

1           **SECTION 357.** 76.636 (2) (c) of the statutes, as affected by 2011 Wisconsin Act  
2 32, is amended to read:

3           76.636 (2) (c) The amount determined by multiplying the amount determined  
4 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time  
5 jobs created in a development zone and not filled by a member of a targeted group  
6 and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and  
7 reimbursements paid under s. 49.147 (3m) (c), 2009 stats., for those jobs.

8           **SECTION 358.** 76.636 (2) (d) of the statutes, as affected by 2011 Wisconsin Act  
9 32, is amended to read:

10           76.636 (2) (d) The amount determined by multiplying the amount determined  
11 under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of  
12 full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009  
13 stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in an  
14 enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for  
15 which significant capital investment was made and by then subtracting the  
16 subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid  
17 under s. 49.147 (3m) (c), 2009 stats., for those jobs.

18           **SECTION 359.** 76.636 (2) (e) of the statutes, as affected by 2011 Wisconsin Act  
19 32, is amended to read:

20           76.636 (2) (e) The amount determined by multiplying the amount determined  
21 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time  
22 jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats.,  
23 excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in a  
24 development zone and not filled by a member of a targeted group and by then

1 subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and  
2 reimbursements paid under s. 49.147 (3m) (c), 2009 stats., for those jobs.

3 **SECTION 360.** 77.61 (5) (b) 11. of the statutes is amended to read:

4 77.61 (5) (b) 11. The department of children and families or a county child  
5 support agency under s. 59.53 (5) in response to a request under s. ~~49.22~~ 49.811 (2m).

6 **SECTION 361.** 85.24 (4) (b) of the statutes is amended to read:

7 85.24 (4) (b) Paragraph (a) does not prohibit the disclosure of the information  
8 to the extent necessary to administer the ride-sharing program nor, if requested  
9 under s. ~~49.22~~ 49.811 (2m), does it prohibit disclosure of the name or address of a  
10 person or of his or her employer to the department of children and families or a county  
11 child support agency under s. 59.53 (5).

12 **SECTION 362.** 85.24 (4) (c) of the statutes is amended to read:

13 85.24 (4) (c) Any person who willfully discloses or who, under false pretenses,  
14 willfully requests or obtains information in violation of par. (a) may be required to  
15 forfeit not more than \$500 for each violation. This paragraph does not apply to  
16 information disclosed, requested or obtained to the extent necessary to administer  
17 the ride-sharing program or, if requested under s. ~~49.22~~ 49.811 (2m), to the  
18 department of children and families or a county child support agency under s. 59.53  
19 (5).

20 **SECTION 363.** 101.02 (21) (b) of the statutes, as affected by 2011 Wisconsin Act  
21 32, is amended to read:

22 101.02 (21) (b) As provided in the memorandum of understanding under s.  
23 49.857 and except as provided in par. (e), the department of safety and professional  
24 services may not issue or renew a license unless the applicant provides the  
25 department of safety and professional services with his or her social security number.

1 The department of safety and professional services may not disclose the social  
2 security number except that the department of safety and professional services may  
3 disclose the social security number of an applicant for a license under par. (a) or a  
4 renewal of a license under par. (a) to the department of children and families for the  
5 sole purpose of administering s. ~~49.22~~ 49.811.

6 **SECTION 364.** 101.123 (1) (abm) of the statutes is amended to read:

7 101.123 (1) (abm) "Child care center" has the meaning given in s. ~~49.136~~ 49.205  
8 (1) (ad).

9 **SECTION 365.** 102.17 (1) (cg) 3. of the statutes is amended to read:

10 102.17 (1) (cg) 3. The department of workforce development may not disclose  
11 any information received under subd. 1. to any person except to the department of  
12 revenue for the sole purpose of requesting certifications under s. 73.0301 or the  
13 department of children and families for purposes of administering s. ~~49.22~~ 49.811.

14 **SECTION 366.** 102.29 (8r) of the statutes is amended to read:

15 102.29 (8r) No participant in a ~~food stamp~~ supplemental nutrition assistance  
16 employment and training program under s. 49.79 (9) who, under s. 49.79 (9) (a) 5.,  
17 is provided worker's compensation coverage by the department of health services or  
18 by a Wisconsin Works agency, as defined in s. 49.001 (9), or other provider under  
19 contract with the department of health services or a county department under s.  
20 46.215, 46.22, or 46.23 or tribal governing body to administer the ~~food stamp~~  
21 supplemental nutrition assistance employment and training program and who  
22 makes a claim for compensation under this chapter may make a claim or maintain  
23 an action in tort against the employer who provided the employment and training  
24 from which the claim arose.

25 **SECTION 367.** 102.33 (2) (b) 5. of the statutes is amended to read:

1           102.33 (2) (b) 5. The requester is the department of children and families or a  
2 county child support agency under s. 59.53 (5), the request is made under s. ~~49.22~~  
3 49.811 (2m), and the request is limited to the name and address of the employee who  
4 is the subject of the record, the name and address of the employee's employer, and  
5 any financial information about that employee contained in the record.

6           **SECTION 368.** 103.05 (1) and (4) (a) of the statutes are amended to read:

7           103.05 (1) The department shall establish and operate a hiring reporting  
8 system that includes a state directory of new hires. All requirements under the  
9 reporting system shall be consistent with federal laws and regulations that relate to  
10 the reporting of newly hired employees for support collection purposes, as part of the  
11 state location service under s. ~~49.22~~ 49.811 (2), or any other purposes specified in 42  
12 USC 653a (h).

13           (4) (a) Except as provided in par. (b), no person may use or disclose information  
14 obtained under this section except in the administration of the program under s.  
15 ~~49.22~~ 49.811 or a program specified in 42 USC 653a (h).

16           **SECTION 369.** 103.275 (2) (bg) 3. of the statutes is amended to read:

17           103.275 (2) (bg) 3. The department of workforce development may not disclose  
18 any information received under subd. 1. to any person except to the department of  
19 revenue for the sole purpose of requesting certifications under s. 73.0301 or the  
20 department of children and families for purposes of administering s. ~~49.22~~ 49.811.

21           **SECTION 370.** 103.34 (10) (a) 4. of the statutes is amended to read:

22           103.34 (10) (a) 4. The department of workforce development may not disclose  
23 any information received under subd. 1. to any person except to the department of  
24 revenue for the sole purpose of requesting certifications under s. 73.0301 or on the  
25 request of the department of children and families under s. ~~49.22~~ 49.811 (2m).

1           **SECTION 371.** 103.91 (2) (b) 3. of the statutes is amended to read:

2           103.91 (2) (b) 3. The department of workforce development may not disclose  
3 any information received under subd. 1. to any person except to the department of  
4 revenue for the sole purpose of requesting certifications under s. 73.0301 or the  
5 department of children and families for purposes of administering s. ~~49.22~~ 49.811.

6           **SECTION 372.** 103.92 (1) (b) 3. of the statutes is amended to read:

7           103.92 (1) (b) 3. The department of workforce development may not disclose  
8 any information received under subd. 1. to any person except to the department of  
9 revenue for the sole purpose of requesting certifications under. s. 73.0301 or the  
10 department of children and families for purposes of administering s. ~~49.22~~ 49.811.

11           **SECTION 373.** 104.07 (4) (c) of the statutes is amended to read:

12           104.07 (4) (c) The department of workforce development may not disclose any  
13 information received under par. (a) to any person except to the department of  
14 revenue for the sole purpose of requesting certifications under s. 73.0301 or the  
15 department of children and families for purposes of administering s. ~~49.22~~ 49.811.

16           **SECTION 374.** 105.06 (1m) (c) of the statutes is amended to read:

17           105.06 (1m) (c) The department of workforce development may not disclose any  
18 information received under par. (a) to any person except to the department of  
19 revenue for the sole purpose of requesting certifications under s. 73.0301 or the  
20 department of children and families for purposes of administering s. ~~49.22~~ 49.811.

21           **SECTION 375.** 106.54 (9) of the statutes is amended to read:

22           106.54 (9) The division shall receive complaints under s. ~~49.019(4)(d)~~ or 49.197  
23 (6) (d) ~~or 49.845(4)(d)~~ and shall process the complaints in the same manner that  
24 employment discrimination complaints are processed under s. 111.39.

25           **SECTION 376.** 111.322 (2m) (bm) of the statutes is amended to read:

1           111.322 (2m) (bm) The individual files a complaint or attempts to enforce a  
2 right under s. 49.019 (4) (d) or 49.197 (6) (d) or ~~49.845 (4) (d)~~ or testifies or assists in  
3 any action or proceeding under s. 49.019 (4) (d) or 49.197 (6) (d) or ~~49.845 (4) (d)~~.

4           **SECTION 377.** 115.347 (2) of the statutes is amended to read:

5           115.347 (2) Whenever a school district that is located in whole or in part in a  
6 county that has converted to the client assistance for reemployment and economic  
7 support data system submits a report under sub. (1) in the prescribed format, the  
8 department of children and families shall determine which children enrolled in the  
9 school district are members of Wisconsin Works groups participating under s. 49.147  
10 (3) to (5) or of families receiving aid to families with dependent children or ~~food~~  
11 stamps benefits under the supplemental nutrition assistance program under 7 USC  
12 2011 to 2036 and shall provide the information to the school board as soon thereafter  
13 as possible. The school board shall use the information to directly certify children  
14 as eligible for free or reduced-price meals served by the school district under federal  
15 school nutrition programs, pursuant to 42 USC 1758 (b) (2) (C) (ii) and (iii).

      \*\*\*\*NOTE: I added this section to update the food stamp language.

16           **SECTION 378.** 118.15 (5) (b) 1. of the statutes is amended to read:

17           118.15 (5) (b) 1. Paragraph (a) does not apply to a person who has under his or  
18 her control a child who has been sanctioned under s. ~~49.26~~ 49.198 (1) (h).

19           **SECTION 379.** 118.19 (1r) (a) and (10) (g) of the statutes are amended to read:

20           118.19 (1r) (a) As provided in the memorandum of understanding under s.  
21 49.857, the department of public instruction may not issue or renew a license or  
22 permit or revalidate a license that has no expiration date unless the applicant  
23 provides the department of public instruction with his or her social security number.  
24 The department of public instruction may not disclose the social security number

1 except to the department of children and families for the sole purpose of  
2 administering s. ~~49.22~~ 49.811.

3 (10) (g) At the request under s. ~~49.22~~ 49.811 (2m) of the department of children  
4 and families or a county child support agency under s. 59.53 (5), the state  
5 superintendent shall release the name and address of the applicant or licensee, the  
6 name and address of the applicant's or licensee's employer, and financial  
7 information, if any, related to the applicant or licensee obtained under this  
8 subsection to the department of children and families or the county child support  
9 agency.

10 **SECTION 380.** 119.82 (1m) (c) of the statutes is amended to read:

11 119.82 (1m) (c) Has been or is being sanctioned under s. ~~49.26~~ 49.198 (1) (h).

12 **SECTION 381.** 134.43 (3m) of the statutes is amended to read:

13 134.43 (3m) Subsections (2) (b), (2m), and (3) do not apply to information  
14 regarding the name, address, or employer of or financial information related to a  
15 subscriber or member of a subscriber's household that is requested under s. ~~49.22~~  
16 49.811 (2m) by the department of children and families or a county child support  
17 agency under s. 59.53 (5).

18 **SECTION 382.** 149.12 (2) (f) 2. c. of the statutes is amended to read:

19 149.12 (2) (f) 2. c. Medical assistance under s. 49.46 (1) (1g) (a) 15.

20 **SECTION 383.** 169.34 (2) of the statutes is amended to read:

21 169.34 (2) DISCLOSURE OF SOCIAL SECURITY NUMBERS. The department of natural  
22 resources may not disclose any social security numbers received under sub. (1) to any  
23 person except to the department of children and families for the sole purpose of  
24 administering s. ~~49.22~~ 49.811.

25 **SECTION 384.** 218.0114 (20) (c) and (21e) (a) of the statutes are amended to read:

1           218.0114 (20) (c) An applicant or licensee furnishing information under par. (a)  
2 may designate the information as a trade secret, as defined in s. 134.90 (1) (c), or as  
3 confidential business information. The licensor shall notify the applicant or licensee  
4 providing the information 15 days before any information designated as a trade  
5 secret or as confidential business information is disclosed to the legislature, a state  
6 agency, as defined in s. 13.62 (2), a local governmental unit, as defined in s. 605.01  
7 (1), or any other person. The applicant or licensee furnishing the information may  
8 seek a court order limiting or prohibiting the disclosure, in which case the court shall  
9 weigh the need for confidentiality of the information against the public interest in  
10 the disclosure. A designation under this paragraph does not prohibit the disclosure  
11 of a person's name or address, of the name or address of a person's employer, or of  
12 financial information that relates to a person when requested under s. ~~49.22~~ 49.811  
13 (2m) by the department of children and families or a county child support agency  
14 under s. 59.53 (5).

15           (21e) (a) In addition to any other information required under this section and  
16 except as provided in par. (c), an application by an individual for the issuance or  
17 renewal of a license described in sub. (14) shall include the individual's social  
18 security number and an application by a person who is not an individual for the  
19 issuance or renewal of a license described in sub. (14) (a), (b), (c), or (e) shall include  
20 the person's federal employer identification number. The licensor may not disclose  
21 any information received under this paragraph to any person except the department  
22 of children and families for purposes of administering s. ~~49.22~~ 49.811 or the  
23 department of revenue for the sole purpose of requesting certifications under s.  
24 73.0301.



1           **SECTION 385.** 218.11 (2) (am) 3. of the statutes, as affected by 2011 Wisconsin  
2 Act 32, is amended to read:

3           218.11 (2) (am) 3. The department may not disclose any information received  
4 under subd. 1. to any person except to the department of children and families for  
5 purposes of administering s. ~~49.22~~ 49.811 or to the department of revenue for the sole  
6 purpose of requesting certifications under s. 73.0301.

7           **SECTION 386.** 218.12 (2) (am) 2. of the statutes, as affected by 2011 Wisconsin  
8 Act 32, is amended to read:

9           218.12 (2) (am) 2. The department may not disclose a social security number  
10 obtained under par. (a) to any person except to the department of children and  
11 families for the sole purpose of administering s. ~~49.22~~ 49.811 or to the department  
12 of revenue for the sole purpose of requesting certifications under s. 73.0301.

13           **SECTION 387.** 218.21 (2m) (b) of the statutes is amended to read:

14           218.21 (2m) (b) The department of transportation may not disclose any  
15 information received under sub. (2) (ag) or (am) to any person except to the  
16 department of children and families for purposes of administering s. ~~49.22~~ 49.811 or  
17 the department of revenue for the sole purpose of requesting certifications under s.  
18 73.0301.

19           **SECTION 388.** 218.31 (1m) (b) of the statutes is amended to read:

20           218.31 (1m) (b) The department of transportation may not disclose any  
21 information received under sub. (1) (ag) or (am) to any person except to the  
22 department of children and families for purposes of administering s. ~~49.22~~ 49.811 or  
23 the department of revenue for the sole purpose of requesting certifications under s.  
24 73.0301.

25           **SECTION 389.** 218.41 (2) (am) 2. of the statutes is amended to read:

1           218.41 (2) (am) 2. The department of transportation may not disclose any  
2 information received under subd. 1. a. or b. to any person except to the department  
3 of children and families for the sole purpose of administering s. ~~49.22~~ 49.811 or the  
4 department of revenue for the sole purpose of requesting certifications under s.  
5 73.0301.

6           **SECTION 390.** 218.51 (3) (am) 2. of the statutes is amended to read:

7           218.51 (3) (am) 2. The department of transportation may not disclose any  
8 information received under subd. 1. a. or b. to any person except to the department  
9 of children and families for the sole purpose of administering s. ~~49.22~~ 49.811 or the  
10 department of revenue for the sole purpose of requesting certifications under s.  
11 73.0301.

12           **SECTION 391.** 227.01 (13) (im) of the statutes is repealed.

13           **SECTION 392.** 227.43 (1) (by) of the statutes is amended to read:

14           227.43 (1) (by) Assign a hearing examiner to preside over any hearing of a  
15 contested case that is required to be conducted by the department of children and  
16 families under ~~ch. 48 or subch. ss. 49.811 to 49.823, subch. II or III of ch. 49, or ch.~~  
17 48 and that is not conducted by the secretary of children and families.

18           **SECTION 393.** 230.13 (3) (a) of the statutes is amended to read:

19           230.13 (3) (a) The director and the administrator shall provide to the  
20 department of children and families or a county child support agency under s. 59.53  
21 (5) information requested under s. ~~49.22~~ 49.811 (2m) that would otherwise be closed  
22 to the public under this section. Information provided under this paragraph may  
23 only include an individual's name and address, an individual's employer, and  
24 financial information related to an individual.

25           **SECTION 394.** 230.44 (1) (h) and (i) of the statutes are amended to read:

1           230.44 (1) (h) *Decisions affecting Milwaukee County employees by the*  
2 *department of health services.* A decision of the department of health services  
3 relating to a Milwaukee County employee under s. ~~49.825~~ 49.009 (3) (b).

4           (i) *Decisions affecting certain county employees by the department of children*  
5 *and families.* A decision of the department of children and families relating to a  
6 county employee under s. ~~49.826~~ 49.011 (3) (b).

7           **SECTION 395.** 238.30 (4m) of the statutes, as affected by 2011 Wisconsin Act 32,  
8 is amended to read:

9           238.30 (4m) "Member of a targeted group" means a person who resides in an  
10 area designated by the federal government as an economic revitalization area, a  
11 person who is employed in an unsubsidized job but meets the eligibility requirements  
12 under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who  
13 is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work, real pay  
14 project position under s. 49.147 (3m), 2009 stats., a person who is eligible for child  
15 care assistance under s. 49.155, a person who is a vocational rehabilitation referral,  
16 an economically disadvantaged youth, an economically disadvantaged veteran, a  
17 supplemental security income recipient, a general assistance recipient, an  
18 economically disadvantaged ex-convict, a dislocated worker, as defined in 29 USC  
19 2801 (9), or a food stamp recipient of benefits under the supplemental nutrition  
20 assistance program under 7 USC 2011 to 2036, if the person has been certified in the  
21 manner under 26 USC 51 (d) (13) (A) by a designated local agency, as defined in 26  
22 USC 51 (d) (12).

23           **SECTION 396.** 252.06 (10) (b) 4. of the statutes is amended to read:

24           252.06 (10) (b) 4. The expense of care provided under par. (a) to any dependent  
25 person, as defined in s. ~~49.01~~ 49.801 (2).

1           **SECTION 397.** 252.07 (10) of the statutes is amended to read:

2           **252.07 (10)** Inpatient care for isolated pulmonary tuberculosis patients, and  
3 inpatient care exceeding 30 days for other pulmonary tuberculosis patients, who are  
4 not eligible for federal medicare benefits, for medical assistance under subch. IV of  
5 ch. 49 or for health care services funded by a relief block grant under ~~subch. II of ch.~~  
6 49 ss. 49.801 to 49.808 may be reimbursed if provided by a facility contracted by the  
7 department. If the patient has private health insurance, the state shall pay the  
8 difference between health insurance payments and total charges.

9           **SECTION 398.** 291.15 (2) (d) of the statutes is amended to read:

10           **291.15 (2) (d)** *Use of confidential records.* Except as provided under par. (c) and  
11 this paragraph, the department or the department of justice may use records and  
12 other information granted confidential status under this subsection only in the  
13 administration and enforcement of this chapter. The department or the department  
14 of justice may release for general distribution records and other information granted  
15 confidential status under this subsection if the owner or operator expressly agrees  
16 to the release. The department or the department of justice may release on a limited  
17 basis records and other information granted confidential status under this  
18 subsection if the department or the department of justice is directed to take this  
19 action by a judge or hearing examiner under an order which protects the  
20 confidentiality of the records or other information. The department or the  
21 department of justice may release to the U.S. environmental protection agency or its  
22 authorized representative records and other information granted confidential status  
23 under this subsection if the department or the department of justice includes in each  
24 release of records or other information a request to the U.S. environmental  
25 protection agency or its authorized representative to protect the confidentiality of

1 the records or other information. The department or the department of justice shall  
2 provide to the department of children and families or a county child support agency  
3 under s. 59.53 (5) the name and address of an individual, the name and address of  
4 the individual's employer, and financial information related to the individual that is  
5 contained in records or other information granted confidential status under this  
6 subsection if requested under s. ~~49.22~~ 49.811 (2m) by the department of children and  
7 families or a county child support agency under s. 59.53 (5).

8 **SECTION 399.** 301.12 (14) (b) and (g) of the statutes are amended to read:

9 301.12 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability  
10 of a parent specified in sub. (2) or s. 301.03 (18) for the care and maintenance of the  
11 parent's minor child who has been placed by a court order under s. 938.183, 938.355,  
12 or 938.357 in a residential, nonmedical facility such as a group home, foster home,  
13 residential care center for children and youth, or juvenile correctional institution  
14 shall be determined by the court by using the percentage standard established by the  
15 department of children and families under s. ~~49.22~~ 49.811 (9) and by applying the  
16 percentage standard in the manner established by the department under par. (g).

17 (g) For purposes of determining child support under par. (b), the department  
18 shall promulgate rules related to the application of the standard established by the  
19 department of children and families under s. ~~49.22~~ 49.811 (9) to a child support  
20 obligation for the care and maintenance of a child who is placed by a court order  
21 under s. 938.183, 938.355, or 938.357 in a residential, nonmedical facility. The rules  
22 shall take into account the needs of any person, including dependent children other  
23 than the child, whom either parent is legally obligated to support.

24 **SECTION 400.** 301.45 (7) (a) of the statutes is amended to read:

1           301.45 (7) (a) The department shall maintain information provided under sub.  
2           (2). The department shall keep the information confidential except as provided in  
3           ss. 301.03 (14) and 301.46, except as needed for law enforcement purposes and except  
4           to provide, in response to a request for information under s. ~~49.22~~ 49.811 (2m) made  
5           by the department of children and families or a county child support agency under  
6           s. 59.53 (5), the name and address of an individual registered under this section, the  
7           name and address of the individual's employer, and financial information related to  
8           the individual.

9           **SECTION 401.** 302.372 (2) (b) of the statutes is amended to read:

10           302.372 (2) (b) Before seeking any reimbursement under this section, the  
11           county shall provide a form to be used for determining the financial status of  
12           prisoners. The form shall provide for obtaining the social security number of the  
13           prisoner, the age and marital status of a prisoner, the number and ages of children  
14           of a prisoner, the number and ages of other dependents of a prisoner, the income of  
15           a prisoner, type and value of real estate owned by a prisoner, type and value of  
16           personal property owned by a prisoner, the prisoner's cash and financial institution  
17           accounts, type and value of the prisoner's investments, pensions, and annuities, and  
18           any other personalty of significant cash value owned by a prisoner. The county shall  
19           use the form whenever investigating the financial status of prisoners. The  
20           information on a completed form is confidential and not open to public inspection or  
21           copying under s. 19.35 (1), except that the county shall provide the name and address  
22           of an individual, the name and address of the individual's employer, and financial  
23           information related to the individual from a form completed under this paragraph  
24           in response to a request for information under s. ~~49.22~~ 49.811 (2m) made by the

1 department of children and families or a county child support agency under s. 59.53  
2 (5).

3 **SECTION 402.** 341.51 (4g) (b) of the statutes is amended to read:

4 341.51 (4g) (b) The department of transportation may not disclose any  
5 information obtained under sub. (4) (am) or (ar) to any person except to the  
6 department of children and families for the sole purpose of administering s. ~~49.22~~  
7 49.811 or the department of revenue for the sole purpose of requesting certifications  
8 under s. 73.0301.

9 **SECTION 403.** 342.06 (1) (eg) of the statutes is amended to read:

10 342.06 (1) (eg) Except as provided in par. (eh), if the applicant is an individual,  
11 the social security number of the applicant. The department of transportation may  
12 not disclose a social security number obtained under this paragraph to any person  
13 except to the department of children and families for the sole purpose of  
14 administering s. ~~49.22~~ 49.811 and to the department of revenue for the purposes of  
15 administering state taxes and collecting debt.

16 **SECTION 404.** 343.14 (2j) of the statutes is amended to read:

17 343.14 (2j) Except as otherwise required to administer and enforce this  
18 chapter, the department of transportation may not disclose a social security number  
19 obtained from an applicant for a license under sub. (2) (bm) to any person except to  
20 the department of children and families for the sole purpose of administering s. ~~49.22~~  
21 49.811, to the department of revenue for the purposes of administering state taxes  
22 and collecting debt, or to the driver licensing agency of another jurisdiction.

23 **SECTION 405.** 343.305 (6) (e) 3. b. of the statutes is amended to read:

24 343.305 (6) (e) 3. b. The licensor may not disclose any information received  
25 under subd. 2. a. or b. except to the department of children and families for purposes

1 of administering s. ~~49.22~~ 49.811 or the department of revenue for the sole purpose  
2 of requesting certifications under s. 73.0301.

3 **SECTION 406.** 343.50 (8) (b) of the statutes is amended to read:

4 343.50 (8) (b) The department may not disclose any record or other information  
5 concerning or relating to an applicant or identification card holder to any person  
6 other than a court, district attorney, county corporation counsel, city, village, or town  
7 attorney, law enforcement agency, driver licensing agency of another jurisdiction, a  
8 procurement organization as provided in sub. (4m) (a), the applicant or identification  
9 card holder or, if the applicant or identification card holder is under 18 years of age,  
10 his or her parent or guardian. Except for photographs for which disclosure is  
11 authorized under s. 343.237, persons entitled to receive any record or other  
12 information under this paragraph shall not disclose the record or other information  
13 to other persons or agencies. This paragraph does not prohibit the disclosure of a  
14 person's name or address, of the name or address of a person's employer, or of  
15 financial information that relates to a person when requested under s. ~~49.22~~ 49.811  
16 (2m) by the department of children and families or a county child support agency  
17 under s. 59.53 (5).

18 **SECTION 407.** 343.61 (2) (b) of the statutes is amended to read:

19 343.61 (2) (b) The department of transportation may not disclose any  
20 information received under par. (a) 1. or 2. to any person except to the department  
21 of children and families for purposes of administering s. ~~49.22~~ 49.811 or the  
22 department of revenue for the sole purpose of requesting certifications under s.  
23 73.0301.

24 **SECTION 408.** 343.62 (2) (b) of the statutes is amended to read:



1           343.62 (2) (b) The department of transportation may not disclose a social  
2 security number obtained under par. (a) to any person except to the department of  
3 children and families for the sole purpose of administering s. ~~49.22~~ 49.811 or the  
4 department of revenue for the sole purpose of requesting certifications under s.  
5 73.0301.

6           **SECTION 409.** 349.19 of the statutes is amended to read:

7           **349.19 Authority to require accident reports.** Any city, village, town, or  
8 county may by ordinance require the operator of a vehicle involved in an accident to  
9 file with a designated municipal department or officer a report of such accident or  
10 a copy of any report required to be filed with the department. All such reports are  
11 for the confidential use of such department or officer and are otherwise subject to s.  
12 346.73, except that this section does not prohibit the disclosure of a person's name  
13 or address, of the name or address of a person's employer, or of financial information  
14 that relates to a person when requested under s. ~~49.22~~ 49.811 (2m) to the department  
15 of children and families or a county child support agency under s. 59.53 (5).

16           **SECTION 410.** 440.03 (11m) (c) of the statutes, as affected by 2011 Wisconsin Act  
17 32, is amended to read:

18           440.03 (11m) (c) The department of safety and professional services may not  
19 disclose a social security number obtained under par. (a) to any person except the  
20 coordinated licensure information system under s. 441.50 (7); the department of  
21 children and families for purposes of administering s. ~~49.22~~ 49.811; and, for a social  
22 security number obtained under par. (a) 1., the department of revenue for the  
23 purpose of requesting certifications under s. 73.0301 and administering state taxes.

24           **SECTION 411.** 440.43 (5) of the statutes is amended to read:

1           **440.43 (5) DEPARTMENT DISCLOSURE.** The department shall not disclose  
2 information under sub. (4) (c) 1. except to the extent necessary for investigative or  
3 law enforcement purposes and except that the department may, if requested under  
4 s. ~~49.22~~ 49.811 (2m), disclose information regarding the name, address or employer  
5 of or financial information related to an individual to the department of children and  
6 families or a county child support agency under s. 59.53 (5).

7           **SECTION 412.** 440.44 (10) of the statutes is amended to read:

8           **440.44 (10) NONDISCLOSURE.** The department may not disclose information  
9 under sub. (9) (a) 1. to any person except to the extent necessary for investigative or  
10 law enforcement purposes and except that the department may, if requested under  
11 s. ~~49.22~~ 49.811 (2m), disclose information regarding the name, address or employer  
12 of, or financial information related to an individual to the department of children and  
13 families or a county child support agency under s. 59.53 (5).

14           **SECTION 413.** 440.92 (6) (d) of the statutes is amended to read:

15           **440.92 (6) (d)** All records described under pars. (b) 2. and (c) and maintained  
16 by the board are confidential and are not available for inspection or copying under  
17 s. 19.35 (1). This paragraph does not apply to any information regarding the name,  
18 address or employer of, or financial information related to an individual that is  
19 requested under s. ~~49.22~~ 49.811 (2m) by the department of children and families or  
20 a county child support agency under s. 59.53 (5).

21           **SECTION 414.** 461.02 (9) (bm) 3. of the statutes is amended to read:

22           **461.02 (9) (bm) 3.** The requester is the department of children and families or  
23 a county child support agency under s. 59.53 (5), the request is made under s. ~~49.22~~  
24 49.811 (2m), and the request is limited to the name, home address, and business  
25 address of the applicant, registrant, or controlling person who is the subject of the

1 request and any financial information about the applicant, registrant, or controlling  
2 person contained in the record.

3 **SECTION 415.** 562.05 (8m) (a) of the statutes is amended to read:

4 562.05 (8m) (a) If the applicant for any license is an individual, the department  
5 shall disclose his or her social security number to the department of children and  
6 families for the purpose of administering s. ~~49.22~~ 49.811 and to the department of  
7 revenue for the purpose of requesting certifications under s. 73.0301.

8 **SECTION 416.** 563.28 (2) of the statutes is amended to read:

9 563.28 (2) The department shall disclose the social security number of any  
10 applicant for a supplier's license to the department of children and families for the  
11 purpose of administering s. ~~49.22~~ 49.811.

12 **SECTION 417.** 628.095 (4) (a) of the statutes is amended to read:

13 628.095 (4) (a) The commissioner shall disclose a social security number  
14 obtained under sub. (1) or (3) to the department of children and families in the  
15 administration of s. ~~49.22~~ 49.811, as provided in a memorandum of understanding  
16 entered into under s. 49.857.

17 **SECTION 418.** 632.69 (2) (c) of the statutes is amended to read:

18 632.69 (2) (c) The commissioner may not issue a license under this subsection  
19 unless the applicant provides his or her social security number or its federal  
20 employer identification number or, if the applicant does not have a social security  
21 number, a statement made or subscribed under oath or affirmation that the  
22 applicant does not have a social security number. An applicant who is providing a  
23 statement that he or she does not have a social security number, shall provide that  
24 statement along with the application for a license on a form prescribed by the  
25 department of children and families. A licensee shall provide to the commissioner

1 the licensee's social security number, statement the licensee does not have the social  
2 security number, or federal employment identification number of the licensee at the  
3 time that the annual license renewal fee is paid, if not previously provided. The  
4 commissioner shall disclose a social security number obtained from an applicant or  
5 licensee to the department of children and families in the administration of s. ~~49.22~~  
6 49.811, as provided in a memorandum of understanding entered into under s. 49.857.  
7 The commissioner may disclose the social security number or federal employment  
8 identification number of an applicant or licensee to the department of revenue for the  
9 purpose of requesting certifications under s. 73.0301.

10 **SECTION 419.** 633.14 (2c) (a) of the statutes is amended to read:

11 633.14 (2c) (a) The commissioner shall disclose a social security number  
12 obtained under sub. (1) (d) to the department of children and families in the  
13 administration of s. ~~49.22~~ 49.811, as provided in a memorandum of understanding  
14 entered into under s. 49.857.

15 **SECTION 420.** 751.15 (2) of the statutes is amended to read:

16 751.15 (2) The supreme court is requested to promulgate rules that require  
17 each person who has a social security number, as a condition of membership in the  
18 state bar, to provide the board of bar examiners with his or her social security  
19 number, that require each person who does not have a social security number, as a  
20 condition of membership in the state bar, to provide the board of bar examiners with  
21 a statement made or subscribed under oath or affirmation on a form prescribed by  
22 the department of children and families that the person does not have a social  
23 security number, and that prohibit the disclosure of that number to any person  
24 except the department of children and families for the purpose of administering s.  
25 ~~49.22~~ 49.811.

1           **SECTION 421.** 767.127 (4) of the statutes is amended to read:

2           767.127 (4) **FAILURE TO TIMELY FILE.** If either party fails timely to file a complete  
3 disclosure statement as required by this section, the court may accept as accurate  
4 any information provided in the statement of the other party or obtained under s.  
5 ~~49.22~~ 49.811 (2m) by the department or the county child support agency under s.  
6 59.53 (5).

7           **SECTION 422.** 767.205 (2) (a) 1. and 2. and (b) 1. and 2. of the statutes are  
8 amended to read:

9           767.205 (2) (a) 1. An action to establish paternity whenever there is a  
10 completed application for legal services filed with the child support program under  
11 s. ~~49.22~~ 49.811 or whenever s. 767.80 (6m) or (6r) applies.

12           2. An action to establish or enforce a child support or maintenance obligation  
13 whenever there is a completed application for legal services filed with the child  
14 support program under s. ~~49.22~~ 49.811.

15           (b) 1. Except as provided in subd. 2., in any action affecting the family under  
16 a child support enforcement program, an attorney acting under s. ~~49.22~~ 49.811 or  
17 59.53 (5), including any district attorney or corporation counsel, represents only the  
18 state. Child support services provided by an attorney as specified in par. (a) do not  
19 create an attorney-client relationship with any other party.

20           2. Subdivision 1. does not apply to an attorney who is employed by the  
21 department under s. ~~49.22~~ 49.811 or a county under s. 59.53 (5) or (6) (a) to act as the  
22 guardian ad litem of the minor child for the purpose of establishing paternity.

23           **SECTION 423.** 767.215 (1) (b) and (2m) (a) 2. of the statutes are amended to read:

24           767.215 (1) (b) The clerk of court shall provide without charge, to each person  
25 filing a petition requesting child support, a document setting forth the percentage

1 standard established by the department under s. ~~49.22~~ 49.811 (9) and listing the  
2 factors that a court may consider under s. 767.511 (1m).

3 **(2m)** (a) 2. Shall be accompanied by a document, provided without charge by  
4 the clerk of court, setting forth the percentage standard established by the  
5 department under s. ~~49.22~~ 49.811 (9) and listing the factors that a court may consider  
6 under s. 767.511 (1m).

7 **SECTION 424.** 767.225 (1n) (b) 1. of the statutes is amended to read:

8 767.225 **(1n)** (b) 1. If the court makes a temporary child support order that  
9 deviates from the amount of support that would be required by using the percentage  
10 standard established by the department under s. ~~49.22~~ 49.811 (9), the court shall  
11 comply with the requirements of s. 767.511 (1n).

12 **SECTION 425.** 767.241 (1) (b) of the statutes is amended to read:

13 767.241 **(1)** (b) If one party receives services under s. ~~49.22~~ 49.811 or services  
14 provided by the state or county as a result of an assignment of income under s. 49.19,  
15 order the other party to pay any fee chargeable under s. ~~49.22~~ 49.811 (6) or the cost  
16 of services rendered by the state or county under s. 49.19.

17 **SECTION 426.** 767.241 (3) of the statutes is amended to read:

18 767.241 **(3)** TO WHOM PAID. The court may order that the amount be paid directly  
19 to the attorney or to the state or the county providing services under s. ~~49.22~~ 49.19  
20 or 49.811, who may enforce the order in its name.

21 **SECTION 427.** 767.407 (1) (c) 1. of the statutes is amended to read:

22 767.407 **(1)** (c) 1. Aid is provided under s. 48.57 (3m) or (3n), 48.645, 49.19, or  
23 49.45 on behalf of the child, or benefits are provided to the child's custodial parent  
24 under ss. 49.141 to 49.161, but the state and its delegate under s. ~~49.22~~ 49.811 (7)

1 are barred by a statute of limitations from commencing an action under s. 767.80 on  
2 behalf of the child.

3 **SECTION 428.** 767.407 (1) (c) 2. of the statutes is amended to read:

4 767.407 (1) (c) 2. An application for legal services has been filed with the child  
5 support program under s. ~~49.22~~ 49.811 on behalf of the child, but the state and its  
6 delegate under s. ~~49.22~~ 49.811 (7) are barred by a statute of limitations from  
7 commencing an action under s. 767.80 on behalf of the child.

8 **SECTION 429.** 767.511 (1g) and (1j) of the statutes are amended to read:

9 767.511 (1g) CONSIDERATION OF FINANCIAL INFORMATION. In determining child  
10 support payments, the court may consider all relevant financial information or other  
11 information relevant to the parent's earning capacity, including information  
12 reported under s. ~~49.22~~ 49.811 (2m) to the department or the county child support  
13 agency under s. 59.53 (5).

14 (1j) PERCENTAGE STANDARD GENERALLY REQUIRED. Except as provided in sub.  
15 (1m), the court shall determine child support payments by using the percentage  
16 standard established by the department under s. ~~49.22~~ 49.811 (9).

17 **SECTION 430.** 767.521 (intro.) of the statutes is amended to read:

18 **767.521 Action by state for child support.** (intro.) The state or its delegate  
19 under s. ~~49.22~~ 49.811 (7) shall bring an action for support of a minor child under s.  
20 767.001 (1) (f) or for paternity determination and child support under s. 767.80 if the  
21 child's right to support is assigned to the state under s. 48.57 (3m) (b) 2. or (3n) (b)  
22 2., 48.645 (3), 49.145 (2) (s), 49.19 (4) (h) 1. b., or 49.775 (2) (bm) and all of the  
23 following apply:

24 **SECTION 431.** 767.55 (2) (am) (intro.) and 1m. and (c) of the statutes are  
25 amended to read:

1           767.55 (2) (am) (intro.) In an action for modification of a child support order  
2 under s. 767.59, an action in which an order for child support is required under s.  
3 767.511 (1), 767.805 (4), or 767.89 (3), or a contempt of court proceeding to enforce  
4 a child support or family support order in a county that contracts under s. ~~49.36~~  
5 49.163 (2), the court may order a parent who is not a custodial parent to register for  
6 a work experience and job training program under s. ~~49.36~~ 49.163 if all of the  
7 following conditions are met:

8           1m. If the parent resides in a county other than the county in which the court  
9 action or proceeding takes place, the parent resides in a county with a work  
10 experience and job training program under s. ~~49.36~~ 49.163 and that county agrees  
11 to enroll the parent in the program.

12           (c) If the court enters an order under par. (am), it shall order the parent to pay  
13 child support equal to the amount determined by applying the percentage standard  
14 established under s. ~~49.22~~ 49.811 (9) or equal to the amount of child support that the  
15 parent was ordered to pay in the most recent determination of support under this  
16 chapter. The child support obligation ordered under this paragraph continues until  
17 the parent makes timely payment in full for 3 consecutive months or until the person  
18 participates in the program under s. ~~49.36~~ 49.163 for 16 weeks, whichever occurs  
19 first. The court shall provide in its order that the parent shall make child support  
20 payments calculated under s. 767.511 (1j) or (1m) after the obligation to make  
21 payments ordered under this paragraph ceases.

22           **SECTION 432.** 767.553 (1) (a) and (b) of the statutes are amended to read:

23           767.553 (1) (a) An order for child or family support under this chapter may  
24 provide for an annual adjustment in the amount to be paid based on a change in the  
25 payer's income if the amount of child or family support is expressed in the order as



1 a fixed sum and based on the percentage standard established by the department  
2 under s. ~~49.22~~ 49.811 (9). No adjustment may be made under this section unless the  
3 order provides for the adjustment.

4 (b) An adjustment under this section may not be made more than once in a year  
5 and shall be determined on the basis of the percentage standard established by the  
6 department under s. ~~49.22~~ 49.811 (9).

7 **SECTION 433.** 767.59 (1f) (b) 4. and (c) 1. and (2) (a) of the statutes are amended  
8 to read:

9 767.59 (1f) (b) 4. A difference between the amount of child support ordered by  
10 the court to be paid by the payer and the amount that the payer would have been  
11 required to pay based on the percentage standard established by the department  
12 under s. ~~49.22~~ 49.811 (9) if the court did not use the percentage standard in  
13 determining the child support payments and did not provide the information  
14 required under s. 46.10 (14) (d), 49.345 (14) (d), 301.12 (14) (d), or 767.511 (1n),  
15 whichever is appropriate.

16 (c) 1. Unless the amount of child support is expressed in the judgment or order  
17 as a percentage of parental income, a change in the payer's income, evidenced by  
18 information received under s. ~~49.22~~ 49.811 (2m) by the department or the county  
19 child support agency under s. 59.53 (5) or by other information, from the payer's  
20 income determined by the court in its most recent judgment or order for child  
21 support, including a revision of a child support order under this section.

22 (2) (a) Except as provided in par. (b) or (c), if the court revises a judgment or  
23 order with respect to child support payments, it shall do so by using the percentage  
24 standard established by the department under s. ~~49.22~~ 49.811 (9).

25 **SECTION 434.** 767.80 (1) (j), (5) (b) and (7) of the statutes are amended to read:

1           767.80 (1) (j) A parent of a person listed under par. (b), (c) or (d), if the parent  
2 is liable or is potentially liable for maintenance of a child of a dependent person under  
3 s. ~~49.90~~ 49.039 (1) (a) 2.

4           (5) (b) An action under this section may be joined with any other action for child  
5 support and is governed by the procedures specified in s. 767.205 relating to child  
6 support, except that the title of the action shall be "In re the paternity of A.B." The  
7 petition shall state the name and date of birth of the child if born or that the mother  
8 is pregnant if the child is unborn, the name of any alleged father, whether or not an  
9 action by any of the parties to determine the paternity of the child or rebut the  
10 presumption of paternity to the child has at any time been commenced, or is pending  
11 before any court, in this state or elsewhere. If a paternity judgment has been  
12 rendered, or if a paternity action has been dismissed, the petition shall state the  
13 court that rendered the judgment or dismissed the action, and the date and the place  
14 the judgment was granted if known. The petition shall also give notice of a party's  
15 right to request a genetic test under s. ~~49.225~~ 49.817 or 767.84.

16           (7) CLERK TO PROVIDE DOCUMENT. The clerk of court shall provide without charge  
17 to each person bringing an action under this section, except to the state under sub.  
18 (1) (g) or (6m), a document setting forth the percentage standard established by the  
19 department under s. ~~49.22~~ 49.811 (9) and listing the factors that a court may consider  
20 under s. 767.511 (1m).

21           **SECTION 435.** 767.813 (6) of the statutes is amended to read:

22           767.813 (6) DOCUMENT. The summons served on the respondent shall be  
23 accompanied by a document, provided without charge by the clerk of court, setting  
24 forth the percentage standard established by the department under s. ~~49.22~~ 49.811  
25 (9) and listing the factors that a court may consider under s. 767.511 (1m).

1           **SECTION 436.** 767.83 (3) of the statutes is amended to read:

2           767.83 (3) APPEARANCE BY STATE'S ATTORNEY NOT AFFECTED. This section does not  
3 prevent an attorney responsible for support enforcement under s. 59.53 (6) (a) or any  
4 other attorney employed under s. ~~49.22~~ 49.811 or 59.53 (5) from appearing in any  
5 paternity action as provided under s. 767.80 (6).

6           **SECTION 437.** 767.84 (1) (a), (1m) and (5) (b) of the statutes are amended to read:

7           767.84 (1) (a) The court may, and upon request of a party shall, require the  
8 child, mother, any male for whom there is probable cause to believe that he had  
9 sexual intercourse with the mother during a possible time of the child's conception,  
10 or any male witness who testifies or will testify about his sexual relations with the  
11 mother at a possible time of conception to submit to genetic tests. Probable cause of  
12 sexual intercourse during a possible time of conception may be established by a  
13 sufficient petition or affidavit of the child's mother or an alleged father, filed with the  
14 court, or after an examination under oath of a party or witness, when the court  
15 determines that an examination is necessary. The court is not required to order a  
16 person who has undergone a genetic test under s. ~~49.225~~ 49.817 to submit to another  
17 test under this paragraph unless a party requests additional tests under sub. (2).

18           **(1m) REBUTTABLE PRESUMPTION.** If genetic tests ordered under this section or  
19 s. ~~49.225~~ 49.817 show that the alleged father is not excluded and that the statistical  
20 probability of the alleged father's parentage is 99.0% or higher, the alleged father  
21 shall be rebuttably presumed to be the child's parent.

22           **(5) (b)** If 2 or more identical series of genetic tests are performed upon the same  
23 person, regardless of whether the tests were ordered under this section or s. ~~49.225~~  
24 49.817 or 767.863 (2), the court shall require the person requesting the 2nd or

1 subsequent series of tests to pay for the series in advance, unless the court finds that  
2 the person is indigent.

3 **SECTION 438.** 767.85 (2) of the statutes is amended to read:

4 767.85 (2) CONSIDERATIONS. Before making any temporary order under sub. (1),  
5 the court shall consider those factors that the court is required to consider when  
6 granting a final judgment on the same subject matter. If the court makes a  
7 temporary child support order that deviates from the amount of support that would  
8 be required by using the percentage standard established by the department under  
9 s. ~~49.22~~ 49.811 (9), the court shall comply with the requirements of s. 767.511 (1n).

10 **SECTION 439.** 767.853 (2) of the statutes is amended to read:

11 767.853 (2) INFORMATION ACCESS TO DEPARTMENT AND CHILD SUPPORT AGENCIES.  
12 The clerk of circuit court shall provide access to the record of any pending paternity  
13 proceeding to the department or any county child support agency under s. 59.53 (5)  
14 for purposes related to administering the child and spousal support and  
15 establishment of paternity and medical support liability program under ss. ~~49.22~~  
16 49.811 and 59.53 (5), regardless of whether the department or county child support  
17 agency is a party to the proceeding.

18 **SECTION 440.** 767.863 (2) of the statutes is amended to read:

19 767.863 (2) ORDER FOR TESTS. If at the first appearance it appears from a  
20 sufficient petition or affidavit of the child's mother or an alleged father or from sworn  
21 testimony of the child's mother or an alleged father that there is probable cause to  
22 believe that any of the males named has had sexual intercourse with the mother  
23 during a possible time of the child's conception, the court may, or upon the request  
24 of any party shall, order any of the named persons to submit to genetic tests. The  
25 tests shall be conducted in accordance with s. 767.84. The court is not required to

1 order a person who has undergone a genetic test under s. ~~49.225~~ 49.817 to submit to  
2 another genetic test under this subsection unless a party requests additional tests  
3 under s. 767.84 (2).

4 **SECTION 441.** 767.87 (1) (c) of the statutes is amended to read:

5 767.87 (1) (c) Genetic test results under s. ~~49.225~~ 49.817, 767.84, or 885.23.

6 **SECTION 442.** 767.893 (2) (b) 2. of the statutes is amended to read:

7 767.893 (2) (b) 2. The alleged father who fails to appear has had genetic tests  
8 under s. ~~49.225~~ 49.817 or 767.84 showing that the alleged father is not excluded and  
9 that the statistical probability of the alleged father's parentage is 99.0 percent or  
10 higher.

11 **SECTION 443.** 802.10 (1) of the statutes is amended to read:

12 802.10 (1) APPLICATION. This section applies to all actions and special  
13 proceedings except appeals taken to circuit court; actions seeking the remedy  
14 available by certiorari, habeas corpus, mandamus, prohibition, and quo warranto;  
15 actions in which all defendants are in default; provisional remedies; and actions  
16 under ss. ~~49.90~~ 49.039 and s. 66.0114 and chs. 48, 54, 102, 108, 227, 348, 767, 778,  
17 799 and 812, and proceedings under chs. 851 to 882.

18 **SECTION 444.** 803.03 (2) (a) and (bm) of the statutes are amended to read:

19 803.03 (2) (a) *Joinder of related claims.* A party asserting a claim for  
20 affirmative relief shall join as parties to the action all persons who at the  
21 commencement of the action have claims based upon subrogation to the rights of the  
22 party asserting the principal claim, derivation from the principal claim, or  
23 assignment of part of the principal claim. For purposes of this section, a person's  
24 right to recover for loss of consortium shall be deemed a derivative right. Any public  
25 assistance recipient or any estate of such a recipient asserting a claim against a 3rd

1 party for which the public assistance provider has a right of subrogation or  
2 assignment under s. ~~49.89~~ 49.037 (2) or (3) shall join the provider as a party to the  
3 claim. Any party asserting a claim based upon subrogation to part of the claim of  
4 another, derivation from the rights or claim of another, or assignment of part of the  
5 rights or claim of another shall join as a party to the action the person to whose rights  
6 the party is subrogated, from whose claim the party derives his or her rights or claim,  
7 or by whose assignment the party acquired his or her rights or claim.

8 (bm) *Joinders because of implication of medical assistance.* If the department  
9 of health services is joined as a party pursuant to par. (a) and s. ~~49.89~~ 49.037 (2)  
10 because of the provision of benefits under subch. IV of ch. 49, the department of  
11 health services need not sign a waiver of the right to participate in order to have its  
12 interests represented by the party that caused the joinder. If the department of  
13 health services makes no selection under par. (b), the party causing the joinder shall  
14 represent the interests of the department of health services and the department of  
15 health services shall be bound by the judgment in the action.

16 **SECTION 445.** 812.30 (9) of the statutes is amended to read:

17 812.30 (9) "Need-based public assistance" means aid to families with  
18 dependent children, relief funded by a relief block grant under ch. 49, relief provided  
19 by counties under s. 59.53 (21), medical assistance Medical Assistance,  
20 supplemental security income, ~~food stamps~~ supplemental nutrition assistance  
21 program benefits, or benefits received by veterans under s. 45.40 (1m) or under 38  
22 USC 501 to 562.

23 **SECTION 446.** 812.44 (4) 2. (form) of the statutes is amended to read:

24 812.44 (4) 2. (form) You receive aid to families with dependent children, relief  
25 funded by a relief block grant under ch. 49, relief provided by counties under section

1 s. 59.53 (21) of the Wisconsin Statutes, ~~medical assistance~~ Medical Assistance,  
2 supplemental security income, ~~food stamps~~ supplemental nutrition assistance  
3 program benefits, or veterans benefits based on need under 38 USC 501 to 562 or  
4 section 45.351 (1) of the Wisconsin Statutes, or have received these benefits within  
5 the past 6 months.

6 **SECTION 447.** 812.44 (5) 2. (form) of the statutes is amended to read:

7 812.44 (5) 2. (form) I receive, am eligible for, or have within 6 months received,  
8 aid to families with dependent children, relief funded by a relief block grant under  
9 ch. 49, relief provided by counties under section 59.53 (21) of the Wisconsin Statutes,  
10 ~~medical assistance~~ Medical Assistance, supplemental security income, ~~food stamps~~  
11 supplemental nutrition assistance program benefits, or veterans benefits based on  
12 need under 38 USC 501 to 562 or section 45.351 (1) of the Wisconsin Statutes.

\*\*\*\*NOTE: I added s. 812.44 (4) and (5) to update the food stamp language.

13 **SECTION 448.** 813.12 (5) (b) of the statutes is amended to read:

14 813.12 (5) (b) The clerk of circuit court shall provide the simplified forms  
15 provided under s. ~~49.165~~ 49.217 (3) (c) to help a person file a petition.

16 **SECTION 449.** 814.03 (3) of the statutes is amended to read:

17 814.03 (3) Notwithstanding subs. (1) and (2), where the department of health  
18 services or a county is joined as a plaintiff pursuant to ss. ~~49.89~~ 49.037 (2) and 803.03  
19 (2) (a) because of the provision of benefits under subch. IV of ch. 49, the department  
20 of health services or the county shall not be liable for costs to any prevailing  
21 defendant.

22 **SECTION 450.** 814.29 (1) (d) 1. of the statutes is amended to read:

23 814.29 (1) (d) 1. That the person is a recipient of means-tested public  
24 assistance, including aid to families with dependent children, relief funded by a relief

1 block grant under ch. 49, relief provided by counties under s. 59.53 (21), ~~medical~~  
2 ~~assistance~~ Medical Assistance, supplemental security income, ~~food stamps~~  
3 supplemental nutrition assistance program benefits, or benefits received by  
4 veterans under s. 45.40 (1m) or under 38 USC 501 to 562.

5 **SECTION 451.** 815.18 (13) (a) of the statutes is amended to read:

6 815.18 (13) (a) Assistance benefits exempt under s. ~~49.96~~ 49.043.

7 **SECTION 452.** 859.07 (2) (a) 2. of the statutes is amended to read:

8 859.07 (2) (a) 2. The decedent was responsible for any obligation owing to the  
9 state or a county under s. 46.03 (18), 46.10, 48.36, ~~49.32~~ 49.06 (1), 49.345, 301.03 (18),  
10 301.12, or 938.36.

11 **SECTION 453.** 859.15 of the statutes is amended to read:

12 **859.15 Effect of statute of limitations.** Except as provided in ss. 46.10 (11),  
13 ~~49.08, 49.195 (1), 49.345 (11), 49.808,~~ and 301.12 (11), a claim shall not be allowed  
14 that was barred by any statute of limitations at the time of the decedent's death. A  
15 claim shall not be barred by statutes of limitation that was not barred at the time of  
16 the decedent's death if the claim is filed against the decedent's estate in the court on  
17 or before the deadline for filing a claim under s. 859.01.

18 **SECTION 454.** 885.01 (5) of the statutes is amended to read:

19 885.01 (5) By the department of children and families or a county child support  
20 agency under s. 59.53 (5) in the administration of ss. 49.145, 49.19, ~~49.22,~~ 49.46,  
21 49.47, and 49.471, and 49.811 and programs carrying out the purposes of 7 USC 2011  
22 to ~~2029~~ 2036.

\*\*\*\*NOTE: I corrected the citation to include all of the supplemental nutritional  
assistance program. Please let me know if this is inconsistent with the intent of the  
committee.

23 **SECTION 455.** 895.45 (1) (a) of the statutes is amended to read:



1           895.45 (1) (a) "Abusive conduct" means domestic abuse, as defined under s.  
2 ~~49.165~~ 49.217 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined under  
3 s. 813.125 (1), sexual exploitation by a therapist under s. 940.22, sexual assault  
4 under s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under  
5 ss. 948.02 to 948.11.

6           **SECTION 456.** 938.30 (6) (b) of the statutes is amended to read:

7           938.30 (6) (b) If it appears to the court that disposition of the case may include  
8 placement of the juvenile outside the juvenile's home, the court shall order the  
9 juvenile's parent to provide a statement of the income, assets, debts, and living  
10 expenses of the juvenile and the juvenile's parent to the court or the designated  
11 agency under s. 938.33 (1) at least 5 days before the scheduled date of the  
12 dispositional hearing or as otherwise ordered by the court. The clerk of court shall  
13 provide, without charge, to any parent ordered to provide that statement a document  
14 setting forth the percentage standard established by the department of children and  
15 families under s. ~~49.22~~ 49.811 (9) and listing the factors that a court may consider  
16 under s. 301.12 (14) (c).

17           **SECTION 457.** 938.31 (7) (b) of the statutes is amended to read:

18           938.31 (7) (b) If it appears to the court that disposition of the case may include  
19 placement of the juvenile outside the juvenile's home, the court shall order the  
20 juvenile's parent to provide a statement of the income, assets, debts, and living  
21 expenses of the juvenile and the juvenile's parent, to the court or the designated  
22 agency under s. 938.33 (1) at least 5 days before the scheduled date of the  
23 dispositional hearing or as otherwise ordered by the court. The clerk of court shall  
24 provide, without charge, to any parent ordered to provide the statement a document  
25 setting forth the percentage standard established by the department of children and

1 families under s. ~~49.22~~ 49.811 (9) and listing the factors that a court may consider  
2 under s. 301.12 (14) (c).

3 **SECTION 458.** 938.357 (5m) (a) of the statutes is amended to read:

4 938.357 (5m) (a) If a proposed change in placement would change a juvenile's  
5 placement from a placement in the juvenile's home to a placement outside the  
6 juvenile's home, the court shall order the juvenile's parent to provide a statement of  
7 the income, assets, debts, and living expenses of the juvenile and the juvenile's  
8 parent to the court or the person or agency primarily responsible for implementing  
9 the dispositional order by a date specified by the court. The clerk of court shall  
10 provide, without charge, to any parent ordered to provide that statement a document  
11 setting forth the percentage standard established by the department of children and  
12 families under s. ~~49.22~~ 49.811 (9) and listing the factors under s. 301.12 (14) (c). If  
13 the juvenile is placed outside the juvenile's home, the court shall determine the  
14 liability of the parent in the manner provided in s. 301.12 (14).

15 **SECTION 459.** 938.36 (1) (b) of the statutes is amended to read:

16 938.36 (1) (b) In determining the amount of support under par. (a), the court  
17 may consider all relevant financial information or other information relevant to the  
18 parent's earning capacity, including information reported under s. ~~49.22~~ 49.811 (2m)  
19 to the department of children and families, or the county child support agency, under  
20 s. 59.53 (5). If the court has insufficient information with which to determine the  
21 amount of support, the court shall order the juvenile's parent to furnish a statement  
22 of the income, assets, debts, and living expenses of the juvenile and the juvenile's  
23 parent, if the parent has not already done so, to the court within 10 days after the  
24 court's order transferring custody or designating an alternative placement is entered  
25 or at such other time as ordered by the court.

1           **SECTION 460.** 938.363 (1) (c) of the statutes is amended to read:

2           938.363 (1) (c) If the proposed revision is for a change in the amount of child  
3 support to be paid by a parent, the court shall order the juvenile's parent to provide  
4 a statement of the income, assets, debts, and living expenses of the juvenile and the  
5 juvenile's parent to the court and the person or agency primarily responsible for  
6 implementing the dispositional order by a date specified by the court. The clerk of  
7 court shall provide, without charge, to any parent ordered to provide that statement  
8 a document setting forth the percentage standard established by the department of  
9 children and families under s. ~~49.22~~ 49.811 (9) and listing the factors that a court may  
10 consider under s. 301.12 (14) (c).

11           **SECTION 461.** 946.90 (title) of the statutes is created to read:

12           **946.90 (title) Wisconsin Works fraud.**

13           **SECTION 462.** 946.90 (1) of the statutes is created to read:

14           946.90 (1) In this section:

15           (a) "Provider" means a Wisconsin Works agency or a person that contracts with  
16 a Wisconsin Works agency to provide services to a participant in Wisconsin Works.

17           (b) "Wisconsin Works" means the assistance program for families with  
18 dependent children, administered under ss. 49.141 to 49.161.

19           (c) "Wisconsin Works agency" has the meaning given in s. 49.001 (9).

20           **SECTION 463.** 946.90 (2) of the statutes is created to read:

21           946.90 (2) A person who does any of the following is guilty of a Class A  
22 misdemeanor:

23           (a) Intentionally makes or causes to be made any false statement or  
24 representation of a material fact in any application for or receipt of any Wisconsin  
25 Works benefit or payment.

1 (b) Having knowledge of the occurrence of any event affecting the initial or  
2 continued eligibility for a Wisconsin Works benefit or payment under Wisconsin  
3 Works, conceals or fails to disclose that event with an intent to fraudulently secure  
4 a Wisconsin Works benefit or payment either in a greater amount or quantity than  
5 is due or when no such benefit or payment is authorized.

6 **SECTION 464.** 946.91 (title), (1) and (2) (intro.) of the statutes are created to  
7 read:

8 **946.91 (title) Medical Assistance fraud. (1)** In this section:

9 (a) "Facility" means a nursing home or a community-based residential facility  
10 that is licensed under s. 50.03 and that is certified by the department of health  
11 services as a provider of aid under Medical Assistance.

12 (b) "Medical Assistance" means the program providing aid under subch. IV of  
13 ch. 49, except ss. 49.468 and 49.471.

14 (c) "Provider" means a person, corporation, limited liability company,  
15 partnership, incorporated business, or professional association, and any agent or  
16 employee thereof, who provides services under Medical Assistance.

17 (2) (intro.) Whoever does any of the following is guilty of a Class H felony, except  
18 that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may  
19 be fined not more than \$25,000:

20 **SECTION 465.** 946.92 (1) (e) and (3) (a) (intro.) of the statutes are created to read:

21 946.92 (1) (e) "Supplemental nutrition assistance program" has the meaning  
22 given in s. 49.79 (1) (fg).

23 (3) (a) (intro.) Whoever violates sub. (2) is subject to the following penalties:

24 **SECTION 466.** 946.93 of the statutes is created to read:

1           **946.93 Public assistance fraud.** (1) In this section, "public assistance"  
2 means any aid, benefit, or services provided under ch. 49.

3           (2) Whoever intentionally makes or causes to be made any false statement or  
4 representation of material fact in any application for or receipt of public assistance  
5 is guilty of a Class H felony.

6           (3) No person may do any of the following:

7           (a) Having knowledge of an event affecting the initial or continued eligibility  
8 for public assistance, conceal or fail to disclose that event with an intent to  
9 fraudulently secure public assistance, including payment either in a greater amount  
10 or quantity than is due or when no such benefit or payment is authorized.

11           (b) Receive any income or assets and fail to notify the public assistance agency  
12 within 10 days after receiving the income or assets, unless a different time period is  
13 required under the applicable public assistance program.

      \*\*\*\*NOTE: I changed "or within the time period required under the applicable public  
assistance program" to "unless a different time period is required..." This clarifies that  
if a different time period exists under a public assistance program it trumps the 10-day  
period created in this section. Is this consistent with the intent of the committee?

14           (c) Fail to notify the public assistance agency within 10 days of any change in  
15 circumstances for which notification by the recipient must be provided under law, or,  
16 if a different time period is required under the applicable public assistance program,  
17 within that time period.

18           (d) Receive a voucher under a public assistance program for goods or services  
19 and use the funding granted under the voucher for purposes that are not authorized  
20 by the public assistance agency.

      \*\*\*\*NOTE: The language in WLC 0106 would make it a crime not to use a voucher.  
I assumed that the crime is actually to use the funds for something other than the  
authorized purpose. If this is incorrect, please let me know.

21           (e) Whoever violates par. (a), (b), (c), or (d) is subject to the following penalties:

1           1. If the value of the payment or benefit does not exceed \$300, a forfeiture of  
2 not more than \$1,000.

3           2. If the value of the payment or benefit is more than \$300 but does not exceed  
4 \$1,000, a fine of not more than \$250 or imprisonment of not more than 6 months, or  
5 both.

6           3. If the value of the payment or benefit is more than \$1,000 but does not exceed  
7 \$2,000, a Class A misdemeanor.

8           4. If the value of the payment or benefit is more than \$2,000 but does not exceed  
9 \$5,000, a Class I felony.

10          5. If the value of the payment or benefit is more than \$5,000 but does not exceed  
11 \$10,000, a Class H felony.

12          6. If the value of the payment or benefit is more than \$10,000, a Class G felony.

13          (4) A person who obtains money, goods, services, or any other thing of value  
14 because he or she sends or brings a person to a county department, tribal governing  
15 body, or Wisconsin Works agency for the purpose of obtaining public assistance is  
16 guilty of a Class C misdemeanor.

      \*\*\*\*NOTE: The meaning of "sends or brings" is unclear to me. Does the person have to physically bring the person to the particular office? Would the word "refer" capture the committee's intent? Also, does this section need an exception similar to sub. (5) (c) 2.? It seems like without an exception this subsection could apply to social workers or other people who get paid to direct people to these programs as part of their job.

17          (5) (a) Whoever solicits or receives money, goods, services, or any other thing  
18 of value in return for referring an individual to a person for the furnishing or  
19 arranging for the furnishing of any item or service for which a public assistance  
20 payment may be made in whole or in part, or in return for purchasing, leasing,  
21 ordering, or arranging for or recommending purchasing, leasing, or ordering any  
22 good, facility, service, or item for which public assistance payment may be made in

1 whole or in part, is guilty of a Class H felony, except that, notwithstanding the  
2 maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than  
3 \$25,000.

4 (b) Whoever offers or pays money, goods, services, or any other thing of value  
5 to any person to induce the person to refer an individual to a person for the furnishing  
6 or arranging for the furnishing of any item or service for which public assistance  
7 payment may be made in whole or in part, or to purchase, lease, order, or arrange for  
8 or recommend purchasing, leasing, or ordering any good, facility, service, or item for  
9 which public assistance payment may be made in whole or in part, is guilty of a Class  
10 H felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3)  
11 (h), the person may be fined not more than \$25,000.

12 (c) This subsection does not apply to any of the following:

13 1. A discount or other reduction in price obtained by a provider of services or  
14 other entity under chs. 46 to 51 and 58 if the reduction in price is properly disclosed  
15 and appropriately reflected in the costs claimed or charges made by the provider or  
16 entity under ~~Wisconsin Works~~ *a public assistance program*

\*\*\*\*NOTE: This is specific to Wisconsin Works. Should it apply to "public assistance programs"?

17 2. An amount paid by an employer to an employee who has a bona fide  
18 employment relationship with the employer for employment in the provision of  
19 covered items or services.

20 (6) Any person who makes any statement in a written application for public  
21 assistance shall be considered to have made an admission as to the existence,  
22 correctness, or validity of any fact stated. Such a statement shall be considered to  
23 be prima facie evidence against the person making it in any complaint, information,

1 or indictment, or in any action brought for enforcement of any provision of this  
2 section or ch. 49.

NOTE: Creates the offense of public assistance fraud. This provision is intended to replace the offenses and penalties currently set forth in s. 49.95.

\*\*\*\*NOTE: How are ss. 946.90, 946.91, and 946.92 intended to interact with s. 946.93? Section 946.93 seems to include medical assistance, Wisconsin Works, and the supplemental nutrition assistance program in the definition of "public assistance."

3 **SECTION 467.** 948.22 (1) (a), (b) and (c) and (4) (b) of the statutes are amended  
4 to read:

5 948.22 (1) (a) "Child support" means an amount which a person is ordered to  
6 provide for support of a child by a court of competent jurisdiction in this state or in  
7 another state, territory or possession of the United States, or, if not ordered, an  
8 amount that a person is legally obligated to provide under s. ~~49.90~~ 49.039.

9 (b) "Grandchild support" means an amount which a person is legally obligated  
10 to provide under s. ~~49.90~~ 49.039 (1) (a) 2. and (11).

11 (c) "Spousal support" means an amount which a person is ordered to provide  
12 for support of a spouse or former spouse by a court of competent jurisdiction in this  
13 state or in another state, territory or possession of the United States, or, if not  
14 ordered, an amount that a person is legally obligated to provide under s. ~~49.90~~  
15 49.039.

16 (4) (b) For a person not subject to a court order requiring child, grandchild, or  
17 spousal support payments, when the person knows or reasonably should have known  
18 that he or she has a dependent, failure to provide support equal to at least the amount  
19 established by rule by the department of children and families under s. ~~49.22~~ 49.811  
20 (9) or causing a spouse, grandchild, or child to become a dependent person, or  
21 continue to be a dependent person, as defined in s. ~~49.01~~ 49.801 (2).

22 **SECTION 468.** 948.45 (2) of the statutes is amended to read:



1           948.45 (2) Subsection (1) does not apply to a person who has under his or her  
2 control a child who has been sanctioned under s. ~~49.26~~ 49.198 (1) (h).

3           **SECTION 469.** 973.055 (3) of the statutes is amended to read:

4           973.055 (3) All moneys collected from domestic abuse surcharges shall be  
5 ~~deposited~~ credited by the secretary of administration ~~in to the appropriation account~~  
6 under s. 20.437 (1) (hh) and utilized in accordance with s. ~~49.165~~ 49.217.

7           **SECTION 470.** 977.01 (2) of the statutes is amended to read:

8           977.01 (2) "Public assistance" means relief provided by counties under s. 59.53  
9 (21), Wisconsin ~~works~~ Works under ss. 49.141 to 49.161, ~~medical assistance~~ Medical  
10 Assistance under subch. IV of ch. 49, low-income energy assistance under s. 16.27,  
11 weatherization assistance under s. 16.26, and the ~~food-stamp~~ supplemental  
12 nutrition assistance program under 7 USC 2011 to ~~2029~~ 2036.

\*\*\*\*NOTE: This section is added to update the food stamp language.

13           **SECTION 471.** 977.06 (4) (bm) of the statutes is amended to read:

14           977.06 (4) (bm) In response to a request for information under s. ~~49.22~~ 49.811  
15 (2m) made by the department of children and families or a county child support  
16 agency under s. 59.53 (5), the state public defender shall provide the name and  
17 address of an individual, the name and address of the individual's employer, and  
18 financial information related to the individual, if the name, address, or financial  
19 information is included in any statement, affidavit, or other information provided by  
20 the individual regarding financial eligibility under s. 977.07 and if, at the time the  
21 request for information is made, the individual is represented by the state public  
22 defender or by counsel assigned under s. 977.08.

23           **SECTION 472.** 978.05 (4m) of the statutes is amended to read:

1           978.05 (4m) WELFARE FRAUD INVESTIGATIONS. Cooperate with the departments  
2 of children and families and health services regarding the fraud investigation  
3 programs under ss. 49.019 (1) and 49.197 (1m) and ~~49.845 (1)~~.

4           **SECTION 473.** 978.06 (6) of the statutes is amended to read:

5           978.06 (6) No district attorney, deputy district attorney, or assistant district  
6 attorney may appear in a civil action or proceeding under s. ~~49.22~~ 49.811 (7), 59.53  
7 (5), 767.205 (2), 767.501, or 767.80 or ch. 769.

8           **SECTION 474.** 995.67 (1) (a) of the statutes is amended to read:

9           995.67 (1) (a) "Domestic abuse" has the meaning given in s. ~~49.165~~ 49.217 (1)  
10 (a).

11           **SECTION 475. Nonstatutory provisions.**

12           (1) The department of children and families shall submit in proposed form the  
13 rules required under section 49.006 (3) of the statutes, as created by this act, to the  
14 legislative council staff under section 227.15 (1) of the statutes no later than the first  
15 day of the 3rd month beginning after the effective date of this subsection.

16           **SECTION 476. Initial applicability.**

17           (1) PUBLIC ASSISTANCE APPLICATIONS. The treatment of section 49.006 of the  
18 statutes first applies to applications for aid or benefits under chapter 49 of the  
19 statutes that are received by the department of health services or the department of  
20 children and families on the effective date of this subsection.

21           (2) INTENTIONAL PROGRAM VIOLATIONS. The renumbering and amendment of  
22 section 49.151 (2) of the statutes and the creation of section 49.151 (2) (a) 1., 2., and  
23 3. and (b) of the statutes first apply to acts or omissions that occur on the effective  
24 date of this subsection.

