## 2015 DRAFTING REQUEST

Bill				•					
Received: 12/5/2014						Received By:	agary		
Wanted	Wanted: As time permits					Same as LRB:			
For:	For: Administration-Budget					By/Representing:	Wimmer		
May Contact:						Drafter:	agary		
Subject: Fin. Inst m			niscellaneous			Addl. Drafters:			
						Extra Copies:	FFK		
Submit via email: Requester's email: Carbon copy (CC) to:			YES sbostatlanguage@webapps.wi.gov aaron.gary@legis.wisconsin.gov						
Pre To									
DOA:.	Wimn	ner, BB0272	-						
Topic	•								
Manda	atory elect	ronic filing	for DFI						
Instru	ictions:								
See att	tached								
Drafti	ing Histo	ry:							
Vers.	Drafted	Rev	<u>iewed</u>	Typed	Proofed	Submitted	<u>Jacketed</u>	Required	
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See attached						
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Vers. Drafted	d Reviewed Typed Proofed	Submitted	Jacketed Required			
/? agary	12/19/14 /2/19/14 / 12/19/14	<del>-</del>				

FE Sent For:

#### Gary, Aaron

From:

Hanaman, Cathlene

Sent:

Thursday, December 04, 2014 1:33 PM

To:

Gary, Aaron; Knepp, Fern

Subject:

FW: Statutory Language Drafting Request - BB0272

From: robert.wimmer@wisconsin.gov [mailto:robert.wimmer@wisconsin.gov]

Sent: Thursday, December 04, 2014 1:31 PM

To: Hanaman, Cathlene

Cc: Ziegler, Paul - DOA; Wimmer, Robert C - DOA; Connor, Christopher B - DOA

Subject: Statutory Language Drafting Request - BB0272

Biennial Budget: 2015-17

DOA Tracking Code: BB0272

Topic: Mandatory E-Filing

SBO Team: TLGED

SBO Analyst: Wimmer, Robert

Phone: 608-266-7597

E-mail: robert.wimmer@wisconsin.gov

Agency Acronym: DFI

Agency Number: 144

Priority: Medium

Intent:

Allow DFI to require mandatory electronic submission of documents with broad exceptions. Suggested exemption language is something similar to DOR's Tax 2.03(3)(b)1-3.

Attachments: False

Please send completed drafts to SBOStatlanguage@webapps.wi.gov



### State of Misconsin **2015 - 2016 LEGISLATURE**



DOA:.....Wimmer, BB0272 – Mandatory electronic filing for DFI

### FOR 2015-2017 BUDGET — NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

#### Analysis by the Legislative Reference Bureau COMMERCE AND ECONOMIC DEVELOPMENT

BUSINESS ORGANIZATIONS AND FINANCIAL INSTITUTIONS

Under current law, DFI receives for filing or other purposes many types of documents, including license applications, articles of incorporation, financing statements perfecting security interests in goods, and state trademark registrations.

Under this bill, DFI may require that any filing with DFI be made electronically. Under the bill, a filing includes the submission to DFI of any form, instrument, application, report, notice, or other information required or permitted to be submitted to DFI for retention in DFI's records. If DFI requires electronic filing. DFI may also require that any fee associated with the filing be paid using a suitable method. However, DFI may waive these requirements if: 1) the person affected by the requirement makes a written request for a waiver and clearly states in the request why the requirement causes the person undue hardship; and 2) DFI determines that the requirement, if imposed on the person, would cause the person undue hardship.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

	<b>*</b>
SECTION 1.	224.30 (5) of the statutes is created to read:

- 224.30 (5) ELECTRONIC FILING. (a) In this subsection, "filing" means the submission to the department of any form, instrument, application, report, notice, or other information required or permitted to be submitted to the department for retention in the department's records.
- (b) Subject to par. (c), the department may require any filing to be made electronically in a manner prescribed by the department. Subject to par. (c), if the department requires that a filing be made electronically, the department may require that any fee associated with the filing be paid using a suitable method prescribed by the department.

\*\*\*\*NOTE: Many filings with DFI require payment of a fee. The second sentence of this provision allows DFI to require that fees be paid in a manner consistent with the electronic filing, such as by electronic fund transfer or prior deposit of funds with DFI.

- (c) The department may waive any requirement imposed under par. (b) if all of the following apply:
- 1. The person affected by the requirement makes a written request to the department, in a manner prescribed by the department, that the requirement be waived and clearly states in the request why the requirement causes the person undue hardship.
- 2. The department determines, in its discretion, that the requirement, if imposed on the person, would cause the person undue hardship.



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## State of Misconsin 2015 - 2016 LEGISLATURE



DOA:.....Wimmer, BB0272 - Mandatory electronic filing for DFI

FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

# Analysis by the Legislative Reference Bureau COMMERCE AND ECONOMIC DEVELOPMENT

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17	2. The department determines, in its discretion, that the requirement, if					
18	imposed on the person, would cause the person undue hardship.					

(END)