

1 department of health ~~services~~ financial institutions, insurance, and professional
2 standards may issue licenses, collect license fees established by rule under ss. ~~252.23~~
3 ~~463.10~~ (4) (a) and ~~252.24~~ 463.12 (4) (a) and make investigations or inspections of
4 tattooists and tattoo establishments and body piercers and body-piercing
5 establishments. If the department of financial institutions, insurance, and
6 professional standards designates a local health department as its agent, the
7 department of financial institutions, insurance, and professional standards or local
8 health department may require no license for the same operations other than the
9 license issued by the local health department under this subsection. If the
10 designation is made and the services are furnished, the department of financial
11 institutions, insurance, and professional standards shall reimburse the local health
12 department furnishing the service at the rate of 80% of the net license fee per license
13 per year issued in the jurisdictional area.

14 (2) A local health department designated as the department's agent under this
15 section shall meet standards promulgated under ss. ~~252.23~~ 463.10 (4) (a) and ~~252.24~~
16 ~~463.12~~ (4) (a). The department shall annually evaluate the licensing, investigation
17 and inspection program of each local health department granted agent status. If, at
18 any time, a local health department designated as the department's agent fails to
19 meet the standards, the department of ~~health services~~ financial institutions,
20 insurance, and professional standards may revoke its agent status.

21 (3) The department shall provide education and training to agents designated
22 under this section to ensure uniformity in the enforcement of s. ~~252.23~~ 463.10 or
23 ~~252.24~~ 463.12 and rules promulgated under s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12.

24 (4m) A local health department designated as the department's agent under
25 this section may contract with the department of ~~health services~~ financial

1 institutions, insurance, and professional standards for the department of health
2 services financial institutions, insurance, and professional standards to collect fees
3 and issue licenses under s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12. The department of
4 financial institutions, insurance, and professional standards shall collect from the
5 local health department the actual and reasonable cost of providing the services.

6 (5) If, under this section, a local health department becomes an agent or its
7 agent status is discontinued during a licensee's license year, the department of
8 ~~health services~~ financial institutions, insurance, and professional standards and the
9 local health department shall divide any license fee paid by the licensee for that
10 license year according to the proportions of the license year occurring before and after
11 the local health department is designated as an agent or the agent status is
12 discontinued. No additional fee may be required during the license year due to the
13 change in agent status.

14 (6) A village, city or county may enact ordinances and a local board of health
15 may adopt regulations regarding the licensees and premises for which the local
16 health department is the designated agent under this section, which are stricter than
17 s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12 or rules promulgated by the department of health
18 services under s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12. No such provision may conflict with
19 s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12 or with department rules.

20 (8) The department shall hold a hearing under ch. 227 if, in lieu of proceeding
21 under ch. 68, any interested person in the jurisdictional area of a local health
22 department that is designated as the department's agent under this section appeals
23 to the department of ~~health services~~ financial institutions, insurance, and
24 professional standards alleging that a license fee for a tattooist or tattooist
25 establishment or for a body piercer or body-piercing establishment exceeds the

1 license issuer's reasonable costs of issuing licenses to, making investigations and
2 inspections of, and providing education, training and technical assistance to the
3 tattooist or tattooist establishment or to the body piercer or body-piercing
4 establishment.

5 (9) The department shall promulgate rules establishing state fees for its costs
6 related to setting standards under ss. ~~252.23~~ 463.10 and ~~252.24~~ 463.12 and
7 monitoring and evaluating the activities of, and providing education and training to,
8 agent local health departments. The department may not promulgate a rule under
9 which a local health department may charge an individual who is eligible for the
10 veterans fee waiver program under s. 45.44 a state fee to obtain a license under s.
11 ~~252.23~~ 463.10 (3) or ~~252.24~~ 463.12 (3). Agent local health departments shall include
12 the state fees in the license fees established under sub. (4), collect the state fees and
13 reimburse the department for the state fees collected. For tattooists or tattoo
14 establishments and for body piercers or body-piercing establishments, the state fee
15 may not exceed 20% of the license fees established under s. ~~252.23~~ 463.10 (4) (a) or
16 ~~252.24~~ 463.12 (4) (a).

****NOTE: Did you want to incorporate tatoosts, body piercers, and tanning facility
owners into s. 440.03 (13) (b) requiring criminal background checks? – Tamara J. Dodge

17 ~~*-0797/P1.95*~~**SECTION 666.** 254.115 (1) (d) of the statutes is repealed.

18 ~~*-0797/P1.96*~~**SECTION 667.** 255.08 of the statutes is renumbered 463.25, and
19 463.25 (2) (a) and (b), as renumbered, are amended to read:

20 463.25 (2) (a) No person may operate a tanning facility without a permit that
21 the department may, except as provided in ss. ~~250.041~~ and ~~254.115~~ s. 463.14, issue
22 under this subsection. The holder of a permit issued under this subsection shall

1 display the permit in a conspicuous place at the tanning facility for which the permit
2 is issued.

3 (b) Permits issued under this subsection shall expire annually on June 30.
4 Except as provided in ~~ss. 250.041 and 254.115~~ s. 463.14, a permit applicant shall
5 submit an application for a permit to the department on a form provided by the
6 department with a permit fee established by the department by rule. The application
7 shall include the name and complete mailing address and street address of the
8 tanning facility and any other information reasonably required by the department
9 for the administration of this section.

10 ***-0800/P1.169*SECTION 668.** 281.57 (7) (c) 1. of the statutes is amended to
11 read:

12 281.57 (7) (c) 1. Metropolitan sewerage districts that serve 1st class cities are
13 limited in each fiscal year to receiving total grant awards not to exceed ~~33%~~ of the
14 ~~sum of the amounts in the schedule for that fiscal year for the appropriation under~~
15 ~~s. 20.165 (2) (de)~~ \$771,738 and the amount authorized under sub. (10) for that fiscal
16 year plus the unencumbered balance at the end of the preceding fiscal year for the
17 amount authorized under sub. (10). This subdivision is not applicable to grant
18 awards provided during fiscal years 1985–86, 1986–87, 1988–89 and 1989–90.

****NOTE: The \$771,738 amount represents 33 percent of the amount in the
schedule for the 2014–15 fiscal year for the appropriation under s. 20.165 (2) (de), stats.,
which is repealed in the draft because it is an appropriation for private on-site
wastewater treatment system grants. Let me know if you want to take a different
approach. MPG

19 ***-0800/P1.170*SECTION 669.** 281.59 (1m) (c) of the statutes is repealed.

20 ***-0797/P1.97*SECTION 670.** 292.63 (1m) of the statutes is amended to read:

21 292.63 (1m) RULES CONCERNING 3RD-PARTY COMPENSATION. ~~The commissioner of~~
22 insurance department of financial institutions, insurance, and professional

1 standards shall promulgate rules defining “liabilities which are excluded from
2 coverage in liability insurance policies for bodily injury” and “liabilities which are
3 excluded from coverage in liability insurance policies for property damage” for the
4 purposes of sub. (1) (ad) and (gm). The definitions shall be consistent with standard
5 insurance industry practices.

6 ***-0872/P1.202*SECTION 671.** 303.07 (7) of the statutes is amended to read:

7 303.07 (7) If any inmate of a reforestation camp, in the performance of work
8 in connection with the maintenance of the camp, is injured so as to be permanently
9 incapacitated, or to have materially reduced earning power, the inmate may upon
10 discharge be allowed and paid such compensation as the department of workforce
11 development financial institutions, insurance, and professional standards finds the
12 inmate entitled to. The inmate shall be compensated on the same basis as if the
13 injury had been covered by ch. 102, except that the total paid to ~~any such~~ the inmate
14 shall not exceed \$1,000 and may be paid in installments. If the inmate is from an
15 adjoining county ~~such~~ that county shall pay ~~such~~ the compensation. In case of
16 dispute the procedure for hearing, award, and appeal shall be as set forth in ss.
17 102.16 to 102.26.

18 ***-0872/P1.203*SECTION 672.** 303.21 (1) (a) of the statutes is amended to read:

19 303.21 (1) (a) If an inmate of a state institution, in the performance of assigned
20 work is injured so as to be permanently incapacitated or to have materially reduced
21 earning power, the inmate may, upon being released from such institution, either
22 upon release on parole or extended supervision or upon final discharge, be allowed
23 and paid such compensation as the department of workforce development financial
24 institutions, insurance, and professional standards finds the inmate entitled to. The
25 inmate shall be compensated on the same basis as if the injury had been covered by

1 ch. 102, except that the total paid to any inmate may not exceed \$10,000 and may be
2 paid in installments. If the injury results from employment in a prison industry, the
3 payment shall be made from the revolving appropriation for its operation. If there
4 is no revolving appropriation, payment shall be made from the general fund. In case
5 of dispute, the procedure for hearing, award, and appeal shall be as set forth in ss.
6 102.16 to 102.26.

7 *~~0797/P1.98~~SECTION 673. 321.60 (1) (a) 4. of the statutes is amended to read:

8 321.60 (1) (a) 4. A license, certificate of approval, provisional license,
9 conditional license, certification, certification card, registration, permit, training
10 permit, or approval specified in s. 49.45 (2) (a) 11., 51.42 (7) (b) 11., 51.421 (3) (a),
11 ~~252.23 (2), 252.24 (2),~~ 254.176, 254.178 (2) (a), 254.20 (2), (3), or (4), 254.64 (1) (a) or
12 (b), 254.71 (2), ~~255.08 (2) (a),~~ 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f), or 343.305
13 (6) (a) or a permit for the operation of a campground specified in s. 254.47 (1).

14 *~~0799/P1.89~~SECTION 674. 321.60 (1) (a) 12. of the statutes is amended to
15 read:

16 321.60 (1) (a) 12. A license or certificate of registration issued by the
17 department of financial institutions, ~~or a division of it,~~ insurance, and professional
18 standards under ss. 138.09, 138.12, 138.14, 202.13, 202.14, 217.06, 218.0101 to
19 218.0163, 218.02, 218.04, 218.05, 224.72, 224.725, or 224.93 or subch. IV of ch. 551.

20 *~~0797/P1.99~~SECTION 675. 345.61 (1) (a) of the statutes is amended to read:

21 345.61 (1) (a) Any domestic or foreign surety company which has qualified to
22 transact surety business in this state may, in any year, become surety in an amount
23 not to exceed \$200 with respect to any guaranteed arrest bond certificates issued in
24 such year by an automobile club, association or by an insurance company authorized
25 to write automobile liability insurance within this state, by filing with the

1 ~~commissioner of insurance~~ department of financial institutions, insurance, and
2 professional standards an undertaking thus to become surety.

3 *~~0797/P1.100~~***SECTION 676.** 345.61 (2) (intro.) of the statutes is amended to
4 read:

5 345.61 (2) FORM OF BOND. (intro.) Such undertaking shall be in the form
6 prescribed by the ~~commissioner of insurance~~ department of financial institutions,
7 insurance, and professional standards and shall state the following:

8 *~~0797/P1.101~~***SECTION 677.** 345.61 (2) (d) of the statutes is amended to read:

9 345.61 (2) (d) A guaranteed arrest bond certificate under sub. (1) (b) need not
10 be secured by a surety company. The ~~commissioner of insurance~~ department of
11 financial institutions, insurance, and professional standards may promulgate rules
12 to insure such bond if the ~~commissioner~~ department feels it necessary.

13 *~~0799/P1.90~~***SECTION 678.** 409.501 (1) (b) of the statutes is amended to read:

14 409.501 (1) (b) The office of the department of financial institutions, insurance,
15 and professional standards or any office duly authorized by the department, in all
16 other cases, including a case in which the collateral is goods that are or are to become
17 fixtures and the financing statement is not filed as a fixture filing.

18 *~~0797/P1.102~~***SECTION 679.** 424.501 (2) of the statutes is amended to read:

19 424.501 (2) It is not a violation of sub. (1) to use printed materials or forms that
20 have been approved for use by the ~~office of the commissioner of insurance~~ department
21 of financial institutions, insurance, and professional standards.

22 *~~0797/P1.103~~***SECTION 680.** 424.602 of the statutes is amended to read:

23 424.602 **Administrative action of ~~commissioner of insurance~~**
24 **department.** To the extent that the ~~commissioner of insurance's~~ responsibility
25 responsibilities of the department of financial institutions, insurance, and

1 professional standards under this chapter requires require, the commissioner
2 department shall issue rules with respect to insurers and with respect to refunds (s.
3 424.205), forms, schedules of premium rates and charges (s. 424.209), and the
4 commissioner's department's approval or disapproval thereof and, in case of
5 violation, may make an order for compliance.

6 *~~0799/P1.91~~*SECTION 681. 426.103 of the statutes is amended to read:

7 **426.103 Administrator.** "Administrator" means the secretary of financial
8 institutions, insurance, and professional standards or an employee of the
9 department of financial institutions, insurance, and professional standards
10 designated by the secretary.

11 *~~0799/P1.92~~*SECTION 682. 426.104 (2) (intro.) of the statutes is amended to
12 read:

13 426.104 (2) (intro.) The administrator shall report annually on practices in
14 consumer transactions, on the use of consumer credit in the state, on problems
15 attending the collection of debts, on the problems of persons of limited means in
16 consumer transactions, and on the operation of chs. 421 to 427 and 429. For the
17 purpose of making the report, the administrator may conduct research and make
18 appropriate studies. The report shall be ~~given to the division of banking for inclusion~~
19 included in the department's report of ~~the division of banking~~ under s. 220.14 and
20 shall include:

21 *~~0797/P1.104~~*SECTION 683. 426.201 (4) (c) of the statutes is amended to read:

22 426.201 (4) (c) Duly licensed insurance companies subject to the supervision
23 of the ~~office of the commissioner of insurance~~ department of financial institutions,
24 insurance, and professional standards.

25 *~~0799/P1.93~~*SECTION 684. 426.203 of the statutes is amended to read:

1 **426.203 Penalties.** Whoever fails to comply with the registration
 2 requirements under s. 426.201 or fails to pay a fee required under s. 426.202 may be
 3 required to forfeit not more than \$50. Each day that this failure continues
 4 constitutes a separate offense. Forfeitures received by the administrator under this
 5 section shall be credited to the appropriation account under s. ~~20.144 (1)~~ 20.142 (2)
 6 (h) and may be expended from the account only for consumer or merchant education
 7 programs.

8 *~~0800/P1.171~~***SECTION 685.** Chapter 440 (title) of the statutes is amended to
 9 read:

10 **CHAPTER 440**
 11 ~~**DEPARTMENT OF SAFETY AND**~~
 12 **PROFESSIONAL SERVICES LICENSING**

13 *~~0906/P1.74~~***SECTION 686.** 440.01 (2) (cs) of the statutes is amended to read:
 14 440.01 (2) (cs) "Minority group member" has the meaning given in s. ~~16.287~~
 15 203.07 (1) (f).

16 *~~0800/P1.172~~***SECTION 687.** 440.03 (3) of the statutes is amended to read:
 17 440.03 (3) If the secretary reorganizes the department, no modification may
 18 be made in the powers and responsibilities of the examining boards or affiliated
 19 credentialing boards attached to the department or an examining board under s.
 20 ~~15.405 15.175~~ or ~~15.406 15.176~~.

21 *~~0800/P1.173~~***SECTION 688.** 440.03 (3q) of the statutes is amended to read:
 22 440.03 (3q) Notwithstanding sub. (3m), the department ~~of safety and~~
 23 ~~professional services~~ shall investigate any report that it receives under s. 146.40 (4r)
 24 (em).

1 *~~0800/P1.174~~**SECTION 689.** 440.03 (9) (a) 2. of the statutes is amended to
2 read:

3 440.03 (9) (a) 2. Not later than January 31 of each odd-numbered year,
4 adjusting for the succeeding fiscal biennium each fee for an initial credential for
5 which an examination is not required, for a reciprocal credential, and, subject to s.
6 440.08 (2) (a), for a credential renewal, if an adjustment is necessary to reflect the
7 approximate administrative and enforcement costs of the department that are
8 attributable to the regulation of the particular occupation or business during the
9 period in which the initial or reciprocal credential or credential renewal is in effect
10 and, for purposes of each fee for a credential renewal, to reflect an estimate of any
11 additional moneys available for the department's general program operations as a
12 result of appropriation transfers that have been or are estimated to be made under
13 s. ~~20.165 (1)~~ 20.142 (7) (i) during the fiscal biennium in progress at the time of the
14 deadline for an adjustment under this subdivision or during the fiscal biennium
15 beginning on the July 1 immediately following the deadline for an adjustment under
16 this subdivision.

17 *~~0800/P1.175~~**SECTION 690.** 440.03 (11m) (c) of the statutes is amended to
18 read:

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

1 department of workforce development for the purpose of requesting certifications
2 under s. 108.227.

3 ~~*-0800/P1.176*~~**SECTION 691.** 440.03 (12m) of the statutes is amended to read:

4 440.03 (12m) The department ~~of safety and professional services~~ shall
5 cooperate with the departments of justice, children and families, and health services
6 in developing and maintaining a computer linkup to provide access to information
7 regarding the current status of a credential issued to any person by the department
8 ~~of safety and professional services~~, including whether that credential has been
9 restricted in any way.

10 ~~*-0800/P1.177*~~**SECTION 692.** 440.13 (1) (b) of the statutes is amended to read:

11 440.13 (1) (b) “Memorandum of understanding” means a memorandum of
12 understanding entered into by the department ~~of safety and professional services~~
13 and the department of children and families under s. 49.857.

14 ~~*-0800/P1.178*~~**SECTION 693.** 440.22 (2) of the statutes is amended to read:

15 440.22 (2) In any disciplinary proceeding against a holder of a credential in
16 which the department or an examining board, affiliated credentialing board or board
17 in the department orders suspension, limitation or revocation of the credential or
18 reprimands the holder, the department, examining board, affiliated credentialing
19 board or board may, in addition to imposing discipline, assess all or part of the costs
20 of the proceeding against the holder. Costs assessed under this subsection are
21 payable to the department. Interest shall accrue on costs assessed under this
22 subsection at a rate of 12% per year beginning on the date that payment of the costs
23 are due as ordered by the department, examining board, affiliated credentialing
24 board or board. Upon the request of the department ~~of safety and professional~~

1 services, the department of justice may commence an action to recover costs assessed
2 under this subsection and any accrued interest.

3 *~~0800/P1.179~~*SECTION 694. 440.25 of the statutes is amended to read:

4 **440.25 Judicial review.** The department may seek judicial review under ch.
5 227 of any final disciplinary decision of the medical examining board or affiliated
6 credentialing board attached to the medical examining board. The department shall
7 be represented in such review proceedings by an attorney within the department.
8 Upon request of the medical examining board or the interested affiliated
9 credentialing board, the attorney general may represent the board. If the attorney
10 general declines to represent the board, the board may retain special counsel which
11 shall be paid for out of the appropriation under s. ~~20.165 (1)~~ 20.142 (7) (hg).

12 *~~0800/P1.180~~*SECTION 695. 440.905 (1) of the statutes is amended to read:

13 440.905 (1) In addition to the other duties and powers of the board under this
14 subchapter, the board shall advise the secretary ~~of safety and professional services~~
15 on matters relating to cemeteries, to this chapter, or to the board.

16 *~~0800/P1.181~~*SECTION 696. 440.92 (2) (d) of the statutes is amended to read:

17 440.92 (2) (d) A preneed seller may not sell any undeveloped space unless the
18 plans for the construction of the mausoleum have been submitted to the department
19 ~~of safety and professional services~~ for approval under s. 157.12 (2) (a) and the
20 preneed sales contract includes the following language in not less than 10-point
21 boldface type: “THE PLANS FOR CONSTRUCTING THE MAUSOLEUM SPACE
22 HAVE BEEN SUBMITTED TO THE DEPARTMENT OF SAFETY AND
23 PROFESSIONAL SERVICES FINANCIAL INSTITUTIONS, INSURANCE, AND
24 PROFESSIONAL STANDARDS FOR APPROVAL. THE SELLER IS
25 RESPONSIBLE FOR ALL COSTS REQUIRED TO OBTAIN APPROVAL OF THE

1 PLANS BY THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES
2 FINANCIAL INSTITUTIONS, INSURANCE, AND PROFESSIONAL
3 STANDARDS, COMPLETE THE CONSTRUCTION, AND OBTAIN
4 CERTIFICATION OF THE CONSTRUCTION BY THE DEPARTMENT OF
5 SAFETY AND PROFESSIONAL SERVICES FINANCIAL INSTITUTIONS,
6 INSURANCE, AND PROFESSIONAL STANDARDS.”

7 *~~0800/P1.182~~*SECTION 697. 440.945 (5) (b) of the statutes is amended to read:

8 440.945 (5) (b) The department of justice or any district attorney, upon
9 informing the department of justice, may commence an action in circuit court in the
10 name of the state to restrain by temporary or permanent injunction any violation of
11 this section. The court may, prior to entry of final judgment, make such orders or
12 judgments as may be necessary to restore to any person any pecuniary loss suffered
13 because of the acts or practices involved in the action, if proof of such loss is submitted
14 to the satisfaction of the court. The department of justice may subpoena persons and
15 require the production of books and other documents, and may request the
16 department of safety and professional services to exercise its authority under par. (a)
17 to aid in the investigation of alleged violations of this section.

18 *~~0800/P1.183~~*SECTION 698. 441.01 (7) (a) 2. of the statutes is amended to
19 read:

20 441.01 (7) (a) 2. Pay a nursing workforce survey fee of \$4. All moneys received
21 under this subdivision shall be deposited into the general fund and credited to the
22 appropriation account under s. ~~20.165 (1)~~ 20.142 (7) (jm).

23 *~~0797/P1.105~~*SECTION 699. 441.16 (3) (e) of the statutes is amended to read:

24 441.16 (3) (e) Establishing the minimum amount of malpractice liability
25 insurance coverage that an advanced practice nurse shall have if he or she is certified

1 to issue prescription orders. The board shall promulgate rules under this paragraph
2 in consultation with the ~~commissioner of insurance~~ appropriate personnel in the
3 department.

4 *~~0800/P1.184~~**SECTION 700.** 443.10 (6) of the statutes is amended to read:

5 443.10 (6) ROSTER. A roster showing the names and mailing addresses of all
6 registered surveyors shall be prepared annually by the secretary and made available
7 for purchase at cost, ~~and a copy shall be placed on file with the department of~~
8 ~~financial institutions.~~

9 *~~0800/P1.185~~**SECTION 701.** 444.04 of the statutes is amended to read:

10 **444.04 Promoter and club reports.** Within 2 business days after a promoter
11 or club holds a professional contest or amateur mixed martial arts fighting contest,
12 the club shall furnish to the department a written report, verified by the promoter
13 or by one of the club's officers under penalty of perjury, showing the number of tickets
14 sold for the contest, the amount of gross proceeds, and all other information the
15 department requires by rule to be included in the report. The department may limit,
16 suspend, revoke, or assess a forfeiture to the promoter or club for failure to comply
17 with this section or failure to provide accurate information to the department. Any
18 forfeiture collected under this section shall be deposited in the appropriation account
19 under s. ~~20.165 (1)~~ 20.142 (7) (jm).

20 *~~0800/P1.186~~**SECTION 702.** 444.14 of the statutes is amended to read:

21 **444.14 Sham contests; contestants penalized; forfeitures; hearing.** The
22 department shall ban a contestant who participates in any sham or fake professional
23 contest or amateur mixed martial arts fighting contest or violates any rule
24 promulgated by the department, and may require the contestant, the contestant's
25 manager, or the promoter of the contest to forfeit an amount determined by the

1 department, but not more than \$500. Fifty percent of all forfeitures collected under
2 this section shall be deposited in the appropriation account under s. ~~20.165 (1)~~ 20.142
3 (7) (im).

4 *~~0800/P1.187~~***SECTION 703.** 452.13 (2) (b) 1. of the statutes is amended to
5 read:

6 452.13 (2) (b) 1. Register with the department of ~~safety and professional~~
7 ~~services~~ the name and address of the depository institution and the number of the
8 interest-bearing common trust account.

9 *~~0800/P1.188~~***SECTION 704.** 452.13 (2) (b) 2. of the statutes is amended to
10 read:

11 452.13 (2) (b) 2. Notify the department of ~~safety and professional services~~ when
12 any of the information required under subd. 1. is changed.

13 *~~0800/P1.189~~***SECTION 705.** 452.13 (2) (b) 3. of the statutes is amended to
14 read:

15 452.13 (2) (b) 3. Furnish the department of ~~safety and professional services~~
16 with a letter authorizing the department of ~~safety and professional services~~ and the
17 department of administration to examine and audit the interest-bearing common
18 trust account whenever the department of ~~safety and professional services~~ or the
19 department of administration considers it necessary.

20 *~~0800/P1.190~~***SECTION 706.** 452.13 (2) (bm) of the statutes is amended to
21 read:

22 452.13 (2) (bm) The department of ~~safety and professional services~~ shall
23 forward to the department of administration the information and documents
24 furnished under par. (b).

25 *~~0800/P1.191~~***SECTION 707.** 452.13 (5) of the statutes is amended to read:

1 452.13 (5) RULES. In consultation with the department ~~of safety and~~
2 ~~professional services~~, the department of administration shall promulgate rules
3 necessary to administer this section.

4 ***-0800/P1.192*SECTION 708.** 452.14 (5) of the statutes is amended to read:

5 452.14 (5) The department may seek judicial review under ch. 227 of any final
6 decision of the board. The department shall be represented in such review
7 proceedings by an attorney within the department. Upon request of the board, the
8 attorney general may represent the board. If the attorney general does not represent
9 the board, the board may retain special counsel which shall be paid for out of the
10 appropriation under s. ~~20.165-(1)~~ 20.142 (7) (g).

11 ***-0800/P1.193*SECTION 709.** 462.01 (3) of the statutes is repealed.

12 ***-0797/P1.106*SECTION 710.** Chapter 463 (title) of the statutes is created to
13 read:

14 **CHAPTER 463**

15 **BODY ART AND TANNING FACILITIES**

16 ***-0797/P1.107*SECTION 711.** 463.18 of the statutes is created to read:

17 **463.18 Violation of law relating to body art.** Any person who willfully
18 violates or obstructs the execution of any state statute or rule, county, city, or village
19 ordinance or departmental order under this chapter and relating to the public
20 health, for which no other penalty is prescribed, shall be fined not more than \$500
21 or imprisoned for not more than 30 days or both.

22 ***-0799/P1.94*SECTION 712.** 551.102 (1m) of the statutes is amended to read:

23 551.102 (1m) "Administrator" means the ~~administrator of the division of~~
24 ~~securities in the department~~ secretary of financial institutions, insurance, and

1 professional standards or an employee of the department of financial institutions,
2 insurance, and professional standards designated by the secretary.

3 ***-0799/P1.95*SECTION 713.** 551.102 (4t) of the statutes is created to read:

4 551.102 (4t) “Department” means the department of financial institutions,
5 insurance, and professional standards.

6 ***-0799/P1.96*SECTION 714.** 551.102 (5m) of the statutes is repealed.

7 ***-0797/P1.108*SECTION 715.** 551.102 (12) of the statutes is amended to read:

8 551.102 (12) “Insurance company” means a company organized as an
9 insurance company whose primary business is writing insurance or reinsuring risks
10 underwritten by insurance companies and which is subject to supervision by the
11 ~~insurance commissioner~~ department of financial institutions, insurance, and
12 professional standards or a similar official or agency of a state.

13 ***-0799/P1.97*SECTION 716.** 551.202 (26) (f) (intro.) of the statutes is amended
14 to read:

15 551.202 (26) (f) (intro.) Not less than 10 days prior to the commencement of an
16 offering of securities in reliance on the exemption under this subsection, the issuer
17 files a notice with the administrator, in writing or in electronic form as prescribed by
18 the administrator, which the administrator shall make available as an electronic
19 document on the ~~department of financial institutions~~ department’s Internet site,
20 containing all of the following:

21 ***-0799/P1.98*SECTION 717.** 551.202 (27) (h) (intro.) of the statutes is amended
22 to read:

23 551.202 (27) (h) (intro.) Before the 101st offer of the security, the issuer
24 provides a notice to the administrator in writing or in electronic form, accompanied
25 by the filing fee specified in s. 551.614 (1m). The administrator shall prescribe the

1 form required for the notice and make the form available as an electronic document
2 on the ~~department of financial institutions~~ department's Internet site.
3 Notwithstanding s. 551.204 (1) and (3), the notice shall be limited to all of the
4 following:

5 ***-0799/P1.99*SECTION 718.** 551.205 (1) (b) 1. (intro.) of the statutes is
6 amended to read:

7 551.205 (1) (b) 1. (intro.) The Internet site operator shall register with the
8 ~~division~~ department by filing a statement, which the administrator shall make
9 available as an electronic document on the ~~department of financial institutions~~
10 department's Internet site, accompanied by the filing fee specified in s. 551.614 (1m),
11 that includes all of the following:

12 ***-0799/P1.100*SECTION 719.** 551.205 (3) of the statutes is amended to read:

13 551.205 (3) If the Securities and Exchange Commission adopts rules under
14 authority of section 3 (h) of the Securities Exchange Act of 1934 (15 USC 78c (h)) and
15 P.L. 112-106, section 304, that authorize funding portals to receive commissions
16 without registering as broker-dealers under the Securities Exchange Act of 1934,
17 the ~~division~~ department shall promulgate rules authorizing Internet site operators
18 registered with the ~~division~~ department under sub. (1) (b) that are not registered as
19 broker-dealers under s. 551.401 to receive commissions. The ~~division~~ department
20 shall ensure that its rules authorizing commissions for Internet site operators are
21 consistent with rules adopted by the Securities and Exchange Commission. The
22 ~~division's~~ department's rules shall also ensure that Internet site operators that do
23 not satisfy rules adopted by the Securities and Exchange Commission have the
24 opportunity to operate in compliance with the requirements of this section.

25 ***-0799/P1.101*SECTION 720.** 551.206 of the statutes is amended to read:

1 **551.206 Adjustments.** At 5-year intervals after January 1, 2014, the
2 department of ~~financial institutions~~ shall adjust the monetary amounts specified in
3 s. 551.202 (26) (c) 1. a. and b. and (27) (c) 1. a. and b. to reflect changes since January
4 1, 2014, in the consumer price index for all urban consumers, Milwaukee–Racine
5 area average, as determined by the U.S. department of labor. Each adjustment shall
6 be rounded to the nearest multiple of \$50,000. Each adjustment under this section
7 shall be published on the ~~department of financial institutions~~ department's Internet
8 site.

9 *~~0799/P1.102~~**SECTION 721.** 551.601 (5) of the statutes is amended to read:

10 551.601 (5) SECURITIES INVESTOR EDUCATION AND TRAINING FUNDING. All moneys
11 collected from the administrative assessment under s. 551.604 (4) shall be credited
12 to the appropriation under s. ~~20.144 (1)~~ 20.142 (2) (i). Subject to s. ~~20.144 (1)~~ 20.142
13 (2) (i), the ~~division~~ department shall use moneys credited to that appropriation for
14 the purposes specified in sub. (4) and s. ~~20.144 (1)~~ 20.142 (2) (i).

15 *~~0799/P1.103~~**SECTION 722.** 551.605 (3) (bm) 1. of the statutes is amended to
16 read:

17 551.605 (3) (bm) 1. Except as provided in subd. 2., a financial institution
18 holding company whose securities have been registered under this chapter shall not
19 be required to prepare or distribute to shareholders or provide to the department of
20 ~~financial institutions~~, at any time after such registration, any financial statements,
21 financial information, annual reports, or other periodic reports except to the extent
22 required under ss. 180.1620 and 180.1622. This subdivision does not apply with
23 respect to any financial statement, financial information, or report required under
24 ch. 622 or 644 or otherwise required as a result of operations as an insurance
25 company.

****NOTE: We are uncertain whether a financial institution holding company may be subject to reporting requirements as an insurance company or insurance holding company. The last sentence of this provision may be unnecessary.

1 ***-0799/P1.104*SECTION 723.** 551.614 (5) of the statutes is amended to read:
2 551.614 (5) FEES PAID TO STATE. All fees and expenses collected by the ~~division~~
3 department under this section shall be deposited into the general fund and credited
4 to the appropriation account under s. ~~20.144 (1)~~ 20.142 (2) (g).

5 ***-0799/P1.105*SECTION 724.** 552.01 (1) of the statutes is repealed.

6 ***-0799/P1.106*SECTION 725.** 552.01 (1m) of the statutes is created to read:
7 552.01 (1m) "Department" means the department of financial institutions,
8 insurance, and professional standards.

9 ***-0797/P1.109*SECTION 726.** 552.23 (1) of the statutes is amended to read:
10 552.23 (1) If the target company is an insurance company subject to regulation
11 by the ~~commissioner of insurance~~ department, a banking corporation, savings bank,
12 or savings and loan association subject to regulation by the ~~division of banking~~
13 department, or a company subject to regulation by the public service commission, the
14 department of transportation, or the office of the commissioner of railroads, the
15 ~~division of securities~~ department shall promptly furnish a copy of the registration
16 statement filed under this chapter to the regulatory agency having supervision of the
17 target company. Any hearing under this chapter involving any such target company
18 shall be held jointly with the regulatory agency having supervision, and any
19 determination following the hearing shall be made jointly with that regulatory
20 agency.

****NOTE: This amendment assumes that "department" is defined in s. 552.01 or for ch. 552.

21 ***-0799/P1.107*SECTION 727.** 552.23 (1) of the statutes is amended to read:

1 552.23 (1) If the target company is ~~an insurance company subject to regulation~~
2 ~~by the commissioner of insurance, a banking corporation, savings bank, or savings~~
3 ~~and loan association subject to regulation by the division of banking, or a company~~
4 subject to regulation by the public service commission, the department of
5 transportation, or the office of the commissioner of railroads, the ~~division of~~
6 securities department shall promptly furnish a copy of the registration statement
7 filed under this chapter to the regulatory agency having supervision of the target
8 company. Any hearing under this chapter involving any such target company shall
9 be held jointly with the regulatory agency having supervision, and any
10 determination following the hearing shall be made jointly with that regulatory
11 agency.

12 *~~0799/P1.108~~*SECTION 728. 553.03 (2m) of the statutes is created to read:

13 553.03 (2m) “Department” means the department of financial institutions,
14 insurance, and professional standards.

15 *~~0799/P1.109~~*SECTION 729. 553.03 (3) of the statutes is repealed.

16 *~~0799/P1.110~~*SECTION 730. 553.605 (2) of the statutes is amended to read:

17 553.605 (2) INVESTOR EDUCATION. All moneys collected from the administrative
18 assessment under sub. (1) shall be credited to the appropriation under s. ~~20.144 (1)~~
19 20.142 (2) (i). Subject to s. ~~20.144 (1)~~ 20.142 (2) (i), the ~~division~~ department shall use
20 moneys credited to that appropriation to provide information to residents of this
21 state about franchise investments to help investors and potential investors evaluate
22 their investment decisions, protect themselves from false, fraudulent or deceptive
23 practices in connection with the offer, sale or purchase of a franchise, be alert for false
24 or misleading advertising or other harmful practices, and know their rights as
25 investors.

1 *~~0799/P1.111~~*SECTION 731. 553.73 of the statutes is amended to read:

2 **553.73 Service of process.** When any person, including any nonresident of
3 this state, engages in conduct prohibited or made actionable by this chapter or any
4 rule or order under this chapter, whether or not the person has filed a consent to
5 service of process under s. 553.27 (10), and personal jurisdiction over the person
6 cannot otherwise be obtained in this state, that conduct shall be considered
7 equivalent to the person's appointment of the ~~division~~ department to be the person's
8 attorney to receive service of any lawful process in any noncriminal suit, action, or
9 proceeding against the person or the person's successor or personal representative
10 that grows out of that conduct and that is brought under this law or any rule or order
11 under this chapter, with the same force and validity as if served on the person
12 personally. Service may be made by leaving a copy of the process at the office of the
13 ~~division~~ secretary of the department, but it is not effective unless the plaintiff, who
14 may be the ~~division~~ department in a suit, action, or proceeding instituted by the
15 ~~division~~ department, immediately sends notice of the service and a copy of the
16 process by registered or certified mail to the defendant or respondent at his or her
17 last-known address or takes other steps that are reasonably calculated to give actual
18 notice, and the plaintiff's affidavit of compliance with this section is filed in the case
19 on or before the return day of the process, if any, or within any further time that the
20 court allows.

21 *~~0906/P1.75~~*SECTION 732. 565.01 (4d) of the statutes is amended to read:

22 565.01 (4d) "Minority business" means a business certified by the department
23 of administration under s. ~~16.287~~ 203.07 (2).

24 *~~0906/P1.76~~*SECTION 733. 565.01 (4e) of the statutes is amended to read:

1 565.01 (4e) "Minority group member" has the meaning given in s. 16.287
2 203.07 (1) (f).

3 *-0797/P1.110*SECTION 734. 600.03 (11) of the statutes is repealed.

4 *-0797/P1.111*SECTION 735. 600.03 (15c) of the statutes is created to read:

5 600.03 (15c) "Department" means the department of financial institutions,
6 insurance, and professional standards.

7 *-0797/P1.112*SECTION 736. 600.03 (34) of the statutes is repealed.

8 *-0797/P1.113*SECTION 737. 600.03 (41f) of the statutes is created to read:

9 600.03 (41f) "Secretary" means the secretary of the department.

10 *-0797/P1.114*SECTION 738. 601.01 (4) of the statutes is amended to read:

11 601.01 (4) To provide for ~~an office~~ a regulatory authority that is expert in the
12 field of insurance, and able to enforce chs. 600 to 655;

13 *-0797/P1.115*SECTION 739. 601.01 (5) of the statutes is amended to read:

14 601.01 (5) To encourage full cooperation of the ~~office~~ department with other
15 regulatory bodies, both of this and other states and of the federal government;

16 *-0797/P1.116*SECTION 740. Subchapter II (title) of chapter 601 [precedes
17 601.11] of the statutes is repealed and recreated to read:

18 **CHAPTER 601**

19 **SUBCHAPTER II**

20 **INSURANCE INDUSTRY SUPERVISION**

21 **OFFICES**

22 *-0797/P1.117*SECTION 741. 601.11 (1) of the statutes is repealed.

23 *****NOTE: I repealed the provisions related to the deputy commissioner because I
assumed that a deputy secretary would be created elsewhere. *RJK*

23 *-0797/P1.118*SECTION 742. 601.11 (2) (title) of the statutes is repealed.

1 *~~0797/P1.119~~*SECTION 743. 601.11 (2) of the statutes is renumbered 601.11.

2 *~~0797/P1.120~~*SECTION 744. 601.12 (1) of the statutes is amended to read:

3 601.12 (1) LEGAL SERVICES. The attorney general shall allocate personnel as the
4 legal needs of the ~~office~~ department demand.

5 *~~0797/P1.121~~*SECTION 745. 601.12 (2) of the statutes is amended to read:

6 601.12 (2) ENFORCEMENT. Upon request of the ~~commissioner~~ department, the
7 attorney general shall proceed in any federal or state court or agency to recover any
8 tax or fee related to insurance payable under the laws of this state and not paid when
9 due, and any penalty or forfeiture authorized by chs. 600 to 655. Upon request of the
10 ~~commissioner~~ department, the attorney general or, in a proper case, the district
11 attorney of any county, shall aid in any investigation, hearing or other procedure
12 under chs. 600 to 655 and shall institute, prosecute and defend proceedings relating
13 to the enforcement or interpretation of chs. 600 to 655, including any proceeding to
14 which the state, or the ~~insurance commissioner~~ department, the secretary, or any
15 employee of the ~~office~~ department, in the employee's official capacity, shall be a party
16 or in which the ~~commissioner~~ department, secretary, or the employee is interested.

17 *~~0797/P1.122~~*SECTION 746. 601.13 (1) (intro.) of the statutes is amended to
18 read:

19 601.13 (1) RECEIPT OF DEPOSITS. (intro.) Subject to the approval of the
20 ~~commissioner~~ secretary of financial institutions, insurance, and professional
21 standards, the secretary of administration shall accept deposits or control of
22 acceptable book-entry accounts from insurers and other licensees of the ~~office~~
23 department as follows:

24 *~~0797/P1.123~~*SECTION 747. 601.13 (3) (intro.) of the statutes is amended to
25 read:

1 601.13 (3) SECURITIES ELIGIBLE. (intro.) All deposits may consist of any of the
2 securities authorized in this subsection. Each security must be approved by the
3 ~~commissioner~~ secretary of financial institutions, insurance, and professional
4 standards, must be subject to disposition by the secretary of administration, and
5 must not be available to any other person except as expressly provided by law. The
6 authorized securities are:

7 *~~-0797/P1.124~~*SECTION 748. 601.13 (5) of the statutes is amended to read:

8 601.13 (5) RECEIPT, INSPECTION, AND RECORD. The secretary of administration
9 shall deliver to the depositor a receipt for all securities deposited or held under the
10 control of the secretary of administration and shall permit the depositor to inspect
11 its physically held securities at any reasonable time. On application of the depositor
12 the secretary of administration shall certify when required by any law of the United
13 States or of any other state or foreign country or by the order of any court of
14 competent jurisdiction that the deposit was made. The secretary of administration
15 and the ~~commissioner~~ department shall each keep a permanent record of securities
16 deposited or held under the control of the secretary of administration and of any
17 substitutions or withdrawals and shall compare records at least annually.

18 *~~-0797/P1.125~~*SECTION 749. 601.13 (6) of the statutes is amended to read:

19 601.13 (6) TRANSFER OF SECURITIES. No transfer of a deposited security, whether
20 voluntary or by operation of law, is valid unless approved in writing by the
21 ~~commissioner~~ secretary of financial institutions, insurance, and professional
22 standards and countersigned by the secretary of administration.

23 *~~-0797/P1.126~~*SECTION 750. 601.13 (8) (b) of the statutes is amended to read:

1 601.13 (8) (b) To substitute for deposited securities other eligible securities, as
2 expressly approved by the ~~commissioner~~ secretary of financial institutions,
3 insurance, and professional standards.

4 *~~0797/P1.127~~*SECTION 751. 601.13 (10) of the statutes is amended to read:

5 601.13 (10) RELEASE OF DEPOSIT. Upon approval of the ~~commissioner~~ secretary
6 of financial institutions, insurance, and professional standards, any deposit or part
7 thereof shall be released upon the depositor's request to the extent permitted by law.

8 *~~0797/P1.128~~*SECTION 752. 601.14 (1) (intro.) of the statutes is amended to
9 read:

10 601.14 (1) OFFICES. (intro.) The department of administration shall provide
11 suitable premises for the insurance industry supervision offices of the ~~commissioner~~
12 of insurance department:

13 *~~0797/P1.129~~*SECTION 753. 601.14 (1) (b) of the statutes is amended to read:

14 601.14 (1) (b) Elsewhere, if approved by the governor as necessary for the
15 efficient operation of the ~~office~~ insurance industry supervision offices.

16 *~~0797/P1.130~~*SECTION 754. 601.14 (2) of the statutes is amended to read:

17 601.14 (2) MATERIALS, SUPPLIES, EQUIPMENT AND CONTRACTUAL SERVICES. The
18 department of administration shall provide the ~~office~~ insurance industry
19 supervision offices of the department of financial institutions, insurance, and
20 professional standards with all materials, supplies, equipment and contractual
21 services necessary for its efficient operation, including reasonable library facilities
22 and books. Part-time or temporary services of professionals and experts shall be
23 provided by the department of administration upon the recommendation of the
24 ~~commissioner~~ secretary of financial institutions, insurance, and professional

1 standards, and may be provided without regard to the restrictions of subch. II of ch.
2 230.

3 *~~0797/P1.131~~**SECTION 755.** 601.15 of the statutes is repealed.

4 *~~0797/P1.132~~**SECTION 756.** 601.16 (1) of the statutes is amended to read:

5 601.16 (1) ~~SEAL.~~ The ~~commissioner~~ department need not have ~~nor or~~ use an
6 official seal. Any statutory or common law requirement that an official seal be affixed
7 is satisfied by the signature of the ~~commissioner~~ secretary.

8 *~~0797/P1.133~~**SECTION 757.** 601.16 (2) of the statutes is amended to read:

9 601.16 (2) SIGNATURES. Any signature of the ~~commissioner~~ secretary may be
10 in facsimile unless specifically required to be handwritten.

11 *~~0797/P1.134~~**SECTION 758.** 601.18 of the statutes is amended to read:

12 **601.18 Delegation.** Any power, duty, or function vested in the ~~commissioner~~
13 secretary by law may be exercised, discharged, or performed by any employee of the
14 office department acting in the ~~commissioner's~~ secretary's name and by the
15 ~~commissioner's~~ secretary's delegated authority. Any person whose own course of
16 action in good faith depends upon proof of the validity of an asserted delegation is
17 not obligated to act until the person is shown a written delegation with a handwritten
18 signature of the ~~commissioner or deputy commissioner~~ secretary.

19 *~~0797/P1.135~~**SECTION 759.** 601.19 of the statutes is amended to read:

20 **601.19 Organization of the office insurance industry supervision**
21 **offices.** The ~~commissioner~~ department shall publish periodically in the Wisconsin
22 administrative code an up-to-date chart and explanation of the organization of the
23 ~~commissioner's office~~ department's insurance industry supervision offices, making
24 clear the allocation of responsibility and authority among the staff.

25 *~~0797/P1.136~~**SECTION 760.** 601.20 (1) (title) of the statutes is repealed.

1 ***-0797/P1.137*****SECTION 761.** 601.20 (1) of the statutes is renumbered 601.20
2 and amended to read:

3 **601.20 Authorization to form councils and committees.** The
4 ~~commissioner~~ secretary may create advisory councils and committees under s. 15.04
5 (1) (c) to assist in dealing with regulatory problems. The ~~commissioner~~ secretary
6 may appoint members and may provide by rule for the creation, governance, duties
7 and termination of any council or committee the ~~commissioner~~ secretary establishes.

8 ***-0797/P1.138*****SECTION 762.** Subchapter III (title) of chapter 601 [precedes
9 601.31] of the statutes is amended to read:

10 **CHAPTER 601**

11 SUBCHAPTER III

12 FINANCING THE INSURANCE OFFICE

13 INDUSTRY SUPERVISION OFFICES

14 ***-0797/P1.139*****SECTION 763.** 601.31 (1) (q) of the statutes is amended to read:
15 601.31 (1) (q) For a copy of a paper filed ~~in the commissioner's office~~ with the
16 department, actual cost.

17 ***-0797/P1.140*****SECTION 764.** 601.31 (3) of the statutes is amended to read:
18 601.31 (3) The ~~commissioner~~ department may not increase fees under sub. (1)
19 (m) above the amounts in effect on March 25, 1988, except for the purpose of funding
20 projected expenses for the ~~office's~~ department's supervision of the insurance
21 industry.

22 ***-0797/P1.141*****SECTION 765.** 601.32 (1) of the statutes is amended to read:
23 601.32 (1) If the moneys credited to s. 20.145 ~~(1)~~ 20.142 (3) (g) 1. under other
24 sections of the statutes prove inadequate for the ~~office's~~ department's supervision of
25 insurance industry program, the commissioner may increase any or all of the fees

1 imposed by s. 601.31, or may in any year levy a special assessment on all domestic
2 insurers, or both, for the general operation of that program.

3 ***-0797/P1.142*SECTION 766.** 601.41 (3) (b) of the statutes is amended to read:

4 601.41 (3) (b) The ~~commissioner~~ department may, without the consent of the
5 attorney general as required under s. 227.21 (2), adopt standards of the National
6 Association of Insurance Commissioners by incorporating by reference in rules
7 promulgated by the ~~commissioner~~ department any materials published, adopted, or
8 approved by the National Association of Insurance Commissioners, without
9 reproducing the standards in full. The standards referred to in this paragraph do
10 not include any model act or model regulation proposed or adopted by the National
11 Association of Insurance Commissioners. Any materials of the National Association
12 of Insurance Commissioners that are incorporated by reference in rules promulgated
13 by the ~~commissioner~~ department shall be obtainable from, and are only required to
14 be kept on file at, the ~~office~~ department, which shall be stated in any rule containing
15 such an incorporation by reference. Nothing in this paragraph prohibits the
16 ~~commissioner~~ department from adopting standards of the National Association of
17 Insurance Commissioners through incorporation by reference in rules in the manner
18 provided under s. 227.21 (2).

19 ***-0797/P1.143*SECTION 767.** 601.41 (9) (b) of the statutes is amended to read:

20 601.41 (9) (b) ~~If the federal government has not developed by July 1, 2003, a~~
21 no uniform claim processing form that must be used by all health care providers for
22 submitting claims to insurers and by all insurers for processing claims submitted by
23 health care providers, ~~the commissioner shall develop, by December 31, 2003, has~~
24 been developed by the effective date of this paragraph [LRB inserts date], the
25 department shall develop a uniform claim processing form for that purpose.

1 *~~0797/P1.144~~*SECTION 768. 601.41 (10) (b) of the statutes is amended to read:

2 601.41 (10) (b) After the effective date of the rules promulgated under par. (a),
3 an insurer may use only the prescribed questions and format for individual major
4 medical health insurance policy applications. ~~The commissioner shall publish a~~
5 ~~notice in the Wisconsin Administrative Register that states the effective date of the~~
6 ~~rules promulgated under par. (a).~~

7 *~~0797/P1.145~~*SECTION 769. 601.415 (1) of the statutes is amended to read:

8 601.415 (1) JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS. The
9 ~~commissioner~~ secretary or an experienced actuary in the ~~office~~ department
10 designated by the ~~commissioner~~ secretary shall serve as a member of the joint survey
11 committee on retirement systems under s. 13.50.

12 *~~0797/P1.146~~*SECTION 770. 601.415 (2) of the statutes is amended to read:

13 601.415 (2) GROUP INSURANCE BOARD. The ~~commissioner~~ secretary shall serve
14 as a member of the group insurance board under s. 15.165 (2).

15 *~~0797/P1.147~~*SECTION 771. 601.415 (3) of the statutes is amended to read:

16 601.415 (3) WISCONSIN RETIREMENT BOARD. The ~~commissioner~~ secretary or an
17 experienced actuary in the ~~office~~ department designated by the ~~commissioner~~
18 secretary shall serve as a member of the Wisconsin retirement board under s. 15.165
19 (3) (b).

20 *~~0797/P1.148~~*SECTION 772. 601.415 (5) of the statutes is amended to read:

21 601.415 (5) COOPERATION WITH DEPARTMENT OF ADMINISTRATION. The
22 ~~commissioner~~ department of financial institutions, insurance, and professional
23 standards shall cooperate with the department of administration in placing
24 insurance under s. 16.865 (4).

25 *~~0797/P1.149~~*SECTION 773. 601.415 (7) of the statutes is repealed.

1 *-0799/P1.112*SECTION 774. 601.415 (7) of the statutes is repealed.

2 *-0797/P1.150*SECTION 775. 601.415 (8) of the statutes is amended to read:

3 601.415 (8) LONG-TERM CARE PARTNERSHIP PROGRAM. ~~The commissioner~~ On and
4 after July 1, 2015, the department of financial institutions, insurance, and
5 professional standards shall provide the certifications required under s. 49.45 (31)
6 (b) 5. and shall cooperate with the department of health services in approving the
7 training program under s. 49.45 (31) (c) for agents who sell long-term care insurance
8 policies.

9 *-0797/P1.151*SECTION 776. 601.415 (9) of the statutes is repealed.

10 *-0799/P1.113*SECTION 777. 601.415 (9) of the statutes is repealed.

11 *-0797/P1.152*SECTION 778. 601.415 (11) of the statutes is amended to read:

12 601.415 (11) AMENDMENTS TO OWN RISK AND SOLVENCY ASSESSMENT GUIDANCE
13 MANUAL. ~~The commissioner~~ department shall, in ~~his or her~~ the department's
14 discretion, adopt amendments made after April 18, 2014, by the National
15 Association of Insurance Commissioners to the guidance manual, as defined in s.
16 622.03 (1). Any such amendments made by the National Association of Insurance
17 Commissioners become effective in this state if adopted by the ~~commissioner~~
18 department by order after giving 30 days' notice to insurers of the changes proposed
19 by the National Association of Insurance Commissioners. If one or more insurers
20 request a hearing on the proposed changes during the 30-day period, the
21 ~~commissioner~~ department shall hold a hearing to determine whether the
22 ~~commissioner~~ department will, in ~~his or her~~ the department's discretion, adopt one
23 or more of the changes made by the National Association of Insurance
24 Commissioners.

25 *-0797/P1.153*SECTION 779. 601.415 (12) of the statutes is amended to read:

1 601.415 (12) HEALTH INSURANCE RISK-SHARING PLAN. ~~The commissioner~~ On and
2 after July 1, 2015, the department shall perform the duties specified to be performed
3 by the commissioner of insurance in s. 149.13, 2011 stats., and under 2013 Wisconsin
4 Act 20, section 9122 (1L) (b) 8.

5 *-0797/P1.154*SECTION 780. 601.42 (6) (a) of the statutes is amended to read:

6 601.42 (6) (a) In the absence of actual malice, no communication to the
7 commissioner of insurance required by law or by the commissioner shall subject the
8 person making it to an action for damages for defamation. This paragraph applies
9 to communications received by the commissioner before May 11, 1990, or on or after
10 June 1, 1994, and before the effective date of this paragraph [LRB inserts date].

11 *-0797/P1.155*SECTION 781. 601.42 (6) (am) of the statutes is created to read:

12 601.42 (6) (am) In the absence of actual malice, no communication to the
13 secretary required by law or by the secretary shall subject the person making it to
14 an action for damages for the communication. This paragraph applies to
15 communications received by the secretary on or after the effective date of this
16 paragraph [LRB inserts date].

****NOTE: Do you want the paragraph above? I think pars. (a) and (b) in current
law were not intended generally but for a specific situation, so this provision may not be
necessary. *RJK*

17 *-0797/P1.156*SECTION 782. 601.42 (6) (b) of the statutes is amended to read:

18 601.42 (6) (b) In the absence of actual malice, no communication to the
19 commissioner of insurance or the office of the commissioner of insurance required by
20 law or by the commissioner shall subject the person making it to an action for
21 damages for the communication. This paragraph applies to communications
22 received by the commissioner or office on or after May 11, 1990, and before June 1,
23 1994.

1 *~~-0797/P1.157~~*SECTION 783. 601.422 (7) of the statutes is amended to read:

2 601.422 (7) NO LIABILITY OR CAUSE OF ACTION. There shall be no liability on the
3 part of and no cause of action shall arise against an insurer or an insurer's agents
4 or employees for reporting in good faith under this section, or against the
5 ~~commissioner or employees of the office~~ secretary, department, or employees of the
6 department for any good faith act or omission under this section.

7 *~~-0797/P1.158~~*SECTION 784. 601.427 (9) of the statutes is repealed.

8 *~~-0797/P1.159~~*SECTION 785. 601.43 (1) (a) of the statutes is amended to read:

9 601.43 (1) (a) *Insurers, other licensees and other persons subject to regulation.*

10 Whenever the ~~commissioner~~ department deems it necessary ~~in order to inform~~
11 ~~himself or herself to obtain information~~ about any matter related to the enforcement
12 of chs. 600 to 647, the ~~commissioner~~ department may examine the affairs and
13 condition of any licensee or permittee under chs. 600 to 647 or applicant for a license
14 or permit, of any person or organization of persons doing or in process of organizing
15 to do an insurance business in this state, and of any advisory organization serving
16 any of the foregoing in this state.

17 *~~-0797/P1.160~~*SECTION 786. 601.43 (1) (d) of the statutes is amended to read:

18 601.43 (1) (d) *Delivery of records to the office* department. On order of the
19 ~~commissioner~~ department any licensee or permittee under chs. 600 to 647 shall bring
20 to the ~~office~~ department for examination such records as the order reasonably
21 requires.

22 *~~-0797/P1.161~~*SECTION 787. 601.44 (9) of the statutes is amended to read:

23 601.44 (9) COPIES FOR OTHER PERSONS. The ~~commissioner~~ department may
24 furnish, without cost or at a price to be determined by the ~~commissioner~~ department,
25 a copy of the adopted report to the insurance ~~commissioner~~ regulatory authority of

1 each state in the United States and of each foreign jurisdiction in which the examinee
2 is authorized to do business, and to any other interested person in this state or
3 elsewhere.

4 ***-0797/P1.162*SECTION 788.** 601.45 (3) of the statutes is amended to read:

5 601.45 (3) DEPOSIT. The ~~commissioner~~ department may require any examinee,
6 before or from time to time during an examination, to deposit with the secretary of
7 administration such deposits as the ~~commissioner~~ department deems necessary to
8 pay the costs of the examination. Any deposit and any payment made under subs.
9 (1) and (2) shall be credited to the appropriation account under s. ~~20.145 (1)~~ 20.142
10 (3) (g) 1.

11 ***-0797/P1.163*SECTION 789.** 601.45 (4) of the statutes is amended to read:

12 601.45 (4) EXEMPTIONS. On the examinee's request or on the ~~commissioner's~~
13 department's own motion, the commissioner may pay all or part of the costs of an
14 examination from the appropriation under s. ~~20.145 (1)~~ 20.142 (3) (g) 1., whenever
15 the commissioner finds that because of the frequency of examinations or other
16 factors, imposition of the costs would place an unreasonable burden on the examinee.
17 The commissioner shall include in ~~his or her~~ the department's annual report
18 information about any instance in which the commissioner applied this subsection.

19 ***-0797/P1.164*SECTION 790.** 601.45 (5) of the statutes is amended to read:

20 601.45 (5) RETALIATION. Deposits and payments under this section shall not be
21 deemed to be a tax or license fee within the meaning of any statute. If any other state
22 charges a per diem fee for examination of examinees domiciled in this state, any
23 examinee domiciled in that other state shall be required to pay the same fee when
24 examined by the ~~insurance office of this state~~ department.

25 ***-0797/P1.165*SECTION 791.** 601.46 (title) of the statutes is amended to read:

1 **601.46** (title) **Commissioner's Department's records and reports.**

2 ***-0797/P1.166***SECTION 792. 601.46 (1) of the statutes is amended to read:

3 601.46 (1) RECORD MAINTENANCE. The commissioner shall maintain the records
4 required by law and those necessary to provide for the continued effective operation
5 of the office insurance industry supervision offices, to constitute an adequate and
6 proper recording of its activities and to protect the rights of the people of this state.
7 The records shall be preserved in the office department offices except as provided in
8 s. 16.61.

9 ***-0797/P1.167***SECTION 793. 601.46 (3) (c) of the statutes is amended to read:

10 601.46 (3) (c) A summary of the complaints made to or processed by the office
11 department about insurers, agents and others connected with insurance, and
12 information about their disposition;

13 ***-0797/P1.168***SECTION 794. 601.465 (1m) (intro.) of the statutes is amended
14 to read:

15 601.465 (1m) TYPES OF INFORMATION. (intro.) The office department may refuse
16 to disclose and may prevent any other person from disclosing any of the following:

17 ***-0797/P1.169***SECTION 795. 601.465 (1m) (c) (intro.) of the statutes is
18 amended to read:

19 601.465 (1m) (c) (intro.) Testimony, reports, records, communications, and
20 information that are obtained by the office department from, or provided by the office
21 department to, any of the following, under a pledge of confidentiality or for the
22 purpose of assisting or participating in monitoring activities or in the conduct of an
23 inquiry, investigation, or examination:

24 ***-0797/P1.170***SECTION 796. 601.465 (1m) (c) 3. of the statutes is amended to
25 read:

1 601.465 (1m) (c) 3. The insurance ~~commissioner~~ regulatory authority of
2 another state.

3 *~~0797/P1.171~~*SECTION 797. 601.465 (1m) (c) 4. of the statutes is amended to
4 read:

5 601.465 (1m) (c) 4. An agent or employee of the insurance ~~commissioner~~
6 regulatory authority of another state.

7 *~~0797/P1.172~~*SECTION 798. 601.465 (1n) (a) of the statutes is amended to
8 read:

9 601.465 (1n) (a) Notwithstanding sub. (1m) and subch. II of ch. 19, it is
10 presumed that nonpublic documents and information provided by an insurer to the
11 ~~office~~ department under s. 601.42 or 601.43 are proprietary and confidential and that
12 the potential for harm and competitive disadvantage to the insurer if the documents
13 and information are made public by the ~~office~~ department outweighs the public
14 interest in the disclosure of the documents and information.

15 *~~0797/P1.173~~*SECTION 799. 601.465 (1n) (c) of the statutes is amended to
16 read:

17 601.465 (1n) (c) Paragraph (a) does not apply to the ~~commissioner's~~
18 department's discretion to disclose documents and information provided by an
19 insurer to the ~~office~~ department under s. 601.42 or 601.43 as a part of an enforcement
20 proceeding the ~~commissioner~~ department brings under s. 601.64.

21 *~~0797/P1.174~~*SECTION 800. 601.465 (2m) (c) of the statutes is amended to
22 read:

23 601.465 (2m) (c) The privilege applies to testimony, reports, records,
24 communications, and information obtained, created, or provided by any official,
25 employee, or agent of the ~~office~~ department for the purpose of assisting or

1 participating in monitoring activities or in the conduct of an inquiry, investigation,
2 or examination by, or coordinated through, the National Association of Insurance
3 Commissioners.

4 ***-0797/P1.175*SECTION 801.** 601.47 (1) of the statutes is amended to read:

5 601.47 (1) GENERAL. The commissioner may prepare books, pamphlets, and
6 other publications relating to insurance and sell them in the manner and at the
7 prices the commissioner determines. The cost of publication and distribution may
8 be paid from the appropriation under s. ~~20.145 (1)~~ 20.142 (3) (g) 1.

9 ***-0797/P1.176*SECTION 802.** 601.47 (3) of the statutes is amended to read:

10 601.47 (3) FREE DISTRIBUTION. The commissioner may furnish free copies of the
11 publications prepared under subs. (1) and (2) to public officers and libraries in this
12 state and elsewhere. The cost of free distribution shall be charged to the
13 appropriation under s. ~~20.145 (1)~~ 20.142 (3) (g) 1.

14 ***-0797/P1.177*SECTION 803.** 601.48 (1) of the statutes is amended to read:

15 601.48 (1) NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS. The
16 commissioner secretary and the ~~office of the commissioner~~ department shall
17 maintain close relations with the ~~commissioners~~ insurance regulatory authorities of
18 other states and shall participate in the activities and affairs of the National
19 Association of Insurance Commissioners and other organizations so far as it will, in
20 the judgment of the ~~commissioner secretary~~, enhance the purposes of chs. 600 to 655.
21 The actual and necessary expenses incurred thereby shall be reimbursed out of the
22 appropriation under s. ~~20.145 (1)~~ 20.142 (3) (g) 1.

23 ***-0797/P1.178*SECTION 804.** 601.49 of the statutes is amended to read:

24 **601.49 Access to records.** The commissioner shall have access to the records
25 of any agency of the state government or of any political subdivision thereof which

1 the commissioner may wish to consult in discharging ~~his or her~~ the department's
2 duties.

3 *~~0797/P1.179~~*SECTION 805. 601.56 (1) of the statutes is repealed.

4 *~~0797/P1.180~~*SECTION 806. 601.56 (2) (title) of the statutes is repealed.

5 *~~0797/P1.181~~*SECTION 807. 601.56 (2) of the statutes is renumbered 601.56
6 and amended to read:

7 **601.56 Study and rules on standards for health insurers.** If, as a result
8 of the study under ~~sub. (1), the commissioner s. 601.56 (1), 2013 stats., the~~
9 department determines that in transactions with health care providers compliance
10 by health insurers with certain standards will likely reduce the cost of health care
11 administration, the ~~commissioner~~ department shall promulgate rules to establish
12 and implement appropriate standards.

13 *~~0797/P1.182~~*SECTION 808. 601.57 (1) (a) of the statutes is renumbered
14 601.57 (1) and amended to read:

15 601.57 (1) The commissioner of insurance, in consultation with the department
16 of health services, shall study the feasibility and cost-effectiveness of requiring
17 every health insurer to issue to its insureds uniform machine-readable health
18 insurance identification cards and to establish a computerized support system for
19 the cards that will accept and respond to electronically conveyed requests from
20 health care providers for information related to an insured, such as eligibility,
21 coverages and authorizations. The study shall consider the feasibility and
22 cost-effectiveness of including the medical assistance program under subch. IV of ch.
23 49 in the system of identification cards and the computerized support system and the
24 feasibility of using those systems to coordinate the payment of benefits by health
25 insurers and the medical assistance program.

1 ***-0797/P1.183***SECTION 809. 601.57 (1) (b) of the statutes is repealed.

2 ***-0797/P1.184***SECTION 810. 601.57 (2) of the statutes is amended to read:

3 601.57 (2) RULES. If, as a result of the study under sub. (1), the commissioner
4 of insurance determined, or the department of financial institutions, insurance, and
5 professional standards determines, that a health insurance identification card
6 system and its computerized support system are feasible and would be cost-effective,
7 the commissioner or department, whichever is appropriate, shall promulgate rules
8 to establish and implement the systems.

9 ***-0797/P1.185***SECTION 811. 601.58 (2) (d) of the statutes is amended to read:

10 601.58 (2) (d) “Commissioner” means the chief insurance regulatory official of
11 a state, including, but not limited to, commissioner, secretary, superintendent,
12 director, or administrator.

13 ***-0797/P1.186***SECTION 812. 601.62 (3) (a) of the statutes is amended to read:

14 601.62 (3) (a) *Subsequent hearings*. Whenever an order is issued without a
15 hearing, any person aggrieved by the order may demand a hearing within 30 days
16 after the date on which the notice of the order was mailed. Failure to demand a
17 hearing within the period prescribed therefor is waiver of a hearing. The demand
18 shall be in writing and shall be served on the commissioner by delivering a copy to
19 the ~~commissioner~~ secretary or by leaving it at the ~~commissioner’s~~ secretary’s office.
20 The commissioner shall thereupon hold a hearing not less than 10 nor more than 60
21 days after service of the demand.

22 ***-0797/P1.187***SECTION 813. 601.62 (4) of the statutes is amended to read:

23 601.62 (4) FEES IN INVESTIGATIONS AND HEARINGS. The fees for stenographic
24 services in investigations, examinations, and hearings may not exceed the sum
25 provided for like services in the circuit court. The fees of officers, witnesses,

1 interpreters, and stenographers on behalf of the commissioner or the state shall be
2 paid by the secretary of administration, authorized by the certificate of the
3 ~~commissioner~~ secretary of financial institutions, insurance, and professional
4 standards, and shall be charged to the appropriation under s. ~~20.145 (1)~~ 20.142 (3)
5 (g) 1.

6 *~~0797/P1.188~~*SECTION 814. 601.63 (5) (a) of the statutes is amended to read:

7 601.63 (5) (a) *Required approval.* Whenever the law requires the
8 ~~commissioner's~~ department's approval for a certain action, the action is not effective
9 until expressly approved. The approval is deemed refused if the commissioner does
10 not act within 60 days after receiving the application for approval.

11 *~~0797/P1.189~~*SECTION 815. 601.64 (2) of the statutes is amended to read:

12 601.64 (2) COMPULSIVE FORFEITURES. If a person does not comply with an order
13 issued under s. 601.41 (4) within 2 weeks after the commissioner has given the
14 person notice of the ~~commissioner's~~ department's intention to proceed under this
15 subsection, the commissioner may commence an action for a forfeiture in such sum
16 as the court considers just, but not exceeding \$5,000 for each day that the violation
17 continues after the commencement of the action until judgment is rendered. No
18 forfeiture may be imposed under this subsection if at the time the action was
19 commenced the person was in compliance with the order, nor for any violation of an
20 order occurring while any proceeding for judicial review of the order was pending,
21 unless the court in which the proceeding was pending certifies that the claim of
22 invalidity or nonapplicability of the order was frivolous or a sham. If after judgment
23 is rendered the person does not comply with the order, the commissioner may
24 commence a new action for a forfeiture and may continue commencing actions until
25 the person complies. The proceeds of all actions under this subsection, after

1 deduction of the expenses of collection, shall be paid into the common school fund of
2 the state.

3 ***-0797/P1.190*SECTION 816.** 601.64 (5) of the statutes is amended to read:

4 601.64 (5) REVOCATION, SUSPENSION AND LIMITATION OF LICENSES. Whenever a
5 licensee of the ~~office~~ department other than an insurer, a motor club, an adjuster or
6 an insurance intermediary persistently or substantially violates chs. 600 to 646 or
7 an order of the commissioner under s. 601.41 (4), or if the licensee's methods and
8 practices in the conduct of business endanger, or financial resources are inadequate
9 to safeguard, the legitimate interests of customers and the public, the commissioner
10 may, after a hearing, in whole or in part revoke, suspend or limit the license.

11 ***-0797/P1.191*SECTION 817.** 601.72 (1) (intro.) of the statutes is amended to
12 read:

13 601.72 (1) GENERAL. (intro.) Under procedures specified in s. 601.73, the
14 ~~commissioner~~ department is by law constituted attorney, ~~except in cases in which the~~
15 ~~proceeding is to be brought by the state against an insurer or intermediary other~~
16 ~~than a risk retention group or risk purchasing group, in which event the department~~
17 ~~of financial institutions is by law constituted attorney,~~ to receive service of summons,
18 notices, orders, pleadings and all other legal process relating to any court or
19 administrative agency in this state for all of the following:

20 ***-0797/P1.192*SECTION 818.** 601.72 (2) of the statutes is amended to read:

21 601.72 (2) APPOINTMENT OF ATTORNEY. Except as provided in sub. (2m), every
22 licensed insurer by applying for and receiving a certificate of authority, every surplus
23 lines insurer by entering into a contract subject to the surplus lines law, and every
24 unauthorized insurer by doing an insurance business in this state, is deemed to have

1 irrevocably appointed the ~~commissioner and department of financial institutions~~
2 department as the insurer's ~~attorneys~~ attorney in accordance with sub. (1).

3 ***-0797/P1.193*SECTION 819.** 601.72 (3) of the statutes is amended to read:

4 601.72 (3) OTHERS AFFECTED. The ~~commissioner and department of financial~~
5 ~~institutions~~ department shall also be ~~attorneys~~ attorney for the personal
6 representatives, receivers, trustees, or other successors in interest of the persons
7 specified in sub. (1).

8 ***-0797/P1.194*SECTION 820.** 601.73 (1) (intro.) of the statutes is amended to
9 read:

10 601.73 (1) REQUIREMENTS FOR EFFECTIVE SERVICE. (intro.) Service upon the
11 ~~commissioner or department of financial institutions~~ department under s. 601.72 is
12 service on the principal, if:

13 ***-0797/P1.195*SECTION 821.** 601.73 (1) (a) of the statutes is amended to read:

14 601.73 (1) (a) Two copies of the process are left in the hands or office of the
15 ~~commissioner or department of financial institutions respectively~~ secretary; and

16 ***-0797/P1.196*SECTION 822.** 601.73 (1) (b) of the statutes is amended to read:

17 601.73 (1) (b) The ~~commissioner or department of financial institutions~~
18 department mails a copy of the process to the person served according to sub. (2) (b).

19 ***-0797/P1.197*SECTION 823.** 601.73 (2) (title) of the statutes is amended to
20 read:

21 601.73 (2) (title) ~~COMMISSIONER'S~~ DEPARTMENT'S ACTION.

22 ***-0797/P1.198*SECTION 824.** 601.73 (2) (a) of the statutes is amended to read:

23 601.73 (2) (a) *Records.* The ~~commissioner and department of financial~~
24 ~~institutions~~ department shall give receipts for and keep records of all process served
25 through ~~them~~ the department.

1 *~~0797/P1.199~~*SECTION 825. 601.73 (2) (b) of the statutes is amended to read:

2 601.73 (2) (b) *Process mailed.* ~~The commissioner or department of financial~~
3 institutions department shall send immediately by certified mail to the person
4 served, at the person's last-known principal place of business, residence or
5 post-office address or at an address designated in writing by the person, one copy of
6 any process received and shall retain the other copy.

7 *~~0797/P1.200~~*SECTION 826. 601.73 (3) of the statutes is amended to read:

8 601.73 (3) PROOF OF SERVICE. A certificate by the ~~commissioner or the~~
9 ~~department of financial institutions~~ department, showing service made upon the
10 ~~commissioner or department of financial institutions~~ department, and attached to
11 a copy of the process presented for that purpose is sufficient evidence of the service.

12 *~~0797/P1.201~~*SECTION 827. 601.93 (2) of the statutes is amended to read:

13 601.93 (2) Every insurer doing a fire insurance business in this state shall,
14 before March 1 in each year, file with the ~~commissioner~~ department a statement,
15 showing the amount of premiums upon fire insurance due for the preceding calendar
16 year. Return premiums may be deducted in determining the premium on which the
17 fire department dues are computed. Payments of quarterly installments of the total
18 estimated payment for the then current calendar year under this subsection are due
19 on or before April 15, June 15, September 15 and December 15. On March 1 the
20 insurer shall pay any additional amounts due for the preceding calendar year.
21 Overpayments will be credited on the amount due April 15. ~~The commissioner shall,~~
22 ~~prior to May 1 each year, report to the department of safety and professional services~~
23 ~~the amount of dues paid under this subsection and to be paid under s. 101.573 (1).~~

24 *~~0797/P1.202~~*SECTION 828. 604.04 (1) of the statutes is amended to read:

1 604.04 (1) MANAGER. Each fund under chs. 605 to 607 shall be administered
2 by a manager ~~who~~ which shall be the ~~commissioner~~ department. In chs. 604 to 607,
3 “manager” means the ~~commissioner in his or her~~ department in its capacity as
4 manager.

5 *~~0797/P1.203~~*SECTION 829. 604.04 (2) of the statutes is amended to read:

6 604.04 (2) OTHER PERSONNEL. The manager of a fund may employ such
7 personnel as are necessary for proper administration. To the extent practicable, the
8 manager shall manage the funds, issue policies, and prepare reports in the same way
9 that ~~as commissioner he or she requires~~ other insurers are required to do, except that
10 periodic annual audits may not be required. The manager may make such
11 reasonable rules for the administration of the funds as are necessary to implement
12 the enabling statutes.

13 *~~0797/P1.204~~*SECTION 830. 604.04 (3) of the statutes is amended to read:

14 604.04 (3) EXPENSES. No full-time state officer or employee may receive
15 additional compensation for services under chs. 604 to 607. Appropriate portions of
16 the salaries of such persons who do work for the funds or supervise them, and other
17 expenses including reasonable charges for state-owned or state-rented office space
18 and the use of state-owned or state-rented office equipment shall be charged against
19 each fund. Each fund shall pay to the ~~commissioner~~ department amounts charged
20 for organizational support services, which shall be credited to the appropriation
21 account under s. ~~20.145 (1)~~ 20.142 (3) (g) 2. Each fund shall also be charged a sum
22 equivalent to the state premium tax that would be paid by a domestic mutual insurer
23 organized or operating under ch. 611 and doing the same kind of insurance business,
24 except that no such charge shall be made for the insurance of governmental units.

25 *~~0797/P1.205~~*SECTION 831. 604.04 (4) of the statutes is amended to read:

1 604.04 (4) PAYMENT PROCEDURE. Any charges against a fund under sub. (3) shall
2 be certified by the ~~commissioner~~ department of financial institutions, insurance, and
3 professional standards, audited by the department of administration under s. 16.53,
4 and paid by the secretary of administration out of the appropriate fund in accordance
5 with procedures of the department of administration.

6 *~~-0797/P1.206~~*SECTION 832. 604.04 (6) of the statutes is amended to read:

7 604.04 (6) REINSURANCE. The manager may procure such reinsurance for the
8 fund as ~~he or she~~ the manager considers necessary for its sound operation.

9 *~~-0797/P1.207~~*SECTION 833. 604.07 of the statutes is amended to read:

10 **604.07 Bonds.** The ~~commissioner~~ department as manager of the funds and the
11 secretary of administration shall file surety bonds, specifically conditioned on the
12 performance of their duties under chs. 605 to 607, in amounts required by, and with
13 sureties approved by, the governor.

14 *~~-0797/P1.208~~*SECTION 834. 610.01 (4) of the statutes is repealed.

15 *~~-0797/P1.209~~*SECTION 835. 610.21 (2) (c) of the statutes is amended to read:

16 610.21 (2) (c) The ~~commissioner~~ department orders it to cease doing such
17 business upon finding that doing such business is not consistent with the interests
18 of its insureds, creditors, or the public in this state; or that it gives the insurer a
19 substantial competitive advantage in relation to domestic insurers.

20 *~~-0797/P1.210~~*SECTION 836. 610.65 of the statutes is amended to read:

21 **610.65 Uniform claim processing form.** Beginning no later than July 1,
22 2004, every insurer shall use the uniform claim processing form developed by ~~the~~
23 ~~commissioner~~ under s. 601.41 (9) (b) when processing a claim submitted by a health
24 care provider, as defined in s. 146.81 (1) (a) to (p).

25 *~~-0797/P1.211~~*SECTION 837. 610.70 (1) (a) of the statutes is amended to read:

1 610.70 (1) (a) "Health care provider" means any person licensed, registered,
2 permitted or certified by the department of health services or the department of
3 safety and professional services financial institutions, insurance, and professional
4 standards to provide health care services, items or supplies in this state.

5 *~~0800/P1.194~~*SECTION 838. 610.70 (1) (a) of the statutes is amended to read:

6 610.70 (1) (a) "Health care provider" means any person licensed, registered,
7 permitted or certified by the department of health services or the department of
8 safety and professional services to provide health care services, items or supplies in
9 this state.

10 *~~0797/P1.212~~*SECTION 839. 611.07 (2) of the statutes is amended to read:

11 611.07 (2) EFFECT OF UNAUTHORIZED CORPORATE ACTS. Section 180.0304 applies
12 to stock corporations and s. 181.0304 applies to mutuals, except that references to
13 "attorney general" shall be read as "~~commissioner~~". "department."

14 *~~0797/P1.213~~*SECTION 840. 611.20 (2) (a) (intro.) of the statutes is amended
15 to read:

16 611.20 (2) (a) (intro.) The ~~commissioner~~ department shall issue a certificate of
17 authority, if he or she the department finds:

18 *~~0797/P1.214~~*SECTION 841. 611.20 (4) (a) (intro.) of the statutes is amended
19 to read:

20 611.20 (4) (a) *Upon application.* (intro.) A corporation may at any time apply
21 to the ~~commissioner~~ department for a new or amended certificate of authority,
22 removing, altering or adding limits on its business or methods of operation. The
23 application shall contain or be accompanied by so much of the information in s.
24 611.13 (2) as the ~~commissioner~~ department reasonably requires. The ~~commissioner~~

1 department shall issue the new certificate as requested if ~~he or she~~ the department
2 finds:

3 *~~0797/P1.215~~*SECTION 842. 611.20 (4) (b) of the statutes is amended to read:

4 611.20 (4) (b) *By commissioner department*. If the commissioner department
5 issues a summary order under s. 645.21 against a corporation, ~~he or she~~ the
6 department may also revoke the corporation's certificate and issue a new one with
7 the limits the ~~commissioner~~ department deems necessary.

8 *~~0797/P1.216~~*SECTION 843. 611.24 (2) of the statutes is amended to read:

9 611.24 (2) OPTIONAL SEGREGATED ACCOUNTS. With the approval of the
10 ~~commissioner~~ department, a corporation may establish a segregated account for any
11 part of its business. The ~~commissioner~~ department shall approve unless ~~he or she~~
12 the department finds that the segregated account would be contrary to the law or to
13 the interests of any class of insureds.

14 *~~0797/P1.217~~*SECTION 844. 611.28 (2) of the statutes is amended to read:

15 611.28 (2) CONTINUING CONTROL. The ~~commissioner~~ department may by rule or
16 order specify portions of the business plan to which the requirement of sub. (1) shall
17 apply even after the initial 5-year period, if ~~he or she~~ the department finds after a
18 hearing that it is required to protect the interests of insureds, creditors or the public
19 in this state.

20 *~~0797/P1.218~~*SECTION 845. 611.29 (1) of the statutes is amended to read:

21 611.29 (1) RIGHT TO AMEND ARTICLES. A stock corporation may amend its articles
22 under ss. 180.0726, 180.1001 to 180.1007, 180.1706, 180.1707 and 180.1708 (4) and
23 a mutual may amend its articles under ss. 181.1001, 181.1002 (1), 181.1003,
24 181.1005 and 181.1006, ~~except that papers required by those sections to be filed with~~
25 ~~the department of financial institutions shall instead be filed with the commissioner.~~

1 Subject to sub. (3), the stock corporation or mutual may amend its articles in any
2 desired respect including substantial changes of its original purposes. No
3 amendment may be made contrary to s. 611.12 (1) to (3).

4 ***-0797/P1.219*SECTION 846.** 611.31 (4) (a) of the statutes is amended to read:

5 611.31 (4) (a) Every person who is directly or indirectly the beneficial owner
6 of more than 10% of any class of any equity security of a domestic stock insurance
7 corporation, or who is a director or officer thereof, shall file ~~in the office of the~~
8 ~~commissioner~~ with the department within 10 days after becoming a beneficial owner
9 or a director or officer, and within 10 days after the close of any calendar month
10 thereafter in which there has been a change in his or her ownership or office, a
11 statement in the form prescribed by the ~~commissioner~~ department, of the office and
12 of all equity securities of the company of which the person is the beneficial owner, and
13 of all changes in either.

14 ***-0797/P1.220*SECTION 847.** 611.32 (2) (b) (intro.) of the statutes is amended
15 to read:

16 611.32 (2) (b) (intro.) Except under this section and s. 611.18 (2) (a) 2., and
17 except for stock dividends, no promoter stock may be issued for 5 years following the
18 initial issuance of the certificate of authority, without the approval of the
19 ~~commissioner~~ department which may be granted by the ~~commissioner~~ department
20 only if ~~he or she~~ the department finds that:

21 ***-0797/P1.221*SECTION 848.** 611.33 (1) (a) 1. of the statutes is amended to
22 read:

23 611.33 (1) (a) 1. Until one year after the initial issuance of a certificate of
24 authority, the corporation may issue no shares and no other securities convertible
25 into shares except for a single class of common stock that satisfies s. 180.0601 (3) and,

1 with the approval of the ~~commissioner~~ department, on terms that ~~he or she~~ the
2 department considers fair, a single class of preferred stock for sale to no more than
3 15 shareholders;

4 *~~0797/P1.222~~*SECTION 849. 611.33 (1) (a) 2. of the statutes is amended to
5 read:

6 611.33 (1) (a) 2. After the first year and within 5 years after the initial issuance
7 of a certificate of authority, no additional classes of shares may be issued, except after
8 approval of the ~~commissioner, who~~ department, which may approve only if ~~he or she~~
9 the department finds that existing shareholders will not be prejudiced.

10 *~~0797/P1.223~~*SECTION 850. 611.33 (2) (a) 2. of the statutes is amended to
11 read:

12 611.33 (2) (a) 2. After the first year but within 5 years after the initial issuance
13 of a certificate of authority, additional classes of bonds may be authorized after
14 approval of the ~~commissioner, who~~ department, which shall approve if ~~he or she~~ the
15 department finds that policyholders and prior bondholders will not be prejudiced;

16 *~~0797/P1.224~~*SECTION 851. 611.33 (2) (b) (intro.) of the statutes is amended
17 to read:

18 611.33 (2) (b) *Contribution notes.* (intro.) Any mutual may issue contribution
19 notes if the ~~commissioner~~ department approves. ~~The commissioner~~ department may
20 approve only if ~~he or she~~ the department finds that:

21 *~~0797/P1.225~~*SECTION 852. 611.41 (2) of the statutes is amended to read:

22 611.41 (2) ATTENDANCE AT MEETINGS. ~~The commissioner~~ department or
23 department's representative has the right to attend any shareholders' or
24 policyholders' meeting.

25 *~~0797/P1.226~~*SECTION 853. 611.51 (2) (c) of the statutes is amended to read:

1 611.51 (2) (c) *Exception.* The ~~commissioner~~ department may by order reduce
2 the number of directors required under this subsection, if ~~he or she~~ the department
3 finds that it would be an unreasonable burden on the corporation to comply with the
4 requirement and that the interests of policyholders and shareholders can be
5 otherwise protected.

6 *~~0797/P1.227~~*SECTION 854. 611.72 (1) of the statutes is amended to read:

7 611.72 (1) GENERAL. Subject to this section, ss. 180.1101, 180.1103 to 180.1106,
8 180.1706, 180.1707, and 180.1708 (5) apply to the merger of a domestic stock
9 insurance corporation or its parent insurance holding corporation, ~~except that~~
10 ~~papers required by those sections to be filed with the department of financial~~
11 ~~institutions shall instead be filed with the commissioner.~~

12 *~~0797/P1.228~~*SECTION 855. 611.72 (3) (bm) 1. of the statutes is amended to
13 read:

14 611.72 (3) (bm) 1. If the proposed merger or other acquisition of control will
15 require the approval of more than one ~~commissioner~~ insurance regulatory authority,
16 the hearing under par. (am) may be held on a consolidated basis upon the request of
17 a person filing a statement with the ~~commissioner of insurance of this state~~
18 department under s. Ins 40.02 (2), Wis. Adm. Code, which request must be made
19 when the statement is filed. That person shall file a copy of the statement under s.
20 Ins 40.02 (2), Wis. Adm. Code, with the National Association of Insurance
21 Commissioners within 5 days after making the request for a consolidated hearing.
22 A hearing conducted on a consolidated basis shall be public and held within the
23 United States before the ~~commissioners~~ insurance regulatory officials of the states
24 in which the insurers involved in the merger or other acquisition of control are
25 domiciled. The ~~commissioners~~ insurance regulatory officials may hear and receive