject to deductibles, coinsurance, or copayments that generally apply to other conditions covered under the policy or plan. The coverage may not be subject to limitations or exclusions, including limitations on the number of treatment visits.

(e) This subsection does not apply to any of the following:

1. A disability insurance policy that covers only certain specified diseases.

2. A health care plan offered by a limited service health organization, as defined in s. 609.01 (3), or by a preferred provider plan, as defined in s. 609.01 (4), that is not a defined network plan, as defined in s. 609.01 (1b).

3. A long-term care insurance policy.

4. A medicare replacement policy or a medicare supplement policy.

(f) 1. The commissioner shall by rule further define "intensive-level services" and "nonintensive-level services" and define "paraprofessional" for purposes of par. (b) 4. and "qualified" for purposes of providing services under this subsection. The commissioner may promul-

gate rules governing the interpretation or administration of this subsection.

2. Using the procedure under s. 227.24, the commissioner may promulgate the rules under subd. 1. for the period before the effective date of the permanent rules promulgated under subd. 1., but not to exceed the period authorized under s. 227.24 (1) (c) and (2). Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the commissioner is not required to provide evidence that promulgating a rule under this subdivision as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subdivision.

SECTION 3198b. 632.895 (15) (a) of the statutes is amended to read:

632.895 (15) (a) Subject to pars. (b) and (c), every disability insurance policy, and every self-insured health plan of the state or a county, city, town, village, or school district, that provides coverage for a person as a dependent of the insured because the person is a full-time student, including the coverage under s. 632.885 (2) (b), shall continue to provide dependent coverage for the person if, due to a medically necessary leave of absence, he or she ceases to be a full-time student.

SECTION 3198c. 632.895 (15) (c) 5. of the statutes is amended to read:

632.895 (15) (c) 5. The Except for a person who has coverage as a dependent under s. 632.885 (2) (b), the person reaches the age at which coverage as a dependent who is a full-time student would otherwise end under the terms and conditions of the policy or plan.

SECTION 3198d. 632.895 (17) of the statutes is created to read:

632.895 (17) CONTRACEPTIVES AND SERVICES. (a) In this subsection, "contraceptives" means drugs or devices approved by the federal food and drug administration to prevent pregnancy.

(b) Every disability insurance policy, and every self-insured health plan of the state or of a county, city, town, village, or school district, that provides coverage of outpatient health care services, preventive treatments and services, or prescription drugs and devices shall provide coverage for all of the following:

1. Contraceptives prescribed by a health care provider, as defined in s. 146.81 (1).

2. Outpatient consultations, examinations, procedures, and medical services that are necessary to prescribe, administer, maintain, or remove a contraceptive, if covered for any other drug benefits under the policy or plan.

(c) Coverage under par. (b) may be subject only to the exclusions, limitations, or cost-sharing provisions that apply generally to the coverage of outpatient health care services, preventive treatments and services, or prescription drugs and devices that is provided under the policy or self-insured health plan.

(d) This subsection does not apply to any of the following:

1. A disability insurance policy that covers only certain specified diseases.

2. A disability insurance policy, or a self-insured health plan of the state or a county, city, town, village, or school district, that provides only limited-scope dental or vision benefits.

3. A health care plan offered by a limited service health organization, as defined in s. 609.01 (3), or by a preferred provider plan, as defined in s. 609.01 (4), that is not a defined network plan, as defined in s. 609.01 (1b).

4. A long-term care insurance policy.

5. A Medicare replacement policy or a Medicare supplement policy.

SECTION 3199. Chapter 648 of the statutes is created to read:

CHAPTER 648 REGULATION OF CARE MANAGEMENT ORGANIZATIONS

648.01 Definitions. In this chapter:

(1) "Care management organization" means an entity described in s. 46.284 (3m).

(2) "Department" means the department of health services.

(3) "Enrollee" has the meaning given in s. 46.2805 (3).

(4) "Permittee" means a care management organization issued a permit under this chapter.

648.03 Applicability of other laws. Notwithstanding s. 600.01 (1) (b) 10. a., ss. 600.01, 600.02, 600.03, and 600.12 apply to this chapter.

648.05 Permit. (1) PERMIT REQUIRED. After December 31, 2009, no care management organization may provide services to its enrollees without a permit under this chapter.

(2) APPLICATION. A care management organization applying for a permit shall submit all of the following information in the format required by the commissioner:

(a) The names, addresses and occupations of all controlling persons and directors and principal officers of the care management organization currently and for the preceding 10 years, unless the commissioner waives this requirement.

(b) Business organization documents, including articles and bylaws if applicable.

(c) A business plan approved by the department, including a projection of the anticipated operating results at the end of each of the next 3 years of operation, based on reasonable estimates of income and operating expenses.

(d) Any other relevant documents or information that the commissioner reasonably requires after consulting with the department.

(3) STANDARDS FOR ISSUING PERMIT. The commissioner may issue a permit to the care management orga-

nization if the commissioner finds, after consulting with the department, all of the following:

- (a) All requirements of law have been met.
- (b) All the directors and principal officers or any controlling person are trustworthy and competent and collectively have the competence and experience to engage in the proposed services and are not excluded from participation under 42 USC 1320a-7 or 42 USC 1320a-7a.
- (c) The business plan is consistent with the interests of the care management organization's enrollees and the public.

(4) **SUSPENSION OR REVOCATION.** The commissioner may suspend or revoke a permit issued under this chapter if the commissioner finds, after consulting with the department, any of the following:

- (a) The permittee violated a law or rule, including a rule establishing standards for the financial condition of care management organizations.
- (b) The permittee is in a financially hazardous condition.
- (c) The permittee is controlled or managed by persons who are incompetent or untrustworthy.
- (d) The permittee conceals records from the commissioner.
- (e) The permittee's business plan is not in the public interest or is not prudent.
- (f) The permittee ceases to be certified by or maintain a contract with the department.

648.10 Powers and duties of the commissioner. The commissioner may do any of the following:

- (1) Promulgate rules that are necessary to carry out the intent of this chapter, including, after consulting with the department, standards for the financial condition of care management organizations.
- (2) Use the authority granted under ss. 601.41, 601.42, 601.43, 601.44, 601.61, 601.62, 601.63, and 601.64, including the authority to issue orders, to enforce this chapter and to ensure that a care management organization has sufficient financial resources.

648.15 Reports and replies. (1) **REPORTS.** The commissioner may require from any care management organization any of the following:

- (a) Statements, reports, answers to questionnaires, and other information in whatever reasonable form the commissioner designates and at such reasonable intervals as the commissioner chooses, or from time to time.
- (b) Full explanation of the programming of any data storage or communication system in use.
- (c) Information from any books, records, electronic data processing systems, computers, or any other information storage system at any reasonable time in any reasonable manner.
- (d) Statements, reports, audits, or certification from a certified public accountant or an actuary approved by the commissioner.

(2) **FORMS.** The commissioner, after consulting with the department, may prescribe forms for the reports under sub. (1) and specify who shall execute or certify such reports.

(3) **ACCOUNTING METHODS.** The commissioner, after consulting with the department, may prescribe reasonable minimum standards and techniques of accounting and data handling to ensure that timely and reliable information will exist and will be available to the commissioner.

(4) **REPLIES.** Any officer or manager of a care management organization, any person controlling or having a contract under which the person has a right to control a care management organization, whether exclusively or otherwise, or any person with executive authority over or in charge of any segment of such a care management organization's affairs, shall reply promptly in writing or in another designated form, to any written inquiry from the commissioner requesting a reply.

(5) **VERIFICATION.** The commissioner may require that any communication made to the commissioner under this section be verified.

(6) **IMMUNITY.** In the absence of actual malice, no person shall be subject to damages in an action for defamation based on a communication to the commissioner required by law under this chapter or by the commissioner under this chapter.

(7) **EXPERTS.** The commissioner may employ experts to assist the commissioner in an examination or in the review of any transaction subject to approval under this chapter. The care management organization that is the subject of the examination, or that is a party to a transaction under review, including the person acquiring, controlling, or attempting to acquire the care management organization, shall pay the reasonable costs incurred by the commissioner for the expert and related expenses.

648.20 Examinations. (1) **POWER TO EXAMINE.** (a) To inform himself or herself about a matter related to the enforcement of this chapter, the commissioner may examine the affairs and condition of any permittee.

(b) So far as reasonably necessary for an examination under par. (a), the commissioner may examine the accounts, records, or documents so far as they relate to the permittee, of any of the following:

- 1. An officer, manager, employee, or person who has executive authority over or is in charge of any segment of the permittee's affairs.
- 2. A person controlling or having a contract under which the person has the right to control the permittee whether exclusively or with others.
- 3. A person who is under the control of the permittee, or a person who is under the control of a person who controls or has a right to control the permittee whether exclusively or with others.

(c) On demand, every permittee shall make available to the commissioner for examination any of its own accounts, records, documents, or evidences of transactions.

(d) On order of the commissioner any examinee under this chapter shall bring to the office for examination such records as the order reasonably requires.

(2) AUDITS OR ACTUARIAL OR OTHER EVALUATIONS. In lieu of all or part of an examination under sub. (1), or in addition to it, the commissioner may order an independent audit by certified public accountants or an actuarial or other evaluation by actuaries or other experts approved by the commissioner of any permittee. Any accountant, actuary, or other expert selected is subject to rules respecting conflicts of interest promulgated by the commissioner. Any audit or evaluation under this section is subject to s. 648.25, so far as applicable.

(3) ALTERNATIVES TO EXAMINATION. In lieu of all or part of an examination under this section, the commissioner may accept the report of an audit already made by certified public accountants or of an actuarial or other evaluation already made by actuaries or other experts approved by the commissioner, or the report of an examination made by another government agency in this state, the federal government, or another state.

(4) PURPOSE AND SCOPE OF EXAMINATION. An examination may but need not cover comprehensively all aspects of the permittee's affairs and condition. The commissioner shall determine the exact nature and scope of each examination, and in doing so shall take into account all relevant factors, including the length of time the permittee has been doing business, the length of time the permittee has been certified by the department, the nature of the business being examined, the nature of the accounting records available, and the nature of examinations performed elsewhere.

648.25 Conducting examinations. (1) ORDER OF EXAMINATION. For each examination under s. 648.20, the commissioner shall issue an order stating the scope of the examination and designating the examiner in charge. Upon demand, a copy of the order shall be provided to the examinee.

(2) ACCESS TO EXAMINEE. Any examiner authorized by the commissioner shall, for the purposes of the examination, have access at all reasonable hours to the premises and to any property of the examinee.

(3) COOPERATION. The officers, employees, and agents of the examinee shall comply with every reasonable request of the examiners for assistance in any matter relating to the examination. No person may obstruct or interfere with the examination in any way other than by legal process.

(4) CORRECTION OF BOOKS. If the commissioner finds the accounts or records to be inadequate for proper examination of the condition and affairs of the permittee or improperly kept or posted, the commissioner may

employ experts to rewrite, post, or balance them at the expense of the permittee.

(5) REPORT ON EXAMINATION. The examiner in charge of an examination shall make a proposed report of the examination, including information and analysis ordered in sub. (1), together with the examiner's recommendations. Preparation of the proposed report may include conferences with the examinee or the examinee's representatives at the option of the examiner in charge. The commissioner shall serve the final examination report on the examinee.

(6) COPIES FOR BOARD. The permittee shall furnish copies of the final examination report to each member of its board or governing body.

(7) REPORT AS EVIDENCE. In any proceeding by or against the permittee or any officer or agent of the permittee the final examination report shall be admissible as evidence of the facts stated in the report. In any proceeding commenced under this chapter, the final examination report shall be admissible as evidence of the facts stated in the report. In any proceeding by or against the examinee, the facts asserted in any final examination report properly admitted in evidence shall be presumed to be true in the absence of contrary evidence.

648.27 Costs. (1) COSTS TO BE PAID BY CARE MANAGEMENT ORGANIZATIONS. Permittees shall pay the reasonable estimate of costs of examinations under s. 648.20, of review of applications under s. 648.05, and of analysis and financial monitoring of care management organizations by the commissioner and the department, including overhead and fixed costs, by a system of regular annual billings.

(2) DETERMINATION OF COSTS. Annually, the commissioner shall determine the estimated costs under sub. (1) for the commissioner and the department. The commissioner shall serve a request for payment on each permittee allocating the cost to each permittee in an amount that the commissioner determines reflects the permittee's proportionate share of projected enrollment in the department's annual contracting period.

(3) PAYMENT DEADLINE. The permittee shall pay the amount determined by the commissioner within 30 days of service of the request for payment under sub. (2).

648.30 Nondisclosure of information. (1) TYPES OF INFORMATION. The office may refuse to disclose and may prevent any other person from disclosing any of the following:

(a) Testimony, reports, records, and information that are obtained, produced, or created in the course of an inquiry under s. 648.15.

(b) Testimony, reports, records, and information that are obtained, produced, or created in the course of an examination under s. 648.20.

(c) Testimony, reports, records, communications, and information that are obtained by the office from, or provided by the office to, any of the following, under a

pledge of confidentiality or for the purpose of assisting or participating in monitoring activities or in the conduct of any inquiry, investigation, or examination:

1. The National Association of Insurance Commissioners.
2. An agent or employee of the National Association of Insurance Commissioners.
3. The insurance commissioner of another state.
4. An agent or employee of the insurance commissioner of another state.
5. An international, federal, state, or local regulatory or law enforcement agency, including the department.
6. An agent or employee of an agency described in subd. 5.

(2) WAIVER AND APPLICABILITY OF THE PRIVILEGE. Section 601.465 (2m) (a) to (d) applies to the privilege under sub. (1).

648.35 Enforcement procedure. (1) INJUNCTIONS AND RESTRAINING ORDERS. The commissioner may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction or by temporary restraining order any violation of this chapter, any rule promulgated under this chapter, or any order issued under s. 648.10 (2). The commissioner need not show irreparable harm or lack of an adequate remedy at law in an action commenced under this subsection.

(2) ORDERS. The commissioner shall issue any orders under the procedures described in s. 601.63 and shall hold any hearings under the procedures described in s. 601.62.

(3) COMPULSIVE FORFEITURES. If a person does not comply with an order issued under s. 648.10 (2) within 2 weeks after the commissioner has given the care management organization notice of the commissioner's intention to proceed under this subsection, the commissioner may commence an action for a forfeiture in such sum as the court considers just, but not exceeding \$5,000 for each day that the violation continues after the commencement of the action until judgment is rendered. No forfeiture may be imposed under this subsection if at the time the action was commenced the care management organization was in compliance with the order, nor for any violation of an order occurring while any proceeding for judicial review of the order was pending, unless the court in which the proceeding was pending certifies that the claim of invalidity or nonapplicability of the order was frivolous or a sham. If after judgment is rendered the care management organization does not comply with the order, the commissioner may commence a new action for a forfeiture and may continue commencing actions until the person complies. The proceeds of all actions under this subsection, after deduction of the expenses of collection, shall be paid into the common school fund of the state.

(4) FORFEITURES AND CIVIL PENALTIES. (a) *Restitutory forfeiture.* Whoever violates an order issued

under s. 648.10 (2) that is effective under s. 601.63, any section of this chapter, or any rule relating to this chapter shall forfeit to the state twice the amount of any profit gained from the violation, in addition to any other forfeiture or penalty imposed.

(b) *Forfeiture for violation of order.* Whoever violates an order issued under s. 648.10 (2) that is effective under s. 601.63 shall forfeit to the state not more than \$1,000 for each violation. Each day that the violation continues is a separate offense.

(c) *Forfeiture for violation of statute or rule.* Whoever violates, intentionally aids in violating, or knowingly permits a person over whom he or she has authority to violate a section of this chapter or a rule promulgated under this chapter shall forfeit to the state not more than \$1,000 for each violation. If the section or rule violated imposes a duty to make a report to the commissioner, each week of delay in complying with the duty is a new violation.

(d) *Procedure.* The commissioner may order any person to pay a forfeiture imposed under this subsection, which shall be paid into the common school fund. If the order is issued without a hearing, the affected person may demand a hearing through procedures described under s. 601.62 (3) (a). If the person fails to request a hearing, the order is conclusive as to the person's liability. The scope of review for forfeitures ordered is that specified under s. 227.57. The commissioner may cause an action to be commenced to recover the forfeiture. Before an action is commenced, the commissioner may compromise the forfeiture.

(5) CRIMINAL PENALTY. Whoever intentionally violates or intentionally permits any person over whom he or she has authority to violate or intentionally aids any person in violating any section of this chapter, any rule promulgated to administer this chapter, or any order issued under s. 648.10 (2) that is effective under s. 601.63 is guilty of a Class I felony, unless a specific penalty is provided elsewhere in the statutes. Intent has the meaning expressed under s. 939.23.

648.45 Affiliates of permittee. (1) INFORMATION. A permittee and a person attempting to acquire or having control of a permittee, shall report to the commissioner the information concerning the permittee, its affiliates, and the person attempting to acquire control of the permittee that the commissioner requires by rule. The commissioner may promulgate rules prescribing the timing of reports under this subsection, including requiring periodic reporting and the form and procedure for filing reports.

(2) REPORT FOR AFFILIATES. The permittee may report on behalf of all affiliated entities if it provides all the information that would be required if each affiliate reported separately.

(3) CONSENT TO JURISDICTION. Every permittee shall promptly submit to the commissioner a statement from