



State of Wisconsin
2017 - 2018 LEGISLATURE

January 2017 Special Session

LRB-1498/P9

CMH:wlj

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to create** 20.455 (2) (en) of the statutes; **relating to:** treatment and
2 diversion programs and making appropriations.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Justice awards grants to counties to provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs. This bill provides moneys from general purpose revenue in each fiscal year in amounts specified in the bill for grants to counties operating treatment and diversion programs, to expand the grant program to more counties, and to create a pilot program to divert certain persons to treatment options instead of the criminal justice system.

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:

3 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
4 the following amounts for the purposes indicated:

2015-16 2016-17

20.455 Justice, department of

(2) LAW ENFORCEMENT SERVICES

(en) Diversion pilot program; treat-
ment and diversion expansion

GPR A -0- -0-

SECTION 2. 20.455 (2) (en) of the statutes is created to read:

20.455 (2) (en) *Diversion pilot program; treatment and diversion expansion.*

The amounts in the schedule to create a diversion pilot program for nonviolent offenders to be diverted to a treatment option and to expand the grant program under s. 165.95 (2) to additional counties.

SECTION 3. Nonstatutory provisions.

(1) DIVERSION PILOT PROGRAM. Before the department of justice expends the moneys described in SECTION 4 (3) of this act from the appropriation under section 20.455 (2) (en) of the statutes, the department of justice shall submit to the joint committee on finance a proposed plan for the expenditure of those moneys to create a diversion pilot program for nonviolent offenders to be diverted to a treatment option. If the cochairpersons of the committee do not notify the department of justice within 14 working days after the date of the department's submittal that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the department of justice may expend the moneys to implement the proposed plan. If, within 14 working days after the date of the department of justice's submittal, the cochairpersons of the committee notify the department of justice that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the

1 department of justice may expend the moneys described in SECTION 4 (3) of this act
2 only on approval of the committee.

3 **SECTION 4. Fiscal changes.**

4 (1) TREATMENT AND DIVERSION PROGRAM GRANTS.. In the schedule under section
5 20.005 (3) of the statutes for the appropriation to the department of justice under
6 section 20.455 (2) (em) of the statutes, the dollar amount for fiscal year 2017-18 is
7 increased by \$2,000,000 for the purpose for which the appropriation is made. In the
8 schedule under section 20.005 (3) of the statutes for the appropriation to the
9 department of justice under section 20.455 (2) (em) of the statutes, the dollar amount
10 for fiscal year 2018-19 is increased by \$2,000,000 for the purpose for which the
11 appropriation is made.

12 (2) TREATMENT AND DIVERSION PROGRAMS EXPANSION. In the schedule under
13 section 20.005 (3) of the statutes for the appropriation to the department of justice
14 under section 20.455 (2) (en) of the statutes, the dollar amount for fiscal year 2017-18
15 is increased by \$150,000 for the expansion of the grant program under section 165.95
16 (2) of the statutes to additional counties. In the schedule under section 20.005 (3) of
17 the statutes for the appropriation to the department of justice under section 20.455
18 (2) (en) of the statutes, the dollar amount for fiscal year 2018-19 is increased by
19 \$150,000 for the expansion of the grant program under section 165.95 (2) of the
20 statutes to additional counties.

21 (3) DIVERSION PILOT PROGRAM. In the schedule under section 20.005 (3) of the
22 statutes for the appropriation to the department of justice under section 20.455 (2)
23 (en) of the statutes, the dollar amount for fiscal year 2017-18 is increased by
24 \$261,000 for the purpose of creating a diversion pilot program for nonviolent
25 offenders to be diverted to a treatment option. In the schedule under section 20.005

1 (3) of the statutes for the appropriation to the department of justice under section
2 20.455 (2) (en) of the statutes, the dollar amount for fiscal year 2018-19 is increased
3 by \$261,000 for the purpose of creating a diversion pilot program for nonviolent
4 offenders to be diverted to a treatment option.

5 (END)

WISCONSIN LEGISLATIVE REFERENCE BUREAU

Information Services 608-266-0341—Legal Services 608-266-3561



2 M
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} - existing TAD

261 - Pass Review -



State of Wisconsin
2017 - 2018 LEGISLATURE
January 2017 Special Session

LRB-1498/A
CMH&TJD:wlj&jld

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P10
STAYS

BILL

1 **AN ACT to create** 20.455 (2) (en) of the statutes; **relating to:** treatment and
2 diversion programs and making appropriations.

, subject to review of the Joint Committee on Finance
Analysis by the Legislative Reference Bureau

Under current law, the Department of Justice awards grants to counties to provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs. This bill provides moneys from general purpose revenue in each fiscal year in amounts specified in the bill for grants to counties operating treatment and diversion programs, to expand the grant program to more counties, and to create a pilot program to divert certain persons to treatment options instead of the criminal justice system.

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to increase the amount spent
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2015-16 2016-17

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3 (2) LAW ENFORCEMENT SERVICES

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6 **SECTION 2.** 20.455 (2) (en) of the statutes is created to read:

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8 The amounts in the schedule to create a diversion pilot program for nonviolent
9 offenders to be diverted to a treatment option and to expand the grant program under
10 s. 165.95 (2) to additional counties.

11 **SECTION 3. Nonstatutory provisions.**

12 (1) DIVERSION PILOT PROGRAM. Before the department of justice expends the
13 moneys described in SECTION 4 (3) of this act from the appropriation under section
14 20.455 (2) (en) of the statutes, the department of justice shall submit to the joint
15 committee on finance a proposed plan for the expenditure of those moneys to create
16 a diversion pilot program for nonviolent offenders to be diverted to a treatment
17 option. If the cochairpersons of the committee do not notify the department of justice
18 within 14 working days after the date of the department's submittal that the
19 committee has scheduled a meeting for the purpose of reviewing the proposed plan,
20 the department of justice may expend the moneys to implement the proposed plan.
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22 cochairpersons of the committee notify the department of justice that the committee
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5 20.005 (3) of the statutes for the appropriation to the department of justice under
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22 statutes for the appropriation to the department of justice under section 20.455 (2)
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24 \$261,000 for the purpose of creating a diversion pilot program for nonviolent
25 offenders to be diverted to a treatment option. In the schedule under section 20.005

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5

(END)



State of Wisconsin
2017 - 2018 LEGISLATURE

January 2017 Special Session

LRB-1498/P10

CMH:wlj

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(2) LAW ENFORCEMENT SERVICES

(en) Diversion pilot program GPR A -0- -0-

SECTION 2. 20.455 (2) (en) of the statutes is created to read:

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24 20.455 (2) (en) of the statutes, the dollar amount for fiscal year 2018-19 is increased

1 by \$261,000 for the purpose of creating a diversion pilot program for nonviolent
2 offenders to be diverted to a treatment option.

3 (END)

Hanaman, Cathlene

From: Krause, Caroline
Sent: Monday, January 30, 2017 3:01 PM
To: Hanaman, Cathlene
Subject: FW: TAD Updated

Hi Cathlene,

One final change to TAD – I think we want to do what Mike is explaining below.

Thank you!!

Caroline

From: Steinschneider, Mike
Sent: Monday, January 30, 2017 1:02 PM
To: Krause, Caroline <Caroline.Krause@legis.wisconsin.gov>
Subject: RE: TAD Updated

Hi Caroline,

Generally, the bill looks good. The issue of all of the funding for the TAD program going to the existing TAD GPR appropriation has been solved.

As we discussed on the phone, the one note I would make is in regards to the funding for the diversion pilot program. Typically, when money is appropriated pending JFC approval, funding is initially placed in JFC's GPR supplemental appropriation [s. 20.865(4)(a)]. If JFC approves DOJ's plan for the diversion pilot program under the 14-day passive review process, the money could be transferred from the JFC appropriation to the new appropriation within DOJ for the diversion pilot program [s. 20.455(2)(en)]. As currently drafted, the bill puts the funding directly in the new appropriation for the diversion pilot program (as opposed to JFC's appropriation). Therefore, I would revise the way the bill is currently drafted to appropriate the \$261,000 GPR annually for the diversion pilot program to JFC's supplemental appropriation [s. 20.865(4)(a)]. Further, Section 3 of the bill would need to be revised to reflect the fact that funding is appropriated to JFC's supplemental appropriation for the diversion pilot program, and that funding may be transferred from the JFC appropriation to the new DOJ appropriation for the diversion pilot program pending a 14-day passive review process.

Please let me know if you have any questions on this matter or if I could be other further assistance.

Best,
Mike

Michael Steinschneider
Fiscal Analyst
Legislative Fiscal Bureau
One East Main Street, Suite 301
Madison, WI 53703
T: (608) 266-3847
F: (608) 267-6873

From: Krause, Caroline
Sent: Monday, January 30, 2017 11:53 AM
To: Steinschneider, Mike
Subject: TAD Updated

Hey Mike,

How does this look?

Thanks,

Caroline Krause
Office of State Representative John Nygren
Co-Chair, Joint Committee on Finance
89th Assembly District
309 East, State Capitol
608.266.2343



State of Wisconsin
2017 - 2018 LEGISLATURE
January 2017 Special Session

LRB-1498/5
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1 AN ACT *to create* 20.455 (2) (en) of the statutes; **relating to:** treatment and
2 diversion programs and making appropriations.

Analysis by the Legislative Reference Bureau

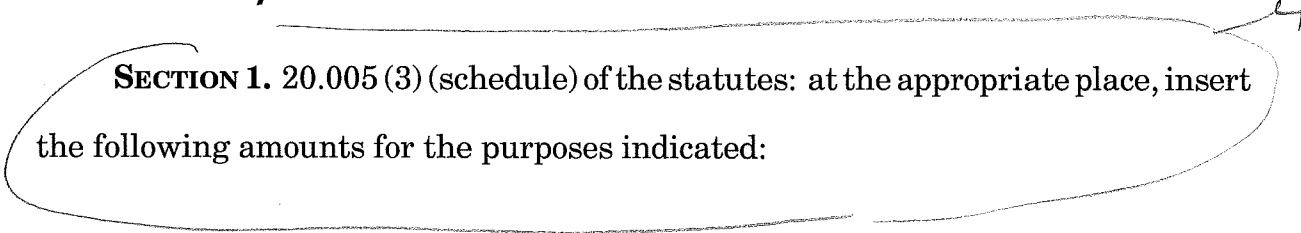
✓
approval

Under current law, the Department of Justice awards grants to counties to provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs. This bill provides moneys from general purpose revenue in each fiscal year in amounts specified in the bill to increase the amount spent for grants to counties operating treatment and diversion programs, to expand the grant program to more counties, and, subject to ~~review~~ of the Joint Committee on Finance, to create a pilot program to divert certain persons to treatment options instead of the criminal justice system.

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

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~~2015-16~~ 2016-17

20.455 Justice, department of

(2) LAW ENFORCEMENT SERVICES

(en) Diversion pilot program

GPR A -0- -0-

All money transferred from 2017 Wisconsin Budget (this ad), Section 3 (1) auto ref B

SECTION 2. 20.455 (2) (en) of the statutes is created to read:

20.455 (2) (en) *kf* Diversion pilot program. The amounts in the schedule to create a diversion pilot program for nonviolent offenders to be diverted to a treatment option.

SECTION 3. Nonstatutory provisions.

(1) DIVERSION PILOT PROGRAM. Before the department of justice expends the moneys described in SECTION 4 (3) of this act from the appropriation under section 20.455 (2) (en) of the statutes, the department of justice shall submit to the joint committee on finance a proposed plan for the expenditure of those moneys to create a diversion pilot program for nonviolent offenders to be diverted to a treatment option. If the cochairpersons of the committee do not notify the department of justice within 14 working days after the date of the department's submittal that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the department of justice may expend the moneys to implement the proposed plan. If, within 14 working days after the date of the department of justice's submittal, the cochairpersons of the committee notify the department of justice that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the department of justice may expend the moneys described in SECTION 4 (3) of this act only on approval of the committee.

SECTION 4. Fiscal changes.

auto ref A
INS 2-10
INS 2-18
insert 2-23
to the appropriate account
auto ref B
auto ref C

1 (1) TREATMENT AND DIVERSION PROGRAM GRANTS. In the schedule under section
2 20.005 (3) of the statutes for the appropriation to the department of justice under
3 section 20.455 (2) (em) of the statutes, the dollar amount for fiscal year 2017-18 is
4 increased by \$2,000,000 for the purpose for which the appropriation is made. In the
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9 (2) TREATMENT AND DIVERSION PROGRAMS EXPANSION. In the schedule under
10 section 20.005 (3) of the statutes for the appropriation to the department of justice
11 under section 20.455 (2) (em) of the statutes, the dollar amount for fiscal year
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21 \$261,000 for the purpose of ^{funding} creating a diversion pilot program for nonviolent
22 offenders to be diverted to a treatment option. In the schedule under section 20.005
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24 20.455 (2) (en) of the statutes, the dollar amount for fiscal year 2018-19 is increased

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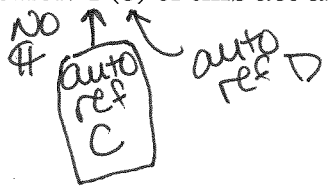
1 by \$261,000 for the purpose of ~~creating~~^{funding} a diversion pilot program for nonviolent
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3 (END)

2017-2018 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1498/6ins
CMH...

1 Insert 2-10

2 ~~NO~~ The department of justice[✓] shall submit[✓] to the joint committee on finance[✓] a
3 request to supplement the appropriation under section 20.455 (2) (kf)[✓] of the statutes
4 with the funds that are held in the appropriation account under section[✓] 20.865 (4)
5 (a) of the statutes for the purpose described in[✓] SECTION 4 (3) of this act along with a
6 proposed plan for the expenditure of the moneys. ~~NO~~  auto ref D

8 Insert 2-18

9 ~~NO~~ joint committee on finance shall transfer the funds to the appropriation account
10 under section 20.455 (2) (kf)[✓] of the statutes and the ~~NO~~

12 Insert 2-23

13 ~~NO~~ on finance transfers the funds to the appropriation account under section
14 20.455 (2) (kf)[✓] of the statutes and only to implement the plan as approved by the
15 committee ~~NO~~



State of Wisconsin
2017 - 2018 LEGISLATURE

January 2017 Special Session

LRB-1498/1

CMH:wj

BILL

1 AN ACT *to create* 20.455 (2) (kf) of the statutes; **relating to:** treatment and
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4 20.455 (2) (kf) *Diversion pilot program.* All moneys transferred under 2017
5 Wisconsin Act ... (this act), section 2 (1), to create a diversion pilot program for
6 nonviolent offenders to be diverted to a treatment option.

SECTION 2. Nonstatutory provisions.

(1) DIVERSION PILOT PROGRAM. The department of justice shall submit to the joint committee on finance a request to supplement the appropriation under section 20.455 (2) (kf) of the statutes with the funds that are held in the appropriation account under section 20.865 (4) (a) of the statutes for the purpose described in SECTION 3 (3) of this act along with a proposed plan for the expenditure of the moneys. If the cochairpersons of the committee do not notify the department of justice within 14 working days after the date of the department's submittal that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the joint committee on finance shall transfer the funds to the appropriation account under section 20.455 (2) (kf) of the statutes and the department of justice may expend the moneys to implement the proposed plan. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the department of justice that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the department of justice may expend the moneys only if the joint committee on finance transfers the funds to the appropriation account under section 20.455 (2) (kf) of the statutes and only to implement the plan as approved by the committee.

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(1) TREATMENT AND DIVERSION PROGRAM GRANTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (em) of the statutes, the dollar amount for fiscal year 2017-18 is increased by \$2,000,000 for the purpose for which the appropriation is made. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (em) of the statutes, the dollar amount

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21 (END)



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January 2017 Special Session

LRB-1498/6
CMH&TJD:wlj&jld

Handwritten initials and a number '12' in the top right corner.

BILL

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BILL

SECTION 2

SECTION 2. Nonstatutory provisions.

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(1) DIVERSION PILOT PROGRAM. The department of justice shall submit to the joint committee on finance a request to supplement the appropriation under section 20.455 (2) ^(em) ~~(kf)~~ of the statutes with the funds that are held in the appropriation account under section 20.865 (4) (a) of the statutes for the purpose described in SECTION 3 (3) of this act along with a proposed plan for the expenditure of the moneys. If the cochairpersons of the committee do not notify the department of justice within 14 working days after the date of the department's submittal that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the joint committee on finance shall transfer ^{release} the funds to the appropriation account under section 20.455 (2) (kf) of the statutes and the department of justice may expend the moneys to implement the proposed plan. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the department of justice that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the department of justice may expend the moneys only if the joint committee on finance transfers ^{releases} the funds to the appropriation account under section 20.455 (2) (kf) of the statutes and only to implement the plan as approved by the committee.

SECTION 3. Fiscal changes.

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(1) TREATMENT AND DIVERSION PROGRAM GRANTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (em) of the statutes, the dollar amount for fiscal year 2017-18 is increased by \$2,000,000 for the purpose for which the appropriation is made. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (em) of the statutes, the dollar amount

1 for fiscal year 2018-19 is increased by \$2,000,000 for the purpose for which the
2 appropriation is made.

3 (2) TREATMENT AND DIVERSION PROGRAMS EXPANSION. In the schedule under
4 section 20.005 (3) of the statutes for the appropriation to the department of justice
5 under section 20.455 (2) (em) of the statutes, the dollar amount for fiscal year
6 2017-18 is increased by \$150,000 for the expansion of the grant program under
7 section 165.95 (2) of the statutes to additional counties. In the schedule under section
8 20.005 (3) of the statutes for the appropriation to the department of justice under
9 section 20.455 (2) (em) of the statutes, the dollar amount for fiscal year 2018-19 is
10 increased by \$150,000 for the expansion of the grant program under section 165.95
11 (2) of the statutes to additional counties.

12 (3) DIVERSION PILOT PROGRAM. In the schedule under section 20.005 (3) of the
13 statutes for the appropriation to the joint committee on finance under section 20.865
14 (4) (a) of the statutes, the dollar amount for fiscal year 2017-18 is increased by
15 \$261,000 for the purpose of funding a diversion pilot program for nonviolent
16 offenders to be diverted to a treatment option. In the schedule under section 20.005
17 (3) of the statutes for the appropriation to the joint committee on finance under
18 section 20.865 (4) (a) of the statutes, the dollar amount for fiscal year 2018-19 is
19 increased by \$261,000 for the purpose of funding a diversion pilot program for
20 nonviolent offenders to be diverted to a treatment option.

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(END)

WJ 3-21
Effective date. This
with me



State of Wisconsin
2017 - 2018 LEGISLATURE
January 2017 Special Session

LRB-1498/5
CMH&TJD:wlj&jld

BILL

1 AN ACT *to create* 20.455 (2) (en) of the statutes; **relating to:** treatment and
2 diversion programs and making appropriations.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Justice awards grants to counties to provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs. This bill provides moneys from general purpose revenue in each fiscal year in amounts specified in the bill to increase the amount spent for grants to counties operating treatment and diversion programs, to expand the grant program to more counties, and, subject to review of the Joint Committee on Finance, to create a pilot program to divert certain persons to treatment options instead of the criminal justice system.

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:

7NS
2-1)
3 SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
4 the following amounts for the purposes indicated:

1 2015-16 2016-17

2 **20.455 Justice, department of**

3 (2) LAW ENFORCEMENT SERVICES

4 (en) Diversion pilot program GPR A -0- -0-

5 **SECTION 2.** 20.455 (2) (en) of the statutes is created to read:

6 20.455 (2) (en) *Diversion pilot program.* The amounts in the schedule to create
7 a diversion pilot program for nonviolent offenders to be diverted to a treatment
8 option.

9 **SECTION 3. Nonstatutory provisions.**

10 (1) DIVERSION PILOT PROGRAM. Before the department of justice expends the
11 moneys described in SECTION 4 (3) of this act from the appropriation under section
12 20.455 (2) (en) of the statutes, the department of justice shall submit to the joint
13 committee on finance a proposed plan for the expenditure of those moneys to create
14 a diversion pilot program for nonviolent offenders to be diverted to a treatment
15 option. If the cochairpersons of the committee do not notify the department of justice
16 within 14 working days after the date of the department's submittal that the
17 committee has scheduled a meeting for the purpose of reviewing the proposed plan,
18 the department of justice may expend the moneys to implement the proposed plan.
19 If, within 14 working days after the date of the department of justice's submittal, the
20 cochairpersons of the committee notify the department of justice that the committee
21 has scheduled a meeting for the purpose of reviewing the proposed plan, the
22 department of justice may expend the moneys described in SECTION 4 (3) of this act
23 only on approval of the committee.

24 **SECTION 4. Fiscal changes.**

END
OF
MS
2-1
A

**2017-2018 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1498/7ins
CMH:...

1 Insert 2-1B

2 **SECTION 1.** 20.455 (2) (en) of the statutes, as created by 2017 Wisconsin Act
3 (this act), is repealed.

4

5 Insert 3-21

6 **SECTION 2. Effective dates.** This act takes effect on the day after publication,
7 except as follows:

8 (1) The repeal of section 20.455 (2) (en) the statutes takes effect on July 1, 2019.



Jacket for the Assembly

per Caroline in Nygren's office
(02-02-2017)

-0639

-1323

-1325

-1328

-1471

-1472

-1473

-1498

-1520

-1026

10 Bills

AMB