
Wisconsin Legislative Council

AMENDMENT MEMO



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Contact: Margit Kelley, Senior Staff Attorney

2021 Senate Bill 163

Senate Amendment 1

2021 SENATE BILL 163

Senate Bill 163 does all of the following:

- Creates an optional license for third-party logistics providers that are located in Wisconsin or are located outside Wisconsin but provide third-party logistics provider services in Wisconsin.
- Requires an applicant for a third-party logistics provider license to submit certain information prior to licensure, including proof of a recent facility inspection, and information about the designated representative of the facility.
- Provides that the license created by the bill will no longer apply if the federal Food and Drug Administration establishes a licensing program for third-party logistics providers under federal law and the Pharmacy Examining Board determines that state licensure is not required for a resident third-party logistics provider to provide third-party logistics services in another state.
- Directs the Pharmacy Examining Board to promulgate rules that regulate third-party logistics providers and out-of-state third-party logistics providers consistent with federal law and that do not mandate licensing under state law.
- Requires the Pharmacy Examining Board to issue interim licenses, without a fee, for third-party logistics providers and out-of-state third-party logistics providers between the date of enactment until permanent or emergency rules take effect, whichever is sooner.
- Requires third-party logistics providers, whether or not licensed under the bill, to cooperate with inspections of their facilities and delivery vehicles.

SENATE AMENDMENT 1

Senate Amendment 1 further modifies the applicability of the license created by the bill, providing that the Pharmacy Examining Board must evaluate any licensing program established by the federal Food and Drug Administration to determine whether Wisconsin licensing of resident third-party logistics providers is required for a resident third-party logistics provider to provide third-party logistics provider services in another state.

Also, the amendment requires that within two years of enactment and biennially thereafter, the board must evaluate whether continued licensing of resident third-party logistics providers is required for a resident third-party logistics provider to provide third-party logistics provider services in another state and, if the board determines licensing in this state is required, submit a notice to the Legislative Reference Bureau for publication in the Wisconsin Administrative Register to continue the licensing created by the bill.

BILL HISTORY

Senator Kapenga introduced Senate Amendment 1 on March 2, 2021. On March 9, 2021, the Senate Committee on Insurance, Licensing and Forestry voted to recommend adoption of the amendment, and passage of the bill, as amended, on votes of Ayes, 5; Noes, 0.

MSK:jal