



State of Wisconsin
2023 - 2024 LEGISLATURE

LRBb0684/1
EVM:all

**ASSEMBLY AMENDMENT 10,
TO SENATE BILL 70**

June 29, 2023 – Offered by Representatives STUBBS, BARE, JOERS, ANDRACA, C. ANDERSON, VINING, HAYWOOD, SUBECK, SINICKI, J. ANDERSON, HONG, NEUBAUER, EMERSON, JACOBSON, OHNSTAD, PALMERI, RATCLIFF, CONLEY, SNODGRASS, SHELTON, CABRERA, DRAKE, BALDEH, CONSIDINE, MOORE OMOKUNDE, BILLINGS, GOYKE, MYERS, RIEMER and ORTIZ-VELEZ.

1 At the locations indicated, amend the bill, as shown by senate substitute
2 amendment 2, as follows:

3 **1.** Page 18, line 19: delete the material beginning with that line and ending
4 with page 19, line 2, and substitute:

5 “**SECTION 1.** 16.5185 (3) of the statutes is created to read:

6 16.5185 (3) (a) Subject to par. (b), beginning on June 30, 2024, in each fiscal
7 year, the secretary shall transfer from the general fund to the transportation fund
8 an amount equal to the amount calculated by the department approximating the
9 amount of sales tax generated by the sale of electric vehicles in this state.

10 (b) Beginning in fiscal year 2025–26, the transfer under par. (a) may not exceed
11 120 percent of the amount transferred in the previous year, or \$75,000,000,
12 whichever is less.

13 **SECTION 2.** 16.5185 (4) of the statutes is created to read:

1 16.5185 (4) Beginning on June 30, 2024, in each fiscal year, the secretary shall
2 transfer from the general fund to the transportation fund an amount equal to the
3 amount calculated by the department approximating the marginal difference
4 between the sales tax generated from the sale of automotive parts, accessories, tires,
5 and repair and maintenance services in fiscal year 2020-21 and the fiscal year of the
6 transfer.”.

7 **2.** Page 19, line 18: after that line insert:

8 “**SECTION 39m.** 16.61 (2) (b) 1. of the statutes is repealed.”.

9 **3.** Page 118, line 6: increase the dollar amount for fiscal year 2023-24 by
10 \$3,141,100 and increase the dollar amount for fiscal year 2024-25 by \$8,277,600 for
11 the purpose for which the appropriation is made.

12 **4.** Page 118, line 8: increase the dollar amount for fiscal year 2023-24 by
13 \$11,891,700 and increase the dollar amount for fiscal year 2024-25 by \$28,170,800
14 for the purpose for which the appropriation is made.

15 **5.** Page 118, line 16: increase the dollar amount for fiscal year 2023-24 by
16 \$41,600 and increase the dollar amount for fiscal year 2024-25 by \$85,300 for the
17 purpose for which the appropriation is made.

18 **6.** Page 119, line 5: increase the dollar amount for fiscal year 2023-24 by
19 \$143,900 and increase the dollar amount for fiscal year 2024-25 by \$309,300 for the
20 purpose for which the appropriation is made.

21 **7.** Page 119, line 5: increase the dollar amount for fiscal year 2023-24 by
22 \$543,900 and increase the dollar amount for fiscal year 2024-25 by \$309,300 for the
23 purpose of funding mobility management projects, coordinating services for

1 nondrivers, and implementing recommendations from the nondriver advisory
2 committee.

3 **8.** Page 120, line 3: delete lines 3 to 12.

4 **9.** Page 120, line 13: increase the dollar amount for fiscal year 2023-24 by
5 \$127,200 and increase the dollar amount for fiscal year 2024-25 by \$259,500 for the
6 purpose for which the appropriation is made.

7 **10.** Page 120, line 15: increase the dollar amount for fiscal year 2023-24 by
8 \$25,226,200 and increase the dollar amount for fiscal year 2024-25 by \$26,235,300
9 for the purpose for which the appropriation is made.

10 **11.** Page 120, line 17: increase the dollar amount for fiscal year 2023-24 by
11 \$5,345,600 and increase the dollar amount for fiscal year 2024-25 by \$5,559,500 for
12 the purpose for which the appropriation is made.

13 **12.** Page 120, line 19: increase the dollar amount for fiscal year 2023-24 by
14 \$66,132,600 and increase the dollar amount for fiscal year 2024-25 by \$68,777,900
15 for the purpose for which the appropriation is made.

16 **13.** Page 120, line 21: increase the dollar amount for fiscal year 2023-24 by
17 \$17,377,500 and increase the dollar amount for fiscal year 2024-25 by \$18,072,600
18 for the purpose for which the appropriation is made.

19 **14.** Page 122, line 12: increase the dollar amount for fiscal year 2023-24 by
20 \$2,000,000 and increase the dollar amount for fiscal year 2024-25 by \$2,000,000 for
21 the purpose for which the appropriation is made.

1 **15.** Page 122, line 14: increase the dollar amount for fiscal year 2023-24 by
2 \$1,700,000 and increase the dollar amount for fiscal year 2024-25 by \$1,850,000 for
3 the purpose for which the appropriation is made.

4 **16.** Page 122, line 14: increase the dollar amount for fiscal year 2023-24 by
5 \$1,700,000 and increase the dollar amount for fiscal year 2024-25 by \$1,850,000 to
6 support implementation of a second daily round trip passenger train between
7 Minneapolis/St. Paul, Milwaukee, and Chicago.

8 **17.** Page 123, line 15: increase the dollar amount for fiscal year 2023-24 by
9 \$10,000,000 and increase the dollar amount for fiscal year 2024-25 by \$7,500,000 for
10 the purpose for which the appropriation is made.

11 **18.** Page 123, line 17: increase the dollar amount for fiscal year 2023-24 by
12 \$40,000,000 and increase the dollar amount for fiscal year 2024-25 by \$30,000,000
13 for the purpose for which the appropriation is made.

14 **19.** Page 123, line 21: increase the dollar amount for fiscal year 2023-24 by
15 \$50,000,000 and increase the dollar amount for fiscal year 2024-25 by \$50,000,000
16 for the purpose for which the appropriation is made.

17 **20.** Page 123, line 23: increase the dollar amount for fiscal year 2023-24 by
18 \$714,600 and increase the dollar amount for fiscal year 2024-25 by \$1,457,800 for
19 the purpose for which the appropriation is made.

20 **21.** Page 124, line 3: increase the dollar amount for fiscal year 2023-24 by
21 \$606,700 and increase the dollar amount for fiscal year 2024-25 by \$1,237,700 for
22 the purpose for which the appropriation is made.

1 **28.** Page 126, line 9: increase the dollar amount for fiscal year 2023-24 by
2 \$2,742,400 and increase the dollar amount for fiscal year 2024-25 by \$2,797,300 for
3 the purpose for which the appropriation is made.

4 **29.** Page 126, line 11: increase the dollar amount for fiscal year 2023-24 by
5 \$10,969,600 and increase the dollar amount for fiscal year 2024-25 by \$11,189,000
6 for the purpose for which the appropriation is made.

7 **30.** Page 127, line 12: decrease the dollar amount for fiscal year 2023-24 by
8 \$8,163,700 and decrease the dollar amount for fiscal year 2024-25 by \$8,163,700 for
9 the purpose for which the appropriation is made.

10 **31.** Page 127, line 12: increase the dollar amount for fiscal year 2023-24 by
11 \$16,600 and increase the dollar amount for fiscal year 2024-25 by \$16,600 for the
12 purpose for which the appropriation is made.

13 **32.** Page 127, line 12: increase the dollar amount for fiscal year 2023-24 by
14 \$610,900 and increase the dollar amount for fiscal year 2024-25 by \$610,900 for
15 project costs.

16 **33.** Page 127, line 16: increase the dollar amount for fiscal year 2023-24 by
17 \$644,800 and increase the dollar amount for fiscal year 2024-25 by \$644,00 for
18 project costs.

19 **34.** Page 127, line 16: increase the dollar amount for fiscal year 2023-24 by
20 \$19,300 and increase the dollar amount for fiscal year 2024-25 by \$106,200 for
21 program costs other than personnel costs.

1 **35.** Page 127, line 16: increase the dollar amount for fiscal year 2023–24 by
2 \$63,700 and increase the dollar amount for fiscal year 2024–25 by \$63,700 for the
3 purpose for which the appropriation is made.

4 **36.** Page 127, line 16: increase the dollar amount for fiscal year 2023–24 by
5 \$24,980,100 and increase the dollar amount for fiscal year 2024–25 by \$42,666,500
6 for the purpose for which the appropriation is made.

7 **37.** Page 127, line 18: decrease the dollar amount for fiscal year 2023–24 by
8 \$411,900 and increase the dollar amount for fiscal year 2024–25 by \$12,197,900 for
9 the purpose for which the appropriation is made.

10 **38.** Page 128, line 4: increase the dollar amount for fiscal year 2023–24 by
11 \$4,401,600 and increase the dollar amount for fiscal year 2024–25 by \$6,186,300 for
12 the purpose for which the appropriation is made.

13 **39.** Page 128, line 6: increase the dollar amount for fiscal year 2023–24 by
14 \$20,228,700 and increase the dollar amount for fiscal year 2024–25 by \$49,286,200
15 for the purpose for which the appropriation is made.

16 **40.** Page 128, line 6: increase the dollar amount for fiscal year 2023–24 by
17 \$349,000 for the purpose of assisting in the initial implementation of automatic voter
18 registration.

19 **41.** Page 128, line 16: increase the dollar amount for fiscal year 2023–24 by
20 \$24,221,100 and increase the dollar amount for fiscal year 2024–25 by \$21,690,400
21 for the purpose for which the appropriation is made.

1 **42.** Page 129, line 10: increase the dollar amount for fiscal year 2023-24 by
2 \$2,372,200 and increase the dollar amount for fiscal year 2024-25 by \$2,372,200 for
3 the purpose for which the appropriation is made.

4 **43.** Page 129, line 15: increase the dollar amount for fiscal year 2023-24 by
5 \$3,497,200 and increase the dollar amount for fiscal year 2024-25 by \$7,897,200 for
6 the purpose for which the appropriation is made.

7 **44.** Page 130, line 2: increase the dollar amount for fiscal year 2023-24 by
8 \$12,350,000 and increase the dollar amount for fiscal year 2024-25 by \$12,350,000
9 for the purpose for which the appropriation is made.

10 **45.** Page 131, line 3: increase the dollar amount for fiscal year 2023-24 by
11 \$6,988,900 and increase the dollar amount for fiscal year 2024-25 by \$6,988,900 for
12 the purpose for which the appropriation is made.

13 **46.** Page 131, line 3: increase the dollar amount for fiscal year 2023-24 by
14 \$131,500 and increase the dollar amount for fiscal year 2024-25 by \$131,500 to
15 increase the authorized FTE positions by 1.0 SEG position.

16 **47.** Page 131, line 3: increase the dollar amount for fiscal year 2023-24 by
17 \$646,600 and increase the dollar amount for fiscal year 2024-25 by \$667,900 for the
18 purpose of providing matching funds to metropolitan planning organizations and
19 regional planning commissions.

20 **48.** Page 131, line 3: increase the dollar amount for fiscal year 2023-24 by
21 \$1,418,100 and increase the dollar amount for fiscal year 2024-25 by \$1,418,100 for
22 the purpose for which the appropriation is made.

1 **49.** Page 131, line 3: increase the dollar amount for fiscal year 2023–24 by
2 \$1,300,000 and increase the dollar amount for fiscal year 2024–25 by \$1,300,000 for
3 maintenance of communication towers.

4 **50.** Page 131, line 3: increase the dollar amount for fiscal year 2023–24 by
5 \$334,000 and increase the dollar amount for fiscal year 2024–25 by \$334,000 for the
6 purpose of retaining 2 contractors to improve the security of the software application
7 systems of the department of transportation.

8 **51.** Page 131, line 3: increase the dollar amount for fiscal year 2023–24 by
9 \$75,700 and increase the dollar amount for fiscal year 2024–25 by \$97,200 to
10 increase the authorized FTE positions by 1.0 SEG position to administer diversity,
11 equity, and inclusion activities overseen by the secretary of transportation in
12 collaboration with the chief equity officer in the department of administration and
13 with other agency equity officers to identify opportunities to advance equity in
14 government operations.

15 **52.** Page 131, line 3: increase the dollar amount for fiscal year 2023–24 by
16 \$60,000 and increase the dollar amount for fiscal year 2024–25 by \$80,000 to
17 increase the authorized FTE positions for the Mississippi River Parkway
18 Commission by 1.0 SEG position for the purpose of providing administrative support
19 to the commission.

20 **53.** Page 131, line 5: increase the dollar amount for fiscal year 2023–24 by
21 \$5,000,000 for the purpose for which the appropriation is made.

22 **54.** Page 131, line 9: increase the dollar amount for fiscal year 2023–24 by
23 \$2,750,000 and increase the dollar amount for fiscal year 2024–25 by \$2,750,000 for
24 the purpose for which the appropriation is made.

1 **55.** Page 131, line 13: decrease the dollar amount for fiscal year 2023-24 by
 2 \$6,370,100 and decrease the dollar amount for fiscal year 2024-25 by \$6,370,100 for
 3 the purpose for which the appropriation is made.

4 **56.** Page 132, line 5: after that line insert:

5	“(fq) Electric vehicle infrastructure;				
6	state funds	SEG	C	-0-	8,000,000
7	(fv) Electric vehicle infrastructure;				
8	local funds	SEG-L	C	4,271,600	4,356,700
9	(fx) Electric vehicle infrastructure;				
10	federal funds	SEG-F	C	17,085,000	17,426,700”.

11 **57.** Page 132, line 20: increase the dollar amount for fiscal year 2023-24 by
 12 \$1,200,000 and increase the dollar amount for fiscal year 2024-25 by \$1,200,000 for
 13 the purpose of expanding hour of operation of division of motor vehicles service
 14 centers.

15 **58.** Page 132, line 20: increase the dollar amount for fiscal year 2023-24 by
 16 \$500,000 and increase the dollar amount for fiscal year 2024-25 by \$500,000 for the
 17 purpose for which the appropriation is made.

18 **59.** Page 132, line 20: increase the dollar amount for fiscal year 2023-24 by
 19 \$10,000 and increase the dollar amount for fiscal year 2024-25 by \$10,000 for the
 20 purpose of issuing electric vehicle decals.

21 **60.** Page 132, line 20: increase the dollar amount for fiscal year 2023-24 by
 22 \$400,000 for the purpose of purchasing equipment needed to comply with federal P.L.
 23 109-13.

1 **61.** Page 132, line 20: increase the dollar amount for fiscal year 2024-25 by
2 \$5,000,000 for the purpose of modernizing the software systems of the division of
3 motor vehicles in the department of transportation.

4 **62.** Page 132, line 20: increase the dollar amount for fiscal year 2023-24 by
5 \$3,872,700 and increase the dollar amount for fiscal year 2024-25 by \$3,872,700 for
6 the purpose of the production and issuance of license plates under 2021 Wisconsin
7 Acts 163 and 178.

8 **63.** Page 132, line 20: decrease the dollar amount for fiscal year 2023-24 by
9 \$131,500 and decrease the dollar amount for fiscal year 2024-25 by \$131,500 to
10 decrease the authorized FTE positions by 1.0 SEG position.

11 **64.** Page 133, line 17: increase the dollar amount for fiscal year 2023-24 by
12 \$586,600 and increase the dollar amount for fiscal year 2024-25 by \$586,600 to
13 implement microwave radio network link upgrades.

14 **65.** Page 133, line 17: increase the dollar amount for fiscal year 2023-24 by
15 \$1,168,800 and increase the dollar amount for fiscal year 2024-25 by \$430,300 to
16 increase the authorized FTE positions by 1.0 SEG fleet installation center position
17 in the state traffic patrol and 4.0 SEG technical service unit positions in the bureau
18 of network engineering and data infrastructure in the state traffic patrol.

19 **66.** Page 133, line 17: increase the dollar amount for fiscal year 2023-24 by
20 \$77,100 and increase the dollar amount for fiscal year 2024-25 by \$102,700 to
21 increase the authorized FTE positions by 2.0 SEG positions in the state traffic patrol
22 to fulfill open records requests for body-worn camera recordings.

1 **67.** Page 133, line 17: increase the dollar amount for fiscal year 2023-24 by
2 \$170,700 and increase the dollar amount for fiscal year 2024-25 by \$170,700 to
3 purchase tactical helmets for the state traffic patrol.

4 **68.** Page 133, line 17: increase the dollar amount for fiscal year 2023-24 by
5 \$1,036,500 and increase the dollar amount for fiscal year 2024-25 by \$574,000 to
6 increase the authorized FTE positions by 10.0 inspector positions in the state traffic
7 patrol and for safety and weight enforcement facilities.

8 **69.** Page 133, line 17: increase the dollar amount for fiscal year 2023-24 by
9 \$1,725,000 and increase the dollar amount for fiscal year 2024-25 by \$1,725,000 for
10 overtime costs for the state traffic patrol.

11 **70.** Page 133, line 17: increase the dollar amount for fiscal year 2023-24 by
12 \$8,507,600 and increase the dollar amount for fiscal year 2024-25 by \$3,587,200 to
13 increase the authorized FTE positions by 35.0 SEG traffic officer positions in the
14 state traffic patrol.

15 **71.** Page 133, line 17: increase the dollar amount for fiscal year 2023-24 by
16 \$2,178,000 and increase the dollar amount for fiscal year 2024-25 by \$2,178,000 to
17 replace state traffic patrol in-vehicle video cameras.

18 **72.** Page 133, line 20: increase the dollar amount for fiscal year 2023-24 by
19 \$338,200 and increase the dollar amount for fiscal year 2024-25 by \$451,000 for the
20 purpose of safety and weight enforcement facilities.

21 **73.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
22 \$2,227,700 and increase the dollar amount for fiscal year 2024-25 by \$4,443,200 for

1 the purpose of expanding available options for residential community alternatives
2 to revocation by 100 additional beds.

3 **74.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
4 \$1,859,400 and increase the dollar amount for fiscal year 2024-25 by \$1,003,400 for
5 the purpose of increasing the authorized FTE positions for the department of
6 corrections by 34.0 GPR positions in 2023-24 and by 2.0 GPR positions in 2024-25
7 and to reallocate 21.5 currently vacant positions to expand treatment capacity in the
8 earned release program and substance use disorder program to serve approximately
9 450 inmates on an annualized basis.

10 **75.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
11 \$2,728,100 and increase the dollar amount for fiscal year 2024-25 by \$3,246,800 for
12 the purpose of increasing the authorized FTE positions for the department of
13 corrections by 30.60 GPR positions as follows: 24.9 licensed practical nurses and 5.7
14 nurse clinicians to operate a medication administration pilot at 3 adult male
15 institutions.

16 **76.** Page 138, line 5: in s. 20.455 (1) (a), increase the dollar amount for fiscal
17 year 2023-24 by \$65,100 and increase the dollar amount for fiscal year 2024-25 by
18 \$86,800 for the purpose of increasing the authorized FTE positions for the
19 department of corrections by 1.0 GPR position to create an agency tribal liaison
20 position to work with Native American tribes and bands on behalf of the agency, as
21 well as coordinate with the department of administration.

22 **77.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
23 \$115,500 and increase the dollar amount for fiscal year 2024-25 by \$115,500 for the
24 purpose of increasing agency supplies and services funding.

1 **78.** Page 138, line 5: increase the dollar amount for fiscal year 2023–24 by
2 \$386,400 and increase the dollar amount for fiscal year 2024–25 by \$429,300 for the
3 purpose of increasing the authorized FTE positions for the department of corrections
4 by 5.0 GPR positions as follows: 4.0 staff development program specialists – senior
5 and 1.0 staff development supervisor, to create and operate a new bureau of training
6 and staff development team, with a focus on leadership development, cultural
7 competency, and diversity awareness.

8 **79.** Page 138, line 5: increase the dollar amount for fiscal year 2023–24 by
9 \$198,500 and increase the dollar amount for fiscal year 2024–25 by \$448,400 for the
10 purpose of monitoring sex offenders who are on GPS tracking.

11 **80.** Page 138, line 5: increase the dollar amount for fiscal year 2023–24 by
12 \$199,400 and increase the dollar amount for fiscal year 2024–25 by \$199,400 for the
13 purpose of funding nonsalary costs funded for a partial year in 2022–23 associated
14 with GPS tracking.

15 **81.** Page 138, line 5: increase the dollar amount for fiscal year 2023–24 by
16 \$153,300 and increase the dollar amount for fiscal year 2024–25 by \$319,000 for the
17 purpose of increasing the authorized FTE positions for the department of corrections
18 by 5.0 pharmacy technician positions in 2023–24 and an additional 5.0 pharmacy
19 technician positions in 2024–25, to be allocated to the Central Pharmacy.

20 **82.** Page 138, line 5: increase the dollar amount for fiscal year 2023–24 by
21 \$463,000 and increase the dollar amount for fiscal year 2024–25 by \$542,700 for the
22 purpose of increasing the authorized FTE positions for the department of corrections
23 by 6.0 GPR positions to staff the Robert E. Ellsworth Correctional Center (REECC)
24 and the Milwaukee Women’s Correctional Center as follows: 5.0 supervising officer

1 positions at REECC and 1.0 chaplain position who will split time between the two
2 centers.

3 **83.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
4 \$250,000 and increase the dollar amount for fiscal year 2024-25 by \$250,000 for the
5 purpose of expanding the Windows to Work program in the department of corrections
6 to include an additional 96 participants per year.

7 **84.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
8 \$76,600 and increase the dollar amount for fiscal year 2024-25 by \$98,500 to
9 increase the authorized FTE positions by 1.0 GPR position to administer diversity,
10 equity, and inclusion activities overseen by the secretary of corrections in
11 collaboration with the chief equity officer in the department of administration and
12 with other agency equity officers to identify opportunities to advance equity in
13 government operations.

14 **85.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
15 \$25,113,400 and increase the dollar amount for fiscal year 2024-25 by \$25,113,400
16 for the purpose of providing supplemental funding for overtime.

17 **86.** Page 138, line 5: decrease the dollar amount for fiscal year 2023-24 by
18 \$125,700 and decrease the dollar amount for fiscal year 2024-25 by \$125,700 for the
19 purpose of reallocating those funds from the general program operations
20 appropriation to the appropriation for reimbursement claims of counties or
21 municipalities containing state prisons.

22 **87.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
23 \$185,000 and increase the dollar amount for fiscal year 2024-25 by \$185,000 to
24 provide resources to assist with recruiting and hiring staff to fill vacant positions.

1 **88.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
2 \$464,600 and increase the dollar amount for fiscal year 2024-25 by \$533,500 for the
3 purpose of increasing the authorized FTE positions for the department of corrections
4 by 5.0 GPR positions to provide additional information technology support services.

5 **89.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
6 \$103,400 and increase the dollar amount for fiscal year 2024-25 by \$120,700 for the
7 purpose of increasing the authorized FTE positions for the department of corrections
8 by 7.0 GPR positions, decreasing the authorized project positions by 6.0 GPR
9 positions, and creating and staffing a new bureau of technology management
10 cybersecurity team.

11 **90.** Page 138, line 5: increase the dollar amount for fiscal year 2024-25 by
12 \$85,300 for nonpersonnel costs, including \$50,300 for permanent property such as
13 telemedicine machines, dental equipment, and dialysis machines and \$35,000 for
14 supplies and services, related to the opening of the new health services unit at the
15 Wisconsin Secure Program Facility located in Boscobel.

16 **91.** Page 138, line 5: decrease the dollar amount for fiscal year 2023-24 by
17 \$592,700 and decrease the dollar amount for fiscal year 2024-25 by \$278,700 for
18 department of corrections rent expenses and related supplies and services expenses.

19 **92.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
20 \$975,800 and increase the dollar amount for fiscal year 2024-25 by \$975,800 for the
21 purpose of supporting instructor costs for technical mobile labs.

22 **93.** Page 138, line 5: decrease the dollar amount for fiscal year 2023-24 by
23 \$8,906,900 and decrease the dollar amount for fiscal year 2024-25 by \$8,906,900 for
24 the purpose of decreasing the authorized FTE positions for the department of

1 corrections by 110.0 GPR security positions at the Wisconsin Resource Center to
2 transfer security operations at the Wisconsin Resource Center from the department
3 of corrections to the department of health services.

4 **94.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
5 \$1,106,800 and increase the dollar amount for fiscal year 2024-25 by \$3,915,800 for
6 the purpose of increasing the authorized FTE positions for the department of
7 corrections by 1.0 GPR pharmacist position and decreasing the authorized FTE
8 positions for the department of corrections by 1.0 physician position to expand the
9 medication-assisted treatment program in the Division of Adult Institutions.

10 **95.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
11 \$527,900 and increase the dollar amount for fiscal year 2024-25 by \$566,000 for the
12 purpose of increasing the authorized FTE positions for the department of corrections
13 by 6.0 positions to create and operate a regional facilities maintenance team to
14 support department-wide projects outside the scope of routine maintenance. The
15 positions shall include 1.0 buildings grounds supervisor, 1.0 facilities maintenance
16 specialist, 1.0 HVAC/refrigeration specialist, 1.0 electrician, 1.0 plumber; and 1.0
17 electronic security technician.

18 **96.** Page 138, line 5: decrease the dollar amount for fiscal year 2023-24 by
19 \$959,100 and increase the dollar amount for fiscal year 2024-25 by \$16,089,000 to
20 provide funding for 730 contract beds in 2023-24 (including 212 Wisconsin county
21 contract beds for overcrowding) and 1,636 contract beds in 2024-25 (including 1,118
22 Wisconsin county contract beds for overcrowding).

23 **97.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
24 \$6,158,200 and increase the dollar amount for fiscal year 2024-25 by \$16,776,800 to

1 reestimate average daily populations in adult correctional facilities to be 22,242 in
2 2023-24 and 23,249 in 2024-25 and provide for associated inflationary costs.

3 **98.** Page 138, line 7: increase the dollar amount for fiscal year 2023-24 by
4 \$657,900 and increase the dollar amount for fiscal year 2024-25 by \$1,147,300 for
5 the payment of repair and maintenance costs associated with services and materials
6 for adult institutions.

7 **99.** Page 139, line 10: increase the dollar amount for fiscal year 2023-24 by
8 \$125,700 and increase the dollar amount for fiscal year 2024-25 by \$125,700 for the
9 purpose of reallocating those funds from the general program operations
10 appropriation to the appropriation for reimbursement claims of counties or
11 municipalities containing state prisons.

12 **100.** Page 139, line 16: increase the dollar amount for fiscal year 2023-24 by
13 \$3,349,800 and increase the dollar amount for fiscal year 2024-25 by \$5,213,800 for
14 the purpose of expanding participation in the Opening Avenues to Reentry Success
15 program statewide, transitioning the OARS 2 pilot program to an ongoing program
16 after the expiration of the federal grant, and expanding participation in both
17 programs.

18 **101.** Page 139, line 23: increase the dollar amount for fiscal year 2023-24 by
19 \$2,628,700 and increase the dollar amount for fiscal year 2024-25 by \$3,120,500 for
20 the purpose of paying the cost of expected changes in prices for fuel and utilities in
21 adult correctional facilities.

22 **102.** Page 140, line 10: increase the dollar amount for fiscal year 2023-24 by
23 \$9,600 and increase the dollar amount for fiscal year 2024-25 by \$9,600 for the

1 purpose of funding nonsalary costs funded for a partial year in 2022-23 associated
2 with GPS tracking.

3 **103.** Page 140, line 10: increase the dollar amount for fiscal year 2023-24 by
4 \$34,000 and increase the dollar amount for fiscal year 2024-25 by \$44,600 for
5 department of corrections rent expenses and related supplies and services expenses.

6 **104.** Page 140, line 10: increase the dollar amount for fiscal year 2023-24 by
7 \$325,500 and increase the dollar amount for fiscal year 2024-25 by \$325,500 for the
8 purpose of providing supplemental funding for overtime.

9 **105.** Page 140, line 10: increase the dollar amount for fiscal year 2023-24 by
10 \$10,400 and increase the dollar amount for fiscal year 2024-25 by \$23,500 for the
11 purpose of monitoring sex offenders who are on GPS tracking.

12 **106.** Page 141, line 14: increase the dollar amount for fiscal year 2023-24 by
13 \$4,400 and increase the dollar amount for fiscal year 2024-25 by \$4,400 for the
14 purpose of funding nonsalary costs funded for a partial year in 2022-23 associated
15 with the water utility operator position at the Waupun central generating plant.

16 **107.** Page 141, line 15: increase the dollar amount for fiscal year 2023-24 by
17 \$3,012,700 and increase the dollar amount for fiscal year 2024-25 by \$2,950,900 for
18 the purpose of expanding metal stamping operations and complying with the
19 requirements of 2021 Wisconsin Acts 163 and 178.

20 **108.** Page 142, line 6: increase the dollar amount for fiscal year 2023-24 by
21 \$167,500 and increase the dollar amount for fiscal year 2024-25 by \$216,700 for the
22 purpose of administering the Opening Avenues to Reentry Success program.

1 **109.** Page 143, line 1: increase the dollar amount for fiscal year 2023-24 by
2 \$1,567,700 and increase the dollar amount for fiscal year 2024-25 by \$5,999,400 for
3 the purpose for which the appropriation is made.

4 **110.** Page 152, line 17: increase the dollar amount for fiscal year 2023-24 by
5 \$9,320,600 and increase the dollar amount for fiscal year 2024-25 by \$9,320,600 for
6 the purpose of increasing the authorized FTE positions for the department of health
7 services by 110.0 GPR security positions at the Wisconsin Resource Center to
8 transfer security operations at the Wisconsin Resource Center from the department
9 of corrections to the department of health services.

10 **111.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by
11 \$1,563,500 and increase the dollar amount for fiscal year 2024-25 by \$2,102,000 for
12 the purpose of creating a state training program for new county youth justice
13 workers and additional training on the youth assessment screening instrument for
14 current youth justice workers.

15 **112.** Page 179, line 16: in s. 20.455 (2) (a), increase the dollar amount for fiscal
16 year 2023-24 by \$301,400 and increase the dollar amount for fiscal year 2024-25 by
17 \$301,400 for the purpose of increasing supplies and services funding to law
18 enforcement services. In each fiscal year the increased amount shall be allocated as
19 follows: \$159,800 to the crime laboratories, \$5,000 to the crime information bureau,
20 \$78,600 to criminal investigation, \$3,600 to administrative services, \$12,800 to
21 narcotics enforcement, \$38,000 to the internet crimes against children task force,
22 and \$3,600 to criminal justice programs.

23 **113.** Page 179, line 16: increase the dollar amount for fiscal year 2023-24 by
24 \$1,173,800 and increase the dollar amount for fiscal year 2024-25 by \$1,447,500 for

1 the purpose of providing a pay increase to assistant attorneys general under the pay
2 progression plan.

3 **114.** Page 179, line 16: in s. 20.455 (1) (a), increase the dollar amount for fiscal
4 year 2023-24 by \$37,400 and increase the dollar amount for fiscal year 2024-25 by
5 \$37,400 for the purpose of increasing supplies and services funding to the division
6 of legal services.

7 **115.** Page 179, line 16: increase the dollar amount for fiscal year 2023-24 by
8 \$72,900 and increase the dollar amount for fiscal year 2024-25 by \$93,500 to
9 increase the authorized FTE positions by 1.0 GPR position to administer diversity,
10 equity, and inclusion activities overseen by the attorney general in collaboration with
11 the chief equity officer in the department of administration and with other agency
12 equity officers to identify opportunities to advance equity in government operations.

13 **116.** Page 179, line 16: in s. 20.455 (5) (a), increase the dollar amount for fiscal
14 year 2023-24 by \$817,000 and increase the dollar amount for fiscal year 2024-25 by
15 \$817,000 for the purpose of replacing 5.0 FED positions with 5.0 GPR positions that
16 provide crime victim services.

17 **117.** Page 179, line 16: in s. 20.455 (1) (a) increase the dollar amount for fiscal
18 year 2023-24 by \$61,800 and increase the dollar amount for fiscal year 2024-25 by
19 \$82,500 for the purpose of increasing the authorized FTE positions for the
20 department of justice by 1.0 GPR position to create an agency tribal liaison position
21 to work with Native American tribes and bands on behalf of the agency, as well as
22 coordinate with the Department of Administration.

23 **118.** Page 180, line 2: increase the dollar amount for fiscal year 2023-24 by
24 \$274,100 and increase the dollar amount for fiscal year 2024-25 by \$343,200 for the

1 purpose of providing a pay increase to assistant attorneys general under the pay
2 progression plan.

3 **119.** Page 180, line 8: increase the dollar amount for fiscal year 2023-24 by
4 \$88,000 and increase the dollar amount for fiscal year 2024-25 by \$63,000 for the
5 purpose of providing a pay increase to assistant attorneys general under the pay
6 progression plan.

7 **120.** Page 180, line 11: for s. 20.455 (2) (a), increase the dollar amount for
8 fiscal year 2024-25 by \$154,500 for the purpose of creating 4.0 GPR positions to
9 address the demand for forensic toxicology testing performed by the state crime
10 laboratories when federal ARPA funds expire.

11 **121.** Page 180, line 11: for s. 20.455 (2) (a), increase the dollar amount for
12 fiscal year 2023-24 by \$237,300 and increase the dollar amount for fiscal year
13 2024-25 by \$309,700 to create 4.0 GPR positions for the purpose of addressing
14 workload issues for forensic DNA testing performed by the state crime laboratories
15 resulting from new technologies, including probabilistic genotyping and forensic
16 investigative genetic genealogy. The increases shall be allocated as follows: (a)
17 personnel costs \$217,300 in fiscal year 2023-24 and \$289,700 in 2024-25 and (b)
18 supplies and services, \$20,000 in each fiscal year.

19 **122.** Page 180, line 11: for s. 20.455 (2) (a), increase the dollar amount for
20 fiscal year 2024-25 by \$48,700 for the purpose of creating 1.0 GPR position for a
21 crime scene response specialist when federal ARPA funds expire.

22 **123.** Page 180, line 11: in s. 20.455 (2) (a), increase the dollar amount for fiscal
23 year 2023-24 by \$64,300 and increase the dollar amount for fiscal year 2024-25 by
24 \$82,500 for the purpose of providing 1.0 FTE grant specialist position.

1 **124.** Page 180, line 11: in s. 20.455 (2) (a), increase the dollar amount for fiscal
2 year 2023-24 by \$58,400 and increase the dollar amount for fiscal year 2024-25 by
3 \$78,000 for the purpose of providing 1.0 GPR assistant attorney general position,
4 beginning on October 1, 2023, to provide training and resources for prosecutors on
5 sexual assault cases.

6 **125.** Page 180, line 11: in s. 20.455 (2) (a), increase the dollar amount for fiscal
7 year 2023-24 by \$185,800 and increase the dollar amount for fiscal year 2024-25 by
8 \$242,800 for the purpose of providing 3.0 GPR positions, beginning on October 1,
9 2023, that provide prosecutorial assistance to county district attorneys related to
10 violent crimes cases.

11 **126.** Page 180, line 11: in s. 20.455 (2) (a), increase the dollar amount for fiscal
12 year 2023-24 by \$550,500 and increase the dollar amount for fiscal year 2024-25 by
13 \$682,400 for the purpose of providing 7.0 GPR positions for criminal investigations.

14 **127.** Page 180, line 11: in s. 20.455 (2) (a), increase the dollar amount for fiscal
15 year 2023-24 by \$223,000 and increase the dollar amount for fiscal year 2024-25 by
16 \$279,100 to be allocated to the internet crimes against children task force for the
17 purpose of 3.0 GPR positions on the task force.

18 **128.** Page 180, line 11: in s. 20.455 (2) (a), increase the dollar amount for fiscal
19 year 2023-24 by \$1,000,000 and increase the dollar amount for fiscal year 2024-25
20 by \$1,000,000 for the purpose of treatment and diversion programs funding.

21 **129.** Page 181, line 9: increase the dollar amount for fiscal year 2024-25 by
22 \$12,500,000 for the purpose for which the appropriation is made.

1 **136.** Page 184, line 15: in s. 20.455 (3) (a), increase the dollar amount for fiscal
2 year 2023-24 by \$67,300 and increase the dollar amount for fiscal year 2024-25 by
3 \$67,300 for the purpose of increasing supplies and services funding to administrative
4 services. In each fiscal year the increased amount shall be allocated as follows:
5 \$65,000 to computing services and \$2,300 to administrative services.

6 **137.** Page 184, line 17: delete that line and substitute:

7 “(g) Gifts, grants and proceeds PR C 525,000 525,000”.

8 **138.** Page 185, line 2: increase the dollar amount for fiscal year 2023-24 by
9 \$79,300 and increase the dollar amount for fiscal year 2024-25 by \$97,500 for the
10 purpose of increasing the authorized FTE positions for the department of justice by
11 1.0 GPR position in the office of victim services.

12 **139.** Page 185, line 10: increase the dollar amount for fiscal year 2023-24 by
13 \$5,000,000 and increase the dollar amount for fiscal year 2024-25 by \$5,000,000 to
14 increase grants to providers of services to victims of sexual assault.

15 **140.** Page 185, line 11: in s. 20.455 (5) (a), increase the dollar amount for fiscal
16 year 2023-24 by \$6,700 and increase the dollar amount for fiscal year 2024-25 by
17 \$6,700 for the purpose of increasing supplies and services funding to the office of
18 victim services.

19 **141.** Page 185, line 13: under s. 20.455 (5) (f), increase the dollar amount for
20 fiscal year 2023-24 by \$5,724,700 and increase the dollar amount for fiscal year
21 2024-25 by \$6,004,200 for the purpose of increasing the reimbursement provided to
22 county victim witness offices to the current statutory maximum of estimated 90
23 percent of county costs.

1 **142.** Page 185, line 20: in s. 20.455 (5) (h), increase the dollar amount for fiscal
2 year 2023-24 by \$59,500 and increase the dollar amount for fiscal year 2024-25 by
3 \$77,000 for the purpose of increasing the authorized FTE positions to the Crime
4 Victim Compensation Program by 1.0 PR position to assist with the processing of
5 crime victim claims.

6 **143.** Page 186, line 17: increase the dollar amount for fiscal year 2024-25 by
7 \$821,400 for the purpose of increasing the authorized FTE positions to the
8 department of military affairs by 11.0 GPR positions in 2024-25 to expand the
9 comprehensive wellness program.

10 **144.** Page 186, line 17: increase the dollar amount for fiscal year 2023-24 by
11 \$140,700 and increase the dollar amount for fiscal year 2024-25 by \$140,700 to
12 increase agency supplies and services funding.

13 **145.** Page 186, line 17: increase the dollar amount for fiscal year 2023-24 by
14 \$143,200 and increase the dollar amount for fiscal year 2024-25 by \$156,900 for the
15 purpose of increasing the authorized FTE positions to the department of military
16 affairs by 1.0 GPR position to support the wireless network at department of military
17 affairs armories.

18 **146.** Page 186, line 17: increase the dollar amount for fiscal year 2023-24 by
19 \$4,963,900 and increase the dollar amount for fiscal year 2024-25 by \$3,337,100 for
20 the purpose of increasing the authorized FTE positions to the department of military
21 affairs by 3.0 GPR positions and for a new aircraft for counter-drug activities, search
22 and rescue efforts, or disasters.

23 **147.** Page 186, line 17: increase the dollar amount for fiscal year 2023-24 by
24 \$975,100 and increase the dollar amount for fiscal year 2024-25 by \$1,118,500 to

1 fund a portion of state matching funds for the federal Department of Homeland
2 Security's State and Local Cybersecurity Grant Program.

3 **148.** Page 186, line 17: increase the dollar amount for fiscal year 2023-24 by
4 \$100,000 and increase the dollar amount for fiscal year 2024-25 by \$100,000 for a
5 consultant to assist the department of military affairs in competing as a potential
6 location for the United States Air Force to place new refueling aircraft.

7 **149.** Page 187, line 1: increase the dollar amount for fiscal year 2023-24 by
8 \$152,500 and increase the dollar amount for fiscal year 2024-25 by \$169,900 for the
9 purpose of increasing the authorized FTE positions to the department by 2.9 GPR
10 positions to support additional buildings and grounds staff positions, including 1
11 project manager, 2 heavy equipment operators, one painter, and 2 facility repair
12 workers.

13 **150.** Page 187, line 3: increase the dollar amount for fiscal year 2023-24 by
14 \$37,900 and increase the dollar amount for fiscal year 2024-25 by \$48,700 to
15 increase the authorized FTE positions by 0.5 GPR position to administer diversity,
16 equity, and inclusion activities overseen by the adjutant general in collaboration
17 with the chief equity officer in the department of administration and with other
18 agency equity officers to identify opportunities to advance equity in government
19 operations.

20 **151.** Page 187, line 15: increase the dollar amount for fiscal year 2023-24 by
21 \$91,300 and increase the dollar amount for fiscal year 2024-25 by \$101,600 for the
22 purpose of increasing the authorized FTE positions to the department by 3.1 FED
23 positions to support additional buildings and grounds staff positions, including one

1 project manager, two heavy equipment operators, one painter, and two facility repair
2 workers.

3 **152.** Page 187, line 15: increase the dollar amount for fiscal year 2023-24 by
4 \$6,891,900 and increase the dollar amount for fiscal year 2024-25 by \$6,891,900 for
5 improvement, repair, maintenance, or operation of armories or other military
6 property.

7 **153.** Page 188, line 6: increase the dollar amount for fiscal year 2023-24 by
8 \$1,000,000 for the purpose of providing a payment of \$1,000,000 to the town of Silver
9 Cliff for the town to rebuild its public safety building that was destroyed by a tornado.

10 **154.** Page 188, line 9: after that line insert:

11 “(bm) Statewide public safety
12 interoperable communication
13 system GPR C 45,000,000 -0-”.

14 **155.** Page 189, line 3: increase the dollar amount for fiscal year 2023-24 by
15 \$506,400 and increase the dollar amount for fiscal year 2024-25 by \$506,400 for the
16 purpose of urban search and rescue task force training, administration, and
17 equipment.

18 **156.** Page 189, line 8: increase the dollar amount for fiscal year 2023-24 by
19 \$152,100 and increase the dollar amount for fiscal year 2024-25 by \$152,100 for the
20 purpose for which the appropriation is made.

21 **157.** Page 190, line 6: increase the dollar amount for fiscal year 2023-24 by
22 \$26,900 and increase the dollar amount for fiscal year 2024-25 by \$26,900 for the
23 purpose for which the appropriation is made.

1 **158.** Page 190, line 8: increase the dollar amount for fiscal year 2023-24 by
2 \$15,491,700 and increase the dollar amount for fiscal year 2024-25 by \$15,491,700
3 for the purpose for which the appropriation is made.

4 **159.** Page 190, line 10: increase the dollar amount for fiscal year 2023-24 by
5 \$2,981,900 and increase the dollar amount for fiscal year 2024-25 by \$2,981,900 for
6 the purpose for which the appropriation is made.

7 **160.** Page 190, line 12: increase the dollar amount for fiscal year 2023-24 by
8 \$6,000,000 and increase the dollar amount for fiscal year 2024-25 by \$6,000,000 for
9 the purpose of providing additional public safety answering point grants.

10 **161.** Page 190, line 17: increase the dollar amount for fiscal year 2023-24 by
11 \$500 and increase the dollar amount for fiscal year 2024-25 by \$500 to increase
12 agency supplies and services funding.

13 **162.** Page 191, line 2: increase the dollar amount for fiscal year 2023-24 by
14 \$1,700 and increase the dollar amount for fiscal year 2024-25 by \$1,700 for the
15 purpose for which the appropriation is made.

16 **163.** Page 191, line 10: increase the dollar amount for fiscal year 2023-24 by
17 \$2,032,800 and increase the dollar amount for fiscal year 2024-25 by \$2,032,800 for
18 the purpose of restoring the turnover reduction for district attorneys.

19 **164.** Page 191, line 10: decrease the dollar amount for fiscal year 2023-24 by
20 \$71,900 and decrease the dollar amount for fiscal year 2024-25 by \$71,900 for the
21 purpose of increasing the hourly compensation of elected district attorneys.

22 **165.** Page 191, line 10: increase the dollar amount for fiscal year 2023-24 by
23 \$3,345,400 and increase the dollar amount for fiscal year 2024-25 by \$4,359,300 for

1 the purpose of increasing the authorized FTE positions for the department of
2 administration by an additional 43.0 GPR District Attorney positions in 2023-24 by
3 an additional 41.9 GPR District Attorney positions in 2024-25.

4 **166.** Page 191, line 10: increase from base the dollar amount for fiscal year
5 2023-24 by \$703,900 and increase from base the dollar amount for fiscal year
6 2024-25 by \$703,900 for the purpose of increasing agency supplies and services
7 funding.

8 **167.** Page 191, line 10: decrease the dollar amount for fiscal year 2023-24 by
9 \$1,107,800 and decrease the dollar amount for fiscal year 2024-25 by \$1,540,200 for
10 the purpose of providing a pay increase to deputy and assistant district attorneys
11 under the pay progression plan.

12 **168.** Page 192, line 13: increase from base the dollar amount for fiscal year
13 2023-24 by \$210,000 and increase from base the dollar amount for fiscal year
14 2024-25 by \$210,000 to increase the supplies and services budget at the Union Grove
15 State Veterans Home, for increasing costs for custodial supplies, lawn care, snow
16 removal, and specialty tradesmen.

17 **169.** Page 192, line 13: increase from base the dollar amount for fiscal year
18 2023-24 by \$1,300,000 and increase from base the dollar amount for fiscal year
19 2024-25 by \$1,300,000 to fund increases in the cost of the contract with Health
20 Dimensions Group to operate the Wisconsin Veterans Home at Chippewa Falls.

21 **170.** Page 193, line 4: increase the dollar amount for fiscal year 2023-24 by
22 \$38,600 and increase the dollar amount for fiscal year 2024-25 by \$49,600 to
23 increase the authorized FTE positions by 0.5 SEG position to administer diversity,
24 equity, and inclusion activities overseen by the secretary of veterans affairs in

1 collaboration with the chief equity officer in the department of administration and
2 with other agency equity officers to identify opportunities to advance equity in
3 government operations.

4 **171.** Page 194, line 4: increase the dollar amount for fiscal year 2024-25 by
5 \$342,500 for the purpose of increasing the authorized positions to the department of
6 veterans affairs by 7.0 SEG positions to convert federally funded project positions to
7 permanent positions for the veterans outreach and recovery program.

8 **172.** Page 194, line 5: increase the dollar amount for fiscal year 2023-24 by
9 \$250,000 and increase the dollar amount for fiscal year 2024-25 by \$250,000 to fund
10 data collection and analysis related to the future long-term care needs of post-9/11
11 veterans.

12 **173.** Page 194, line 5: increase the dollar amount for fiscal year 2023-24 by
13 \$250,000 and increase the dollar amount for fiscal year 2024-25 by \$250,000 for the
14 purpose for which the appropriation is made.

15 **174.** Page 195, line 1: increase the dollar amount for fiscal year 2023-24 by
16 \$1,096,600 and increase the dollar amount for fiscal year 2024-25 by \$1,096,600 for
17 the purpose of increasing funding for grants to county and tribal veteran service
18 offices.

19 **175.** Page 195, line 10: increase the dollar amount for fiscal year 2023-24 by
20 \$100 and increase the dollar amount for fiscal year 2024-25 by \$100 to increase
21 agency supplies and services funding.

22 **176.** Page 195, line 11: increase from base the dollar amount for fiscal year
23 2023-24 by \$425,000 and increase from base the dollar amount for fiscal year
24 2024-25 by \$355,000 for equipment replacement at the three state veterans

1 cemeteries and for the purchase of new equipment for expanded operations at the
2 Southern Wisconsin Veterans Cemetery.

3 **177.** Page 195, line 16: increase the dollar amount for fiscal year 2023-24 by
4 \$3,100 and increase the dollar amount for fiscal year 2024-25 by \$3,100 to increase
5 agency supplies and services funding.

6 **178.** Page 196, line 13: increase the dollar amount for fiscal year 2023-24 by
7 \$700,000 and increase the dollar amount for fiscal year 2024-25 by \$700,000 for
8 building costs at 30 West Mifflin following purchase of the building.

9 **179.** Page 196, line 13: increase the dollar amount for fiscal year 2023-24 by
10 \$60,000 for the purpose of funding a portion of the cost to complete a comprehensive
11 inventory and evaluation of state-owned historical and fine arts collections.

12 **180.** Page 202, line 22: increase the dollar amount for fiscal year 2023-24 by
13 \$2,577,300 and increase the dollar amount for fiscal year 2024-25 by \$2,599,100 for
14 the purpose of increasing the authorized FTE positions to the department of
15 administration by 1.0 PR positions to purchase and maintain a new aircraft for the
16 department of military affairs.

17 **181.** Page 203, line 21: increase the dollar amount for fiscal year 2023-24 by
18 \$65,700 and increase the dollar amount for fiscal year 2024-25 by \$84,200 for the
19 purpose of increasing the authorized FTE positions for the department of
20 administration by 1.0 GPR Attorney position to represent state attorneys before the
21 Office of Lawyer Regulation in the event that a grievance against their law license
22 is filed.

23 **182.** Page 204, line 6: increase the dollar amount for fiscal year 2023-24 by
24 \$45,100 and increase the dollar amount for fiscal year 2024-25 by \$60,100 for the

1 purpose of increasing the authorized FTE positions to the department of
2 administration by 1.0 PR position and for building costs at 30 West Mifflin following
3 purchase of the building.

4 **183.** Page 212, line 8: increase the dollar amount for fiscal year 2023-24 by
5 \$902,000 and increase the dollar amount for fiscal year 2024-25 by \$1,036,000 to
6 increase the authorized FTE positions for the elections commission by 10.0 GPR
7 positions to operate the office of election transparency and compliance.

8 **184.** Page 212, line 8: increase the dollar amount for fiscal year 2023-24 by
9 \$156,100 and increase the dollar amount for fiscal year 2024-25 by \$16,600 for the
10 purpose of registering all eligible electors as required under s. 6.256.

11 **185.** Page 214, line 9: increase the dollar amount for fiscal year 2023-24 by
12 \$183,300 and increase the dollar amount for fiscal year 2024-25 by \$110,000 for the
13 purpose of creating a campaign finance reporting website to replace the existing
14 campaign finance information system.

15 **186.** Page 217, line 3: decrease the dollar amount for fiscal year 2023-24 by
16 \$1,115,100 and decrease the dollar amount for fiscal year 2024-25 by \$1,239,000 for
17 the purpose of providing a pay increase to assistant state public defenders under the
18 pay progression plan.

19 **187.** Page 217, line 3: increase the dollar amount for fiscal year 2023-24 by
20 \$2,784,200 and increase the dollar amount for fiscal year 2024-25 by \$3,579,000 for
21 the purpose of increasing the authorized FTE positions for the department of
22 administration by 50.0 GPR support staff positions to address workload issues for
23 staff assisting state public defender attorneys.

1 **188.** Page 217, line 12: in s. 20.550 (1) (L), increase the dollar amount for fiscal
2 year 2023-24 by \$8,797,200 and increase the dollar amount for fiscal year 2024-25
3 by \$8,797,200 for the purpose of increasing the rate at which private bar attorneys
4 are compensated.

5 **189.** Page 218, line 3: increase the dollar amount for fiscal year 2023-24 by
6 \$1,953,400 and increase the dollar amount for fiscal year 2024-25 by \$2,177,500 for
7 the purpose of supplies and services to implement an advanced technology system
8 and for the purpose of providing 11.0 GPR positions to enhance delinquent tax
9 collection efforts.

10 **190.** Page 218, line 14: increase the dollar amount for fiscal year 2023-24 by
11 \$1,854,500 and increase the dollar amount for fiscal year 2024-25 by \$1,224,600 for
12 the purpose of providing 7.0 PR positions annually to increase efforts to collect debts
13 owed to state agencies and local governments under the statewide debt collection
14 program and for supplies and services to implement an advanced technology system.

15 **191.** Page 220, line 2: increase the dollar amount for fiscal year 2023-24 by
16 \$274,500 and increase the dollar amount for fiscal year 2024-25 by \$334,700 for the
17 purpose of providing 2.0 GPR positions for the department's manufacturing and
18 utility bureau and 1.0 GPR position for the department's local government services
19 bureau.

20 **192.** Page 220, line 9: increase the dollar amount for fiscal year 2023-24 by
21 \$140,100 and increase the dollar amount for fiscal year 2024-25 by \$171,100 for the
22 purpose of providing 2.0 PR positions for the department's manufacturing and utility
23 bureau.

1 **193.** Page 221, line 2: increase the dollar amount for fiscal year 2023-24 by
 2 \$74,800 and increase the dollar amount for fiscal year 2024-25 by \$96,000 to
 3 increase the authorized FTE positions by 1.0 GPR position to administer diversity,
 4 equity, and inclusion activities overseen by the secretary of revenue in collaboration
 5 with the chief equity officer in the department of administration and with other
 6 agency equity officers to identify opportunities to advance equity in government
 7 operations.

8 **194.** Page 223, line 1: increase the dollar amount for fiscal year 2023-24 by
 9 \$256,800 and increase the dollar amount for fiscal year 2024-25 by \$337,200 for the
 10 purpose of providing 1.0 SEG position for lottery draw staff and providing 3.0 SEG
 11 positions for lottery investigators.

12 **195.** Page 223, line 2: increase the dollar amount for fiscal year 2023-24 by
 13 \$7,061,800 and increase the dollar amount for fiscal year 2024-25 by \$7,061,800 for
 14 lottery retailer compensation.

15 **196.** Page 223, line 4: increase the dollar amount for fiscal year 2023-24 by
 16 \$2,546,000 and increase the dollar amount for fiscal year 2024-25 by \$2,546,000 for
 17 vendor fees.

18 **197.** Page 225, line 5: delete that line and substitute:

19	“(cg) Circuit court costs; generally	GPR	B	28,356,300	28,392,900
20	(d) Circuit court costs; pretrial risk				
21	assessments	GPR	B	1,000,000	-0-”.

22 **198.** Page 225, line 7: delete lines 7 and 8.

1 **199.** Page 234, line 19: increase the dollar amount for fiscal year 2023-24 by
2 \$45,185,200 and increase the dollar amount for fiscal year 2024-25 by \$18,989,300
3 for the purpose of paying the lottery and gaming credits.

4 **200.** Page 237, line 15: increase the dollar amount for fiscal year 2023-24 by
5 \$700,000 and increase the dollar amount for fiscal year 2024-25 by \$700,000 for the
6 purpose of supplementing the veterans trust fund.

7 **201.** Page 237, line 15: increase from base the dollar amount for fiscal year
8 2023-24 by \$425,000 and increase from base the dollar amount for fiscal year
9 2024-25 by \$355,000 for the purpose of supplementing the veterans trust fund.

10 **202.** Page 237, line 15: increase the dollar amount for fiscal year 2024-25 by
11 \$342,500 for the purpose of supplementing the veterans trust fund.

12 **203.** Page 260, line 19: delete the material beginning with that line and
13 ending with page 261, line 8.

14 **204.** Page 269, line 10: delete that line.

15 **205.** Page 274, line 4: delete lines 4 to 8.

16 **206.** Page 276, line 1: delete lines 1 to 10.

17 **207.** Page 281, line 4: delete lines 4 to 11 and substitute:

18 “**SECTION 3.** 20.866 (2) (ugm) of the statutes is amended to read:

19 20.866 (2) (ugm) *Transportation; major interstate bridge construction.* From
20 the capital improvement fund, a sum sufficient for the department of transportation
21 to fund major interstate bridge projects under s. 84.016. The state may contract
22 public debt in an amount not to exceed ~~\$245,000,000~~ \$319,200,000 for this purpose.

1 ~~The state may contract additional public debt in an amount up to \$27,000,000 for this~~
2 ~~purpose.”.~~

3 **208.** Page 320, line 1: delete lines 1 to 3.

4 **209.** Page 321, line 4: delete lines 4 to 12.

5 **210.** Page 334, line 18: delete the material beginning with that line and
6 ending with page 337, line 2, and substitute:

7 “**SECTION 368m.** 85.20 (4m) (a) 6. cm. of the statutes is amended to read:

8 85.20 (**4m**) (a) 6. cm. From the appropriation under s. 20.395 (1) (ht), the
9 department shall pay \$65,477,800 for aid payable for calendar years 2020 and 2021,
10 \$32,738,900 for calendar year 2022, and \$65,477,800 for aid payable for calendar
11 year 2023, \$68,096,900 for calendar year 2024, and \$70,820,800 for calendar year
12 2025 and thereafter, to the eligible applicant that pays the local contribution
13 required under par. (b) 1. for an urban mass transit system that has annual operating
14 expenses of \$80,000,000 or more. If the eligible applicant that receives aid under this
15 subd. 6. cm. is served by more than one urban mass transit system, the eligible
16 applicant may allocate the aid between the urban mass transit systems in any
17 manner the eligible applicant considers desirable.

18 **SECTION 369m.** 85.20 (4m) (a) 6. d. of the statutes is amended to read:

19 85.20 (**4m**) (a) 6. d. From the appropriation under s. 20.395 (1) (hu), the
20 department shall pay \$17,205,400 for aid payable for calendar years 2020 and 2021,
21 \$8,602,700 for calendar year 2022, and \$17,205,400 for aid payable for calendar year
22 2023, \$17,893,600 for calendar year 2024, and \$18,609,400 for calendar year 2025
23 and thereafter, to the eligible applicant that pays the local contribution required
24 under par. (b) 1. for an urban mass transit system that has annual operating

1 expenses in excess of \$20,000,000 but less than \$80,000,000. If the eligible applicant
2 that receives aid under this subd. 6. d. is served by more than one urban mass transit
3 system, the eligible applicant may allocate the aid between the urban mass transit
4 systems in any manner the eligible applicant considers desirable.

5 **SECTION 372m.** 85.20 (4m) (a) 7. b. of the statutes is amended to read:

6 85.20 (4m) (a) 7. b. For the purpose of making allocations under subd. 7. a., the
7 amounts for aids are ~~\$24,486,700 in calendar years 2015 to 2019 and \$24,976,400 in~~
8 ~~calendar year 2020~~ \$25,975,500 in calendar year 2024 and \$27,014,500 in calendar
9 year 2025 and thereafter. These amounts, to the extent practicable, shall be used to
10 determine the uniform percentage in the particular calendar year.

11 **SECTION 374m.** 85.20 (4m) (a) 8. b. of the statutes is amended to read:

12 85.20 (4m) (a) 8. b. For the purpose of making allocations under subd. 8. a., the
13 amounts for aids are ~~\$5,188,900 in calendar years 2015 to 2019 and \$5,292,700 in~~
14 ~~calendar year 2020~~ \$5,504,400 in calendar year 2024 and \$5,724,600 in calendar
15 year 2025 and thereafter. These amounts, to the extent practicable, shall be used to
16 determine the uniform percentage in the particular calendar year.”.

17 **211.** Page 337, line 4: delete lines 4 to 24 and substitute:

18 “**SECTION 4.** 86.30 (2) (a) 3. of the statutes is amended to read:

19 86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a
20 municipality as determined under s. 86.302, the mileage aid payment shall be ~~\$2,628~~
21 ~~in calendar years 2020 and 2021, \$2,681 in calendar year 2022, and \$2,734 in~~
22 ~~calendar year 2023,~~ \$2,843 in calendar year 2024, and \$2,957 in calendar year 2025
23 and thereafter.

24 **SECTION 5.** 86.30 (9) (b) of the statutes is amended to read:

1 86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2),
2 the amounts for aids to counties are ~~\$122,203,200 in calendar years 2020 and 2021,~~
3 ~~\$124,647,300 in calendar year 2022,~~ and \$127,140,200 in calendar year 2023,
4 \$132,225,800 in calendar year 2024, and \$137,514,800 in calendar year 2025 and
5 thereafter. These amounts, to the extent practicable, shall be used to determine the
6 statewide county average cost-sharing percentage in the particular calendar year.

7 **SECTION 6.** 86.30 (9) (c) of the statutes is amended to read:

8 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
9 the amounts for aids to municipalities are ~~\$383,503,200 in calendar years 2020 and~~
10 ~~2021, \$391,173,300 in calendar year 2022,~~ and \$398,996,800 in calendar year 2023,
11 \$414,956,700 in calendar year 2024, and \$431,555,000 in calendar year 2025 and
12 thereafter. These amounts, to the extent practicable, shall be used to determine the
13 statewide municipal average cost-sharing percentage in the particular calendar
14 year.”.

15 **212.** Page 338, line 3: delete the material beginning with that line and ending
16 with page 339, line 2, and substitute:

17 “**SECTION 380m.** 86.31 (3g) of the statutes is amended to read:

18 86.31 (3g) COUNTY TRUNK HIGHWAY IMPROVEMENTS — DISCRETIONARY GRANTS.
19 From the appropriation under s. 20.395 (2) (ft), the department shall allocate
20 \$5,127,000 in fiscal years 2014-15 to 2016-17 and \$5,393,400 in fiscal year
21 ~~2017-2018 and each fiscal year thereafter, years 2017-18 to 2022-23~~ to fund county
22 trunk highway improvements with eligible costs totaling more than \$250,000. In
23 fiscal year 2023-24 and each fiscal year thereafter, the department shall allocate
24 35.6 percent of the amounts appropriated under s. 20.395 (2) (ft) to fund county trunk

1 highway improvements with eligible costs totaling more than \$250,000. The funding
2 of improvements under this subsection is in addition to the allocation of funds for
3 entitlements under sub. (3).

4 **SECTION 387m.** 86.31 (3m) of the statutes is amended to read:

5 86.31 (3m) TOWN ROAD IMPROVEMENTS — DISCRETIONARY GRANTS. From the
6 appropriation under s. 20.395 (2) (ft), the department shall allocate \$5,732,500 in
7 fiscal years 2011-12 to 2016-17 and \$5,923,600 in fiscal year years 2017-18 and each
8 fiscal year thereafter, to 2022-23 to fund town road improvements with eligible costs
9 totaling \$100,000 or more. In fiscal year 2023-24 and each fiscal year thereafter, the
10 department shall allocate 39.0 percent of the amounts appropriated under s. 20.395
11 (2) (ft) to fund town road improvements with eligible costs totaling \$100,000 or more.

12 The funding of improvements under this subsection is in addition to the allocation
13 of funds for entitlements under sub. (3).

14 **SECTION 382m.** 86.31 (3r) of the statutes is amended to read:

15 86.31 (3r) MUNICIPAL STREET IMPROVEMENTS — DISCRETIONARY GRANTS. From the
16 appropriation under s. 20.395 (2) (ft), the department shall allocate \$976,500 in fiscal
17 years 2009-10 to 2016-17 and \$3,850,400 in fiscal year years 2017-18 and each
18 fiscal year thereafter, to 2022-23 to fund municipal street improvement projects
19 having total estimated costs of \$250,000 or more. In fiscal year 2023-24 and each
20 fiscal year thereafter, the department shall allocate 25.4 percent of the amounts
21 appropriated under s. 20.395 (2) (ft) to fund municipal street improvement projects
22 having total estimated costs of \$250,000 or more. The funding of improvements
23 under this subsection is in addition to the allocation of funds for entitlements under
24 sub. (3).”.

1 **213.** Page 361, line 5: delete that line.

2 **214.** Page 371, line 14: delete the material beginning with that line and
3 ending with page 372, line 3, and substitute:

4 “**SECTION 456m.** 341.13 (5) of the statutes is created to read:

5 341.13 (5) A hybrid electric vehicle, as defined under s. 341.25 (1) (L) 1. b., or
6 a nonhybrid electric vehicle, as defined under s. 341.25 (1) (L) 1. c., shall bear decals
7 issued by the department to indicate that the vehicle is an electric vehicle. The decals
8 shall be displayed as provided in s. 341.15 (1m) (c).

9 **SECTION 457m.** 341.15 (1m) (a) of the statutes is amended to read:

10 341.15 (1m) (a) Except as provided in par. (b) or (c), any registration decal or
11 tag issued by the department shall be placed on the rear registration plate of the
12 vehicle in the manner directed by the department.

13 **SECTION 458m.** 341.15 (1m) (c) of the statutes is created to read:

14 341.15 (1m) (c) Decals issued by the department to indicate that a vehicle is
15 an electric vehicle shall be displayed on the registration plates attached to the front
16 and the rear of the vehicle.”.

17 **215.** Page 372, line 4: delete lines 4 to 8.

18 **216.** Page 372, line 9: delete lines 9 to 13 and substitute:

19 “**SECTION 460m.** 341.26 (8) of the statutes is created to read:

20 341.26 (8) **ELECTRIC VEHICLES.** A registration fee of \$1 shall be paid to the
21 department for the issuance of the decals required under s. 341.13 (5) for a hybrid
22 electric vehicle, as defined under s. 341.25 (1) (L) 1. b., or a nonhybrid electric vehicle,
23 as defined under s. 341.25 (1) (L) 1. c.”.

24 **217.** Page 374, line 11: after that line insert:

1 **SECTION 13.** 48.45 (1) (a) of the statutes is amended to read:

2 48.45 (1) (a) If in the hearing of a case of a child alleged to be in a condition
3 described in s. 48.13 it appears that any ~~person 17 years of age or older~~ adult has been
4 guilty of contributing to, encouraging, or tending to cause by any act or omission,
5 ~~such~~ that condition of the child, the judge may make orders with respect to the
6 conduct of ~~such~~ that person in his or her relationship to the child, including orders
7 determining the ability of the person to provide for the maintenance or care of the
8 child and directing when, how, and from where funds for the maintenance or care
9 shall be paid.

10 **SECTION 14.** 48.45 (1) (am) of the statutes is amended to read:

11 48.45 (1) (am) If in the hearing of a case of an unborn child and the unborn
12 child's expectant mother alleged to be in a condition described in s. 48.133 it appears
13 that any ~~person 17 years of age or over~~ adult has been guilty of contributing to,
14 encouraging, or tending to cause by any act or omission, ~~such~~ that condition of the
15 unborn child and expectant mother, the judge may make orders with respect to the
16 conduct of ~~such~~ that person in his or her relationship to the unborn child and
17 expectant mother.

18 **SECTION 15.** 48.45 (3) of the statutes is amended to read:

19 48.45 (3) If it appears at a court hearing that any ~~person 17 years of age or older~~
20 adult has violated s. 948.40, the judge shall refer the record to the district attorney
21 for criminal proceedings as may be warranted in the district attorney's judgment.
22 This subsection does not prevent prosecution of violations of s. 948.40 without the
23 prior reference by the judge to the district attorney, as in other criminal cases.

24 **SECTION 16.** 48.5275 of the statutes is created to read:

1 **48.5275 Seventeen-year-old juvenile justice aids.** Notwithstanding s.
2 48.526, from the appropriation under s. 20.437 (1) (cL), beginning on January 1,
3 2024, the department shall reimburse counties for the costs under s. 48.526 (2) (c)
4 associated with juveniles who were alleged to have violated a state or federal
5 criminal law or any civil law or municipal ordinance at age 17.

6 **SECTION 17.** 118.163 (4) of the statutes is amended to read:

7 118.163 (4) A person who is ~~under 17 years of age~~ a minor on the date of
8 disposition is subject to s. 938.342.

9 **SECTION 18.** 125.07 (4) (d) of the statutes is amended to read:

10 125.07 (4) (d) A person who is ~~under 17 years of age~~ a minor on the date of
11 disposition is subject to s. 938.344 unless proceedings have been instituted against
12 the person in a court of civil or criminal jurisdiction after dismissal of the citation
13 under s. 938.344 (3).

14 **SECTION 19.** 125.07 (4) (e) 1. of the statutes is amended to read:

15 125.07 (4) (e) 1. In this paragraph, “defendant” means a person found guilty
16 of violating par. (a) or (b) who is ~~17, 18, 19 or 20~~ an adult under 21 years of age.

17 **SECTION 20.** 125.085 (3) (bt) of the statutes is amended to read:

18 125.085 (3) (bt) A person who is ~~under 17 years of age~~ a minor on the date of
19 disposition is subject to s. 938.344 unless proceedings have been instituted against
20 the person in a court of civil or criminal jurisdiction after dismissal of the citation
21 under s. 938.344 (3).

22 **SECTION 21.** 165.83 (1) (c) 1. of the statutes is amended to read:

23 165.83 (1) (c) 1. An act that is committed by ~~a person who has attained the age~~
24 ~~of 17~~ an adult and that is a felony or a misdemeanor.

25 **SECTION 22.** 165.83 (1) (c) 2. of the statutes is amended to read:

1 165.83 (1) (c) 2. An act that is committed by a ~~person~~ minor who has attained
2 the age of 10 ~~but who has not attained the age of 17~~ and that would be a felony or
3 misdemeanor if committed by an adult.

4 **SECTION 23.** 301.12 (2m) of the statutes is amended to read:

5 301.12 (2m) The liability specified in sub. (2) shall not apply to ~~persons 17 and~~
6 ~~older~~ adults receiving care, maintenance, services, and supplies provided by prisons
7 named in s. 302.01.

8 **SECTION 24.** 301.12 (14) (a) of the statutes is amended to read:

9 301.12 (14) (a) Except as provided in pars. (b) and (c), liability of a person
10 specified in sub. (2) or s. 301.03 (18) for care and maintenance of ~~persons under 17~~
11 ~~years of age~~ minors in residential, nonmedical facilities such as group homes, foster
12 homes, residential care centers for children and youth, and juvenile correctional
13 institutions is determined in accordance with the cost-based fee established under
14 s. 301.03 (18). The department shall bill the liable person up to any amount of
15 liability not paid by an insurer under s. 632.89 (2) or (4m) or by other 3rd-party
16 benefits, subject to rules that include formulas governing ability to pay promulgated
17 by the department under s. 301.03 (18). Any liability of the resident not payable by
18 any other person terminates when the resident ~~reaches age 17~~ becomes an adult,
19 unless the liable person has prevented payment by any act or omission.

20 **SECTION 25.** 302.31 (7) of the statutes is amended to read:

21 302.31 (7) The temporary placement of persons in the custody of the
22 department, other than ~~persons under 17 years of age~~ minors, and ~~persons who have~~
23 ~~attained the age of 17 years but have not attained~~ adults under the age of 25 years
24 who are under the supervision of the department under s. 938.355 (4) and who have

1 been taken into custody pending revocation of community supervision or aftercare
2 supervision under s. 938.357 (5) (e).

3 **SECTION 26.** 938.02 (1) of the statutes is amended to read:

4 938.02 (1) "Adult" means a person who is 18 years of age or older, ~~except that~~
5 ~~for purposes of investigating or prosecuting a person who is alleged to have violated~~
6 ~~any state or federal criminal law or any civil law or municipal ordinance, "adult"~~
7 ~~means a person who has attained 17 years of age.~~

8 **SECTION 27.** 938.02 (10m) of the statutes is amended to read:

9 938.02 (10m) "Juvenile," when used without further qualification, means a
10 person who is less than 18 years of age, ~~except that for purposes of investigating or~~
11 ~~prosecuting a person who is alleged to have violated a state or federal criminal law~~
12 ~~or any civil law or municipal ordinance, "juvenile" does not include a person who has~~
13 ~~attained 17 years of age.~~

14 **SECTION 28.** 938.12 (2) of the statutes is amended to read:

15 938.12 (2) ~~SEVENTEEN-YEAR-OLDS~~ JUVENILES WHO BECOME ADULTS. If a petition
16 alleging that a juvenile is delinquent is filed before the juvenile is 17 years of age
17 becomes an adult, but the juvenile becomes 17 years of age an adult before admitting
18 the facts of the petition at the plea hearing or, if the juvenile denies the facts, before
19 an adjudication, the court retains jurisdiction over the case.

20 **SECTION 29.** 938.18 (2) of the statutes is amended to read:

21 938.18 (2) PETITION. The petition for waiver of jurisdiction may be filed by the
22 district attorney or the juvenile or may be initiated by the court and shall contain a
23 brief statement of the facts supporting the request for waiver. The petition for waiver
24 of jurisdiction shall be accompanied by or filed after the filing of a petition alleging
25 delinquency and shall be filed prior to the plea hearing, except that if the juvenile

1 denies the facts of the petition and becomes ~~17 years of age~~ an adult before an
2 adjudication, the petition for waiver of jurisdiction may be filed at any time prior to
3 the adjudication. If the court initiates the petition for waiver of jurisdiction, the
4 judge shall disqualify himself or herself from any future proceedings on the case.

5 **SECTION 30.** 938.183 (3) of the statutes is amended to read:

6 938.183 (3) PLACEMENT IN STATE PRISON; PAROLE. ~~When~~ Subject to s. 973.013
7 (3m), when a juvenile who is subject to a criminal penalty under sub. (1m) or s.
8 938.183 (2), 2003 stats., ~~attains the age of 17 years~~ becomes an adult, the department
9 of corrections may place the juvenile in a state prison named in s. 302.01, except that
10 that department may not place any person under the age of 18 years in the
11 correctional institution authorized in s. 301.16 (1n). A juvenile who is subject to a
12 criminal penalty under sub. (1m) or under s. 938.183 (2), 2003 stats., for an act
13 committed before December 31, 1999, is eligible for parole under s. 304.06.

14 **SECTION 31.** 938.255 (1) (intro.) of the statutes is amended to read:

15 938.255 (1) TITLE AND CONTENTS. (intro.) A petition initiating proceedings
16 under this chapter, other than a petition initiating proceedings under s. 938.12,
17 938.125, or 938.13 (12), shall be entitled, "In the interest of (juvenile's name), a
18 person under the age of 18"." A petition initiating proceedings under s. 938.12,
19 938.125, or 938.13 (12) shall be entitled, "In the interest of (juvenile's name), a ~~person~~
20 ~~under the age of 17".~~ juvenile." A petition initiating proceedings under this chapter
21 shall specify all of the following:

22 **SECTION 32.** 938.34 (8) of the statutes is amended to read:

23 938.34 (8) FORFEITURE. Impose a forfeiture based upon a determination that
24 this disposition is in the best interest of the juvenile and the juvenile's rehabilitation.
25 The maximum forfeiture that the court may impose under this subsection for a

1 violation by a juvenile is the maximum amount of the fine that may be imposed on
2 an adult for committing that violation or, if the violation is applicable only to ~~a person~~
3 ~~under 18 years of age~~ juveniles, \$100. The order shall include a finding that the
4 juvenile alone is financially able to pay the forfeiture and shall allow up to 12 months
5 for payment. If the juvenile fails to pay the forfeiture, the court may vacate the
6 forfeiture and order other alternatives under this section; or the court may suspend
7 any license issued under ch. 29 for not less than 30 days nor more than 5 years, or
8 suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not more
9 than 2 years. If the court suspends any license under this subsection, the clerk of the
10 court shall immediately take possession of the suspended license if issued under ch.
11 29 or, if the license is issued under ch. 343, the court may take possession of, and if
12 possession is taken, shall destroy, the license. The court shall forward to the
13 department ~~which~~ that issued the license a notice of suspension stating that the
14 suspension is for failure to pay a forfeiture imposed by the court, together with any
15 license issued under ch. 29 of which the court takes possession. If the forfeiture is
16 paid during the period of suspension, the suspension shall be reduced to the time
17 period ~~which~~ that has already elapsed and the court shall immediately notify the
18 department, which shall then, if the license is issued under ch. 29, return the license
19 to the juvenile. Any recovery under this subsection shall be reduced by the amount
20 recovered as a forfeiture for the same act under s. 938.45 (1r) (b).

21 **SECTION 33.** 938.343 (2) of the statutes is amended to read:

22 938.343 (2) FORFEITURE. Impose a forfeiture not to exceed the maximum
23 forfeiture that may be imposed on an adult for committing that violation or, if the
24 violation is only applicable to ~~a person under 18 years of age~~ juveniles, \$50. The
25 order shall include a finding that the juvenile alone is financially able to pay and

1 shall allow up to 12 months for the payment. If a juvenile fails to pay the forfeiture,
2 the court may suspend any license issued under ch. 29 or suspend the juvenile's
3 operating privilege, as defined in s. 340.01 (40), for not more than 2 years. The court
4 shall immediately take possession of the suspended license if issued under ch. 29 or,
5 if the license is issued under ch. 343, the court may take possession of, and if
6 possession is taken, shall destroy, the license. The court shall forward to the
7 department ~~which~~ that issued the license the notice of suspension stating that the
8 suspension is for failure to pay a forfeiture imposed by the court, together with any
9 license issued under ch. 29 of which the court takes possession. If the forfeiture is
10 paid during the period of suspension, the court shall immediately notify the
11 department, which shall, if the license is issued under ch. 29, return the license to
12 the person. Any recovery under this subsection shall be reduced by the amount
13 recovered as a forfeiture for the same act under s. 938.45 (1r) (b).

14 **SECTION 34.** 938.344 (3) of the statutes is amended to read:

15 938.344 (3) PROSECUTION IN ADULT COURT. If the juvenile alleged to have
16 committed the violation is within 3 months of ~~his or her 17th birthday~~ becoming an
17 adult, the court assigned to exercise jurisdiction under this chapter and ch. 48 may,
18 at the request of the district attorney or on its own motion, dismiss the citation
19 without prejudice and refer the matter to the district attorney for prosecution under
20 s. 125.07 (4). The juvenile is entitled to a hearing only on the issue of his or her age.
21 This subsection does not apply to violations under s. 961.573 (2), 961.574 (2), or
22 961.575 (2) or a local ordinance that strictly conforms to one of those statutes.

23 **SECTION 35.** 938.35 (1m) of the statutes is amended to read:

24 938.35 (1m) FUTURE CRIMINAL PROCEEDINGS BARRED. Disposition by the court
25 assigned to exercise jurisdiction under this chapter and ch. 48 of any allegation

1 under s. 938.12 or 938.13 (12) shall bar any future proceeding on the same matter
2 in criminal court when the juvenile attains ~~17 years of age~~ becomes an adult. This
3 subsection does not affect proceedings in criminal court that have been transferred
4 under s. 938.18.

5 **SECTION 36.** 938.355 (4) (b) of the statutes is amended to read:

6 938.355 (4) (b) Except as provided in s. 938.368, an order under s. 938.34 (4d)
7 or (4m) made before the juvenile attains 18 years of age may apply for up to 2 years
8 after the date on which the order is granted or until the juvenile's ~~18th~~ 19th birthday,
9 whichever is earlier, unless the court specifies a shorter period of time or the court
10 terminates the order sooner. If the order does not specify a termination date, it shall
11 apply for one year after the date on which the order is granted or until the juvenile's
12 ~~18th~~ 19th birthday, whichever is earlier, unless the court terminates the order
13 sooner. Except as provided in s. 938.368, an order under s. 938.34 (4h) made before
14 the juvenile attains 18 years of age shall apply for 5 years after the date on which the
15 order is granted, if the juvenile is adjudicated delinquent for committing a violation
16 of s. 943.10 (2) or for committing an act that would be punishable as a Class B or C
17 felony if committed by an adult, or until the juvenile reaches 25 years of age, if the
18 juvenile is adjudicated delinquent for committing an act that would be punishable
19 as a Class A felony if committed by an adult. Except as provided in s. 938.368, an
20 extension of an order under s. 938.34 (4d), (4h), (4m), or (4n) made before the juvenile
21 ~~attains 17 years of age~~ becomes an adult shall terminate at the end of one year after
22 the date on which the order is granted unless the court specifies a shorter period of
23 time or the court terminates the order sooner. No extension under s. 938.365 of an
24 original dispositional order under s. 938.34 (4d), (4h), (4m), or (4n) may be granted

1 for a juvenile who is ~~17 years of age or older when~~ becomes an adult by the time the
2 original dispositional order terminates.

3 **SECTION 37.** 938.355 (4m) (a) of the statutes is amended to read:

4 938.355 (**4m**) (a) A juvenile who has been adjudged delinquent under s. 48.12,
5 1993 stats., or s. 938.12 may, on ~~attaining 17 years of age~~ becoming an adult, petition
6 the court to expunge the court's record of the juvenile's adjudication. Subject to par.
7 (b), the court may expunge the record if the court determines that the juvenile has
8 satisfactorily complied with the conditions of his or her dispositional order and that
9 the juvenile will benefit from, and society will not be harmed by, the expungement.

10 **SECTION 38.** 938.39 of the statutes is amended to read:

11 **938.39 Disposition by court bars criminal proceeding.** Disposition by the
12 court of any violation of state law within its jurisdiction under s. 938.12 bars any
13 future criminal proceeding on the same matter in circuit court when the juvenile
14 ~~reaches the age of 17~~ becomes an adult. This section does not affect criminal
15 proceedings in circuit court that were transferred under s. 938.18.

16 **SECTION 39.** Subchapter IX (title) of chapter 938 [precedes 938.44] of the
17 statutes is amended to read:

18 **CHAPTER 938**

19 **SUBCHAPTER IX**

20 **JURISDICTION OVER PERSONS 17**

21 **OR OLDER ADULTS**

22 **SECTION 40.** 938.44 of the statutes is amended to read:

23 **938.44 Jurisdiction over persons ~~17 or older~~ adults.** The court has
24 jurisdiction over persons ~~17 years of age or older~~ adults as provided under ss. 938.355
25 (4), 938.357 (6), 938.365 (5), and 938.45 and as otherwise specified in this chapter.

1 **SECTION 41.** 938.45 (1) (a) of the statutes is amended to read:

2 938.45 (1) (a) If in the hearing of a case of a juvenile alleged to be delinquent
3 under s. 938.12 or in need of protection or services under s. 938.13 it appears that any
4 ~~person 17 years of age or older~~ adult has been guilty of contributing to, encouraging,
5 or tending to cause by any act or omission, ~~such~~ that condition of the juvenile, the
6 court may make orders with respect to the conduct of that person in his or her
7 relationship to the juvenile, including orders relating to determining the ability of
8 the person to provide for the maintenance or care of the juvenile and directing when,
9 how, and from where funds for the maintenance or care shall be paid.

10 **SECTION 42.** 938.45 (3) of the statutes is amended to read:

11 938.45 (3) PROSECUTION OF ADULT CONTRIBUTING TO DELINQUENCY OF JUVENILE.
12 If it appears at a court hearing that any ~~person 17 years of age or older~~ adult has
13 violated s. 948.40, the court shall refer the record to the district attorney. This
14 subsection does not prohibit prosecution of violations of s. 948.40 without the prior
15 reference by the court to the district attorney.

16 **SECTION 43.** 938.48 (4m) (title) of the statutes is amended to read:

17 938.48 (4m) (title) CONTINUING CARE AND SERVICES FOR JUVENILES ~~OVER 17~~ WHO
18 BECOME ADULTS.

19 **SECTION 44.** 938.48 (4m) (a) of the statutes is amended to read:

20 938.48 (4m) (a) Is ~~at least 17 years of age~~ an adult.

21 **SECTION 45.** 938.48 (4m) (b) of the statutes is amended to read:

22 938.48 (4m) (b) Was under the supervision of the department under s. 938.183,
23 938.34 (4h), or 938.357 (3) or (4) when the person ~~reached 17 years of age~~ became an
24 adult.

25 **SECTION 46.** 938.48 (14) of the statutes is amended to read:

1 938.48 (14) SCHOOL-RELATED EXPENSES FOR JUVENILES ~~OVER 17~~ WHO BECOME
2 ADULTS. Pay maintenance, tuition, and related expenses from the appropriation
3 under s. 20.410 (3) (ho) for persons who, when they ~~attained 17 years of age~~ became
4 adults, were students regularly attending a school, college, or university or regularly
5 attending a course of vocational or technical training designed to prepare them for
6 gainful employment, and who upon ~~attaining that age~~ becoming adults were under
7 the supervision of the department under s. 938.183, 938.34 (4h), or 938.357 (3) or (4)
8 as a result of a judicial decision.

9 **SECTION 47.** 938.57 (3) (title) of the statutes is amended to read:

10 938.57 (3) (title) CONTINUING MAINTENANCE FOR JUVENILES ~~OVER 17~~ WHO BECOME
11 ADULTS.

12 **SECTION 48.** 938.57 (3) (a) (intro.) of the statutes is amended to read:

13 938.57 (3) (a) (intro.) From the reimbursement received under s. 48.569 (1) (d),
14 counties may provide funding for the maintenance of any juvenile person who meets
15 all of the following qualifications:

16 **SECTION 49.** 938.57 (3) (a) 1. of the statutes is amended to read:

17 938.57 (3) (a) 1. Is ~~17 years of age or older~~ an adult.

18 **SECTION 50.** 938.57 (3) (a) 3. of the statutes is amended to read:

19 938.57 (3) (a) 3. Received funding under s. 48.569 (1) (d) immediately prior to
20 ~~his or her 17th birthday~~ becoming an adult.

21 **SECTION 51.** 938.57 (3) (b) of the statutes is amended to read:

22 938.57 (3) (b) The funding provided for the maintenance of a juvenile person
23 under par. (a) shall be in an amount equal to that which the juvenile person would
24 receive under s. 48.569 (1) (d) if the person were a juvenile ~~were 16 years of age~~.

25 **SECTION 52.** 946.50 (intro.) of the statutes is amended to read:

1 **946.50 Absconding.** (intro.) Any person who is adjudicated delinquent, but
2 who intentionally fails to appear before the court assigned to exercise jurisdiction
3 under chs. 48 and 938 for his or her dispositional hearing under s. 938.335, and who
4 does not return to that court for a dispositional hearing before ~~attaining the age of~~
5 ~~17 years~~ becoming an adult is guilty of the following:

6 **SECTION 53.** 948.01 (1) of the statutes is amended to read:

7 948.01 (1) “Child” means a person who has not attained the age of 18 years,
8 ~~except that for purposes of prosecuting a person who is alleged to have violated a~~
9 ~~state or federal criminal law, “child” does not include a person who has attained the~~
10 ~~age of 17 years.~~

11 **SECTION 54.** 948.11 (2) (am) (intro.) of the statutes is amended to read:

12 948.11 (2) (am) (intro.) Any person ~~who has attained the age of 17 and~~ adult
13 who, with knowledge of the character and content of the description or narrative
14 account, verbally communicates, by any means, a harmful description or narrative
15 account to a child, with or without monetary consideration, is guilty of a Class I
16 felony if any of the following applies:

17 **SECTION 55.** 948.45 (1) of the statutes is amended to read:

18 948.45 (1) Except as provided in sub. (2), any person ~~17 years of age or older~~
19 adult who, by any act or omission, knowingly encourages or contributes to the
20 truancy, as defined under s. 118.16 (1) (c), of a person ~~17 years of age or under~~ child
21 is guilty of a Class C misdemeanor.

22 **SECTION 56.** 948.60 (2) (d) of the statutes is amended to read:

23 948.60 (2) (d) A person ~~under 17 years of age~~ child who has violated this
24 subsection is subject to the provisions of ch. 938 unless jurisdiction is waived under

1 s. 938.18 or the person is subject to the jurisdiction of a court of criminal jurisdiction
2 under s. 938.183.

3 **SECTION 57.** 948.61 (4) of the statutes is amended to read:

4 948.61 (4) A ~~person under 17 years of age~~ child who has violated this section
5 is subject to the provisions of ch. 938, unless jurisdiction is waived under s. 938.18
6 or the person is subject to the jurisdiction of a court of criminal jurisdiction under s.
7 938.183.

8 **SECTION 58.** 961.455 (title) of the statutes is amended to read:

9 **961.455 (title) Using a ~~child~~ minor for illegal drug distribution or**
10 **manufacturing purposes.**

11 **SECTION 59.** 961.455 (1) of the statutes is amended to read:

12 961.455 (1) Any ~~person who has attained the age of 17 years~~ adult who
13 knowingly solicits, hires, directs, employs, or uses a ~~person who is under the age of~~
14 ~~17 years~~ minor for the purpose of violating s. 961.41 (1) is guilty of a Class F felony.

15 **SECTION 60.** 961.455 (2) of the statutes is amended to read:

16 961.455 (2) The knowledge requirement under sub. (1) does not require proof
17 of knowledge of the age of the ~~child~~ minor. It is not a defense to a prosecution under
18 this section that the actor mistakenly believed that the person solicited, hired,
19 directed, employed, or used under sub. (1) had attained the age of 18 years, even if
20 the mistaken belief was reasonable.

21 **SECTION 61.** 961.46 of the statutes is amended to read:

22 **961.46 Distribution to ~~persons under age 18~~ minors.** ~~If a person 17 years~~
23 ~~of age or over~~ an adult violates s. 961.41 (1) by distributing or delivering a controlled
24 substance or a controlled substance analog to a ~~person 17 years of age or under~~ minor
25 who is at least 3 years his or her junior, the applicable maximum term of

1 imprisonment prescribed under s. 961.41 (1) for the offense may be increased by not
2 more than 5 years.

3 **SECTION 62.** 961.573 (2) of the statutes is amended to read:

4 961.573 (2) Any person minor who violates sub. (1) ~~who is under 17 years of age~~
5 is subject to a disposition under s. 938.344 (2e).

6 **SECTION 63.** 961.574 (2) of the statutes is amended to read:

7 961.574 (2) Any person minor who violates sub. (1) ~~who is under 17 years of age~~
8 is subject to a disposition under s. 938.344 (2e).

9 **SECTION 64.** 961.575 (1) of the statutes is amended to read:

10 961.575 (1) Any person ~~17 years of age or over~~ adult who violates s. 961.574 (1)
11 by delivering drug paraphernalia to a person ~~17 years of age or under~~ minor who is
12 at least 3 years younger than the violator may be fined not more than \$10,000 or
13 imprisoned for not more than 9 months or both.

14 **SECTION 65.** 961.575 (2) of the statutes is amended to read:

15 961.575 (2) Any person minor who violates this section ~~who is under 17 years~~
16 ~~of age~~ is subject to a disposition under s. 938.344 (2e).

17 **SECTION 66.** 961.575 (3) of the statutes is amended to read:

18 961.575 (3) Any person ~~17 years of age or over~~ adult who violates s. 961.574 (3)
19 by delivering drug paraphernalia to a person ~~17 years of age or under~~ minor is guilty
20 of a Class G felony.

21 **SECTION 67.** 990.01 (3) of the statutes is amended to read:

22 990.01 (3) ADULT. "Adult" means a person who has attained the age of 18 years,
23 ~~except that for purposes of investigating or prosecuting a person who is alleged to~~
24 ~~have violated any state or federal criminal law or any civil law or municipal~~
25 ~~ordinance, "adult" means a person who has attained the age of 17 years.~~

1 **SECTION 68.** 990.01 (20) of the statutes is amended to read:

2 990.01 (20) MINOR. “Minor” means a person who has not attained the age of
3 18 years, ~~except that for purposes of investigating or prosecuting a person who is~~
4 ~~alleged to have violated a state or federal criminal law or any civil law or municipal~~
5 ~~ordinance, “minor” does not include a person who has attained the age of 17 years.~~

6 **SECTION 9308. Initial applicability; Corrections.**

7 (1) AGE OF ADULT JURISDICTION. The treatment of ss. 48.02 (1d) and (2), 48.44,
8 48.45 (1) (a) and (am) and (3), 118.163 (4), 125.07 (4) (d) and (e) 1., 125.085 (3) (bt),
9 165.83 (1) (c) 1. and 2., 301.12 (2m) and (14) (a), 302.31 (7), 938.02 (1) and (10m),
10 938.12 (2), 938.18 (2), 938.183 (3), 938.255 (1) (intro.), 938.34 (8), 938.343 (2), 938.344
11 (3), 938.35 (1m), 938.355 (4) (b) and (4m) (a), 938.39, 938.44, 938.45 (1) (a) and (3),
12 938.48 (4m) (title), (a), and (b) and (14), 938.57 (3) (title), (a) (intro.), 1., and 3., and
13 (b), 946.50 (intro.), 948.01 (1), 948.11 (2) (am) (intro.), 948.45 (1), 948.60 (2) (d),
14 948.61 (4), 961.455 (title), (1), and (2), 961.46, 961.573 (2), 961.574 (2), 961.575 (1),
15 (2), and (3), and 990.01 (3) and (20), subch. IX (title) of ch. 48, and subch. IX (title)
16 of ch. 938 first applies to a violation of a criminal law, civil law, or municipal
17 ordinance allegedly committed on the effective date of this subsection.

18 **SECTION 9408. Effective dates; Corrections.**

19 (1) AGE OF ADULT JURISDICTION. The treatment of ss. 48.02 (1d) and (2), 48.44,
20 48.45 (1) (a) and (am) and (3), 118.163 (4), 125.07 (4) (d) and (e) 1., 125.085 (3) (bt),
21 165.83 (1) (c) 1. and 2., 301.12 (2m) and (14) (a), 302.31 (7), 938.02 (1) and (10m),
22 938.12 (2), 938.18 (2), 938.183 (3), 938.255 (1) (intro.), 938.34 (8), 938.343 (2), 938.344
23 (3), 938.35 (1m), 938.355 (4) (b) and (4m) (a), 938.39, 938.44, 938.45 (1) (a) and (3),
24 938.48 (4m) (title), (a), and (b) and (14), 938.57 (3) (title), (a) (intro.), 1., and 3., and
25 (b), 946.50 (intro.), 948.01 (1), 948.11 (2) (am) (intro.), 948.45 (1), 948.60 (2) (d),

1 948.61 (4), 961.455 (title), (1), and (2), 961.46, 961.573 (2), 961.574 (2), 961.575 (1),
2 (2), and (3), and 990.01 (3) and (20), subch. IX (title) of ch. 48, and subch. IX (title)
3 of ch. 938 and SECTION 9308 (1) of this act take effect on January 1, 2024.”.

4 **218.** Page 374, line 11: after that line insert:

5 “SECTION 69. 20.625 (1) (h) of the statutes is repealed.

6 SECTION 70. 973.25 (4) (a) of the statutes is amended to read:

7 973.25 (4) (a) An offender may file an application for a certificate of
8 qualification for employment with the council on offender employment on a form to
9 be provided by the director of state courts along with an application fee of \$20 that
10 shall be deposited in the appropriation under s. 20.625 (1) (h). The council may waive
11 the fee if the offender submits an affidavit along with the application in which he or
12 she swears or affirms that he or she is unable to pay the application fee.

13 **SECTION 9207. Fiscal changes; Circuit Courts.**

14 (1) CERTIFICATES OF QUALIFICATION FOR EMPLOYMENT APPROPRIATION. The
15 unencumbered balance in s. 20.625 (1) (h), 2021 stats., is transferred to s. 20.625 (1)
16 (g), and the amounts in the schedule for s. 20.625 (1) (g) are increased by the amount
17 transferred.

18 **SECTION 9307. Initial applicability; Circuit Courts.**

19 (1) CERTIFICATES OF QUALIFICATION FOR EMPLOYMENT. The treatment of s. 973.25
20 (4) (a) first applies to an application submitted on the effective date of this
21 subsection.”.

22 **219.** Page 374, line 11: after that line insert:

23 “SECTION 71. 20.625 (1) (cg) of the statutes is amended to read:

1 20.625 (1) (cg) *Circuit court costs; generally.* Biennially, the amounts in the
2 schedule to make payments to counties for circuit court costs under s. 758.19 (5) (am)
3 to (i).

4 **SECTION 72.** 20.625 (1) (d) of the statutes is created to read:

5 20.625 (1) (d) *Circuit court costs; pretrial risk assessments.* Biennially, the
6 amounts in the schedule to reimburse counties for circuit court costs under s. 758.19
7 (5) (j).

8 **SECTION 73.** 758.19 (5) (j) of the statutes is created to read:

9 758.19 (5) (j) Notwithstanding par. (b), the director of state courts shall make
10 payments from the appropriation under s. 20.625 (1) (d) to counties to reimburse
11 counties for circuit court costs related to implementing the use of pretrial risk
12 assessments.”.

13 **220.** Page 374, line 11: after that line insert:

14 “**SECTION 74.** 134.66 (title) of the statutes is amended to read:

15 **134.66 (title) Restrictions on sale or gift of cigarettes or nicotine, vapor,**
16 **or tobacco products.**

17 **SECTION 75.** 134.66 (1) (jm) of the statutes is created to read:

18 134.66 (1) (jm) “Vapor product” has the meaning given in s. 139.75 (14).

19 **SECTION 76.** 134.66 (2) (a), (am), (b) and (cm) 1m. of the statutes are amended
20 to read:

21 134.66 (2) (a) No retailer, direct marketer, manufacturer, distributor, jobber or
22 subjobber, no agent, employee or independent contractor of a retailer, direct
23 marketer, manufacturer, distributor, jobber or subjobber and no agent or employee
24 of an independent contractor may sell or provide for nominal or no consideration

1 cigarettes, nicotine products, ~~or tobacco products,~~ or vapor products to any person
2 under the age of ~~18~~ 21, except as provided in s. 254.92 (2) (a). A vending machine
3 operator is not liable under this paragraph for the purchase of cigarettes, nicotine
4 products, ~~or tobacco products,~~ or vapor products from his or her vending machine by
5 a person under the age of ~~18~~ 21 if the vending machine operator was unaware of the
6 purchase.

7 (am) No retailer, direct marketer, manufacturer, distributor, jobber, subjobber,
8 no agent, employee or independent contractor of a retailer, direct marketer,
9 manufacturer, distributor, jobber or subjobber and no agent or employee of an
10 independent contractor may provide for nominal or no consideration cigarettes,
11 nicotine products, ~~or tobacco products,~~ or vapor products to any person except in a
12 place where no person younger than ~~18~~ 21 years of age is present or permitted to
13 enter unless the person who is younger than ~~18~~ 21 years of age is accompanied by his
14 or her parent or guardian or by his or her spouse who has attained the age of ~~18~~ 21
15 years.

16 (b) 1. A retailer shall post a sign in areas within his or her premises where
17 cigarettes ~~or,~~ tobacco products, or vapor products are sold to consumers stating that
18 the sale of any cigarette ~~or,~~ tobacco product, or vapor product to a person under the
19 age of ~~18~~ 21 is unlawful under this section and s. 254.92.

20 2. A vending machine operator shall attach a notice in a conspicuous place on
21 the front of his or her vending machines stating that the purchase of any cigarette
22 ~~or,~~ tobacco product, or vapor product by a person under the age of ~~18~~ 21 is unlawful
23 under s. 254.92 and that the purchaser is subject to a forfeiture of not to exceed \$50.

24 (cm) 1m. A retailer or vending machine operator may not sell cigarettes ~~or,~~
25 tobacco products, or vapor products from a vending machine unless the vending

1 machine is located in a place where the retailer or vending machine operator ensures
2 that no person younger than ~~18~~ 21 years of age is present or permitted to enter unless
3 he or she is accompanied by his or her parent or guardian or by his or her spouse who
4 has attained the age of ~~18~~ 21 years.

5 **SECTION 77.** 134.66 (2m) (a) of the statutes is amended to read:

6 134.66 **(2m)** (a) Except as provided in par. (b), at the time that a retailer hires
7 or contracts with an agent, employee, or independent contractor whose duties will
8 include the sale of cigarettes, vapor products, or tobacco products, the retailer shall
9 provide the agent, employee, or independent contractor with training on compliance
10 with sub. (2) (a) and (am), including training on the penalties under sub. (4) (a) 2. for
11 a violation of sub. (2) (a) or (am). The department of health services shall make
12 available to any retailer on request a training program developed or approved by that
13 department that provides the training required under this paragraph. A retailer
14 may comply with this paragraph by providing the training program developed or
15 approved by the department of health services or by providing a comparable training
16 program approved by that department. At the completion of the training, the retailer
17 and the agent, employee, or independent contractor shall sign a form provided by the
18 department of health services verifying that the agent, employee, or independent
19 contractor has received the training, which the retailer shall retain in the personnel
20 file of the agent, employee, or independent contractor.

21 **SECTION 78.** 134.66 (3) of the statutes is amended to read:

22 134.66 **(3)** DEFENSE; SALE TO MINOR. Proof of all of the following facts by a
23 retailer, manufacturer, distributor, jobber, or subjobber, an agent, employee, or
24 independent contractor of a retailer, manufacturer, distributor, jobber, or subjobber,
25 or an agent or employee of an independent contractor who sells cigarettes ~~or~~, tobacco

1 products, or vapor products to a person under the age of ~~18~~ 21 is a defense to any
2 prosecution, or a complaint made under s. 134.65 (7), for a violation of sub. (2) (a):

3 (a) That the purchaser falsely represented that he or she had attained the age
4 of ~~18~~ 21 and presented an identification card.

5 (b) That the appearance of the purchaser was such that an ordinary and
6 prudent person would believe that the purchaser had attained the age of ~~18~~ 21.

7 (c) That the sale was made in good faith, in reasonable reliance on the
8 identification card and appearance of the purchaser and in the belief that the
9 purchaser had attained the age of ~~18~~ 21.

10 **SECTION 79.** 139.345 (3) (a) (intro.) of the statutes is amended to read:

11 139.345 (3) (a) (intro.) Verifies the consumer's name and address and that the
12 consumer is at least ~~18~~ 21 years of age by any of the following methods:

13 **SECTION 80.** 139.345 (3) (b) 2. of the statutes is amended to read:

14 139.345 (3) (b) 2. That the consumer understands that no person who is under
15 ~~18~~ 21 years of age may purchase or possess cigarettes or falsely represent his or her
16 age for the purpose of receiving cigarettes, as provided under s. 254.92.

17 **SECTION 81.** 139.345 (7) (a) of the statutes is amended to read:

18 139.345 (7) (a) No person may deliver a package of cigarettes sold by direct
19 marketing to a consumer in this state unless the person making the delivery receives
20 a government issued identification card from the person receiving the package and
21 verifies that the person receiving the package is at least ~~18~~ 21 years of age. If the
22 person receiving the package is not the person to whom the package is addressed, the
23 person delivering the package shall have the person receiving the package sign a
24 statement that affirms that the person to whom the package is addressed is at least
25 ~~18~~ 21 years of age.

1 (d) A photograph or videotape of the ~~minor~~ person under 21 years of age shall
2 be made before or after the investigation or series of investigations on the day of the
3 investigation or series of investigations. If a prosecution results from an
4 investigation, the photograph or videotape shall be retained until the final
5 disposition of the case.

6 **SECTION 87.** 254.916 (3) (f) 2. of the statutes is amended to read:

7 254.916 (3) (f) 2. The age of the ~~minor~~ person under 21 years of age.

8 **SECTION 88.** 254.916 (11) of the statutes is amended to read:

9 254.916 (11) A person conducting an investigation under this section may not
10 have a financial interest in a regulated cigarette and tobacco product retailer, a vapor
11 product retailer, a tobacco vending machine operator, a tobacco vending machine
12 premises, or a tobacco vending machine that may interfere with his or her ability to
13 properly conduct that investigation. A person who is investigated under this section
14 may request the local health department or local law enforcement agency that
15 contracted for the investigation to conduct a review under ch. 68 to determine
16 whether the person conducting the investigation is in compliance with this
17 subsection or, if applicable, may request the state agency or state law enforcement
18 agency that contracted for the investigation to conduct a contested case hearing
19 under ch. 227 to make that determination. The results of an investigation that is
20 conducted by a person who is not in compliance with this subsection may not be used
21 to prosecute a violation of s. 134.66 (2) (a) or (am) or a local ordinance adopted under
22 s. 134.66 (5).

23 **SECTION 89.** 254.92 (title) of the statutes is amended to read:

24 **254.92 (title) Purchase or possession of cigarettes ~~or~~ tobacco products,**
25 **nicotine products, or vapor products by person under 18 21 prohibited.**

1 **SECTION 90.** 254.92 (1) of the statutes is amended to read:

2 254.92 (1) No person under ~~18~~ 21 years of age may falsely represent his or her
3 age for the purpose of receiving any cigarette, nicotine product, ~~or~~ tobacco product,
4 or vapor product.

5 **SECTION 91.** 254.92 (2) of the statutes is amended to read:

6 254.92 (2) No person under ~~18~~ 21 years of age may purchase, attempt to
7 purchase, or possess any cigarette, nicotine product, ~~or~~ tobacco product, or vapor
8 product except as follows:

9 (a) A person under ~~18~~ 21 years of age may purchase or possess cigarettes,
10 nicotine products, ~~or~~ tobacco products, or vapor products for the sole purpose of resale
11 in the course of employment during his or her working hours if employed by a
12 retailer.

13 (b) A person under ~~18~~ 21 years of age, but not under 15 years of age, may
14 purchase, attempt to purchase or possess cigarettes, nicotine products, ~~or~~ tobacco
15 products, or vapor products in the course of his or her participation in an
16 investigation under s. 254.916 that is conducted in accordance with s. 254.916 (3).

17 **SECTION 92.** 254.92 (2m) (intro.) of the statutes is amended to read:

18 254.92 (2m) (intro.) No person may purchase cigarettes, tobacco products, ~~or~~
19 nicotine products, or vapor products on behalf of, or to provide to, any person who is
20 under ~~18~~ 21 years of age. Any person who violates this subsection may be:

21 **SECTION 93.** 254.92 (3) of the statutes is amended to read:

22 254.92 (3) A law enforcement officer shall seize any cigarette, nicotine product,
23 ~~or~~ tobacco product, or vapor product that has been sold to and is in the possession of
24 a person under ~~18~~ 21 years of age.

1 **SECTION 9302. Initial applicability; Agriculture, Trade and Consumer**
2 **Protection.**

3 (1) MINIMUM AGE FOR CIGARETTES, NICOTINE PRODUCTS, TOBACCO PRODUCTS, AND
4 VAPOR PRODUCTS. The treatment of ss. 134.66 (title), (1) (jm), (2) (a), (am), (b), and (cm)
5 1m., (2m) (a), and (3), 139.345 (3) (a) (intro.) and (b) 2. and (7) (a), 254.911 (11),
6 254.916 (2) (intro.) and (d), (3) (a), (b), (c), (d), and (f) 2., and (11), and 254.92 (title),
7 (1), (2), (2m) (intro.), and (3) and subch. IX (title) of ch. 254 first applies to purchases,
8 attempts to purchase, possession, and false representations of age for the purpose of
9 receiving any cigarette, nicotine product, tobacco product, or vapor product by
10 persons under 21 years of age on the effective date of this subsection and to sales or
11 the provision of cigarettes, nicotine products, tobacco products, or vapor products to
12 persons under 21 years of age on the effective date of this subsection.”.

13 **221.** Page 374, line 11: after that line insert:

14 “**SECTION 94.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
15 insert the following amounts for the purposes indicated:

				2023-24	2024-25
16	20.455	Justice, department of			
17	(2)	LAW ENFORCEMENT SERVICES			
18	(be)	Law enforcement recruitment,			
19		retention, and wellness grant			
20		program	GPR C	5,000,000	5,000,000

21 **SECTION 95.** 20.455 (2) (be) of the statutes is created to read:

22 20.455 (2) (be) *Law enforcement recruitment, retention, and wellness grant*
23 *program.* As a continuing appropriation, the amounts in the schedule to provide

1 grants under s. 165.991 to law enforcement agencies to fund programs designed to
2 recruit and retain law enforcement officers and promote officer wellness.

3 **SECTION 96.** 165.991 of the statutes is created to read:

4 **165.991 Grants for law enforcement recruitment, retention, and**
5 **wellness programs.** The department of justice shall award grants from the
6 appropriation under s. 20.455 (2) (be) to law enforcement agencies and tribal law
7 enforcement agencies in this state to fund programs that recruit and retain law
8 enforcement officers and that promote officer wellness.”.

9 **222.** Page 374, line 11: after that line insert:

10 “**SECTION 97.** 165.08 (1) of the statutes is amended to read:

11 165.08 (1) Any civil action prosecuted by the department by direction of any
12 officer, department, board, or commission, ~~or any shall be compromised or~~
13 ~~discontinued when so directed by such officer, department, board, or commission.~~
14 Any civil action prosecuted by the department on the initiative of the attorney
15 general, or at the request of any individual may be compromised or discontinued with
16 the approval of an intervenor under s. 803.09 (2m) or, if there is no intervenor, by
17 submission of a proposed plan to the joint committee on finance for the approval of
18 the committee. ~~The compromise or discontinuance may occur only if the joint~~
19 ~~committee on finance approves the proposed plan. No proposed plan may be~~
20 ~~submitted to the joint committee on finance if the plan concedes the~~
21 ~~unconstitutionality or other invalidity of a statute, facially or as applied, or concedes~~
22 ~~that a statute violates or is preempted by federal law, without the approval of the~~
23 ~~joint committee on legislative organization~~ the governor.

24 **SECTION 98.** 165.12 (2) (a) of the statutes is repealed.

1 **SECTION 99.** 165.25 (6) (a) 1. of the statutes is amended to read:

2 165.25 **(6)** (a) 1. At the request of the head of any department of state
3 government, the attorney general may appear for and defend any state department,
4 or any state officer, employee, or agent of the department in any civil action or other
5 matter brought before a court or an administrative agency which is brought against
6 the state department, or officer, employee, or agent for or on account of any act
7 growing out of or committed in the lawful course of an officer's, employee's, or agent's
8 duties. Witness fees or other expenses determined by the attorney general to be
9 reasonable and necessary to the defense in the action or proceeding shall be paid as
10 provided for in s. 885.07. The attorney general may compromise and settle the action
11 as the attorney general determines to be in the best interest of the state ~~except that,~~
12 ~~if the action is for injunctive relief or there is a proposed consent decree, the attorney~~
13 ~~general may not compromise or settle the action without the approval of an~~
14 ~~intervenor under s. 803.09 (2m) or, if there is no intervenor, without first submitting~~
15 ~~a proposed plan to the joint committee on finance. If, within 14 working days after~~
16 ~~the plan is submitted, the cochairpersons of the committee notify the attorney~~
17 ~~general that the committee has scheduled a meeting for the purpose of reviewing the~~
18 ~~proposed plan, the attorney general may compromise or settle the action only with~~
19 ~~the approval of the committee. The attorney general may not submit a proposed plan~~
20 ~~to the joint committee on finance under this subdivision in which the plan concedes~~
21 ~~the unconstitutionality or other invalidity of a statute, facially or as applied, or~~
22 ~~concedes that a statute violates or is preempted by federal law, without the approval~~
23 ~~of the joint committee on legislative organization.".~~

24 **223.** Page 374, line 11: after that line insert:

1 “**SECTION 100.** 20.455 (2) (gb) of the statutes is amended to read:

2 20.455 (2) (gb) *Gifts and grants.* ~~The amounts in the schedule to carry out the~~
3 ~~purposes for which gifts and grants are made and received.~~ All moneys received from
4 gifts and grants, other than moneys received for and credited to another
5 appropriation account under this subsection, ~~shall be credited to this appropriation~~
6 ~~account to carry out the purposes for which made and received.~~

7 **SECTION 101.** 20.455 (3) (g) of the statutes is amended to read:

8 20.455 (3) (g) *Gifts, grants and proceeds.* ~~The amounts in the schedule to carry~~
9 ~~out the purposes for which gifts and grants are made and collected.~~ All moneys
10 received from gifts and grants and all proceeds from services, conferences, and sales
11 of publications and promotional materials to carry out the purposes for which made
12 or collected, except as provided in sub. (2) (gm) and (gp) and to transfer to s. 20.505
13 (1) (kg), at the discretion of the attorney general, an amount not to exceed \$98,300
14 annually, ~~shall be credited to this appropriation account.~~

15 **SECTION 102.** 165.10 of the statutes is amended to read:

16 **165.10 Deposit Limits on expenditure of discretionary settlement**
17 **funds.** The Notwithstanding s. 20.455 (3), before the attorney general shall deposit
18 all may expend settlement funds into the general fund under s. 20.455 (3) (g) that are
19 not committed under the terms of the settlement, the attorney general shall submit
20 to the joint committee on finance a proposed plan for the expenditure of the funds.
21 If the cochairpersons of the committee do not notify the attorney general within 14
22 working days after the submittal that the committee has scheduled a meeting for the
23 purpose of reviewing the proposed plan, the attorney general may expend the funds
24 to implement the proposed plan. If, within 14 working days after the submittal, the
25 cochairpersons of the committee notify the attorney general that the committee has

1 scheduled a meeting for the purpose of reviewing the proposed plan, the attorney
2 general may expend the funds only to implement the plan as approved by the
3 committee.”.

4 **224.** Page 374, line 11: after that line insert:

5 “**SECTION 103.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
6 insert the following amounts for the purposes indicated:

		2023-24		2024-25
20.455 Justice, department of				
(2) LAW ENFORCEMENT SERVICES				
(fw) Elder abuse hotline and grant				
program	GPR C	-0-		250,000

11 **SECTION 104.** 20.455 (2) (fw) of the statutes is created to read:

12 20.455 (2) (fw) *Elder abuse hotline and grant program.* As a continuing
13 appropriation, the amounts in the schedule to fund a statewide elder abuse hotline
14 and to provide grants under s. 165.937 to programs that promote the protection of
15 elders.

16 **SECTION 105.** 165.937 of the statutes is created to read:

17 **165.937 Grants for protection of elders. (1)** The department of justice shall
18 award grants from the appropriation under s. 20.455 (2) (fw) to organizations that
19 promote the protection of elders.

20 (2) The department of justice shall provide funds from the appropriation under
21 s. 20.455 (2) (fw) to support a statewide elder abuse hotline for persons to
22 anonymously provide tips regarding suspected elder abuse.”.

23 **225.** Page 374, line 11: after that line insert:

1 **“SECTION 106.** 66.0501 (1) of the statutes is renumbered 66.0501 (1) (a) and
2 amended to read:

3 66.0501 (1) (a) ~~No~~ Except as provided in par. (b), no person may be appointed
4 deputy sheriff of any county or police officer for any city, village, or town unless that
5 person is a citizen of the United States. This section does not apply to common
6 carriers or to a deputy sheriff not required to take an oath of office.

7 **SECTION 107.** 66.0501 (1) (b) of the statutes is created to read:

8 66.0501 (1) (b) The sheriff of a county or the appointing authority of a local law
9 enforcement agency that provides police service to a city, village, or town may elect
10 to authorize the appointment of noncitizens who are in receipt of valid employment
11 authorization from the federal department of homeland security as deputy sheriffs
12 for that county or as police officers for that city, village, or town.

13 **SECTION 108.** 165.85 (4) (a) 1m. of the statutes is created to read:

14 165.85 (4) (a) 1m. The board may not create criteria for participation in the
15 preparatory training program under subd. 1. that would prevent a person from
16 participation if the person is in receipt of a valid employment authorization from the
17 federal department of homeland security.”.

18 **226.** Page 374, line 11: after that line insert:

19 **“SECTION 9106. Nonstatutory provisions; Children and Families.**

20 (1) JUVENILE JUSTICE REFORM REVIEW COMMITTEE.

21 (a) There is created in the department of children and families a juvenile justice
22 reform review committee with members appointed by the governor.

1 (b) The juvenile justice reform review committee shall study and, prior to
2 September 16, 2024, provide recommendations to the department of children and
3 families and the department of corrections on how to do all of the following:

4 1. Increase the minimum age of delinquency.

5 2. Eliminate original adult court jurisdiction over juveniles under s. 938.183.

6 3. Modify the waiver procedure for adult court jurisdiction over juveniles and
7 incorporate offenses currently subject to original adult court jurisdiction into the
8 waiver procedure.

9 4. Eliminate the serious juvenile offender program under s. 938.538 and create
10 extended juvenile court jurisdiction with a blended juvenile and adult sentence
11 structure for certain juvenile offenders.

12 5. Prohibit placement of a juvenile in a juvenile detention facility for a status
13 offense and limit sanctions and short-term holds in a juvenile detention facility to
14 cases where there is a public safety risk.

15 6. Sunset long-term post-disposition programs at juvenile detention facilities.

16 7. Create a sentence adjustment procedure for youthful offenders.

17 8. Conform with the U.S. Constitution the statutes that mandate imposing
18 sentences of life imprisonment without parole or extended supervision to minors.

19 (c) In submitting information under s. 16.42 (1) for purposes of the 2025-27
20 biennial budget bill, the department of children and families and the department of
21 corrections shall each include a request to implement the juvenile justice reform
22 review committee's recommendations.

23 (d) The juvenile justice reform review committee terminates on September 16,
24 2024.”.

1 **227.** Page 374, line 11: after that line insert:

2 “**SECTION 109.** 20.455 (2) (a) of the statutes is amended to read:

3 20.455 (2) (a) *General program operations.* The amounts in the schedule for
4 general program operations, including operating the state crime laboratories,
5 performing criminal investigations, providing law enforcement services ~~and,~~
6 providing independent crime laboratory services for defendants in a felony case upon
7 authorization by the presiding judge, and operating the office of school safety.

8 **SECTION 9227. Fiscal changes; Justice.**

9 (1) OFFICE OF SCHOOL SAFETY. In the schedule under s. 20.005 (3) for the
10 appropriation to the department of justice under s. 20.455 (2) (a), the dollar amount
11 for fiscal year 2023-24 is increased by \$387,800 to increase the authorized FTE
12 positions for the department by 7.0 GPR positions for the operations of the office of
13 school safety to support and enhance school safety initiatives. In the schedule under
14 s. 20.005 (3) for the appropriation to the department of justice under s. 20.455 (2) (a),
15 the dollar amount for fiscal year 2024-25 is increased by \$601,000 to provide funding
16 for the positions authorized under this subsection.”.

17 **228.** Page 374, line 11: after that line insert:

18 “**SECTION 110.** 304.06 (1) (c) 3. of the statutes is amended to read:

19 304.06 (1) (c) 3. The victim of the crime committed by the inmate or, if the victim
20 died as a result of the crime, an adult member of the victim’s family and any member
21 of the victim’s family who was younger than 18 years old at the time the crime was
22 committed but is now 18 years old or older or, if the victim is younger than 18 years
23 old, the victim’s parent or legal guardian, upon submission of a card under par. (f)
24 requesting notification.

1 **SECTION 111.** 304.063 (2) (a) of the statutes is amended to read:

2 304.063 **(2)** (a) The victim of the crime committed by the prisoner or, if the
3 victim died as a result of the crime, an adult member of the victim's family and any
4 member of the victim's family who was younger than 18 years old at the time the
5 crime was committed but is now 18 years old or older or, if the victim is younger than
6 18 years old, the victim's parent or legal guardian.”.

7 **229.** Page 374, line 11: after that line insert:

8 “**SECTION 112.** 302.085 of the statutes is created to read:

9 **302.085 Treatment of a pregnant or postpartum person. (1) DEFINITIONS.**

10 In this section:

11 (a) “Correctional facility” has the meaning given in s. 101.123 (1) (ac).

12 (b) “Doula” means a nonmedical, trained professional who provides continuous
13 physical, emotional, and informational support during pregnancy, labor, birth, and
14 the postpartum period.

15 (c) “Doula services” means childbirth education and support services, including
16 emotional, physical, and informational support provided during pregnancy, labor,
17 birth, and the postpartum period.

18 (d) “Postpartum” means the period of time following the birth of an infant to
19 6 months after the birth.

20 (e) “Restrain” means to use a mechanical, chemical, or other device to constrain
21 the movement of a person's body or limbs.

22 **(2) RESTRAINING A PREGNANT PERSON.** (a) A representative of a correctional
23 facility may not restrain a person known to be pregnant unless the representative
24 makes an individualized determination that restraints are reasonably necessary to

1 ensure safety and security of the person, the staff of the correctional facility, other
2 inmates, or the public. If such a determination is made, the representative may use
3 only the least restrictive effective type of restraint that is most reasonable under the
4 circumstances.

5 (b) A representative of a correctional facility may not restrain a person known
6 to be pregnant while the person is being transported if the restraint is through the
7 use of leg irons, waist chains or other devices that cross or otherwise touch the
8 person's abdomen, or handcuffs or other devices that cross or otherwise touch the
9 person's wrists when affixed behind the person's back.

10 (c) A representative of a correctional facility may not place a person known to
11 be pregnant in solitary confinement for any punitive purpose.

12 (d) A representative of a correctional facility may restrain a person who is in
13 labor or who has given birth in the preceding 3 days only if all of the following apply:

14 1. There is a substantial flight risk or some other extraordinary medical or
15 security circumstance that requires restraints be used to ensure the safety and
16 security of the person, the staff of the correctional or medical facility, other inmates,
17 or the public.

18 2. The representative has made an individualized determination that
19 restraints are necessary to prevent escape or ensure safety or security.

20 3. There is no objection to the use of restraints by the treating medical care
21 provider.

22 4. The restraints used are the least restrictive effective type and are used in
23 the least restrictive manner.

1 (e) All staff members who may come into contact with a pregnant or postpartum
2 person at any correctional facility shall receive training on the requirements of this
3 subsection on an annual basis.

4 **(3) TREATMENT OF A PREGNANT OR POSTPARTUM PERSON.** A correctional facility
5 shall ensure all of the following for every person incarcerated at the facility:

6 (a) That every woman under 50 years of age is offered testing for pregnancy.

7 (b) That every pregnant person is offered testing for sexually transmitted
8 infections, including HIV.

9 (c) That every pregnant person who is on a methadone treatment regimen be
10 provided continuing methadone treatment.

11 (d) That every pregnant person and every person who has given birth in the
12 past 6 weeks is provided appropriate educational materials and resources related to
13 pregnancy, childbirth, breastfeeding, and parenting.

14 (e) That every pregnant person and every person who has given birth in the
15 past 6 weeks has access to doula services if these services are provided by a doula
16 without charge to the correctional facility or the incarcerated person pays for the
17 doula services.

18 (f) That every pregnant person and every person who has given birth in the past
19 6 months has access to a mental health assessment and, if necessary, mental health
20 treatment.

21 (g) That every pregnant person and every person who has given birth in the
22 past 6 months who is determined to be suffering from a mental illness has access to
23 evidence-based mental health treatment including psychotropic medication.

24 (h) That every pregnant person who is determined to be suffering from
25 depression and every person who has given birth in the past 6 months who is

1 determined to be suffering from postpartum depression has access to
2 evidence-based therapeutic care for depression.

3 (i) That every person who has given birth in the past 12 months whose body is
4 producing breast milk has access to the necessary supplies and is provided an
5 opportunity to express the breast milk as needed to maintain an active supply of
6 breast milk.

7 (j) That every pregnant person and every person who has given birth in the past
8 6 months is advised orally and in writing of all applicable laws and policies governing
9 an incarcerated pregnant or postpartum person.”.

10 **230.** Page 374, line 11: after that line insert:

11 “SECTION 113. 967.056 of the statutes is created to read:

12 **967.056 Prosecution of offenses; disorderly conduct.** (1) If a person is
13 accused of or charged with disorderly conduct in violation of s. 947.01 or a local
14 ordinance in conformity with s. 947.01, a prosecutor shall offer the person an
15 alternative to prosecution under sub. (2) if all of the following apply:

16 (a) The accused or charged violation is the person’s first violation of s. 947.01.

17 (b) The person has not previously been convicted of a misdemeanor or felony
18 for conduct that is substantially similar to the accused or charged violation.

19 (c) The person has not been convicted of a felony in this state, or of a violation
20 in another state that would be a felony if committed by an adult in this state, in the
21 preceding 3 years.

22 (2) A prosecutor shall offer one of the following alternatives to prosecution to
23 a qualifying person under sub. (1):

24 (a) A deferred prosecution agreement that includes restitution, if applicable.

1 (b) An agreement in which the defendant stipulates to his or her guilt of a
2 noncriminal ordinance violation that includes payment of a forfeiture.”

3 **231.** Page 374, line 11: after that line insert:

4 “SECTION 114. 20.005 (3) (schedule) of the statutes: at the appropriate place,
5 insert the following amounts for the purposes indicated:

		2023-24		2024-25
20.455 Justice, department of				

7 (1) LEGAL SERVICES

(hg) Legal services; tobacco settle-				
ment agreement	GPR	C	250,000	250,000

10 **SECTION 115.** 20.455 (1) (hg) of the statutes is created to read:

11 20.455 (1) (hg) *Legal services; tobacco settlement agreement.* As a continuing
12 appropriation, the amounts in the schedule for legal expenses as set forth under s.
13 165.14.

14 **SECTION 116.** 165.14 of the statutes is created to read:

15 **165.14 Tobacco settlement.** (1) In this section:

16 (a) “Department” means the department of justice.

17 (b) “Tobacco settlement agreement” means the Attorneys General Master
18 Tobacco Settlement Agreement of November 23, 1998.”.

19 (2) The department may expend moneys from the appropriation under s.
20 20.455 (1) (hg) for its legal expenses related to participation in arbitration or other
21 alternative dispute resolution processes arising from payments under the tobacco
22 settlement agreement.

1 **(3)** Annually, no later than September 1, the department shall submit a report
2 to the governor and to the chief clerk of each house of the legislature for distribution
3 under s. 13.172 (2) that identifies its expenses that are attributable to participation
4 in arbitration or other alternative dispute resolution processes arising from
5 payments under the tobacco settlement agreement.”.

6 **232.** Page 374, line 11: after that line insert:

7 “**SECTION 117.** 20.437 (1) (cj) of the statutes is amended to read:

8 20.437 (1) (cj) *Community youth and family aids.* The amounts in the schedule
9 for the improvement and provision of community-based juvenile
10 delinquency-related services under s. 48.526 and juvenile correctional services
11 under s. 301.26 and for reimbursement to counties having a population of less than
12 750,000 for the cost of court attached intake services as provided in s. 938.06 (4).
13 Disbursements may be made from this appropriation account under s. 49.32 (2).
14 Refunds received relating to payments made under s. 49.32 (2) shall be returned to
15 this appropriation account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the
16 department of children and families may transfer moneys under this paragraph
17 between fiscal years. Except for moneys authorized to be carried forward under s.
18 48.526 (3) (dm) or for transfer under s. 48.526 (3) (e), all moneys from this paragraph
19 allocated under s. 48.526 (3) and not spent or encumbered by counties by December
20 31 of each year shall lapse into the general fund on the succeeding January 1. The
21 joint committee on finance may transfer additional moneys to the next calendar year.

22 **SECTION 118.** 20.437 (1) (cm) of the statutes is amended to read:

1 20.437 (1) (cm) ~~Community intervention program~~ Youth justice system
2 improvement program. The amounts in the schedule for the ~~community intervention~~
3 ~~program~~ youth justice system improvement program under s. 48.528.

4 **SECTION 119.** 20.437 (1) (kp) of the statutes is created to read:

5 20.437 (1) (kp) *Youth aids funding for the youth justice system improvement*
6 *program*. All moneys transferred from the appropriation account under par. (cj), as
7 provided under s. 48.526 (3) (e), for the youth justice system improvement program
8 under s. 48.528.

9 **SECTION 120.** 48.526 (3) (e) of the statutes is amended to read:

10 48.526 (3) (e) The department may ~~carry forward \$500,000 or~~ transfer to the
11 appropriation account under s. 20.437 (1) (kp) 10 percent of its funds allocated under
12 this subsection and not ~~encumbered~~ expended or carried forward under par. (dm) by
13 counties by December 31, ~~whichever is greater, to the next 2 calendar years.~~ The
14 department may ~~transfer moneys from or within s. 20.437 (1) (cj) to accomplish this~~
15 ~~purpose.~~ The department may allocate these transferred moneys to counties with
16 ~~persistently high rates of juvenile arrests for serious offenses during the next 2~~
17 ~~calendar years to improve community-based juvenile delinquency-related services,~~
18 ~~as defined in s. 46.011 (1c).~~ The allocation does not affect a county's base allocation.

19 **SECTION 121.** 48.526 (3) (em) of the statutes is repealed.

20 **SECTION 122.** 48.526 (7) (intro.) of the statutes is amended to read:

21 48.526 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
22 of the appropriations under s. 20.437 (1) (cj) and (o), the department shall allocate
23 funds for community youth and family aids for the period beginning on July 1, 2021
24 2023, and ending on June 30, ~~2023~~ 2025, as provided in this subsection to county
25 departments under ss. 46.215, 46.22, and 46.23 as follows:

1 **SECTION 123.** 48.526 (7) (a) of the statutes is amended to read:

2 48.526 (7) (a) For community youth and family aids under this section,
3 amounts not to exceed ~~\$47,740,750~~ \$48,089,350 for the last 6 months of ~~2021~~ 2023,
4 ~~\$95,481,500~~ \$96,178,700 for ~~2022~~ 2024, and ~~\$47,740,750~~ \$48,089,350 for the first 6
5 months of ~~2023~~ 2025.

6 **SECTION 124.** 48.526 (7) (b) (intro.) of the statutes is amended to read:

7 48.526 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall
8 allocate \$2,000,000 for the last 6 months of ~~2021~~ 2023, \$4,000,000 for ~~2022~~ 2024, and
9 \$2,000,000 for the first 6 months of ~~2023~~ 2025 to counties based on each of the
10 following factors weighted equally:

11 **SECTION 125.** 48.526 (7) (bm) of the statutes is amended to read:

12 48.526 (7) (bm) Of the amounts specified in par. (a), the department shall
13 allocate \$6,250,000 for the last 6 months of ~~2021~~ 2023, \$12,500,000 for ~~2022~~ 2024,
14 and \$6,250,000 for the first 6 months of ~~2023~~ 2025 to counties based on each county's
15 proportion of the number of juveniles statewide who are placed in a juvenile
16 correctional facility or a secured residential care center for children and youth during
17 the most recent 3-year period for which that information is available.

18 **SECTION 126.** 48.526 (7) (c) of the statutes is amended to read:

19 48.526 (7) (c) Of the amounts specified in par. (a), the department shall allocate
20 \$1,053,200 for the last 6 months of ~~2021~~ 2023, \$2,106,500 for ~~2022~~ 2024, and
21 \$1,053,300 for the first 6 months of ~~2023~~ 2025 to counties based on each of the factors
22 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an
23 allocation under this paragraph that is less than 93 percent nor more than 115
24 percent of the amount that the county would have received under this paragraph if

1 the allocation had been distributed only on the basis of the factor specified in par. (b)
2 3.

3 **SECTION 127.** 48.526 (7) (e) of the statutes is repealed.

4 **SECTION 128.** 48.526 (7) (h) of the statutes is repealed.

5 **SECTION 129.** 48.526 (8) of the statutes is repealed.

6 **SECTION 130.** 48.528 of the statutes is repealed and recreated to read:

7 **48.528 Youth justice system improvement program.** From the
8 appropriations under s. 20.437 (1) (cm) and (kp), in each fiscal year the department
9 may expend funds for the following purposes:

10 (1) To fund programs that enhance diversion, prevention, or early intervention
11 to reduce the number of justice-involved youth or promote successful outcomes for
12 all youth. To determine eligibility for a payment under this subsection, the
13 department shall require a county or other provider to submit a plan for the
14 expenditure of the payment.

15 (2) To address emergencies related to community youth and family aids under
16 s. 48.526.

17 (3) To fund activities required of the department under s. 48.526 (1).”.

18 **233.** Page 374, line 11: after that line insert:

19 “**SECTION 1.** 977.08 (4m) (d) of the statutes is amended to read:

20 977.08 (4m) (d) Unless otherwise provided by a rule promulgated under s.
21 977.02 (7r) or by a contract authorized under sub. (3) (f), for cases assigned on or after
22 January 1, 2020, and before July 1, 2023, private local attorneys shall be paid \$70
23 per hour for time spent related to a case, excluding travel, and \$25 per hour for time
24 spent in travel related to a case if any portion of the trip is outside the county in which

1 the attorney’s principal office is located or if the trip requires traveling a distance of
2 more than 30 miles, one way, from the attorney’s principal office.

3 **SECTION 2.** 977.08 (4m) (e) of the statutes is created to read:

4 977.08 (4m) (e) Unless otherwise provided by a rule promulgated under s.
5 977.02 (7r) or by a contract authorized under sub. (3) (f), for cases assigned on or after
6 July 1, 2023, private local attorneys shall be paid \$100 per hour for time spent related
7 to a case, excluding travel, and \$50 per hour for time spent in travel related to a case
8 if any portion of the trip is outside the county in which the attorney’s principal office
9 is located or if the trip requires traveling a distance of more than 30 miles, one way,
10 from the attorney’s principal office.”.

11 **234.** Page 374, line 11: after that line insert:

12 “**SECTION 131.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
13 insert the following amounts for the purposes indicated:

2023-24 2024-25

14 **20.455 Justice, department of**

15 (2) LAW ENFORCEMENT SERVICES

16 (bc) Grants for community policing
17 and community prosecution pro-
18 grams

GPR C 5,000,000 5,000,000

19 **SECTION 132.** 20.455 (2) (bc) of the statutes is created to read:

20 20.455 (2) (bc) *Grants for community policing and community prosecution*
21 *programs.* As a continuing appropriation, the amounts in the schedule to provide
22 grants for community policing and community prosecution programs under s.
23 165.990.

1 **SECTION 133.** 165.990 of the statutes is created to read:

2 **165.990 Grants for community policing and community prosecution**
3 **programs.** The department of justice shall award grants from the appropriation
4 under s. 20.455 (2) (bc) to cities, villages, and towns; counties, including district
5 attorney offices; and federally recognized American Indian tribes or bands in this
6 state to fund community policing and community prosecution programs.”.

7 **235.** Page 374, line 11: after that line insert:

8 **“SECTION 9127. Nonstatutory provisions; Justice.**

9 (1v) POSITION REALIGNMENT. Adjust funding of \$360,300 FED and -\$360,300 PR
10 annually to reflect the duties and funding sources of existing positions.

11 (2v) PROGRAM REVENUE REESTIMATES. Provide \$2,803,400 annually to reflect
12 current revenue projections and estimated program needs for the following program
13 revenue appropriations:

14 (a) -\$300,000 annually for the terminal charges annual appropriation.
15 Expenditures are estimated to reflect revenue available for the TIME (transaction
16 information for the management of enforcement) system. Base funding for the
17 appropriation is \$2,695,200.

18 (b) -\$7,500 annually for the grants for substance abuse treatment programs
19 for criminal offenders continuing appropriation. Expenditures are estimated to
20 address an estimated \$1,491,400 deficit in the appropriation at the end of 2022-23.
21 Base funding for the appropriation is \$7,500.

22 (c) \$15,000 annually for the legal services delinquent obligation collection
23 annual appropriation. Expenditures are estimated to reflect estimated expenditures
24 in the 2023-25 biennium. Base funding for the appropriation is \$10,000.

1 (d) \$45,900 annually for the crime laboratory equipment and supplies annual
2 appropriation. Expenditures are estimated to reflect an increased transfer from the
3 DNA surcharge. Base funding for the appropriation is \$854,100.

4 (e) \$75,000 annually for the law enforcement training fund, local assistance
5 annual appropriation. Estimated expenditures are associated with payments for
6 new recruit, recertification and specialized training to local law enforcement
7 agencies, technical colleges, and jail or secure detention agencies. Base funding for
8 the appropriation is \$4,425,000.

9 (f) \$80,000 annually for the legal services environment litigation project
10 continuing appropriation. Expenditures are estimated to reflect an updated
11 memorandum of understanding with the department of natural resources. Base
12 funding for the appropriation is \$617,600.

13 (g) \$100,000 annually for the law enforcement services gifts, and grants annual
14 appropriation. Expenditures are estimated to reflect anticipated revenue. Base
15 funding for the appropriation is \$0.

16 (h) \$320,000 annually for the handgun purchaser record check; checks for
17 licenses or certifications to carry concealed weapons continuing appropriation.
18 Expenditures are estimated to reflect anticipated revenue. Base funding for the
19 appropriation is \$2,948,800.

20 (i) \$350,000 annually for the law enforcement training fund, state operations
21 annual appropriation. Expenditures are estimated to maintain expenditure
22 authority for law enforcement trainings, due to reductions taken in the position
23 realignment item. Base funding for the appropriation is \$3,482,400.

24 (j) \$525,000 annually for the administrative services gifts, grants, and proceeds
25 annual appropriation. Expenditures are estimated to support trainings, conferences

1 and other administrative services and supplies that collect proceeds and non-federal
2 grant revenues. Base funding for the appropriation is \$0.

3 (k) \$600,000 annually for the legal services interagency and intra-agency
4 assistance continuing appropriation. Expenditures are estimated to reflect an
5 updated memoranda of understanding with other state agencies. Base funding for
6 the appropriation is \$2,041,300.

7 (l) \$1,000,000 annually for the legal services restitution continuing
8 appropriation. Expenditures are estimated to reflect anticipated revenues. Base
9 funding for the appropriation is \$0.”.

10 **236.** Page 374, line 11: after that line insert:

11 **“SECTION 9101. Nonstatutory provisions; Administration.**

12 (1) PAY PROGRESSION CAPS; ASSISTANT ATTORNEYS GENERAL

13 (a) *Assistant attorneys general.* Notwithstanding s. 230.12 (12) (c), during the
14 2023-24 and 2024-25 fiscal years, a salary adjustment under s. 230.12 (12) (c) for
15 an assistant attorney general may exceed 10 percent of the assistant attorney
16 general’s base pay.”.

17 **237.** Page 374, line 11: after that line insert:

18 **“SECTION 9101. Nonstatutory provisions; Administration.**

19 (1) PAY PROGRESSION CAPS; DEPUTY AND ASSISTANT DISTRICT ATTORNEYS AND
20 ASSISTANT STATE PUBLIC DEFENDERS.

21 (a) *Deputy and assistant district attorneys.* Notwithstanding s. 230.12 (10) (c),
22 during the 2023-24 and 2024-25 fiscal years, a salary adjustment under s. 230.12
23 (10) (c) for a deputy or assistant district attorney may exceed 10 percent of the deputy
24 or assistant district attorney’s base pay.

1 (b) *Assistant state public defenders.* Notwithstanding s. 230.12 (11) (c), during
2 the 2023-24 and 2024-25 fiscal years, a salary adjustment under s. 230.12 (11) (c)
3 for an assistant state public defender may exceed 10 percent of the assistant public
4 defender's base pay.”.

5 **238.** Page 374, line 11: after that line insert:

6 **“SECTION 9133. Nonstatutory provisions; Public Defender Board.**

7 (1) PROGRAMMATIC FUNDING REALIGNMENT. Transfer funding annually within
8 the State Public Defender Board GPR program operation appropriation between
9 private bar and investigator reimbursement (-\$622,800 GPR) and transcripts,
10 discovery, and interpreter costs (\$622,800 GPR) in order to align budgeted funding
11 with programmatic expenditures.”.

12 **239.** Page 374, line 11: after that line insert:

13 **“SECTION 9108. Nonstatutory provisions; Corrections.**

14 (1) BUREAU OF TECHNOLOGY MANAGEMENT CONTRACTED POSITIONS. The authorized
15 FTE positions for the department of corrections are increased by 3.0 GPR positions
16 to convert 3 Bureau of Technology Management contracted positions to full-time
17 employee positions.”.

18 **240.** Page 374, line 11: after that line insert:

19 **“SECTION 134.** 978.03 (1m) of the statutes is amended to read:

20 978.03 (1m) The district attorney of any prosecutorial unit having a population
21 of 200,000 or more but less than 750,000 may appoint ~~3~~ 4 deputy district attorneys
22 and such assistant district attorneys as may be requested by the department of
23 administration and authorized in accordance with s. 16.505. The district attorney
24 shall rank the deputy district attorneys for purposes of carrying out duties under this

1 section. The deputies, according to rank, may perform any duty of the district
2 attorney, under the district attorney’s direction. In the absence or disability of the
3 district attorney, the deputies, according to rank, may perform any act required by
4 law to be performed by the district attorney. Any such deputy must have practiced
5 law in this state for at least 2 years prior to appointment under this section.”.

6 **241.** Page 374, line 11: after that line insert:

7 “SECTION 135. 20.005 (3) (schedule) of the statutes: at the appropriate place,
8 insert the following amounts for the purposes indicated:

	2023-24	2024-25
9 20.455 Justice, department of		
10 (5) LAW ENFORCEMENT SERVICES		
11 (bf) Grants to provide services to		
12 crime victims.	GPR C	5,000,000 5,000,000

13 **SECTION 136.** 20.455 (5) (bf) of the statutes is created to read:

14 20.455 (5) (bf) *Grants to provide services to crime victims.* As a continuing
15 appropriation, the amounts in the schedule to provide grants under s. 165.935 for
16 crime victim service programs.

17 **SECTION 137.** 165.935 of the statutes is created to read:

18 **165.935 Grants for crime victim services.** The department of justice shall
19 award grants from the appropriation under s. 20.455 (5) (bf) to organizations that
20 provide services for crime victims.”.

21 **242.** Page 374, line 11: after that line insert:

22 “SECTION 138. 301.26 (4) (d) 2. of the statutes is amended to read:

1 301.26 (4) (d) 2. ~~Beginning on July 1, 2019, and ending on June 30, 2020, the~~
2 ~~per person daily cost assessment to counties shall be \$532 for care in a Type 1~~
3 ~~juvenile correctional facility, as defined in s. 938.02 (19), and \$532 for care for~~
4 ~~juveniles transferred from a juvenile correctional institution under s. 51.35 (3).~~
5 Beginning on July 1, ~~2021~~ 2023, and ending on June 30, ~~2022~~ 2024, the per person
6 daily cost assessment to counties shall be ~~\$1,154~~ \$1,246 for care in a Type 1
7 juvenile correctional facility, as defined in s. 938.02 (19), and ~~\$1,154~~ \$1,246 for care
8 for juveniles transferred from a juvenile correctional institution under s. 51.35 (3).

9 **SECTION 139.** 301.26 (4) (d) 3. of the statutes is amended to read:

10 301.26 (4) (d) 3. ~~Beginning on July 1, 2020, and ending on December 31, 2020,~~
11 ~~the per person daily cost assessment to counties shall be \$550 for care in a Type 1~~
12 ~~juvenile correctional facility, as defined in s. 938.02 (19), and \$550 for care for~~
13 ~~juveniles transferred from a juvenile correctional institution under s. 51.35 (3).~~
14 Beginning on January 1, 2021, and ending on June 30, 2021, the per person daily cost
15 assessment to counties shall be \$615 for care in a Type 1 juvenile correctional facility,
16 as defined in s. 938.02 (19), and \$615 for care for juveniles transferred from a juvenile
17 correctional institution under s. 51.35 (3). Beginning on July 1, ~~2022~~ 2024, and
18 ending on June 30, ~~2023~~ 2025, the per person daily cost assessment to counties shall
19 be ~~\$1,178~~ \$1,268 for care in a Type 1 juvenile correctional facility, as defined in s.
20 938.02 (19), and ~~\$1,178~~ \$1,268 for care for juveniles transferred from a juvenile
21 correctional institution under s. 51.35 (3).”.

22 **243.** Page 374, line 11: after that line insert:

23 “**SECTION 140.** 111.335 (3) (a) of the statutes is renumbered 111.335 (3) (ar).

24 **SECTION 141.** 111.335 (3) (ah) of the statutes is created to read:

1 111.335 (3) (ah) 1. Employment discrimination because of conviction record
2 includes, but is not limited to, requesting an applicant, employee, member, licensee,
3 or any other individual, on an application form or otherwise, to supply information
4 regarding a crime the record of which has been expunged under s. 973.015. A request
5 to supply information regarding criminal convictions shall not be construed as a
6 request to supply information regarding a crime the record of which has been
7 expunged under s. 973.015.

8 2. Notwithstanding par. (ar) 1., and except as provided in par. (g), it is
9 employment discrimination because of conviction record for an employer or licensing
10 agency to engage in any act of employment discrimination specified in s. 111.322 on
11 the basis of a conviction the record of which has been expunged under s. 973.015.
12 This subdivision does not apply to the extent that its application conflicts with
13 federal law.

14 **SECTION 142.** 111.335 (3) (g) of the statutes is created to read:

15 111.335 (3) (g) Notwithstanding s. 111.322, it is not employment discrimination
16 because of conviction record for the law enforcement standards board to refuse to
17 certify, recertify, or allow to participate in a preparatory training program or to
18 decertify under s. 165.85 an individual who has a conviction the record of which has
19 been expunged under s. 973.015.

20 **SECTION 143.** 111.335 (4) (b) of the statutes is amended to read:

21 111.335 (4) (b) It is employment discrimination because of conviction record for
22 a licensing agency to refuse to license any individual under sub. (3) (a) (ar) 1. or to
23 bar or terminate an individual from licensing under sub. (3) (a) (ar) 1. because the
24 individual was adjudicated delinquent under ch. 938 for an offense other than an
25 exempt offense.

1 **SECTION 144.** 111.335 (4) (c) 1. (intro.) of the statutes is amended to read:

2 111.335 (4) (c) 1. (intro.) If a licensing agency refuses to license an individual
3 under sub. (3) ~~(a)~~ (ar) 1. or bars or terminates an individual from licensing under sub.
4 (3) ~~(a)~~ (ar) 1., the licensing agency shall, subject to subd. 2., do all of the following:

5 **SECTION 145.** 111.335 (4) (e) of the statutes is amended to read:

6 111.335 (4) (e) A state licensing agency that may refuse to license individuals
7 under sub. (3) ~~(a)~~ (ar) 1. or that may bar or terminate an individual from licensure
8 under sub. (3) ~~(a)~~ (ar) 1. shall publish on the agency's Internet site a document
9 indicating the offenses or kinds of offenses that may result in such a refusal, bar, or
10 termination.

11 **SECTION 146.** 111.335 (4) (f) 1. of the statutes is amended to read:

12 111.335 (4) (f) 1. A state licensing agency that may refuse to license individuals
13 under sub. (3) ~~(a)~~ (ar) 1. or that may bar or terminate individuals from licensing
14 under sub. (3) ~~(a)~~ (ar) 1. shall allow an individual who does not possess a license to,
15 without submitting a full application and without paying the fees applicable to
16 applicants, apply to the agency for a determination of whether the individual would
17 be disqualified from obtaining the license due to his or her conviction record.

18 **SECTION 147.** 950.04 (1v) (g) of the statutes is amended to read:

19 950.04 (1v) (g) To have reasonable attempts made to notify the victim of
20 hearings or court proceedings, as provided under ss. 302.113 (9g) (g) 2., 302.114 (6),
21 938.27 (4m) and (6), 938.273 (2), 971.095 (3) ~~and~~, 972.14 (3) (b), and 973.015 (1m) (c).

22 **SECTION 148.** 973.015 (1b) of the statutes is created to read:

23 973.015 (1b) In this section, "record" means a criminal case file.

24 **SECTION 149.** 973.015 (1m) (a) 1. of the statutes is renumbered 973.015 (1m)

25 (a) 1. (intro.) and amended to read:

1 973.015 **(1m)** (a) 1. (intro.) Subject to subd. 2. ~~and except as provided in subd.~~
2 ~~3., when a person is under the age of 25 at the time of the commission of an offense~~
3 ~~for which the person has been found guilty in a court for violation of a law for which~~
4 ~~the maximum period of imprisonment is 6 years or less, the, a court may order at the~~
5 ~~time of sentencing after a conviction that the record a criminal case be expunged~~
6 ~~upon successful completion of the sentence if the court determines the person will~~
7 ~~benefit and society will not be harmed by this disposition. by one of the following~~
8 ~~methods:~~

9 (d) This subsection does not apply to information maintained by the
10 department of transportation regarding a conviction that is required to be ~~included~~
11 ~~in a record~~ kept under s. 343.23 (2) (a).

12 **SECTION 150.** 973.015 (1m) (a) 1. a. and b. of the statutes are created to read:

13 973.015 **(1m)** (a) 1. a. Except as provided in subd. 3., the court may order at the
14 time of sentencing that the record be expunged upon successful completion of the
15 sentence if the court determines that the person has not previously had a record
16 expunged under this section and that the person will benefit and society will not be
17 harmed by this disposition.

18 b. If at least one year has passed since the person successfully completed his
19 or her sentence, the person may file a petition in the county of conviction requesting
20 that the record be expunged. Upon receipt of the petition, the court shall review the
21 petition to determine if the person is ineligible to petition for expungement because
22 subd. 3. or 4. applies, less than one year has passed since the person successfully
23 completed his or her sentence, there are criminal charges pending against the
24 person, the person has previously had a record expunged under this section, or the
25 person has exceeded the maximum number of petitions allowed under this subd. 1.

1 b. If the court determines the person is eligible to petition for expungement, the court
2 shall forward the petition to the district attorney. If the district attorney requests
3 a hearing within 90 days after the court forwards the petition, the court shall
4 schedule a hearing to review the petition. If the district attorney waives the hearing
5 or at least 90 days have passed since the court forwarded the petition, the court may
6 review the petition with or without a hearing. If a hearing is scheduled, then if
7 practicable, the sentencing judge shall be the judge to review the petition. The court
8 may order that the record be expunged if the court determines the person will benefit
9 and society will not be harmed by this disposition. If the court does not order the
10 record be expunged under this subd. 1. b., the person may file a 2nd petition under
11 this subd. 1. b. only if at least 2 years have passed since he or she filed the first
12 petition. No person may file more than 2 petitions per record under this subd. 1. b.
13 For a 2nd petition regarding the same record, the person shall pay to the clerk of
14 circuit court a \$100 fee to be retained for the use of the county.

15 **SECTION 151.** 973.015 (1m) (a) 3. a. of the statutes is amended to read:

16 973.015 (1m) (a) 3. a. A Class H felony, if the person has, in his or her lifetime,
17 been convicted of a prior felony offense, or if the felony is a violent offense, as defined
18 in s. 301.048 (2) (bm), or is a violation of s. ~~940.32~~, 948.03 (2), (3), or (5) (a) 1., 2., 3.,
19 or 4., or 948.095.

20 **SECTION 152.** 973.015 (1m) (a) 3. c., cg., cr. and d. and 4. of the statutes are
21 created to read:

22 973.015 (1m) (a) 3. c. A crime for which the maximum period of imprisonment
23 is more than 6 years.

24 cg. A violation of s. 940.32 or 943.14 or, if the court noted in the record that the
25 property damaged was a business, a violation of s. 943.01.

1 cr. A violation of a temporary restraining order or injunction issued under s.
2 813.12 (3) or (4).

3 d. A violation of chs. 341 to 348.

4 4. The court may order at the time of sentencing that the record is ineligible
5 for expungement.

6 **SECTION 153.** 973.015 (1m) (b) of the statutes is amended to read:

7 973.015 (1m) (b) ~~A~~ For purposes of par. (a), a person has successfully
8 completed the sentence if the person has completed all periods of incarceration,
9 parole, or extended supervision to which he or she was sentenced; the person has paid
10 all fines, costs, fees, surcharges, and restitution assessed and has completed any
11 court-ordered community service; the person has not been convicted of a subsequent
12 offense crime; and, if on probation was imposed, the probation has not been revoked
13 and the probationer has satisfied the conditions of probation. Upon successful
14 completion of the a sentence involving incarceration or probation, the detaining or
15 probationary authority shall issue and forward to the court of record a certificate of
16 discharge which shall be forwarded to the court of record and which shall have the
17 effect of expunging the record that indicates whether the person successfully
18 completed his or her sentence. If the court has ordered the record expunged under
19 par. (a) 1. a. or 2. and the person has successfully completed the sentence, the person's
20 record shall be expunged as ordered. If the person has been imprisoned incarcerated,
21 the detaining authority shall also forward a copy of the certificate of discharge to the
22 department.

23 **SECTION 154.** 973.015 (1m) (c) of the statutes is created to read:

24 973.015 (1m) (c) Upon receipt of a petition under par. (a) 1. b., the district
25 attorney shall make a reasonable attempt to notify the victim, as defined in s. 950.02

1 (4), of the petition. In the notice, the district attorney shall inform the victim that
2 he or she may waive the hearing requirement and that, if waived, the court may
3 review the petition without a hearing. The district attorney shall inform the victim
4 of the manner in which he or she may provide written statements concerning the
5 petition and, if the victim does not waive the hearing requirement, that he or she may
6 appear at the hearing. If the victim waives the hearing requirement, the district
7 attorney may inform the court that there is no objection to waiving the hearing
8 requirement. Notwithstanding the confidentiality of victim address information
9 obtained under s. 302.113 (9g) (g) 3., a district attorney who is required to make a
10 reasonable attempt to notify a victim under this paragraph may obtain from the clerk
11 of the circuit court the victim address information that the victim provided to the
12 clerk under s. 302.113 (9g) (g) 3.

13 **SECTION 155.** 973.015 (4) of the statutes is created to read:

14 973.015 (4) A record of a crime expunged under this section is not considered
15 a conviction for employment purposes or for purposes of the issuance of a license, as
16 defined in s. 111.32 (10), by a licensing agency, as defined in s. 111.32 (11). This
17 subsection does not apply to the extent that its application conflicts with federal law.

18 **SECTION 156.** 973.25 (1) (a) of the statutes is amended to read:

19 973.25 (1) (a) “Certificate of qualification for employment” means a certificate
20 issued by the council on offender employment that provides an offender with relief
21 from a collateral sanction, except that it does not provide relief from s. 48.685 (5m),
22 50.065 (4m), or 111.335 (3) (~~a~~) (ar), (b), (c), or (e) or (4) (h) or (i).

23 **SECTION 9351. Initial applicability; Other.**

24 (1ex) EXPUNGEMENT. The treatment of s. 973.015 (1m) (a) 3. a., c., cg., cr., and
25 d. and 4., (b), and (c), the renumbering and amendment of s. 973.015 (1m) (a) 1., and

1 the creation of s. 973.015 (1m) (a) 1. a. and b. first apply to any conviction for which
2 sentencing has occurred but for which the record has not been ordered expunged on
3 the effective date of this subsection.

4 **SECTION 9451. Effective dates; Other.**

5 (1ex) EXPUNGEMENT. The treatment of ss. 111.335 (3) (a), (ah), and (g) and (4)
6 (b), (c) 1. (intro.), (e), and (f) 1., 950.04 (1v) (g), 973.015 (1b), (1m) (a) 3. a., c., cg., cr.,
7 and d. and 4., (b), and (c), and (4), and 973.25 (1) (a), the renumbering and
8 amendment of s. 973.015 (1m) (a) 1., the creation of s. 973.015 (1m) (a) 1. a. and b.,
9 and SECTION 9351 (1ex) of this act take effect on the first day of the 13th month
10 beginning after publication.”.

11 **244.** Page 374, line 11: after that line insert:

12 “SECTION 157. 20.455 (2) (cv) of the statutes is amended to read:

13 20.455 (2) (cv) ~~Shot Spotter~~ Gunfire Detection Program. The amounts in the
14 schedule for the ~~Shot Spotter~~ Gunfire Detection Program in the city of Milwaukee.”.

15 **245.** Page 374, line 11: after that line insert:

16 “SECTION 1. 343.50 (1) (c) 1. of the statutes is amended to read:

17 343.50 (1) (c) 1. The department may issue a receipt to any applicant for an
18 identification card, and shall issue a receipt to an applicant requesting an
19 identification card under sub. (5) (a) 3., which receipt shall constitute a temporary
20 identification card while the application is being processed and shall be valid for a
21 period not to exceed 60 180 days. If the application for an identification card is
22 processed under the exception specified in s. 343.165 (7) or (8), the receipt shall
23 include the marking specified in sub. (3) (b).”.

24 **246.** Page 374, line 11: after that line insert:

1 **“SECTION 158.** 85.61 (1) of the statutes is amended to read:

2 85.61 (1) The secretary of transportation and the administrator of the elections
3 commission shall enter into an agreement to match personally identifiable
4 information on the official registration list maintained by the commission under s.
5 6.36 (1) and the information specified in ~~s. ss. 6.256 (2) and~~ 6.34 (2m) with personally
6 identifiable information in the operating record file database under ch. 343 and
7 vehicle registration records under ch. 341 to the extent required to enable the
8 secretary of transportation and the administrator of the elections commission to
9 verify the accuracy of the information provided for the purpose of voter registration.
10 Notwithstanding ss. 110.09 (2), 342.06 (1) (eg), and 343.14 (2j), but subject to s.
11 343.14 (2p) (b), the agreement shall provide for the transfer of electronic information
12 under s. 6.256 (2) to the commission on a continuous basis, no less often than weekly.

13 **SECTION 159.** 343.14 (2p) of the statutes is created to read:

14 343.14 (2p) (a) The forms for application for a license or identification card or
15 for renewal thereof shall inform the applicant of the department’s duty to make
16 available to the elections commission the information described in s. 6.256 (2) for the
17 purposes specified in s. 6.256 (1) and (3) and shall provide the applicant an
18 opportunity to elect not to have this information made available for these purposes.

19 (b) If the applicant elects not to have the information described in s. 6.256 (2)
20 made available for the purposes specified in s. 6.256 (1) and (3), the department may
21 not make this information available for these purposes. This paragraph does not
22 preclude the department from making available to the elections commission
23 information for the purposes specified in s. 6.34 (2m) or for any purpose other than
24 those specified in s. 6.256 (1) and (3).

25 **SECTION 9112. Nonstatutory provisions; Elections Commission.**

1 (1) INITIAL SHARING OF REGISTRATION INFORMATION. Notwithstanding ss. 85.61
2 (1), 110.09 (2), 342.06 (1) (eg), and 343.14 (2j), the department of transportation shall
3 enter into and begin transferring information under a revised agreement with the
4 elections commission administrator pursuant to s. 85.61 (1) no later than the first
5 day of the 9th month beginning after the effective date of this subsection.”.

6 **247.** Page 374, line 11: after that line insert:

7 “**SECTION 48s.** 19.35 (3) (c) of the statutes is amended to read:

8 19.35 (3) (c) Except as otherwise provided by law or as authorized to be
9 prescribed by law, an authority may impose a fee upon a requester for locating a
10 record, not exceeding the actual, necessary and direct cost of location, if the cost is
11 \$50 \$100 or more.

12 **SECTION 9351. Initial applicability; Other.**

13 (1) PUBLIC RECORDS LOCATION FEE. The treatment of s. 19.35 (3) (c) first applies
14 to a public records request received on the effective date of this subsection.”.

15 **248.** Page 374, line 11: after that line insert:

16 “**SECTION 160.** 20.455 (2) (gr) of the statutes is amended to read:

17 20.455 (2) (gr) *Handgun Firearm purchaser record check; checks for licenses or*
18 *certifications to carry concealed weapons.* All moneys received as fee payments under
19 ss. 175.35 (2i) (a), 175.49 (5m), and 175.60 (7) (c) and (d), (13), and (15) (b) 4. a. and
20 b. to provide services under ss. 175.35, 175.49, and 175.60.

21 **SECTION 161.** 175.33 of the statutes is created to read:

22 **175.33 Transfer of firearms. (1)** In this section:

23 (a) “Family member” means a spouse, parent, grandparent, sibling, child, or
24 grandchild. The relationship may be by blood, marriage, or adoption.

1 (b) "Firearm" includes the frame or receiver of a firearm.

2 (c) "Firearms dealer" has the meaning given in s. 175.35 (1) (ar).

3 (d) "Transfer" has the meaning given in s. 175.35 (1) (br).

4 **(2)** No person may transfer ownership of a firearm, or be transferred ownership
5 of a firearm, unless one of the following applies:

6 (a) The transferor is a firearms dealer.

7 (b) The transferor makes the transfer to or through a firearms dealer and
8 obtains a receipt under s. 175.35 (2j) (b).

9 (c) The transfer of ownership of the firearm is one of the transfers listed under
10 s. 175.35 (2t).

11 (d) The transferor is transferring ownership of the firearm to a family member
12 by gift, bequest, or inheritance, the transferee is not prohibited from possessing a
13 firearm under state or federal law, and the transferee is at least 18 years of age.

14 (e) The transferor is transferring the firearm with the intent that the transfer
15 is for the purpose of hunting or target shooting if the transfer is for no longer than
16 14 days, the transferor did not receive in exchange for the transfer more than
17 nominal consideration, the transferee is not prohibited from possessing a firearm
18 under state or federal law, and the transfer is not otherwise prohibited by law.

19 **(3)** Any person who intentionally violates sub. (2) is guilty of a misdemeanor
20 and shall be fined not less than \$500 nor more than \$10,000 and may be imprisoned
21 for not more than 9 months. The person is also prohibited under s. 941.29 from
22 possessing a firearm for a period of 2 years.

23 **SECTION 162.** 175.35 (title) of the statutes is amended to read:

24 **175.35 (title) ~~Purchase~~ Transfer of handguns firearms.**

1 **SECTION 163.** 175.35 (1) (at) of the statutes, as affected by 2023 Wisconsin Act
2 (this act), is amended to read:

3 175.35 (1) (at) “Firearms restrictions record search” means a search of
4 department of justice records to determine whether a person seeking to purchase be
5 transferred a ~~handgun~~ firearm is prohibited from possessing a firearm under s.
6 941.29. “Firearms restrictions record search” includes a criminal history record
7 search, a search to determine whether a person is prohibited from possessing a
8 firearm under s. 51.20 (13) (cv) 1., 2007 stats., a search in the national instant
9 criminal background check system to determine whether a person has been ordered
10 not to possess a firearm under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or
11 55.12 (10) (a), a search to determine whether the person is subject to an injunction
12 under s. 813.12 or 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued
13 by a court established by any federally recognized Wisconsin Indian tribe or band,
14 except the Menominee Indian tribe of Wisconsin, that includes notice to the
15 respondent that he or she is subject to the requirements and penalties under s.
16 941.29 and that has been filed with the circuit court under s. 813.128 (3g), and a
17 search to determine whether the person is prohibited from possessing a firearm
18 under s. 813.123 (5m) or 813.125 (4m).

19 **SECTION 164.** 175.35 (1) (b) of the statutes is repealed.

20 **SECTION 165.** 175.35 (1) (br) of the statutes is created to read:

21 175.35 (1) (br) “Transfer” includes to sell, assign, pledge, lease, loan, give away,
22 or otherwise dispose of.

23 **SECTION 166.** 175.35 (2) (intro.) of the statutes is renumbered 175.35 (2) (am)
24 and amended to read:

1 175.35 (2) (am) When a firearms dealer ~~sells~~ transfers a handgun firearm,
2 including the frame or receiver of a firearm, he or she may not transfer possession
3 of that handgun firearm to any other person until all of the ~~following have occurred~~:
4 requirements under par. (cm) have been met.

5 **SECTION 167.** 175.35 (2) (a), (b), (c) and (d) of the statutes are renumbered
6 175.35 (2) (cm) 1., 2., 3. and 4.

7 **SECTION 168.** 175.35 (2) (bm) of the statutes is created to read:

8 175.35 (2) (bm) When a person transfers a firearm, including the frame or
9 receiver of a firearm, through a firearms dealer, the transfer of possession of that
10 firearm may not be made until all of the requirements of par. (cm) have been met.

11 **SECTION 169.** 175.35 (2) (cm) (intro.) of the statutes is created to read:

12 175.35 (2) (cm) (intro.) All of the following must occur before a transfer of a
13 firearm occurs under par. (am) or (bm):

14 **SECTION 170.** 175.35 (2g) (a) of the statutes is amended to read:

15 175.35 (2g) (a) The department of justice shall promulgate rules prescribing
16 procedures for use under sub. (2) (cm) 1. for a transferee to provide and a firearms
17 dealer to inspect identification containing a photograph of the transferee.

18 **SECTION 171.** 175.35 (2g) (b) 1. of the statutes is amended to read:

19 175.35 (2g) (b) 1. The department of justice shall promulgate rules prescribing
20 a notification form for use under sub. (2) (cm) 2. and 3. requiring the transferee to
21 provide his or her name, date of birth, gender, race and social security number and
22 other identification necessary to permit an accurate firearms restrictions record
23 search under par. (c) 3. and the required notification under par. (c) 4. ~~The department~~
24 ~~of justice shall make the forms available at locations throughout the state.~~

25 **SECTION 172.** 175.35 (2g) (b) 2. of the statutes is amended to read:

1 175.35 (2g) (b) 2. The department of justice shall ensure that each notification
2 form under subd. 1. requires the transferee to indicate that he or she is not
3 ~~purchasing~~ receiving a transfer of the firearm with the purpose or intent to transfer
4 the firearm to a person who is prohibited from possessing a firearm under state or
5 federal law and that each notification form informs the transferee that making a
6 false statement with regard to this purpose or intent is a Class H felony.

7 **SECTION 173.** 175.35 (2i) of the statutes is renumbered 175.35 (2i) (a) and
8 amended to read:

9 175.35 (2i) (a) The department shall charge a firearms dealer a \$10 fee for each
10 firearms restrictions record search that the firearms dealer requests under sub. (2)
11 ~~(e)~~ (cm) 3.

12 (b) 1. The firearms dealer may collect the fee under par. (a) from the transferee.

13 (c) The department may refuse to conduct firearms restrictions record searches
14 for any firearms dealer who fails to pay any fee under ~~this subsection~~ par. (a) within
15 30 days after billing by the department.

16 **SECTION 174.** 175.35 (2i) (b) 2. of the statutes is created to read:

17 175.35 (2i) (b) 2. If the transfer is made under sub. (2) (bm), the firearms dealer
18 may collect from the transferor the fee under par. (a) and any additional amount to
19 cover any costs he or she incurs in processing the transfer.

20 **SECTION 175.** 175.35 (2j) of the statutes is renumbered 175.35 (2j) (a).

21 **SECTION 176.** 175.35 (2j) (b) of the statutes is created to read:

22 175.35 (2j) (b) If a person transfers a firearm through a firearms dealer under
23 sub. (2) (bm), or transfers a firearm to a firearms dealer, the firearms dealer shall
24 provide the person a written receipt documenting the dealer's participation in the
25 transfer.

1 **SECTION 177.** 175.35 (2k) (ar) 2. of the statutes is amended to read:

2 175.35 **(2k)** (ar) 2. Check each notification form received under sub. (2j) (a)
3 against the information recorded by the department regarding the corresponding
4 request for a firearms restrictions record search under sub. (2g). If the department
5 previously provided a unique approval number regarding the request and nothing
6 in the completed notification form indicates that the transferee is prohibited from
7 possessing a firearm under s. 941.29, the department shall destroy all records
8 regarding that firearms restrictions record search within 30 days after receiving the
9 notification form.

10 **SECTION 178.** 175.35 (2k) (c) 2. a. of the statutes is amended to read:

11 175.35 **(2k)** (c) 2. a. A statement that the Wisconsin law enforcement agency
12 is conducting an investigation of a crime in which a handgun firearm was used or was
13 attempted to be used or was unlawfully possessed.

14 **SECTION 179.** 175.35 (2k) (c) 2. b. of the statutes is amended to read:

15 175.35 **(2k)** (c) 2. b. A statement by a division commander or higher authority
16 within the Wisconsin law enforcement agency that he or she has a reasonable
17 suspicion that the person who is the subject of the information request has obtained
18 or is attempting to obtain a handgun firearm.

19 **SECTION 180.** 175.35 (2k) (g) of the statutes is amended to read:

20 175.35 **(2k)** (g) If a search conducted under sub. (2g) indicates that the
21 transferee is prohibited from possessing a firearm under s. 941.29, the attorney
22 general or his or her designee may disclose to a law enforcement agency that the
23 transferee has attempted to obtain a handgun firearm.

24 **SECTION 181.** 175.35 (2k) (h) of the statutes is amended to read:

1 175.35 **(2k)** (h) If a search conducted under sub. (2g) indicates a felony charge
2 without a recorded disposition and the attorney general or his or her designee has
3 reasonable grounds to believe the transferee may pose a danger to himself, herself
4 or another, the attorney general or his or her designee may disclose to a law
5 enforcement agency that the transferee has obtained or has attempted to obtain a
6 handgun firearm.

7 **SECTION 182.** 175.35 (2L) of the statutes is amended to read:

8 175.35 **(2L)** The department of justice shall promulgate rules providing for the
9 review of nonapprovals under sub. (2g) (c) 4. a. Any person who is denied the right
10 to ~~purchase~~ receive a transfer of a handgun firearm because the firearms dealer
11 received a nonapproval number under sub. (2g) (c) 4. a. may request a firearms
12 restrictions record search review under those rules. If the person disagrees with the
13 results of that review, the person may file an appeal under rules promulgated by the
14 department.

15 **SECTION 183.** 175.35 (2t) (a), (b) and (c) of the statutes are amended to read:

16 175.35 **(2t)** (a) Transfers of any handgun firearm classified as an antique by
17 regulations of the U.S. department of the treasury.

18 (b) Transfers of any handgun firearm between firearms dealers or between
19 wholesalers and dealers.

20 (c) Transfers of any handgun firearm to law enforcement or armed services
21 agencies.

22 **SECTION 184.** 175.35 (3) (b) 2. of the statutes is amended to read:

23 175.35 **(3)** (b) 2. A person who violates sub. (2e) by intentionally providing false
24 information regarding whether he or she is ~~purchase~~ receiving a transfer of the
25 firearm with the purpose or intent to transfer the firearm to another who the person

1 knows or reasonably should know is prohibited from possessing a firearm under
2 state or federal law is guilty of a Class H felony. The penalty shall include a fine that
3 is not less than \$500.

4 **SECTION 185.** 175.60 (7) (d) of the statutes is amended to read:

5 175.60 (7) (d) A fee for a background check that is equal to the fee charged under
6 s. 175.35 (2i) (a).

7 **SECTION 186.** 175.60 (15) (b) 4. b. of the statutes is amended to read:

8 175.60 (15) (b) 4. b. A fee for a background check that is equal to the fee charged
9 under s. 175.35 (2i) (a).

10 **SECTION 187.** 938.208 (1) (b) of the statutes is amended to read:

11 938.208 (1) (b) Probable cause exists to believe that the juvenile possessed,
12 used or threatened to use a handgun, as defined in s. ~~175.35 (1) (b)~~ 941.237 (1) (d),
13 short-barreled rifle, as defined in s. 941.28 (1) (b), or short-barreled shotgun, as
14 defined in s. 941.28 (1) (c), while committing a delinquent act that would be a felony
15 under ch. 940 if committed by an adult.

16 **SECTION 188.** 938.34 (4m) (b) 2. of the statutes is amended to read:

17 938.34 (4m) (b) 2. The juvenile has possessed, used or threatened to use a
18 handgun, as defined in s. ~~175.35 (1) (b)~~ 941.237 (1) (d), short-barreled rifle, as
19 defined in s. 941.28 (1) (b), or short-barreled shotgun, as defined in s. 941.28 (1) (c),
20 while committing a delinquent act that would be a felony under ch. 940 if committed
21 by an adult.

22 **SECTION 189.** 938.341 of the statutes is amended to read:

23 **938.341 Delinquency adjudication; restriction on firearm possession.**

24 Whenever a court adjudicates a juvenile delinquent for an act that if committed by

1 an adult in this state would be a felony or for a violation under s. 175.33 (2), the court
2 shall inform the juvenile of the requirements and penalties under s. 941.29.

3 **SECTION 190.** 941.237 (1) (d) of the statutes is amended to read:

4 941.237 (1) (d) “Handgun” ~~has the meaning given in s. 175.35 (1) (b)~~ means any
5 weapon designed or redesigned, or made or remade, and intended to be fired while
6 held in one hand and to use the energy of an explosive to expel a projectile through
7 a smooth or rifled bore.

8 **SECTION 191.** 941.29 (1m) (dm), (dn) and (do) of the statutes are created to read:

9 941.29 (1m) (dm) The person has been convicted of a misdemeanor under s.
10 175.33 (2), unless at least 2 years have passed since the conviction.

11 (dn) The person has been adjudicated delinquent for a violation under s. 175.33
12 (2), unless at least 2 years have passed since the adjudication.

13 (do) The person has been found not guilty of a misdemeanor under s. 175.33 (2)
14 by reason of mental disease or defect, unless at least 2 years have passed since the
15 finding.

16 **SECTION 192.** 941.296 (1) (b) of the statutes is amended to read:

17 941.296 (1) (b) “Handgun” has the meaning given in s. ~~175.35 (1) (b)~~ 941.237
18 (1) (d).

19 **SECTION 193.** 968.20 (3) (b) of the statutes is amended to read:

20 968.20 (3) (b) Except as provided in par. (a) or sub. (1m) or (4), a city, village,
21 town or county or other custodian of a seized dangerous weapon or ammunition, if
22 the dangerous weapon or ammunition is not required for evidence or use in further
23 investigation and has not been disposed of pursuant to a court order at the
24 completion of a criminal action or proceeding, shall make reasonable efforts to notify
25 all persons who have or may have an authorized rightful interest in the dangerous

1 weapon or ammunition of the application requirements under sub. (1). If, within 30
2 days after the notice, an application under sub. (1) is not made and the seized
3 dangerous weapon or ammunition is not returned by the officer under sub. (2), the
4 city, village, town or county or other custodian may retain the dangerous weapon or
5 ammunition and authorize its use by a law enforcement agency, except that a
6 dangerous weapon used in the commission of a homicide or a handgun, as defined
7 in s. ~~175.35 (1) (b)~~ 941.237 (1) (d), may not be retained. If a dangerous weapon other
8 than a firearm is not so retained, the city, village, town or county or other custodian
9 shall safely dispose of the dangerous weapon or, if the dangerous weapon is a motor
10 vehicle, as defined in s. 340.01 (35), sell the motor vehicle following the procedure
11 under s. 973.075 (4). If a firearm or ammunition is not so retained, the city, village,
12 town or county or other custodian shall ship it to the state crime laboratories and it
13 is then the property of the laboratories. A person designated by the department of
14 justice may destroy any material for which the laboratories have no use or arrange
15 for the exchange of material with other public agencies. In lieu of destruction,
16 shoulder weapons for which the laboratory has no use shall be turned over to the
17 department of natural resources for sale and distribution of proceeds under s. 29.934
18 or for use under s. 29.938.

19 **SECTION 194.** 971.17 (1g) of the statutes is amended to read:

20 971.17 **(1g)** NOTICE OF RESTRICTION ON FIREARM POSSESSION. If the defendant
21 under sub. (1) is found not guilty of a felony, or of a violation under s. 175.33 (2), by
22 reason of mental disease or defect, the court shall inform the defendant of the
23 requirements and penalties under s. 941.29.

24 **SECTION 195.** 973.176 (1) of the statutes is amended to read:

1 973.176 (1) FIREARM POSSESSION. Whenever a court imposes a sentence or
2 places a defendant on probation regarding a felony conviction or regarding a
3 conviction for a misdemeanor under s. 175.33 (2), the court shall inform the
4 defendant of the requirements and penalties applicable to him or her under s. 941.29
5 (1m) or (4m).

6 **SECTION 9327. Initial applicability; Justice.**

7 (1fa) TRANSFERS OF FIREARMS. The treatment of ss. 175.33 and 175.35 (1) (at)
8 (with respect to background checks for transfers of firearms that are not handguns)
9 and (br) and (2) (intro.), (a), (b), (bm), (c), (cm) (intro.), and (d), the renumbering of
10 s. 175.35 (2j), and the creation of s. 175.35 (2j) (b) first apply to transfers that occur
11 on the effective date of this subsection.

12 **SECTION 9427. Effective dates; Justice.**

13 (1fa) TRANSFERS OF FIREARMS. The treatment of ss. 20.455 (2) (gr), 175.33, 175.35
14 (title), (1) (at) (by SECTION 163), (b), and (br), (2) (intro.), (a), (b), (bm), (c), (cm) (intro.),
15 and (d), (2g) (a) and (b) 1. and 2., (2k) (ar) 2., (c) 2. a. and b., (g), and (h), (2L), (2t) (a),
16 (b), and (c), (3) (b) 2., (7) (d), and (15) (b) 4. b., 938.208 (1) (b), 938.34 (4m) (b) 2.,
17 938.341, 941.237 (1) (d), 941.29 (1m) (dm), (dn), and (do), 941.296 (1) (b), 968.20 (3)
18 (b), 971.17 (1g), and 973.176 (1), the renumbering of s. 175.35 (2j), the renumbering
19 and amendment of s. 175.35 (2i), and the creation of s. 175.35 (2i) (b) 2. and (2j) (b)
20 and SECTION 9327 (1fa) of this act take effect on the first day of the 7th month
21 beginning after publication.”.

22 **249.** Page 374, line 11: after that line insert:

23 “SECTION 196. 165.25 (11) of the statutes is repealed.”.

24 **250.** Page 374, line 11: after that line insert:

1 **“SECTION 197.** 756.04 (2) (b) of the statutes is amended to read:

2 756.04 (2) (b) Each year, on a date agreed upon with the office of the director
3 of state courts, the department of transportation shall compile a list that includes the
4 name, address, county, date of birth, race, gender, identification number and renewal
5 date of each person residing in the state who is licensed as a motor vehicle operator
6 under ch. 343 or who has received an identification card under s. 343.50 or 343.51,
7 and social security number, as permitted by law and any record sharing agreement
8 between the department of transportation and the office of the director of state
9 courts. The office of the director of state courts shall establish the format of the list
10 by agreement with the department of transportation. The department of
11 transportation shall transmit the list without charge to the office of the director of
12 state courts, ~~without charge.~~ and to the clerks of court for the district courts of the
13 United States within this state. If the department of transportation does not have
14 a record sharing agreement with the clerk of court for a district court that requires
15 the clerk of court to keep prospective jurors' identification numbers, renewal dates,
16 and social security numbers confidential and secure from unauthorized access, the
17 department of transportation shall redact that information from the list the
18 department of transportation transmits to the clerk of court.”.

19 **251.** Page 374, line 11: after that line insert:

20 **“SECTION 198.** 165.63 (3) of the statutes is amended to read:

21 165.63 (3) REQUESTS FROM COURTS. In making a determination required under
22 s. 813.124 (7) (a), 813.1285 (7) (a), or 968.20 (1m) (d) 1., a judge or court commissioner
23 shall request information under sub. (2) from the department or from a law
24 enforcement agency or law enforcement officer as provided in sub. (4) (d).

1 **SECTION 199.** 165.63 (4) (d) of the statutes is amended to read:

2 165.63 (4) (d) Aid the court in making a determination required under s.
3 813.124 (7) (a), 813.1285 (7) (a), or 968.20 (1m) (d) 1. or aid an entity in making a
4 determination required under s. 968.20 (1m) (d) 2.

5 **SECTION 200.** 175.35 (1) (at) of the statutes is amended to read:

6 175.35 (1) (at) “Firearms restrictions record search” means a search of
7 department of justice records to determine whether a person seeking to purchase a
8 handgun is prohibited from possessing a firearm under s. 941.29. “Firearms
9 restrictions record search” includes a criminal history record search, a search to
10 determine whether a person is prohibited from possessing a firearm under s. 51.20
11 (13) (cv) 1., 2007 stats., a search in the national instant criminal background check
12 system to determine whether a person has been ordered not to possess a firearm
13 under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a), a search
14 to determine whether the person is subject to an injunction under s. 813.12 or
15 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court
16 established by any federally recognized Wisconsin Indian tribe or band, except the
17 Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he
18 or she is subject to the requirements and penalties under s. 941.29 and that has been
19 filed with the circuit court under s. 813.128 (3g), a search to determine whether the
20 person is subject to a temporary restraining order or injunction under s. 813.124, and
21 a search to determine whether the person is prohibited from possessing a firearm
22 under s. 813.123 (5m) or 813.125 (4m).

23 **SECTION 201.** 175.60 (9g) (a) 2. of the statutes is amended to read:

24 175.60 (9g) (a) 2. The department shall conduct a criminal history record
25 search and shall search its records and conduct a search in the national instant

1 criminal background check system to determine whether the applicant is prohibited
2 from possessing a firearm under federal law; whether the applicant is prohibited
3 from possessing a firearm under s. 941.29; whether the applicant is prohibited from
4 possessing a firearm under s. 51.20 (13) (cv) 1., 2007 stats.; whether the applicant
5 has been ordered not to possess a firearm under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1.,
6 54.10 (3) (f) 1., or 55.12 (10) (a); whether the applicant is subject to an injunction
7 under s. 813.12 or 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued
8 by a court established by any federally recognized Wisconsin Indian tribe or band,
9 except the Menominee Indian tribe of Wisconsin, that includes notice to the
10 respondent that he or she is subject to the requirements and penalties under s.
11 941.29 and that has been filed with the circuit court under s. 813.128 (3g); whether
12 the applicant is subject to a temporary restraining order or injunction under s.
13 813.124; and whether the applicant is prohibited from possessing a firearm under
14 s. 813.123 (5m) or 813.125 (4m); and to determine if the court has prohibited the
15 applicant from possessing a dangerous weapon under s. 969.02 (3) (c) or 969.03 (1)
16 (c) and if the applicant is prohibited from possessing a dangerous weapon as a
17 condition of release under s. 969.01.

18 **SECTION 202.** 175.60 (11) (a) 2. f. of the statutes is amended to read:

19 175.60 (11) (a) 2. f. The individual becomes subject to ~~an~~ a temporary
20 restraining order or injunction described in s. 941.29 (1m) (f) or is ordered not to
21 possess a firearm under s. 813.123 (5m) or 813.125 (4m).

22 **SECTION 203.** 801.50 (5sb) of the statutes is created to read:

23 801.50 (5sb) Venue of an action under s. 813.124 shall be in the county in which
24 the cause of action arose or where the petitioner or the respondent resides.

25 **SECTION 204.** 801.58 (2m) of the statutes is amended to read:

1 801.58 **(2m)** If, under sub. (2), the judge determines that the request for
2 substitution was made timely and in proper form, any ex parte order granted by the
3 original judge remains in effect according to the terms, except that a temporary
4 restraining order issued under s. 813.12 (3), 813.122 (4), 813.123 (4), 813.124 (2t), or
5 813.125 (3) by the original judge is extended until the newly assigned judge holds a
6 hearing on the issuance of an injunction. The newly assigned judge shall hear any
7 subsequent motion to modify or vacate any ex parte order granted by the original
8 judge.

9 **SECTION 205.** 813.06 of the statutes is amended to read:

10 **813.06 Security for damages.** In proceedings under s. 767.225 the court or
11 judge may, and in all other proceedings except proceedings under ss. 813.12, 813.122,
12 813.124, 813.125 and 823.113 the court or judge shall, require a bond of the party
13 seeking an injunction, with sureties, to the effect that he or she will pay to the party
14 enjoined such damages, not exceeding an amount to be specified, as he or she may
15 sustain by reason of the injunction if the court finally decides that the party was not
16 entitled thereto. Copies of such bond, affidavit or other pleading shall be served upon
17 the party enjoined and the officer serving the same shall, within 8 days after such
18 service, file his or her return in the office of the clerk of the court.

19 **SECTION 206.** 813.124 of the statutes is created to read:

20 **813.124 Extreme risk protection temporary restraining orders and**
21 **injunctions. (1) DEFINITIONS.** In this section:

22 (a) “Family or household member” means any of the following:

23 1. A person related by blood, adoption, or marriage to the respondent.

24 2. A person with whom the respondent has or had a dating relationship, as
25 defined in s. 813.12 (1) (ag), or with whom the respondent has a child in common.

1 3. A person who resides with, or within the 6 months before filing a petition,
2 had resided with, the respondent.

3 4. A domestic partner under ch. 770 of the respondent.

4 5. A person who is acting or has acted as the respondent's legal guardian or who
5 is or was a foster parent or other physical custodian described in s. 48.62 (2) of the
6 respondent.

7 6. A person for whom the respondent is acting or has acted as a legal guardian
8 or for whom the respondent is or was the foster parent or other physical custodian
9 described in s. 48.62 (2).

10 (b) "Firearms dealer" has the meaning given in s. 175.35 (1) (ar).

11 (c) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

12 **(2)** COMMENCEMENT OF ACTION AND RESPONSE. No action under this section may
13 be commenced by complaint and summons. An action under this section may be
14 commenced only by a petition described under sub. (4) (a).

15 **(2m)** PROCEDURE. Procedure for an action under this section is as follows:

16 (a) If the petitioner requests an extreme risk protection temporary restraining
17 order, the court shall consider the request as provided under sub. (2t). If the court
18 issues a temporary restraining order, the court shall set forth the date, which must
19 be within 14 days of issuing the temporary restraining order, for the hearing on the
20 injunction and shall forward a copy of the temporary restraining order, the
21 injunction hearing date, and the petition to the appropriate law enforcement agency
22 with jurisdiction over the respondent's residence. The law enforcement agency shall
23 immediately, or as soon as practicable, serve it on the respondent. If personal service
24 cannot be effected upon the respondent, the court may order other appropriate
25 service.

1 (b) The court shall hold a hearing under sub. (3) on whether to issue an extreme
2 risk protection injunction, which is the final relief. If there was no temporary
3 restraining order, the respondent shall be served notice of the petition by a law
4 enforcement officer and the date for the hearing shall be set upon motion by either
5 party. If personal service cannot be effected upon the respondent, the court may
6 order other appropriate service. The service shall include the name of the respondent
7 and of the petitioner, and, if known, notice of the date, time, and place of the
8 injunction hearing.

9 (c) When the respondent is served under this subsection, the respondent shall
10 be provided notice of the requirements and penalties under s. 941.29.

11 **(2t) EXTREME RISK PROTECTION TEMPORARY RESTRAINING ORDER.** (a) A judge shall
12 issue an extreme risk protection temporary restraining order under this subsection
13 prohibiting the respondent from possessing a firearm and ordering the respondent
14 to surrender all firearms in the respondent's possession if all of the following occur:

15 1. A petitioner files a petition alleging the elements under sub. (4) (a), and
16 requests a temporary restraining order. The petition requesting a temporary
17 restraining order shall be heard by the court in an expedited manner. The court shall
18 examine under oath the petitioner and any witness the petitioner may produce or
19 may rely on an affidavit submitted in support of the petition.

20 2. The judge finds all of the following:

21 a. Substantial likelihood that the petition for an injunction will be successful.

22 b. Good cause to believe that there is an immediate and present danger that
23 the respondent may injure himself or herself or another person if the respondent
24 possesses a firearm and that waiting for the injunction hearing may increase the
25 immediate and present danger.

1 (b) A temporary restraining order issued under this subsection shall remain
2 in effect until a hearing is held on issuance of an injunction under sub. (3). Notice
3 need not be given to the respondent before issuing a temporary restraining order
4 under this subsection. A temporary restraining order may be entered against only
5 the respondent named in the petition and may not be renewed or extended.

6 (c) A temporary restraining order issued under this subsection shall inform the
7 respondent named in the petition of the requirements and penalties under s. 941.29.

8 (d) The temporary restraining order issued under this subsection shall require
9 one of the following:

10 1. If a law enforcement officer is able to personally serve the respondent with
11 the order, the officer to require the respondent to immediately surrender all firearms
12 in the respondent's possession.

13 2. If a law enforcement officer is not able to personally serve the respondent
14 with the order, the respondent to, within 24 hours of service, surrender all firearms
15 in the respondent's possession to a law enforcement officer or transfer or sell all
16 firearms in the respondent's possession to a firearms dealer. Within 48 hours of
17 service, the respondent shall file with the court that issued the order under this
18 subsection a receipt indicating that the respondent surrendered, transferred, or sold
19 the firearms. The receipt must include the date on which each firearm was
20 surrendered, transferred, or sold and the manufacturer, model, and serial number
21 of each firearm and must be signed by either the law enforcement officer to whom the
22 firearm was surrendered or the firearms dealer to whom the firearm was transferred
23 or sold.

24 **(3) EXTREME RISK PROTECTION INJUNCTION.** (a) The court shall hold a hearing on
25 whether to issue an extreme risk protection injunction, which is the final relief. At

1 the hearing, a judge may grant an injunction prohibiting the respondent from
2 possessing a firearm and, if there was no temporary restraining order under sub. (2t),
3 ordering the respondent to surrender all firearms in the respondent's possession if
4 all of the following occur:

5 1. The petitioner files a petition alleging the elements set forth under sub. (4)

6 (a).

7 2. The petitioner serves upon the respondent a copy or summary of the petition
8 and notice of the time for hearing on the issuance of the injunction, or the respondent
9 serves upon the petitioner notice of the time for hearing on the issuance of the
10 injunction.

11 3. The judge finds by clear and convincing evidence that the respondent is
12 substantially likely to injure himself or herself or another person if the respondent
13 possesses a firearm.

14 (b) The judge may enter an injunction against only the respondent named in
15 the petition.

16 (c) 1. Unless a judge vacates the injunction under par. (d), an injunction under
17 this subsection is effective for a period determined by the judge that is no longer than
18 one year.

19 2. When an injunction expires, the court shall extend the injunction, upon
20 petition, for up to one year if the judge finds by clear and convincing evidence that
21 the respondent is still substantially likely to injure himself or herself or another
22 person if the respondent possesses a firearm.

23 (d) A respondent who is subject to an injunction issued under this subsection
24 may request in writing a judge to vacate the injunction one time during any
25 injunction period. If a respondent files a request under this paragraph, the

1 petitioner shall be notified of the request before the judge considers the request. The
2 judge shall vacate the injunction if the respondent demonstrates by clear and
3 convincing evidence that the respondent is no longer substantially likely to injure
4 himself or herself or another person if the respondent possesses a firearm.

5 (e) An injunction issued under this subsection shall inform the respondent
6 named in the petition of the requirements and penalties under s. 941.29.

7 **(4) PETITION.** (a) The petition shall allege facts sufficient to show the following:

8 1. The name of the petitioner and, unless the petitioner is a law enforcement
9 officer, how the petitioner is a family or household member of the respondent.

10 2. The name of the respondent.

11 3. That the respondent is substantially likely to injure himself or herself or
12 another person if the respondent possesses a firearm.

13 4. If the petitioner knows, the number, types, and locations of any firearms that
14 the respondent possesses.

15 5. If requesting a temporary restraining order, evidence of an immediate and
16 present danger that the respondent may injure himself or herself or another person
17 if the respondent possesses a firearm and that waiting for the injunction hearing may
18 increase the immediate and present danger.

19 (b) The clerk of the circuit court shall provide simplified forms to help a person
20 file a petition.

21 (c) Only the following persons may file a petition under this section:

22 1. A law enforcement officer.

23 2. A family or household member of the respondent.

24 **(5) ENFORCEMENT ASSISTANCE.** (a) 1. If a temporary restraining order is issued
25 under sub. (2t) or an injunction is issued, extended, or vacated under sub. (3), the

1 clerk of the circuit court shall notify the department of justice of the action and shall
2 provide the department of justice with information concerning the period during
3 which the order or injunction is in effect or the date on which the injunction is vacated
4 and with information necessary to identify the respondent for purposes of
5 responding to a request under s. 165.63 or for purposes of a firearms restrictions
6 record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).

7 2. Except as provided in subd. 3., the department of justice may disclose
8 information that it receives under subd. 1. only to respond to a request under s.
9 165.63 or as part of a firearms restrictions record search under s. 175.35 (2g) (c) or
10 a background check under s. 175.60 (9g) (a).

11 3. The department of justice shall disclose any information that it receives
12 under subd. 1. to a law enforcement agency when the information is needed for law
13 enforcement purposes.

14 (b) Within one business day after a temporary restraining order is issued under
15 sub. (2t) or an injunction is issued, extended, or vacated under sub. (3), the clerk of
16 the circuit court shall send a copy of the temporary restraining order, of the
17 injunction, or of the order extending or vacating an injunction, to the sheriff or to any
18 other local law enforcement agency that is the central repository for injunctions and
19 that has jurisdiction over the petitioner's premises.

20 (c) No later than 24 hours after receiving the information under par. (b), the
21 sheriff or other appropriate local law enforcement agency under par. (b) shall enter
22 the information concerning a temporary restraining order issued under sub. (2t) or
23 concerning an injunction issued, extended, or vacated under sub. (3) into the
24 transaction information for management of enforcement system. The sheriff or other
25 appropriate local law enforcement agency shall also make available to other law

1 enforcement agencies, through a verification system, information on the existence
2 and status of any order or injunction issued under this section. The information need
3 not be maintained after the order or injunction is no longer in effect.

4 (d) 1. The court may schedule a hearing to surrender firearms for any reason
5 relevant to the surrender of firearms.

6 2. If the respondent does not comply with an order issued at a hearing to
7 surrender firearms, or a law enforcement officer has probable cause to believe that
8 the respondent possesses a firearm, the law enforcement officer shall request a
9 search warrant to seize the firearms and may use information contained in the
10 petition to establish probable cause.

11 (6) PENALTY FOR FALSE SWEARING. Whoever files a petition under this section
12 knowing the information in the petition to be false is subject to the penalty for false
13 swearing under s. 946.32 (1).

14 (7) RETURN OF FIREARMS AND FORM. (a) A firearm surrendered under this section
15 may not be returned to the respondent until the respondent completes a petition for
16 the return of firearms under par. (c) and a judge or circuit court commissioner
17 determines all of the following:

18 1. If a temporary restraining order was issued, that the temporary restraining
19 order has expired and no injunction has been issued.

20 2. If an injunction was issued, that the injunction has been vacated or has
21 expired and not been extended.

22 3. That the person is not prohibited from possessing a firearm under any state
23 or federal law or by the order of any federal court or state court, other than an order
24 from which the judge or circuit court commissioner is competent to grant relief. The

1 judge or commissioner shall use the information provided under s. 165.63 to aid in
2 making the determination under this subdivision.

3 (b) If a respondent surrenders under this section a firearm that is owned by a
4 person other than the respondent, the person who owns the firearm may apply for
5 its return to the circuit court for the county in which the person to whom the firearm
6 was surrendered is located. The court shall order such notice as it considers
7 adequate to be given to all persons who have or may have an interest in the firearm
8 and shall hold a hearing to hear all claims to its true ownership. If the right to
9 possession is proved to the court's satisfaction, it shall order the firearm returned.
10 If the court returns a firearm under this paragraph, the court shall inform the person
11 to whom the firearm is returned of the requirements and penalties under s. 941.2905.

12 (c) The director of state courts shall develop a petition for the return of firearms
13 form that is substantially the same as the form under s. 813.1285 (5) (b).

14 **(8) NOTICE OF FULL FAITH AND CREDIT.** A temporary restraining order issued
15 under sub. (2t) and an injunction issued under sub. (3) shall include a statement that
16 the order or injunction may be accorded full faith and credit in every civil or criminal
17 court of the United States, civil or criminal courts of any other state, and Indian
18 tribal courts to the extent that such courts may have personal jurisdiction over
19 nontribal members.

20 **SECTION 207.** 813.126 (1) of the statutes is amended to read:

21 813.126 **(1) TIME LIMITS FOR DE NOVO HEARING.** If a party seeks to have the judge
22 conduct a hearing de novo under s. 757.69 (8) of a determination, order, or ruling
23 entered by a court commissioner in an action under s. 813.12, 813.122, 813.123,
24 813.124, or 813.125, including a denial of a request for a temporary restraining order,
25 the motion requesting the hearing must be filed with the court within 30 days after

1 the circuit court commissioner issued the determination, order, or ruling. The court
2 shall hold the de novo hearing within 30 days after the motion requesting the hearing
3 is filed with the court unless the court finds good cause for an extension. Any
4 determination, order, or ruling entered by a court commissioner in an action under
5 s. 813.12, 813.122, 813.123, 813.124, or 813.125 remains in effect until the judge in
6 the de novo hearing issues his or her final determination, order, or ruling.

7 **SECTION 208.** 813.127 of the statutes is amended to read:

8 **813.127 Combined actions; domestic abuse, child abuse, extreme risk**
9 **protection, and harassment.** A petitioner may combine in one action 2 or more
10 petitions under one or more of the provisions in ss. 813.12, 813.122, 813.124, and
11 813.125 if the respondent is the same person in each petition. In any such action,
12 there is only one fee applicable under s. 814.61 (1) (a). In any such action, the
13 hearings for different types of temporary restraining orders or injunctions may be
14 combined.

15 **SECTION 209.** 813.128 (2g) (b) of the statutes is amended to read:

16 813.128 (2g) (b) A foreign protection order or modification of the foreign
17 protection order that meets the requirements under this section has the same effect
18 as an order issued under s. 813.12, 813.122, 813.123, 813.124, or 813.125, except that
19 the foreign protection order or modification shall be enforced according to its own
20 terms.

21 **SECTION 210.** 941.29 (1m) (f) of the statutes is amended to read:

22 941.29 (1m) (f) The person is subject to an injunction issued under s. 813.12
23 or 813.122, a temporary restraining order or an injunction issued under s. 813.124,
24 or ~~under~~ a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court
25 established by any federally recognized Wisconsin Indian tribe or band, except the

1 Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he
2 or she is subject to the requirements and penalties under this section and that has
3 been filed under s. 813.128 (3g).”.

4 **252.** Page 374, line 11: after that line insert:

5 “SECTION 211. 16.51 (7) of the statutes is amended to read:

6 16.51 (7) AUDIT CLAIMS FOR EXPENSES IN CONNECTION WITH PRISONERS AND
7 JUVENILES IN JUVENILE CORRECTIONAL FACILITIES. Receive, examine, determine, and
8 audit claims, duly certified and approved by the department of corrections, from the
9 county clerk of any county ~~in, city, village, or town~~ on behalf of the county, city, village,
10 or town, which are presented for ~~payment to reimburse the county~~ reimbursement
11 for certain expenses incurred or paid by it in reference to ~~all matters growing out of~~
12 ~~actions and proceedings~~ involving prisoners in state prisons, as defined in s. 302.01,
13 or juveniles in juvenile correctional facilities, as defined in s. 938.02 (10p), including
14 prisoners or juveniles transferred to a mental health institute for observation or
15 treatment, ~~when the.~~ The department shall reimburse under this subsection a
16 county in which a state prison or juvenile correctional facility is located for expenses
17 relating to actions or proceedings involving a prisoner in the state prison or a juvenile
18 in the juvenile correctional facility that are commenced ~~in counties in which the~~
19 ~~prisons or juvenile correctional facilities are located~~ by a district attorney or by the
20 prisoner or juvenile as a postconviction remedy or a matter involving the prisoner’s
21 status as a prisoner or the juvenile’s status as a resident of a juvenile correctional
22 facility and for certain expenses incurred or paid by it the county in reference to
23 holding those juveniles in secure custody while those actions or proceedings are
24 pending. The department shall reimburse a county, city, village, or town under this

1 subsection for expenses relating to law enforcement investigative services that it
2 provided for an incident involving a prisoner in a state prison or a juvenile in a
3 juvenile correctional facility within its jurisdiction. Expenses shall only include the
4 amounts that were necessarily incurred and actually paid and shall be no more than
5 the legitimate cost would be to any other ~~county~~ jurisdiction had the offense or crime
6 occurred therein.

7 **SECTION 212.** 20.410 (1) (c) of the statutes is amended to read:

8 20.410 (1) (c) *Reimbursement claims of counties or municipalities containing*
9 *state prisons.* A sum sufficient to pay all valid claims made by ~~county~~ clerks of
10 counties, cities, villages, or towns containing state prisons as provided in s. 16.51 (7).

11 **SECTION 213.** 20.410 (3) (c) of the statutes is amended to read:

12 20.410 (3) (c) *Reimbursement claims of counties or municipalities containing*
13 *juvenile correctional facilities.* A sum sufficient to pay all valid claims made by
14 ~~county~~ clerks of counties, cities, villages, or towns containing state juvenile
15 correctional facilities as provided in s. 16.51 (7).

16 **SECTION 214.** 60.33 (10p) of the statutes is created to read:

17 60.33 (10p) CLAIMS IN TOWNS CONTAINING STATE INSTITUTIONS. Make a certified
18 claim against the state, without direction from the board, in all cases in which the
19 reimbursement is directed in s. 16.51 (7), upon forms prescribed by the department
20 of administration. The forms shall contain information required by the clerk and
21 shall be filed annually with the department of corrections on or before June 1.

22 **SECTION 215.** 61.25 (11) of the statutes is created to read:

23 61.25 (11) To make a certified claim against the state, without direction from
24 the board, in all cases in which the reimbursement is directed in s. 16.51 (7), upon
25 forms prescribed by the department of administration. The forms shall contain

1 information required by the clerk and shall be filed annually with the department
2 of corrections on or before June 1.

3 **SECTION 216.** 62.03 (1) of the statutes is amended to read:

4 62.03 (1) This subchapter, except ss. 62.071, 62.08 (1), 62.09 (1) (e) and (11) (j)
5 ~~and, (k), and (m),~~ 62.175, 62.23 (7) (em) and (he), and 62.237, does not apply to 1st
6 class cities under special charter.

7 **SECTION 217.** 62.09 (11) (m) of the statutes is created to read:

8 62.09 (11) (m) The clerk shall make a certified claim against the state, without
9 direction from the council, in all cases in which the reimbursement is directed in s.
10 16.51 (7), upon forms prescribed by the department of administration. The forms
11 shall contain information required by the clerk and shall be filed annually with the
12 department of corrections on or before June 1.”.

13 **253.** Page 374, line 11: after that line insert:

14 “**SECTION 218.** 977.08 (5) (br) of the statutes is amended to read:

15 977.08 (5) (br) Beginning on July 1, 2000, and until June 30, 2023, the state
16 public defender may exempt up to 10 full-time assistant state public defenders in the
17 subunit responsible for trials from the annual caseload standards under par. (bn)
18 based on their need to perform other assigned duties.

19 **SECTION 219.** 977.08 (5) (bs) of the statutes is created to read:

20 977.08 (5) (bs) Beginning on July 1, 2023, the state public defender may exempt
21 up to 25 full-time assistant state public defenders in the subunit responsible for
22 trials from the annual caseload standards under par. (bn) based on their need to
23 perform other assigned duties.”.

24 **254.** Page 374, line 11: after that line insert:

1 **“SECTION 9108. Nonstatutory provisions; Corrections.**

2 (1) REALIGNMENT OF FUNDING AND POSITIONS. Adjust funding and positions
3 between appropriations to reflect various organizational modifications within the
4 Department. The adjustments include a reallocation of all of the following:

5 (a) \$9,072,200 GPR and \$12,100 PR within the Secretary’s Office to allow the
6 Department to create budgetary subunits for the currently existing research unit,
7 reentry unit, Prison Rape Elimination Act (PREA) unit, Office of Legal Counsel,
8 Office of Internal Affairs, and Office of Public Information.

9 (b) \$251,000 GPR from the general program operations appropriation (Bureau
10 of Personnel and Human Resources) to the services for community corrections
11 appropriation (Bureau of Personnel and Human Resources) to more accurately
12 reflect human resource services by appropriation.

13 (c) 8.0 GPR positions and associated funding (\$676,800 GPR) from the general
14 programs operations appropriation to the services for community corrections
15 appropriation related to a previous transfer of positions.

16 (d) 7.70 PR positions and associated funding (\$553,700) to GPR positions and
17 funding to account for a decrease in PR revenue, but an on-going utilization of the
18 positions.

19 (e) \$490,000 GPR and 4.0 GPR positions to match the reallocation of the
20 positions (and associated funding) from the Divisions of Community Corrections and
21 Juvenile Justice to the Office of the Secretary in calendar year 2021.

22 (f) \$11,200 GPR to provide supplies and services to previously transferred
23 positions.

1 (g) \$2,210,300 GPR to align funding between the general program operations,
2 the community corrections, and the purchased services for offenders appropriations
3 to reflect actions in the 2021-23 budget.

4 (2) PROGRAM REVENUE REESTIMATES. Provide \$9,575,800 in 2023-24 and
5 \$9,903,500 in 2024-25 associated with funding adjustments for the following
6 program revenue purposes:

7 (a) For Badger State Logistics, increase the dollar amount for fiscal year
8 2023-24 by \$600,000 and increase the dollar amount for fiscal year 2024-25 by
9 \$600,000.

10 (b) For Canteen Operations, increase the dollar amount for fiscal year 2023-24
11 by \$1,000,000 and increase the dollar amount for fiscal year 2024-25 by \$1,000,000.

12 (c) For Correctional Farms, increase the dollar amount for fiscal year 2023-24
13 by \$1,600,000 and increase the dollar amount for fiscal year 2024-25 by \$1,600,000.

14 (d) For Prison Industries, increase the dollar amount for fiscal year 2023-24
15 by \$1,400,000 and increase the dollar amount for fiscal year 2024-25 by \$1,400,000.

16 (e) For Prison Industries, increase the dollar amount for fiscal year 2023-24
17 by \$1,000,000 and increase the dollar amount for fiscal year 2024-25 by \$1,000,000.

18 (f) For Telephone Company Commissions, increase the dollar amount for fiscal
19 year 2023-24 by \$1,000,000 and increase the dollar amount for fiscal year 2024-25
20 by \$1,000,000.

21 (g) For General Operations, increase the dollar amount for fiscal year 2023-24
22 by \$1,000,000 and increase the dollar amount for fiscal year 2024-25 by \$1,000,000.

23 (h) For Probation, Parole, and Extended Supervision, increase the dollar
24 amount for fiscal year 2023-24 by \$2,000,000 and increase the dollar amount for
25 fiscal year 2024-25 by \$2,000,000.

1 (i) For Juvenile Alternate Care Services, increase the dollar amount for fiscal
2 year 2023-24 by \$741,000 and increase the dollar amount for fiscal year 2024-25 by
3 \$913,600.

4 (j) For Juvenile Utilities & Heating, increase the dollar amount for fiscal year
5 2023-24 by \$234,800 and increase the dollar amount for fiscal year 2024-25 by
6 \$389,900.”.

7 **255.** Page 374, line 11: after that line insert:

8 “SECTION 220. 20.866 (2) (uw) of the statutes is amended to read:

9 20.866 (2) (uw) *Transportation; rail acquisitions and improvements and*
10 *intermodal freight facilities.* From the capital improvement fund, a sum sufficient
11 for the department of transportation to acquire railroad property under ss. 85.08 (2)
12 (L) and 85.09; to provide grants and loans for rail property acquisitions and
13 improvements under s. 85.08 (4m) (c) and (d); and to provide intermodal freight
14 facilities grants under s. 85.093. The state may contract public debt in an amount
15 not to exceed ~~\$250,300,000~~ \$320,300,000 for these purposes. ~~The state may contract~~
16 ~~additional public debt in an amount up to \$30,000,000 for these purposes. The state~~
17 ~~may contract additional public debt in an amount up to \$20,000,000 for these~~
18 ~~purposes.”.~~

19 **256.** Page 374, line 11: after that line insert:

20 “SECTION 221. 20.866 (2) (ug) of the statutes is amended to read:

21 20.866 (2) (ug) *Transportation; accelerated bridge improvements.* From the
22 capital improvement fund, a sum sufficient to acquire, construct, develop, enlarge or
23 improve local bridges under s. 84.11 and interstate bridges under s. 84.12. The state
24 may contract public debt in an amount not to exceed \$46,849,800 for this purpose.

1 In addition, the state may contract public debt in an amount not to exceed
2 \$50,000,000 for the construction of the Southern Bridge project crossing the Fox
3 River in Brown County.”.

4 **257.** Page 374, line 11: after that line insert:

5 “**SECTION 222.** 15.01 (6) of the statutes is amended to read:

6 15.01 (6) “Division,” “bureau,” “section,” and “unit” means the subunits of a
7 department or an independent agency, whether specifically created by law or created
8 by the head of the department or the independent agency for the more economic and
9 efficient administration and operation of the programs assigned to the department
10 or independent agency. The office of credit unions in the department of financial
11 institutions, the office of the inspector general in the department of children and
12 families, the office of the inspector general in the department of health services, and
13 the office of children’s mental health in the department of health services have the
14 meaning of “division” under this subsection. The office of the long-term care
15 ombudsman under the board on aging and long-term care, the office of homeland
16 security under the department of military affairs, and the office of educational
17 accountability in the department of public instruction have the meaning of “bureau”
18 under this subsection.

19 **SECTION 223.** 15.317 of the statutes is created to read:

20 **15.317 Same; offices. (1) OFFICE OF HOMELAND SECURITY.** There is created an
21 office of homeland security in the department of military affairs. The director of the
22 office shall be appointed by the adjutant general.

23 **SECTION 224.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
24 insert the following amounts for the purposes indicated:

	2023-24	2024-25
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1 **20.465 Military Affairs, Department of**

2 (1) NATIONAL GUARD OPERATIONS

3 (am) Office of homeland security GPR A 244,700 313,000

4 **SECTION 225.** 20.465 (1) (am) of the statutes is created to read:

5 20.465 (1) (am) *Office of homeland security.* The amounts in the schedule for
6 the general operations of the office of homeland security under 321.52.

7 **SECTION 226.** 321.52 of the statutes is created to read:

8 **321.52 Office of homeland security.** The office of homeland security shall
9 coordinate with the federal department of homeland security and state and local law
10 enforcement agencies to identify, investigate, assess, report, and share tips and leads
11 linked to emerging homeland security threats.

12 **SECTION 9131. Nonstatutory provisions; Military Affairs.**

13 (1e) POSITIONS FOR THE OFFICE OF HOMELAND SECURITY. The authorized FTE
14 positions for the department of military affairs are increased by 4.0 GPR positions,
15 to be funded from the appropriation under s. 20.465 (1) (am), for the office of
16 homeland security.”.

17 **258.** Page 374, line 11: after that line insert:

18 “**SECTION 227.** 20.465 (1) (km) of the statutes is amended to read:

19 20.465 (1) (km) *Agency services.* The amounts in the schedule to render
20 services to the department and to other state agencies, perform services under s.
21 321.03 (2) (c), and perform other general program operations. All moneys received
22 from other state agencies and all moneys received by the department from the
23 department for services rendered shall be credited to this appropriation.

1 **SECTION 228.** 321.03 (2) (c) of the statutes is created to read:

2 321.03 (2) (c) Provide aerial assistance for incident awareness and assessment,
3 drug interdiction and counter-drug activities, search and rescue efforts, or disasters,
4 as defined in s. 323.02 (6). The department may seek reimbursement for the cost of
5 any assistance provided under this paragraph.”.

6 **259.** Page 374, line 11: after that line insert:

7 “**SECTION 229.** 256.35 (3s) (a) 2m. of the statutes is created to read:

8 256.35 (3s) (a) 2m. “Emergency services IP network provider” means an entity
9 under contract with the department under par. (b) to create, operate, and maintain
10 an emergency services IP network.

11 **SECTION 230.** 256.35 (3s) (a) 3m. of the statutes is created to read:

12 256.35 (3s) (a) 3m. “Next Generation 911 costs” means the costs incurred in the
13 operation of a Next Generation 911 emergency number system by an originating
14 service provider and, if applicable, the 3rd-party provider it uses to connect to an
15 emergency services IP network.

16 **SECTION 231.** 256.35 (3s) (b) of the statutes is amended to read:

17 256.35 (3s) (b) *Emergency services IP network contracts.* The department shall
18 invite bids to be submitted under s. 16.75 and, from the appropriation under s. 20.465
19 (3) (qm), contract for the creation, operation, and maintenance of an emergency
20 services IP network that to the greatest extent feasible relies on industry standards
21 and existing infrastructure to provide all public safety answering points with the
22 network necessary to implement Next Generation 911. Any contract under this
23 paragraph shall include a requirement that the emergency services IP network
24 provider reimburse any originating service provider or, if applicable, the 3rd-party

1 providers it uses to connect to an emergency services IP network for all Next
2 Generation 911 costs incurred by the originating service provider or, if applicable, the
3 3rd-party provider.

4 **SECTION 232.** 256.35 (3s) (bf) of the statutes is created to read:

5 256.35 (3s) (bf) *Next Generation 911 cost recovery.* An emergency services IP
6 network provider shall reimburse any originating service provider or, if applicable,
7 the 3rd-party provider it uses to connect to an emergency services IP network for all
8 Next Generation 911 costs incurred by the originating service provider or, if
9 applicable, the 3rd-party provider.”.

10 **260.** Page 374, line 11: after that line insert:

11 “**SECTION 233.** 20.465 (3) (bm) of the statutes is created to read:

12 20.465 (3) (bm) *Statewide public safety interoperable communication system.*

13 As a continuing appropriation, the amounts in the schedule to develop and operate
14 a statewide public safety interoperable communication system.”.

15 **261.** Page 374, line 11: after that line insert:

16 “**SECTION 234.** 321.03 (1) (f) of the statutes is created to read:

17 321.03 (1) (f) 1. In this paragraph, “substantive change” means any change that
18 modifies the elements of a punitive article of the Uniform Code of Military Justice,
19 creates a punitive article in the Uniform Code of Military Justice, or repeals a
20 punitive article from the Uniform Code of Military Justice.

21 2. By July 1 of each year, submit to the appropriate standing committees of the
22 legislature in the manner provided under s. 13.172 (3) a report that summarizes any
23 substantive changes that have been made to the Uniform Code of Military Justice
24 during the prior federal fiscal year, compares those substantive changes to the

1 Wisconsin Code of Military Justice, and provides recommendations to the legislature
2 regarding whether those substantive changes to the Uniform Code of Military
3 Justice should be incorporated into the Wisconsin Code of Military Justice. The
4 report shall be the subject of a public hearing, conducted no less often than annually,
5 by the appropriate standing committees of the legislature.

6 **SECTION 235.** 321.03 (1) (g) of the statutes is created to read:

7 321.03 (1) (g) Establish and maintain a case management system that allows
8 the national guard to manage and track all case-related information for cases of
9 misconduct within the national guard.

10 **SECTION 236.** 321.04 (1) (s) of the statutes is created to read:

11 321.04 (1) (s) 1. By February 1 of each year, submit to the governor and to the
12 appropriate standing committees of the legislature in the manner provided under s.
13 13.172 (3), and publish on the department's website, an annual report on sexual
14 assault and sexual harassment within the Wisconsin national guard. The report
15 shall be the subject of a public hearing, conducted no less often than annually, by the
16 appropriate standing committees of the legislature. The report shall include, at a
17 minimum, all of the following information for the prior federal fiscal year:

18 a. Data regarding all reported incidents of sexual assault and sexual
19 harassment made by members of the Wisconsin national guard during that period,
20 including the numbers of restricted and unrestricted reports of sexual assault and
21 reports of sexual harassment, and historical trends relating to that data for the 5
22 fiscal years preceding the fiscal year covered in the report. For unrestricted reports
23 of sexual assault and for reports of sexual harassment, the report shall also include
24 all of the following information: the type of conduct that was reported to have
25 occurred; the duty status of the members involved at the time of the incident;

1 information on the status of the report, including whether the case was referred for
2 additional investigation; and a summary of any resolution or discipline taken,
3 including whether criminal charges were referred or filed.

4 b. A summary of any training relating to preventing and responding to
5 incidents of sexual assault and sexual harassment that was provided to members of
6 the Wisconsin national guard in the preceding year.

7 c. A summary of any current federal national guard bureau policies relating to
8 preventing and responding to incidents of sexual assault and sexual harassment
9 that were enacted during that period and a description of how those policies are being
10 implemented in the Wisconsin national guard.

11 d. A summary of the current policies and procedures related to preventing and
12 responding to incidents of sexual assault and sexual harassment in the Wisconsin
13 national guard and any changes made since the prior report.

14 2. The report under subd. 1. shall protect the privacy of victims of sexual
15 assault and sexual harassment and may not provide any personal identifying
16 information that would allow a victim to be identified.

17 **SECTION 237.** 321.04 (1) (t) of the statutes is created to read:

18 321.04 (1) (t) Prescribe in writing, make publicly available on the department's
19 website, and implement a policy that ensures that any victim of an offense under the
20 Wisconsin code of military justice is treated with dignity, respect, courtesy,
21 sensitivity, and fairness.

22 **SECTION 238.** 321.04 (1) (u) of the statutes is created to read:

23 321.04 (1) (u) Prescribe in writing and make publicly available on the
24 department's website the procedures required under s. 322.036.

25 **SECTION 239.** 322.001 (15) of the statutes is amended to read:

1 322.001 (15) “Military offenses” means those offenses prescribed under articles
2 77, principals; 78, accessory after the fact; 80, attempts; 81, conspiracy; 82,
3 solicitation; 83, fraudulent enlistment, appointment, or separation; 84, unlawful
4 enlistment, appointment, or separation; 85, desertion; 86, absence without leave; 87,
5 missing movement; 88, contempt toward officials; 89, disrespect towards superior
6 commissioned officer; 90, assaulting or willfully disobeying superior commissioned
7 officer; 91, insubordinate conduct toward warrant officer, noncommissioned officer,
8 or petty officer; 92, failure to obey order or regulation; 93, cruelty and maltreatment;
9 93a, prohibited activities with military recruit or trainee by a person in a position of
10 special trust; 94, mutiny or sedition; 95, resistance, flight, breach of arrest, and
11 escape; 96, releasing prisoner without proper authority; 97, unlawful detention; 98,
12 noncompliance with procedural rules; 99, misbehavior before the enemy; 100,
13 subordinate compelling surrender; 101, improper use of countersign; 102, forcing a
14 safeguard; 103, captured or abandoned property; 104, aiding the enemy; 105,
15 misconduct as prisoner; 107, false official statements; 108, military property — loss,
16 damage, destruction, or wrongful disposition; 109, property other than military
17 property — waste, spoilage, or destruction; 110, improper hazarding of vessel; 111,
18 drunken or reckless operation of a vehicle, aircraft, or vessel; 112, drunk on duty;
19 112a, wrongful use, or possession of controlled substances; 113, misbehavior of
20 sentinel; 114, dueling; 115, malingering; 116, riot or breach of peace; 117, provoking
21 speeches or gestures; ~~120, rape and sexual assault generally; 120a, stalking; 120b,~~
22 ~~rape and sexual assault of a child; 120c, sexual misconduct;~~ 121, larceny and
23 wrongful appropriation; ~~122, robbery; 123, forgery; 124, maiming; 126, arson; 127,~~
24 ~~extortion; 128, assault; 129, burglary; 130, housebreaking; 131, perjury; 132, frauds~~

1 against the government; 132a, retaliation; 133, conduct unbecoming an officer and
2 a gentleman; and; 134, general; and 134h, sexual harassment; of this code.

3 **SECTION 240.** 322.001 (16) of the statutes is repealed.

4 **SECTION 241.** 322.036 of the statutes is amended to read:

5 **322.036 Article 36 — Governor may prescribe regulations Pretrial,**
6 **trial, and post-trial procedures.** Pretrial, trial, and post-trial procedures not
7 specified in this code, including modes of proof, for courts-martial cases arising
8 under this code, and for courts of inquiry, may shall be prescribed by the governor
9 by regulations, or as otherwise provided by law, which shall apply the principles of
10 law and the rules of evidence generally recognized in military criminal cases in the
11 courts of the armed forces but which may not be contrary to or inconsistent with this
12 code adjutant general in writing and made publicly available on the department of
13 military affairs' website.

14 **SECTION 242.** 322.056 (2) of the statutes is amended to read:

15 322.056 (2) A conviction by a general court-martial of any military offense for
16 which an accused may receive a sentence of confinement for more than 1 year is a
17 felony offense.

18 **SECTION 243.** 322.056 (5) of the statutes is amended to read:

19 322.056 (5) The limits of punishment for violations of the punitive sections
20 under Subch. X shall be those under the Uniform Code of Military Justice, unless
21 otherwise prescribed by the governor according to ss. 322.018 to 322.020, but under
22 no instance shall any punishment exceed that authorized by this code.

23 **SECTION 244.** 322.0935 of the statutes is created to read:

24 **322.0935 Article 93a — Prohibited activities with military recruit or**
25 **trainee by a person in a position of special trust.** (1) In this section:

1 (a) “Applicant for military service” means a person who, under regulations
2 prescribed by the secretary of the relevant military branch, is an applicant for
3 original enlistment or appointment in the state military forces.

4 (b) “Military recruiter” means a person who, under regulations prescribed by
5 the secretary of the relevant military branch, has the primary duty to recruit persons
6 for military service.

7 (c) “Prohibited sexual activity” means any sexual act, as defined in s. 322.120
8 (1) (e), or any sexual contact, as defined in s. 322.120 (1) (f), or any attempt or
9 solicitation to commit a sexual act or sexual contact.

10 (d) “Specially protected junior member of the state military forces” means any
11 of the following:

12 1. A member of the state military forces who is assigned to, or is awaiting
13 assignment to, basic training or other initial active duty for training, including a
14 member who is enlisted under a delayed entry program.

15 2. A member of the state military forces who is a cadet, candidate, or
16 midshipman, or a student in any other officer qualification program.

17 3. A member of the state military forces in any program that, by regulation
18 prescribed by the secretary of the relevant military branch, is identified as a training
19 program for initial career qualification.

20 (e) “Training leadership position” means, with respect to a specially protected
21 junior member of the state military forces, any drill instructor position or other
22 leadership position in a basic training program, an officer candidate school, a reserve
23 officers’ training corps unit, a training program for entry into the state military
24 forces, or any program that, by regulation prescribed by the secretary of the relevant
25 military branch, is identified as a training program for initial career qualification.

1 (2) Any officer, noncommissioned officer, or petty officer who is in a training
2 leadership position and engages in prohibited sexual activity with a specially
3 protected junior member of the state military forces shall be punished as a
4 court-martial may direct.

5 (3) Any person who is a military recruiter and engages in prohibited sexual
6 activity with an applicant for military service or a specially protected junior member
7 of the state military forces who is enlisted under a delayed entry program shall be
8 punished as a court-martial may direct.

9 (4) Consent is not a defense for any conduct at issue in a prosecution under this
10 section.

11 **SECTION 245.** 322.120 (1) (a) of the statutes is repealed.

12 **SECTION 246.** 322.120 (3) (a) (intro.) of the statutes is amended to read:

13 322.120 (3) (a) (intro.) Commits a sexual act upon another person ~~without~~
14 ~~consent~~ by doing any of the following:

15 **SECTION 247.** 322.120 (3) (b) of the statutes is renumbered 322.120 (3) (b)
16 (intro.) and amended to read:

17 322.120 (3) (b) (intro.) Commits a sexual act upon another person when under
18 one of the following circumstances:

19 2. When the person knows or reasonably should know that the other person is
20 asleep, unconscious, or otherwise unaware that the sexual act is occurring.

21 **SECTION 248.** 322.120 (3) (b) 1. of the statutes is created to read:

22 322.120 (3) (b) 1. Without the consent of the other person.

23 **SECTION 249.** 322.1325 of the statutes is created to read:

24 **322.1325 Article 132a — Retaliation.** (1) In this section:

25 (a) “Protected communication” means any of the following:

1 1. A lawful communication to a member of Congress, a member of the
2 Wisconsin legislature, the governor, or an inspector general.

3 2. A communication to a member of the U.S. department of defense or the U.S.
4 national guard bureau, a law enforcement officer, a state agency, a legislative service
5 agency, a person in the chain of command, or a court-martial proceeding in which
6 a member of the state military forces complains of, or discloses information that the
7 member reasonably believes constitutes evidence of, a violation of a law or
8 regulation, including a law or regulation prohibiting sexual harassment or unlawful
9 discrimination, or gross mismanagement, a gross waste of funds, an abuse of
10 authority, or a substantial and specific danger to public health or safety.

11 (b) “Unlawful discrimination” means discrimination on the basis of race, color,
12 religion, sex, or national origin.

13 (2) Any person who, with intent to retaliate against any person for reporting
14 or planning to report a criminal or military offense or for making or planning to make
15 a protected communication, or with intent to discourage any person from reporting
16 a criminal or military offense or making a protected communication, does any of the
17 following shall be punished as a court-martial may direct:

18 (a) Wrongfully takes or threatens to take an adverse personnel action against
19 any person.

20 (b) Wrongfully withholds or threatens to withhold a favorable personnel action
21 with respect to any person.

22 **SECTION 250.** 322.133 of the statutes is amended to read:

23 **322.133 Article 133 — Conduct unbecoming an officer and a gentleman.**

24 Any commissioned officer, cadet, candidate, or midshipman who is convicted of

1 conduct unbecoming an officer and a gentleman shall be punished as a court-martial
2 may direct.

3 **SECTION 251.** 322.1345 of the statutes is created to read:

4 **322.1345 Article 134h — Sexual harassment.** Any person who knowingly
5 makes an unwelcome sexual advance, demand, or request for a sexual favor or
6 knowingly engages in other unwelcome conduct of a sexual nature shall be punished
7 as a court-martial may direct if all of the following apply:

8 (1) The sexual advance, demand, request, or conduct of a sexual nature
9 satisfies any of the following conditions:

10 (a) It would, under the circumstances, cause a reasonable person to believe, and
11 at least one person did believe, that submission to or rejection of such an advance,
12 demand, request, or conduct would be made, either explicitly or implicitly, a term or
13 condition of that person's job, pay, career, benefits, or entitlements or would be used
14 as a basis for decisions affecting that person's job, pay, career, benefits, or
15 entitlements.

16 (b) It was so severe, repetitive, or pervasive that a reasonable person would
17 perceive, and at least one person did perceive, an intimidating, hostile, or offensive
18 working environment.

19 (2) The sexual advance, demand, request, or conduct of a sexual nature was to
20 the prejudice of good order and discipline in the state military forces or of a nature
21 to bring discredit upon the state military forces, or both.

22 **SECTION 9331. Initial applicability; Military Affairs.**

23 (1) REPORT ON SUBSTANTIVE CHANGES TO THE UNIFORM CODE OF MILITARY JUSTICE.

24 The reporting requirement under s. 321.03 (1) (f) 2. first applies to a substantive

1 dishonorable and who was a resident of this state at the time of his or her entry into
2 active service and his or her dependent child and surviving spouse.

3 **SECTION 253.** 45.61 (2) (am) of the statutes is repealed.

4 **SECTION 254.** 45.61 (2) (b) of the statutes is repealed.

5 **SECTION 255.** 45.61 (2) (c) (intro.) of the statutes is repealed.

6 **SECTION 256.** 45.61 (2) (c) 1. of the statutes is amended to read:

7 45.61 (2) (c) 1. Is The spouse or dependent child of a person who is serving on
8 active duty at the time of the spouse's or dependent child's death if the person was
9 a resident of this state at the time of his or her entry or reentry into active service.

10 **SECTION 257.** 45.61 (2) (c) 2. of the statutes is amended to read:

11 45.61 (2) (c) 2. ~~Was a resident of this state at the time of his or her entry or~~
12 ~~reentry into active service and~~ The spouse of a person who was discharged or released
13 from active duty in the U.S. armed forces under honorable conditions.

14 **SECTION 258.** 45.61 (2) (c) 3. of the statutes is repealed.

15 **SECTION 259.** 45.61 (2) (d) of the statutes is amended to read:

16 45.61 (2) (d) A person who ~~was a resident of this state at the time of his or her~~
17 ~~entry or reentry into service~~ served in any a national guard or a reserve component
18 of the U.S. armed forces or who was a resident of this state for at least 12 consecutive
19 months immediately preceding his or her death, and the person's spouse, surviving
20 spouse, and dependent children, if the person is eligible for burial in a national
21 cemetery under 38 USC 2402.

22 **SECTION 260.** 45.61 (2) (e) of the statutes is repealed.

23 **SECTION 261.** 45.61 (3) of the statutes is amended to read:

24 45.61 (3) FEES AND COSTS. The department may charge a fee for burials under
25 this section and may promulgate rules for the assessment of any fee. The cost of

1 preparing the grave and the erection of a marker for a person described under sub.
2 (2) (a), ~~(b)~~, or (d), ~~or (e)~~ shall be paid from the appropriation under s. 20.485 (1) (gk).

3 **SECTION 262.** 45.61 (4) (a) of the statutes is amended to read:

4 45.61 (4) (a) Application for burial shall be made to the department. The
5 surviving spouse of the person described under sub. (2) (a), ~~(b)~~, or (d), ~~or (e)~~, if that
6 person is interred at the Central Wisconsin Veterans Memorial Cemetery, shall have
7 the privilege of selecting a plot next to that person if available. The department shall
8 hold the plot for the surviving spouse for a period of one year from the date of granting
9 the privilege, but may extend the hold, on request, for additional one-year periods.

10 **SECTION 263.** 45.61 (5) (a) of the statutes is renumbered 45.61 (5) and amended
11 to read:

12 45.61 (5) Expenses incident to the burial under this section of persons
13 described in sub. (2) ~~(a) and (b) to (e)~~ shall be paid from the estate of the decedent,
14 except that if there is no estate or the estate is insufficient, the expense of burial, or
15 necessary part of the burial, shall be paid from the appropriation accounts under s.
16 20.485 (4) (g), (m), or (q) or, for members of veterans homes, from the appropriation
17 account under s. 20.485 (1) (gk) ~~for members of veterans homes, and the.~~ The amount
18 expended for those expenses under this subsection shall not exceed the amount
19 established for funeral and burial expenses under s. 49.785 (1) (b).

20 **SECTION 264.** 45.61 (5) (b) of the statutes is repealed.”.

21 **264.** Page 374, line 11: after that line insert:

22 “**SECTION 265.** 36.27 (2) (b) 5. of the statutes is created to read:

1 36.27 (2) (b) 5. A person who is a resident of and living in this state at the time
2 of registering at an institution, and who is a veteran as described in s. 45.01 (12) (fm),
3 is entitled to the exemption under par. (a).

4 **SECTION 266.** 36.27 (3p) (a) 1r. g. of the statutes is created to read:

5 36.27 (3p) (a) 1r. g. The person meets the criteria described in s. 45.01 (12) (fm).

6 **SECTION 267.** 38.24 (8) (a) 1r. g. of the statutes is created to read:

7 38.24 (8) (a) 1r. g. The person meets the criteria described in s. 45.01 (12) (fm).

8 **SECTION 268.** 45.01 (12) (fm) of the statutes is created to read:

9 45.01 (12) (fm) A person who was naturalized pursuant to section 2 (1) of the
10 federal Hmong Veterans' Naturalization Act of 2000, P.L. 106-207, and resides in
11 this state or a person who the secretary determines served honorably with a special
12 guerrilla unit or irregular forces operating from a base in Laos in support of the
13 armed forces of the United States at any time during the period beginning February
14 28, 1961, and ending May 7, 1975; is a citizen of the United States or an alien lawfully
15 admitted for permanent residence in the United States; and resides in the state.

16 **SECTION 269.** 45.44 (3) (c) (intro.) of the statutes is amended to read:

17 45.44 (3) (c) (intro.) A veteran, as defined in s. 45.01 (12) (a) to (f) (fm), or one
18 of the following:

19 **SECTION 270.** 45.51 (2) (a) 1. of the statutes is amended to read:

20 45.51 (2) (a) 1. A veteran, other than a veteran described in s. 45.01 (12) (fm).”.

21 **265.** Page 374, line 11: after that line insert:

22 “**SECTION 271.** 20.435 (2) (bm) of the statutes is amended to read:

23 20.435 (2) (bm) *Secure mental health units or facilities.* The amounts in the
24 schedule for the general program operations of the Wisconsin Resource Center under

1 s. 46.056 and other secure mental health units or facilities under s. 980.065 at which
2 persons committed under s. 980.06 are placed, ~~but not for security operations at the~~
3 ~~Wisconsin Resource Center.~~

4 **SECTION 272.** 46.056 (1) of the statutes is renumbered 46.056.

5 **SECTION 273.** 46.056 (2) of the statutes is repealed.

6 **SECTION 9108. Nonstatutory provisions; Corrections.**

7 (1) TRANSFER OF SECURITY OPERATIONS AT THE WISCONSIN RESOURCE CENTER.

8 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
9 liabilities of the department of corrections that are primarily related to security
10 operations at the Wisconsin Resource Center, as determined by the secretary of
11 administration, become the assets and liabilities of the department of health
12 services.

13 (b) *Positions and employees.* On the effective date of this paragraph, 110.0 FTE
14 GPR positions, and the incumbent employees holding those positions, in the
15 department of corrections responsible for the performance of security operations at
16 the Wisconsin Resource Center under s. 46.056 (2), 2021 stats., as determined by the
17 secretary of administration, are transferred to the department of health services.

18 (c) *Employee status.* Employees transferred under par. (b) have all the rights
19 and the same status under ch. 230 of the statutes in the department of health
20 services that they enjoyed in the department of corrections immediately before the
21 transfer. Notwithstanding s. 230.28 (4), no employee transferred under par. (b) who
22 has attained permanent status in class is required to serve a probationary period.

23 (d) *Tangible personal property.* On the effective date of this paragraph, all
24 tangible personal property, including records, of the department of corrections that
25 are primarily related to security operations at the Wisconsin Resource Center, as

1 determined by the secretary of administration, is transferred to the department of
2 health services.

3 (e) *Pending matters.* Any matter pending with the department of corrections
4 on the effective date of this paragraph that is primarily related to security operations
5 at the Wisconsin Resource Center, as determined by the secretary of administration,
6 is transferred to the department of health services. All materials submitted to or
7 actions taken by the department of corrections with respect to the pending matter
8 are considered as having been submitted to or taken by the department of health
9 services.

10 (f) *Contracts.* All contracts entered into by the department of corrections
11 primarily related to security operations at the Wisconsin Resource Center, as
12 determined by the secretary of administration, in effect on the effective date of this
13 paragraph remain in effect and are transferred to the department of health services.
14 The department of health services shall carry out any obligations under those
15 contracts unless modified or rescinded to the extent allowed under the contract.”.

16 **266.** Page 374, line 11: after that line insert:

17 “**SECTION 274.** 20.485 (2) (vm) (title) of the statutes is repealed and recreated
18 to read:

19 20.485 (2) (vm) (title) *Veterans assistance grants.*

20 **SECTION 275.** 45.40 (title) of the statutes is repealed and recreated to read:

21 **45.40** (title) **Veterans assistance grants.**

22 **SECTION 276.** 45.40 (1g) (a) of the statutes is amended to read:

23 45.40 (1g) (a) “Health care provider” means ~~an advanced practice nurse~~
24 ~~prescriber certified under s. 441.16 (2), an audiologist licensed under ch. 459, a~~

1 ~~dentist licensed under ch. 447, an optometrist licensed under ch. 449, a physician~~
2 ~~licensed under s. 448.02, or a podiatrist licensed under s. 448.63~~ has the meaning
3 given in s. 146.81 (1) and includes an ambulatory surgery center.

4 **SECTION 277.** 45.40 (1m) (a) of the statutes is amended to read:

5 45.40 **(1m)** (a) The department may provide subsistence payments to a veteran
6 on a month-to-month basis or for a 3-month period. The department may pay
7 subsistence aid for a 3-month period if the veteran will be incapacitated for more
8 than 3 months and if earned or unearned income or aid from sources other than those
9 listed in the application will not be available in the 3-month period. The department
10 may provide subsistence payments only to a veteran who has suffered a loss of
11 ~~income due to illness, injury, or natural disaster.~~ The department may grant
12 subsistence aid under this subsection to a veteran whose loss of income is the result
13 of abuse of alcohol or other drugs only if the veteran is participating in an alcohol and
14 other drug abuse treatment program that is approved by the department. No
15 payment may be made under this subsection if the veteran has other assets or income
16 available to meet basic subsistence needs or if the veteran is eligible to receive aid
17 from other sources to meet those needs. When determining the assets available to
18 the veteran, the department may not include the first \$50,000 of cash surrender
19 value of any life insurance.

20 **SECTION 278.** 45.40 (1m) (b) of the statutes is amended to read:

21 45.40 **(1m)** (b) The maximum amount that any veteran may receive under this
22 subsection per occurrence during a consecutive 12-month period may not exceed
23 ~~\$3,000~~ \$5,000.

24 **SECTION 279.** 45.40 (2) (a) of the statutes is amended to read:

1 45.40 (2) (a) The department may provide health care aid to a veteran for
2 dental care, including dentures; vision care, including eyeglass frames and lenses;
3 and hearing care, including hearing aids; and for any other medical device prescribed
4 by a health care provider.

5 **SECTION 280.** 45.40 (2m) (a) of the statutes is amended to read:

6 45.40 (2m) (a) The unremarried spouse and dependent children of a veteran
7 ~~who died on active duty, or in the line of duty while on active or inactive duty for~~
8 ~~training purposes, in the U.S. armed forces or forces incorporated in the U.S. armed~~
9 ~~forces~~ are eligible to receive payments under subs. (1m) and (2) if the household
10 income of those persons does not exceed the income limitations established under
11 sub. (3m).

12 **SECTION 281.** 45.40 (3) of the statutes is amended to read:

13 45.40 (3) LIMITATIONS. The total cumulative amount that any veteran may
14 receive under this section may not exceed \$7,500 \$10,000.”.

15 **267.** Page 374, line 11: after that line insert:

16 **SECTION 282.** 45.82 (2) of the statutes is amended to read:

17 45.82 (2) The department of veterans affairs shall award a grant annually to
18 a county that meets the standards developed under this section if the county
19 executive, administrator, or administrative coordinator certifies to the department
20 that it employs a county veterans service officer who, if chosen after April 15, 2015,
21 is chosen from a list of candidates who have taken a civil service examination for the
22 position of county veterans service officer developed and administered by the bureau
23 of merit recruitment and selection in the department of administration, or is
24 appointed under a civil service competitive examination procedure under s. 59.52 (8)

1 or ch. 63. The grant shall be ~~\$9,350~~ \$18,700 for a county with a population of less
2 than 20,000, ~~\$11,000~~ \$22,000 for a county with a population of 20,000 to 45,499,
3 ~~\$12,650~~ \$25,300 for a county with a population of 45,500 to 74,999, and ~~\$14,300~~
4 \$28,600 for a county with a population of 75,000 or more. The department of veterans
5 affairs shall use the most recent Wisconsin official population estimates prepared by
6 the demographic services center when making grants under this subsection.

7 **SECTION 283.** 45.82 (3) of the statutes is repealed.

8 **SECTION 284.** 45.82 (4) of the statutes is amended to read:

9 45.82 (4) The department shall provide grants to the governing bodies of
10 federally recognized American Indian tribes and bands from the appropriation
11 under s. 20.485 (2) (km) or (vu) if that governing body enters into an agreement with
12 the department regarding the creation, goals, and objectives of a tribal veterans
13 service officer, appoints a veteran to act as a tribal veterans service officer, and gives
14 that veteran duties similar to the duties described in s. 45.80 (5), except that the
15 veteran shall report to the governing body of the tribe or band. The department may
16 make annual grants in an amount not to exceed ~~\$16,500~~ \$33,000 per grant under this
17 subsection and shall promulgate rules to implement this subsection.”.

18 **268.** Page 374, line 11: after that line insert:

19 “**SECTION 285.** 20.485 (1) (gk) of the statutes is amended to read:

20 20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the
21 care of the members of the Wisconsin veterans homes under s. 45.50, for the payment
22 of stipends under s. 45.50 (2m) (f), for the transfer of moneys to the appropriation
23 account under s. 20.435 (4) (ky) for payment of the state share of the medical
24 assistance costs related to the provision of stipends under s. 45.50 (2m) (f), for the

1 payment of assistance to indigent veterans under s. 45.43 to allow them to reside at
2 the Wisconsin Veterans Home at Union Grove, for the transfer of moneys to the
3 appropriation accounts under pars. (kc) and (kj), for the transfer of moneys in an
4 amount up to \$10,000,000 to the appropriation account under par. (ks), and for the
5 payment of grants under s. 45.82. Not more than 1 percent of the moneys credited
6 to this appropriation account may be used for the payment of assistance to indigent
7 veterans under s. 45.43. All moneys received under par. (m) and s. 45.51 (7) (b) and
8 (8) and all moneys received for the care of members under medical assistance, as
9 defined in s. 49.43 (8), shall be credited to this appropriation account. All moneys
10 transferred under 2023 Wisconsin Act ... (this act), section 9248 (1r), shall be
11 credited to this appropriation account. Except for the moneys transferred under this
12 paragraph to the appropriation account under par. (kc), no moneys may be expended
13 from this appropriation for the purposes specified in par. (kc).

14 **SECTION 9148. Nonstatutory provisions; Veterans Affairs.**

15 (1) STUDY FOR A MASTER PLAN FOR THE WISCONSIN VETERANS HOME AT KING. From
16 the appropriation under s. 20.485 (2) (u), during the 2023-25 fiscal biennium, the
17 department of veterans affairs shall contract with a vendor to study the campus of
18 the Wisconsin Veterans Home at King. The study shall provide a framework to guide
19 decision-making for future operations and development on the campus of the
20 Wisconsin Veterans Home at King. The study shall be completed before June 1, 2025.

21 **SECTION 9248. Fiscal changes; Veterans Affairs.**

22 (1r) VETERANS HOMES INSTITUTIONAL OPERATIONS. There is transferred from the
23 general fund to the appropriation account under s. 20.485 (1) (gk) \$10,000,000 in
24 fiscal year 2023-24.”.

1 **269.** Page 374, line 11: after that line insert:

2 “**SECTION 286.** 25.36 of the statutes is repealed.

3 **SECTION 287.** 20.855 (4) (bv) of the statutes is repealed.

4 **SECTION 9448. Effective dates; Veterans Affairs.**

5 (1) REPEAL OF VETERANS TRUST FUND. The treatment of ss. 25.36 and 20.855 (4)
6 (bv) takes effect on July 1, 2025.”.

7 **270.** Page 374, line 11: after that line insert:

8 “**SECTION 9137. Nonstatutory provisions; Revenue**

9 (7m) CLOSING HOURS EXCEPTION FOR CERTAIN ALCOHOL BEVERAGE RETAILERS DURING
10 THE REPUBLICAN NATIONAL CONVENTION IN MILWAUKEE.

11 (a) In this subsection:

12 1. “Municipality” has the meaning given in s. 125.02 (11).

13 2. “Southeast Wisconsin municipality” means a municipality any part of which
14 is located within Kenosha, Racine, Walworth, Rock, Milwaukee, Waukesha,
15 Jefferson, Dane, Ozaukee, Washington, Dodge, Columbia, Sheboygan, or Fond du
16 Lac County.

17 (b) 1. Notwithstanding s. 125.32 (3) (a), from July 15 to July 19, 2024, the
18 closing hours for premises operating under a Class “B” license issued by a southeast
19 Wisconsin municipality shall be between 4 a.m. and 6 a.m. if the municipality that
20 issued the license has adopted a resolution allowing extended closing hours within
21 the municipality and has authorized this extended closing hour as provided in subd.

22 2.

23 2. If a southeast Wisconsin municipality has adopted a resolution under subd.
24 1., the municipality shall establish a process to authorize, and may upon application

1 so authorize, the extended closing hour under subd. 1. for any Class “B” licensed
2 premises within the municipality.

3 (c) 1. Notwithstanding s. 125.68 (4) (c) 1. and 3m., from July 15 to July 19, 2024,
4 the closing hours for premises operating under a “Class B” or “Class C” license issued
5 by a southeast Wisconsin municipality shall be between 4 a.m. and 6 a.m. if the
6 municipality that issued the license has adopted a resolution allowing extended
7 closing hours within the municipality and has authorized this extended closing hour
8 as provided in subd. 2.

9 2. If a southeast Wisconsin municipality has adopted a resolution under subd.
10 1., the municipality shall establish a process to authorize, and may upon application
11 so authorize, the extended closing hour under subd. 1. for any “Class B” or “Class C”
12 licensed premises within the municipality.”.

13 **271.** Page 374, line 11: after that line insert:

14 “SECTION 288. 125.06 (6) of the statutes is amended to read:

15 125.06 (6) PUBLIC PARKS. The sale of fermented malt beverages and wine in any
16 public park operated by a county or municipality. Fermented malt beverages and
17 wine shall be sold by officers or employees of the county or municipality under an
18 ordinance, resolution, rule or regulation enacted by the governing body.

19 SECTION 289. 125.09 (6) of the statutes is amended to read:

20 125.09 (6) MUNICIPAL STORES SALES. No municipality may engage in the sale of
21 alcohol beverages, except as authorized under ~~s.~~ ss. 125.06 (6) and 125.26 (6). This
22 subsection does not apply to municipal stores in operation on November 6, 1969.”.

23 **272.** Page 374, line 11: after that line insert:

24 “SECTION 9137. Nonstatutory provisions; Revenue

1 “(1) AGENT POSITIONS. The authorized FTE positions for the department of
2 revenue, funded from the appropriation under s. 20.566 (1) (a), are decreased by 38.0
3 GPR project positions and the authorized positions for the department of revenue,
4 funded from the appropriation under s. 20.566 (1), are increased by 38.0 GPR
5 positions to serve as special agents for the department.”.

6 **273.** Page 374, line 11: after that line insert:

7 “**SECTION 290.** 20.115 (7) (gc) of the statutes is amended to read:

8 20.115 (7) (gc) *Industrial hemp and marijuana*. All moneys received under s.
9 94.55 for regulation of activities relating to industrial hemp under s. 94.55 and to
10 marijuana under s. 94.56.

11 **SECTION 291.** 20.115 (7) (ge) of the statutes is created to read:

12 20.115 (7) (ge) *Marijuana producers and processors; official logotype*. All
13 moneys received under s. 94.56 for regulation of activities relating to marijuana
14 under s. 94.56, for conducting public awareness campaigns under s. 94.56, and for
15 the creation of a logotype under s. 100.145.

16 **SECTION 292.** 20.435 (5) (q) of the statutes is created to read:

17 20.435 (5) (q) *Payments to counties*. From the community reinvestment fund,
18 all moneys received under subch. IV of ch. 139 for grants to counties under s. 250.22.

19 **SECTION 293.** 20.566 (1) (bn) of the statutes is created to read:

20 20.566 (1) (bn) *Administration and enforcement of marijuana tax and*
21 *regulation*. The amounts in the schedule for the purposes of administering the
22 marijuana tax imposed under subch. IV of ch. 139 and for the costs incurred in
23 enforcing the taxing and regulation of marijuana producers, marijuana processors,
24 and marijuana retailers under subch. IV of ch. 139.

1 **SECTION 294.** 20.835 (2) (eq) of the statutes is created to read:

2 20.835 (2) (eq) *Marijuana tax refunds*. A sum sufficient to pay refunds under
3 subch. IV of ch. 139.

4 **SECTION 295.** 25.316 of the statutes is created to read:

5 **25.316 Community reinvestment fund.** There is established a separate
6 nonlapsible trust fund, designated the community reinvestment fund consisting of
7 all moneys received under subch. IV of ch. 139, including interest and penalties.

8 **SECTION 296.** 49.148 (4) (a) of the statutes is amended to read:

9 49.148 (4) (a) A Wisconsin ~~works~~ Works agency shall require a participant in
10 a community service job or transitional placement who, after August 22, 1996, was
11 convicted in any state or federal court of a felony that had as an element possession,
12 use or distribution of a controlled substance to submit to a test for use of a controlled
13 substance as a condition of continued eligibility. If the test results are positive, the
14 Wisconsin ~~works~~ Works agency shall decrease the presanction benefit amount for
15 that participant by not more than 15 percent for not fewer than 12 months, or for the
16 remainder of the participant's period of participation in a community service job or
17 transitional placement, if less than 12 months. If, at the end of 12 months, the
18 individual is still a participant in a community service job or transitional placement
19 and submits to another test for use of a controlled substance and if the results of the
20 test are negative, the Wisconsin ~~works~~ Works agency shall discontinue the reduction
21 under this paragraph. In this subsection, "controlled substance" does not include
22 tetrahydrocannabinols in any form, including tetrahydrocannabinols contained in
23 marijuana, obtained from marijuana, or chemically synthesized.

24 **SECTION 297.** 49.79 (1) (b) of the statutes is amended to read:

1 49.79 (1) (b) “Controlled substance” has the meaning given in 21 USC 802 (6),
2 except that “controlled substance” does not include tetrahydrocannabinols in any
3 form, including tetrahydrocannabinols contained in marijuana, obtained from
4 marijuana, or chemically synthesized.

5 **SECTION 298.** 59.54 (25) (title) of the statutes is amended to read:

6 59.54 (25) (title) POSSESSION REGULATION OF MARIJUANA.

7 **SECTION 299.** 59.54 (25) (a) (intro.) of the statutes is amended to read:

8 59.54 (25) (a) (intro.) The board may enact and enforce an ordinance to prohibit
9 the possession of marijuana, as defined in s. 961.01 (14), subject to the exceptions in
10 s. 961.41 (3g) (intro.), and provide a forfeiture for a violation of the ordinance that
11 is consistent with s. 961.71 or 961.72; except that if a complaint is issued regarding
12 an allegation of possession of more than 25 grams of marijuana, or possession of any
13 amount of marijuana following a conviction in this state for possession of marijuana
14 alleging a violation of s. 961.72 (2) (b) 2. or (c) 3., the subject of the complaint may
15 not be prosecuted under this subsection for the same action that is the subject of the
16 complaint unless all of the following occur:

17 **SECTION 300.** 66.0107 (1) (bm) of the statutes is amended to read:

18 66.0107 (1) (bm) Enact and enforce an ordinance to prohibit the possession of
19 marijuana, as defined in s. 961.01 (14), subject to the exceptions in s. 961.41 (3g)
20 (intro.), and provide a forfeiture for a violation of the ordinance that is consistent
21 with s. 961.71 or 961.72; except that if a complaint is issued regarding an allegation
22 of possession of more than 25 grams of marijuana, or possession of any amount of
23 marijuana following a conviction in this state for possession of marijuana alleging
24 a violation of s. 961.72 (2) (b) 2. or (c) 3., the subject of the complaint may not be
25 prosecuted under this paragraph for the same action that is the subject of the

1 complaint unless the charges are dismissed or the district attorney declines to
2 prosecute the case.

3 **SECTION 301.** 66.04185 of the statutes is created to read:

4 **66.04185 Cultivation of tetrahydrocannabinols.** No city, village, town, or
5 county may prohibit cultivating tetrahydrocannabinols outdoors if the cultivation is
6 by an individual who has no more than 6 marijuana plants at one time for his or her
7 personal use.

8 **SECTION 302.** 73.17 of the statutes is created to read:

9 **73.17 Medical marijuana registry program. (1) DEFINITIONS.** In this
10 section:

11 (a) “Debilitating medical condition or treatment” means any of the following:

12 1. Cancer; glaucoma; acquired immunodeficiency syndrome; a positive test for
13 the presence of HIV, antigen or nonantigenic products of HIV, or an antibody to HIV;
14 inflammatory bowel disease, including ulcerative colitis or Crohn’s disease; a
15 hepatitis C virus infection; Alzheimer’s disease; amyotrophic lateral sclerosis; nail
16 patella syndrome; Ehlers–Danlos Syndrome; post-traumatic stress disorder; or the
17 treatment of these conditions.

18 2. A chronic or debilitating disease or medical condition or the treatment of
19 such a disease or condition that causes cachexia, severe pain, severe nausea,
20 seizures, including those characteristic of epilepsy, or severe and persistent muscle
21 spasms, including those characteristic of multiple sclerosis.

22 (b) “Department” means the department of revenue.

23 (c) “Physician” means a person licensed under s. 448.04 (1) (a).

1 (d) “Qualifying patient” means a person who has been diagnosed by a physician
2 as having or undergoing a debilitating medical condition or treatment but does not
3 include a person under the age of 18 years.

4 (e) “Tax exemption certificate” means a certificate to claim the exemption under
5 s. 77.54 (71).

6 (f) “Usable marijuana” has the meaning given in s. 139.97 (13).

7 (g) “Written certification” means means a statement made by a person’s
8 physician if all of the following apply:

9 1. The statement indicates that, in the physician’s professional opinion, the
10 person has or is undergoing a debilitating medical condition or treatment and the
11 potential benefits of the person’s use of usable marijuana would likely outweigh the
12 health risks for the person.

13 2. The statement indicates that the opinion described in subd. 1. was formed
14 after a full assessment of the person’s medical history and current medical condition
15 that was conducted no more than 6 months prior to making the statement and that
16 was made in the course of a bona fide physician-patient relationship.

17 3. The statement is signed by the physician or is contained in the person’s
18 medical records.

19 4. The statement contains an expiration date that is no more than 48 months
20 after issuance and the statement has not expired.

21 **(2) APPLICATION.** An adult who is claiming to be a qualifying patient may apply
22 for a registry identification card by submitting to the department a signed
23 application form containing or accompanied by all of the following:

24 (a) His or her name, address, and date of birth.

25 (b) A written certification.

1 (c) The name, address, and telephone number of the person's current physician,
2 as listed in the written certification.

3 **(3) PROCESSING THE APPLICATION.** The department shall verify the information
4 contained in or accompanying an application submitted under sub. (2) and shall
5 approve or deny the application within 30 days after receiving it. The department
6 may deny an application submitted under sub. (2) only if the required information
7 has not been provided or if false information has been provided.

8 **(4) ISSUING A REGISTRY IDENTIFICATION CARD AND TAX EXEMPTION CERTIFICATE.** The
9 department shall issue to the applicant a registry identification card and tax
10 exemption certificate within 5 days after approving an application under sub. (3).
11 Unless voided under sub. (5) (b) or revoked under rules issued by the department
12 under sub. (7), a registry identification card and tax exemption certificate shall
13 expire 4 years from the date of issuance. A tax exemption certificate shall contain
14 the information determined by the department. A registry identification card shall
15 contain all of the following:

16 (a) The name, address, and date of birth of the registrant.

17 (b) The date of issuance and expiration date of the registry identification card.

18 (c) A photograph of the registrant.

19 (d) Other information the department may require by rule.

20 **(5) ADDITIONAL INFORMATION TO BE PROVIDED BY REGISTRANT.** (a) A registrant
21 shall notify the department of any change in the registrant's name and address. A
22 registrant who is a qualifying patient shall notify the department of any change in
23 his or her physician or of any significant improvement in his or her health as it
24 relates to his or her debilitating medical condition or treatment.

1 (b) If a registrant fails to notify the department within 10 days after any change
2 for which notification is required under par. (a), his or her registry identification card
3 and tax exemption certificate is void.

4 **(6) RECORDS.** (a) The department shall maintain a list of all registrants.

5 (b) Notwithstanding s. 19.35 and except as provided in par. (c), the department
6 may not disclose information from an application submitted or a registry
7 identification card issued under this section.

8 (c) The department may disclose to state or local law enforcement agencies
9 information from an application submitted by, or from a registry identification card
10 issued to, a specific person under this section for the purpose of verifying that the
11 person possesses a valid registry identification card.

12 **(7) RULES.** The department shall promulgate rules to implement this section.

13 **SECTION 303.** 77.54 (71) of the statutes is created to read:

14 77.54 (71) The sales price from the sale of and the storage, use, or other
15 consumption of usable marijuana, as defined in s. 139.97 (13), purchased by an
16 individual who holds a valid certificate issued under s. 73.17 (4).

17 **SECTION 304.** 94.55 (2t) of the statutes is repealed.

18 **SECTION 305.** 94.56 of the statutes is created to read:

19 **94.56 Marijuana producers and processors.** (1) **DEFINITIONS.** In this
20 section:

21 (a) "Labor peace agreement" means an agreement between a person applying
22 for a permit under this section and a labor organization, as defined in s. 5.02 (8m),
23 that does all of the following:

1 1. Prohibits labor organizations and its members from engaging in picketing,
2 work stoppages, boycotts, and any other economic interference with persons doing
3 business in this state.

4 2. Prohibits the applicant from disrupting the efforts of the labor organization
5 to communicate with and to organize and represent the applicant's employees.

6 3. Provides the labor organization access at reasonable times to areas in which
7 the applicant's employees work for the purpose of meeting with employees to discuss
8 their right to representation, employment rights under state law, and terms and
9 conditions of employment.

10 (b) "Marijuana" has the meaning given in s. 961.70 (2).

11 (c) "Marijuana processor" has the meaning given in s. 139.97 (6).

12 (d) "Marijuana producer" has the meaning given in s. 139.97 (7).

13 (e) "Usable marijuana" has the meaning given in s. 139.97 (13).

14 (f) "Permittee" means a marijuana producer or marijuana processor who is
15 issued a permit under this section.

16 **(2) PERMIT REQUIRED.** (a) No person may operate in this state as a marijuana
17 producer or marijuana processor without a permit from the department. A person
18 who acts as a marijuana producer and a marijuana processor shall obtain a separate
19 permit for each activity. A permit issued under this section is not transferable from
20 one person to another or from one premises to another. A separate permit is required
21 for each place in this state where the operations of a marijuana producer or
22 marijuana processor occur. A person is not required to obtain a permit under this
23 section if the person produces or processes only industrial hemp and holds a valid
24 license under s. 94.55.

1 (b) This subsection applies to all officers, directors, agents, and stockholders
2 holding 5 percent or more of the stock of any corporation applying for a permit under
3 this section.

4 (c) Subject to ss. 111.321, 111.322, and 111.335, a permit under this section may
5 not be granted to any person to whom any of the following applies:

6 1. The person has been convicted of a violent misdemeanor, as defined in s.
7 941.29 (1g) (b), at least 3 times.

8 2. The person has been convicted of a violent felony, as defined in s. 941.29 (1g)
9 (a), unless pardoned.

10 3. During the preceding 3 years, the person has been committed under s. 51.20
11 for being drug dependent.

12 4. The person chronically and habitually uses alcohol beverages or other
13 substances to the extent that his or her normal faculties are impaired. A person is
14 presumed to chronically and habitually use alcohol beverages or other substances to
15 the extent that his or her normal faculties are impaired if, within the preceding 3
16 years, any of the following applies:

17 a. The person has been committed for involuntary treatment under s. 51.45
18 (13).

19 b. The person has been convicted of a violation of s. 941.20 (1) (b).

20 c. In 2 or more cases arising out of separate incidents, a court has found the
21 person to have committed a violation of s. 346.63 or a local ordinance in conformity
22 with that section; a violation of a law of a federally recognized American Indian tribe
23 or band in this state in conformity with s. 346.63; or a violation of the law of another
24 jurisdiction, as defined in s. 340.01 (41m), that prohibits use of a motor vehicle while
25 intoxicated, while under the influence of a controlled substance, a controlled

1 substance analog, or a combination thereof, with an excess or specified range of
2 alcohol concentration, or while under the influence of any drug to a degree that
3 renders the person incapable of safely driving, as those or substantially similar
4 terms are used in that jurisdiction's laws.

5 5. The person has income that comes principally from gambling or has been
6 convicted of 2 or more gambling offenses.

7 6. The person has been convicted of crimes relating to prostitution.

8 7. The person has been convicted of crimes relating to loaning money or
9 anything of value to persons holding licenses or permits pursuant to ch. 125.

10 8. The person is under the age of 21.

11 9. The person has not been a resident of this state continuously for at least 90
12 days prior to the application date.

13 (cm) An applicant with 20 or more employees may not receive a permit under
14 this section unless the applicant certifies to the department that the applicant has
15 entered into a labor peace agreement and will abide by the terms of the agreement
16 as a condition of maintaining a valid permit under this section. The applicant shall
17 submit to the department a copy of the page of the labor peace agreement that
18 contains the signatures of the labor organization representative and the applicant.

19 (cn) The department shall use a competitive scoring system to determine which
20 applicants are eligible to receive a permit under this section. The department shall
21 issue permits to the highest scoring applicants that it determines will best protect
22 the environment; provide stable, family-supporting jobs to local residents; ensure
23 worker and consumer safety; operate secure facilities; and uphold the laws of the
24 jurisdictions in which they operate. The department may deny a permit to an
25 applicant with a low score as determined under this paragraph. The department

1 may request that the applicant provide any information or documentation that the
2 department deems necessary for purposes of making a determination under this
3 paragraph.

4 (d) 1. Before the department issues a new or renewed permit under this section,
5 the department shall give notice of the permit application to the governing body of
6 the municipality where the permit applicant intends to operate the premises of a
7 marijuana producer or marijuana processor. No later than 30 days after the
8 department submits the notice, the governing body of the municipality may file with
9 the department a written objection to granting or renewing the permit. At the
10 municipality's request, the department may extend the period for filing objections.

11 2. A written objection filed under subd. 1. shall provide all the facts on which
12 the objection is based. In determining whether to grant or deny a permit for which
13 an objection has been filed under this paragraph, the department shall give
14 substantial weight to objections from a municipality based on chronic illegal activity
15 associated with the premises for which the applicant seeks a permit or the premises
16 of any other operation in this state for which the applicant holds or has held a valid
17 permit or license, the conduct of the applicant's patrons inside or outside the
18 premises of any other operation in this state for which the applicant holds or has held
19 a valid permit or license, and local zoning ordinances. In this subdivision, "chronic
20 illegal activity" means a pervasive pattern of activity that threatens the public
21 health, safety, and welfare of the municipality, including any crime or ordinance
22 violation, and that is documented in crime statistics, police reports, emergency
23 medical response data, calls for service, field data, or similar law enforcement agency
24 records.

1 (e) After denying a permit, the department shall immediately notify the
2 applicant in writing of the denial and the reasons for the denial. After making a
3 decision to grant or deny a permit for which a municipality has filed an objection
4 under par. (d), the department shall immediately notify the governing body of the
5 municipality in writing of its decision and the reasons for the decision.

6 (f) 1. The department's denial of a permit under this section is subject to judicial
7 review under ch. 227.

8 2. The department's decision to grant a permit under this section regardless of
9 an objection filed under par. (d) is subject to judicial review under ch. 227.

10 (g) The department shall not issue a permit under this section to any person
11 who does not hold a valid certificate under s. 73.03 (50).

12 **(3) FEES; TERM.** (a) Each person who applies for a permit under this section
13 shall submit with the application a \$250 fee. A permit issued under this section is
14 valid for one year and may be renewed, except that the department may revoke or
15 suspend a permit prior to its expiration. A person is not entitled to a refund of the
16 fees paid under this subsection if the person's permit is denied, revoked, or
17 suspended.

18 (b) A permittee shall annually pay to the department a fee for as long as the
19 person holds a valid permit under this section. The annual fee for a marijuana
20 processor permittee is \$2,000. The annual fee for a marijuana producer permittee
21 is one of the following, unless the department, by rule, establishes a higher amount:

22 1. If the permittee plants, grows, cultivates, or harvests not more than 1,800
23 marijuana plants, \$1,800.

24 2. If the permittee plants, grows, cultivates, or harvests more than 1,800 but
25 not more than 3,600 marijuana plants, \$2,900.

1 3. If the permittee plants, grows, cultivates, or harvests more than 3,600 but
2 not more than 6,000 marijuana plants, \$3,600.

3 4. If the permittee plants, grows, cultivates, or harvests more than 6,000 but
4 not more than 10,200 marijuana plants, \$5,100.

5 5. If the permittee plants, grows, cultivates, or harvests more than 10,200
6 marijuana plants, \$7,100 plus \$800 for every 3,600 marijuana plants over 10,200.

7 **(4) SCHOOLS.** The department may not issue a permit under this section to
8 operate any premises that are within 500 feet of the perimeter of the grounds of any
9 elementary or secondary school, playground, recreation facility, child care facility,
10 public park, public transit facility, or library.

11 **(5) EDUCATION AND AWARENESS CAMPAIGN.** The department shall develop and
12 make available training programs for marijuana producers on how to safely and
13 efficiently plant, grow, cultivate, harvest, and otherwise handle marijuana, and for
14 marijuana processors on how to safely and efficiently produce and handle marijuana
15 products and test marijuana for contaminants. The department shall conduct an
16 awareness campaign to inform potential marijuana producers and marijuana
17 processors of the availability and viability of marijuana as a crop or product in this
18 state.

19 **(6) RULES.** The department shall promulgate rules necessary to administer and
20 enforce this section, including rules relating to the inspection of the plants, facilities,
21 and products of permittees; training requirements for employees of permittees; and
22 the competitive scoring system for determining which applicants are eligible to
23 receive a permit under this section.

24 **(7) PENALTIES.** (a) Unless another penalty is prescribed for the violation, any
25 person who violates sub. (2), fails to pay the required fee under sub. (3), or violates

1 any of the requirements established by the rules promulgated under sub. (6) shall
2 be fined not less than \$100 nor more than \$500 or imprisoned not more than 6 months
3 or both.

4 (b) In addition to the penalties imposed under par. (a), the department shall
5 revoke the permit of any person convicted of any violation described under par. (a)
6 and not issue another permit to that person for a period of 2 years following the
7 revocation. The department may suspend or revoke the permit of any permittee who
8 violates s. 100.30, any provision of this section, or any rules promulgated under sub.
9 (6). The department shall revoke the permit of any permittee who violates s. 100.30
10 3 or more times within a 5-year period.

11 **SECTION 306.** 94.57 of the statutes is created to read:

12 **94.57 Testing laboratories.** The department shall register entities as
13 tetrahydrocannabinols testing laboratories. The laboratories may possess or
14 manufacture tetrahydrocannabinols or drug paraphernalia and shall perform the
15 following services:

16 (1) Test marijuana produced for the medical use of tetrahydrocannabinols for
17 potency and for mold, fungus, pesticides, and other contaminants.

18 (2) Collect information on research findings and conduct research related to
19 the medical use of tetrahydrocannabinols, including research that identifies
20 potentially unsafe levels of contaminants.

21 (3) Provide training on the following:

22 (a) The safe and efficient cultivation, harvesting, packaging, labeling, and
23 distribution of marijuana for the medical use of tetrahydrocannabinols.

24 (b) Security and inventory accountability procedures.

25 (c) The most recent research on the use of tetrahydrocannabinols.

1 **SECTION 307.** 100.145 of the statutes is created to read:

2 **100.145 Recreational marijuana logotype.** The department shall design
3 an official logotype appropriate for including on a label affixed to recreational
4 marijuana under s. 139.973 (10) (a).

5 **SECTION 308.** 108.02 (18r) of the statutes is created to read:

6 108.02 (18r) MARIJUANA. “Marijuana” has the meaning given in s. 111.32 (11m).

7 **SECTION 309.** 108.04 (5m) of the statutes is created to read:

8 108.04 (5m) DISCHARGE FOR USE OF MARIJUANA. (a) Notwithstanding sub. (5),
9 “misconduct,” for purposes of sub. (5), does not include the employee’s use of
10 marijuana off the employer’s premises during nonworking hours or a violation of the
11 employer’s policy concerning such use, unless termination of the employee because
12 of that use is permitted under s. 111.35.

13 (b) Notwithstanding sub. (5g), “substantial fault,” for purposes of sub. (5g), does
14 not include the employee’s use of marijuana off the employer’s premises during
15 nonworking hours or a violation of the employer’s policy concerning such use, unless
16 termination of the employee because of that use is permitted under s. 111.35.

17 **SECTION 310.** 111.32 (9m) of the statutes is created to read:

18 111.32 (9m) “Lawful product” includes marijuana.

19 **SECTION 311.** 111.32 (11m) of the statutes is created to read:

20 111.32 (11m) “Marijuana” means all parts of the plants of the genus Cannabis,
21 whether growing or not; the seeds thereof; the resin extracted from any part of the
22 plant; and every compound, manufacture, salt, derivative, mixture, or preparation
23 of the plant, its seeds or resin, including tetrahydrocannabinols.

24 **SECTION 312.** 111.35 (2) (e) of the statutes is amended to read:

1 111.35 (2) (e) Conflicts with any federal or state statute, rule or regulation.
2 This paragraph does not apply with respect to violations concerning marijuana or
3 tetrahydrocannabinols under 21 USC 841 to 865.

4 **SECTION 313.** 114.09 (2) (bm) 1. (intro.) of the statutes is amended to read:

5 114.09 (2) (bm) 1. (intro.) Except as provided in subd. 1. a. or b., the court shall
6 order the person violating sub. (1) (b) 1. or 1m. to submit to and comply with an
7 assessment by an approved public treatment facility as defined in s. 51.45 (2) (c) for
8 examination of the person's use of alcohol, tetrahydrocannabinols, controlled
9 substances, or controlled substance analogs and development of an airman safety
10 plan for the person. The court shall notify the person, the department, and the proper
11 federal agency of the assessment order. The assessment order shall:

12 **SECTION 314.** 114.09 (2) (bm) 4. of the statutes is amended to read:

13 114.09 (2) (bm) 4. The assessment report shall order compliance with an
14 airman safety plan. The report shall inform the person of the fee provisions under
15 s. 46.03 (18) (f). The safety plan may include a component that makes the person
16 aware of the effect of his or her offense on a victim and a victim's family. The safety
17 plan may include treatment for the person's misuse, abuse, or dependence on alcohol,
18 tetrahydrocannabinols, controlled substances, or controlled substance analogs. If
19 the plan requires inpatient treatment, the treatment shall not exceed 30 days. An
20 airman safety plan under this paragraph shall include a termination date consistent
21 with the plan that shall not extend beyond one year. The county department under
22 s. 51.42 shall assure notification of the department of transportation and the person
23 of the person's compliance or noncompliance with assessment and treatment.

24 **SECTION 315.** 115.35 (1) of the statutes is renumbered 115.35 (1) (a) (intro.) and
25 amended to read:

1 **139.97 Definitions.** In this subchapter:

2 **(1)** “Department” means the department of revenue.

3 **(2)** “Lot” means a definite quantity of marijuana or usable marijuana identified
4 by a lot number, every portion or package of which is consistent with the factors that
5 appear in the labeling.

6 **(3)** “Lot number” means a number that specifies the person who holds a valid
7 permit under this subchapter and the harvesting or processing date for each lot.

8 **(4)** “Marijuana” has the meaning given in s. 961.70 (2).

9 **(5)** “Marijuana distributor” means a person in this state who purchases or
10 receives usable marijuana from a marijuana processor and who sells or otherwise
11 transfers the usable marijuana to a marijuana retailer for the purpose of resale to
12 consumers.

13 **(6)** “Marijuana processor” means a person in this state who processes
14 marijuana into usable marijuana, packages and labels usable marijuana for sale in
15 retail outlets, and sells at wholesale or otherwise transfers usable marijuana to
16 marijuana distributors.

17 **(7)** “Marijuana producer” means a person in this state who produces marijuana
18 and sells it at wholesale or otherwise transfers it to marijuana processors.

19 **(8)** “Marijuana retailer” means a person in this state that sells usable
20 marijuana at a retail outlet.

21 **(9)** “Microbusiness” means a marijuana producer that produces marijuana in
22 one area that is less than 10,000 square feet and who also operates as any 2 of the
23 following:

24 (a) A marijuana processor.

25 (b) A marijuana distributor.

1 (c) A marijuana retailer.

2 (10) "Permittee" means a marijuana producer, marijuana processor, marijuana
3 distributor, marijuana retailer, or microbusiness that is issued a permit under s.
4 139.972.

5 (11) "Retail outlet" means a location for the retail sale of usable marijuana.

6 (12) "Sales price" has the meaning given in s. 77.51 (15b).

7 (13) "Usable marijuana" means marijuana that has been processed for human
8 consumption and includes dried marijuana flowers, marijuana-infused products,
9 and marijuana edibles.

10 **139.971 Marijuana tax.** (1) (a) An excise tax is imposed on a marijuana
11 producer at the rate of 15 percent of the sales price on each wholesale sale or transfer
12 in this state of marijuana to a marijuana processor. This paragraph applies to a
13 microbusiness that transfers marijuana to a processing operation within the
14 microbusiness.

15 (b) An excise tax is imposed on a marijuana retailer at the rate of 10 percent
16 of the sales price on each retail sale in this state of usable marijuana, except that the
17 tax does not apply to sales of usable marijuana to an individual who holds a valid tax
18 exemption certificate issued under s. 73.17 (4).

19 (2) Each person liable for the taxes imposed under sub. (1) shall pay the taxes
20 to the department no later than the 15th day of the month following the month in
21 which the person's tax liability is incurred and shall include with the payment a
22 return on a form prescribed by the department.

23 (3) For purposes of this section, a marijuana producer may not sell marijuana
24 directly to a marijuana distributor or marijuana retailer, and a marijuana retailer
25 may purchase usable marijuana for resale only from a marijuana distributor. This

1 subsection does not apply to a microbusiness that transfers marijuana or usable
2 marijuana to another operation with the microbusiness.

3 **139.972 Permits required. (1)** (a) No person may operate in this state as a
4 marijuana producer, marijuana processor, marijuana distributor, marijuana
5 retailer, or microbusiness without first filing an application for and obtaining the
6 proper permit from the department to perform such operations. In addition, no
7 person may operate in this state as a marijuana producer or marijuana processor
8 without first filing an application for and obtaining the proper permit under s. 94.56.

9 (b) This section applies to all officers, directors, agents, and stockholders
10 holding 5 percent or more of the stock of any corporation applying for a permit under
11 this section.

12 (c) Subject to ss. 111.321, 111.322, and 111.335, a permit under this section may
13 not be granted to any person to whom any of the following applies:

14 1. The person has been convicted of a violent misdemeanor, as defined in s.
15 941.29 (1g) (b), at least 3 times.

16 2. The person has been convicted of a violent felony, as defined in s. 941.29 (1g)
17 (a), unless pardoned.

18 3. During the preceding 3 years, the person has been committed under s. 51.20
19 for being drug dependent.

20 4. The person chronically and habitually uses alcohol beverages or other
21 substances to the extent that his or her normal faculties are impaired. A person is
22 presumed to chronically and habitually use alcohol beverages or other substances to
23 the extent that his or her normal faculties are impaired if, within the preceding 3
24 years, any of the following applies:

1 a. The person has been committed for involuntary treatment under s. 51.45
2 (13).

3 b. The person has been convicted of a violation of s. 941.20 (1) (b).

4 c. In 2 or more cases arising out of separate incidents, a court has found the
5 person to have committed a violation of s. 346.63 or a local ordinance in conformity
6 with that section; a violation of a law of a federally recognized American Indian tribe
7 or band in this state in conformity with s. 346.63; or a violation of the law of another
8 jurisdiction, as defined in s. 340.01 (41m), that prohibits use of a motor vehicle while
9 intoxicated, while under the influence of a controlled substance, a controlled
10 substance analog, or a combination thereof, with an excess or specified range of
11 alcohol concentration, or while under the influence of any drug to a degree that
12 renders the person incapable of safely driving, as those or substantially similar
13 terms are used in that jurisdiction's laws.

14 5. The person has income that comes principally from gambling or has been
15 convicted of 2 or more gambling offenses.

16 6. The person has been convicted of crimes relating to prostitution.

17 7. The person has been convicted of of crimes relating to loaning money or
18 anything of value to persons holding licenses or permits pursuant to ch. 125.

19 8. The person is under the age of 21.

20 9. The person has not been a resident of this state continuously for at least 90
21 days prior to the application date.

22 (cm) An applicant with 20 or more employees may not receive a permit under
23 this section to operate as a marijuana distributor or marijuana retailer unless the
24 applicant certifies to the department that the applicant has entered into a labor
25 peace agreement, as defined in s. 94.56 (1) (a), and will abide by the terms of the

1 agreement as a condition of maintaining a valid permit under this section. The
2 applicant shall submit to the department a copy of the page of the labor peace
3 agreement that contains the signatures of the labor organization representative and
4 the applicant.

5 (cn) The department shall use a competitive scoring system to determine which
6 applicants are eligible to receive a permit under this section. The department shall
7 issue permits to the highest scoring applicants that it determines will best protect
8 the environment; provide stable, family-supporting jobs to local residents; ensure
9 worker and consumer safety; operate secure facilities; and uphold the laws of the
10 jurisdictions in which they operate. The department shall, using criteria established
11 by rule, score an applicant for a permit to operate as a marijuana retailer on the
12 applicant's ability to articulate a social equity plan related to the operation of a
13 marijuana retail establishment. The department may deny a permit to an applicant
14 with a low score as determined under this paragraph. The department may request
15 that the applicant provide any information or documentation that the department
16 deems necessary for purposes of making a determination under this paragraph.

17 (d) 1. Before the department issues a new or renewed permit under this section,
18 the department shall give notice of the permit application to the governing body of
19 the municipality where the permit applicant intends to operate the premises of a
20 marijuana producer, marijuana processor, marijuana distributor, marijuana
21 retailer, or microbusiness. No later than 30 days after the department submits the
22 notice, the governing body of the municipality may file with the department a written
23 objection to granting or renewing the permit. At the municipality's request, the
24 department may extend the period for filing objections.

1 2. A written objection filed under subd. 1. shall provide all the facts on which
2 the objection is based. In determining whether to grant or deny a permit for which
3 an objection has been filed under this paragraph, the department shall give
4 substantial weight to objections from a municipality based on chronic illegal activity
5 associated with the premises for which the applicant seeks a permit or the premises
6 of any other operation in this state for which the applicant holds or has held a valid
7 permit or license, the conduct of the applicant's patrons inside or outside the
8 premises of any other operation in this state for which the applicant holds or has held
9 a valid permit or license, and local zoning ordinances. In this subdivision, "chronic
10 illegal activity" means a pervasive pattern of activity that threatens the public
11 health, safety, and welfare of the municipality, including any crime or ordinance
12 violation, and that is documented in crime statistics, police reports, emergency
13 medical response data, calls for service, field data, or similar law enforcement agency
14 records.

15 (e) After denying a permit, the department shall immediately notify the
16 applicant in writing of the denial and the reasons for the denial. After making a
17 decision to grant or deny a permit for which a municipality has filed an objection
18 under par. (d), the department shall immediately notify the governing body of the
19 municipality in writing of its decision and the reasons for the decision.

20 (f) 1. The department's denial of a permit under this section is subject to judicial
21 review under ch. 227.

22 2. The department's decision to grant a permit under this section regardless of
23 an objection filed under par. (d) is subject to judicial review under ch. 227.

24 (g) The department shall not issue a permit under this section to any person
25 who does not hold a valid certificate under s. 73.03 (50).

1 **(2)** Each person who applies for a permit under this section shall submit with
2 the application a \$250 fee. Each person who is granted a permit under this section
3 shall annually pay to the department a \$2,000 fee for as long as the person holds a
4 valid permit under this section. A permit issued under this section is valid for one
5 year and may be renewed, except that the department may revoke or suspend a
6 permit prior to its expiration. A person is not entitled to a refund of the fees paid
7 under this subsection if the person's permit is denied, revoked, or suspended.

8 **(3)** The department may not issue a permit under this section to operate any
9 premises which are within 500 feet of the perimeter of the grounds of any elementary
10 or secondary school, playground, recreation facility, child care facility, public park,
11 public transit facility, or library.

12 **(4)** Under this section, a separate permit is required for and issued to each class
13 of permittee, and the permit holder may perform only the operations authorized by
14 the permit. A permit issued under this section is not transferable from one person
15 to another or from one premises to another. A separate permit is required for each
16 place in this state where the operations of a marijuana producer, marijuana
17 processor, marijuana distributor, marijuana retailer, or microbusiness occur,
18 including each retail outlet. No person who has been issued a permit to operate as
19 a marijuana retailer, or who has any direct or indirect financial interest in the
20 operation of a marijuana retailer, shall be issued a permit to operate as a marijuana
21 producer, marijuana processor, or marijuana distributor. A person who has been
22 issued a permit to operate as a microbusiness is not required to hold separate permits
23 to operate as a marijuana processor, marijuana distributor, or marijuana retailer,
24 but shall specify on the person's application for a microbusiness permit the activities
25 that the person will be engaged in as a microbusiness.

1 (5) Each person issued a permit under this section shall post the permit in a
2 conspicuous place on the premises to which the permit relates.

3 **139.973 Regulation.** (1) (a) No permittee may employ an individual who is
4 under the age of 21 to work in the business to which the permit relates.

5 (b) Subject to ss. 111.321, 111.322, and 111.335, no permittee may employ an
6 individual if any of the conditions under s. 139.972 (1) (c) 1. to 7. applies to the
7 individual.

8 (2) A retail outlet shall sell no products or services other than usable marijuana
9 or paraphernalia intended for the storage or use of usable marijuana.

10 (3) No marijuana retailer may allow a person who is under the age of 21 to enter
11 or be on the premises of a retail outlet in violation of s. 961.71 (2m), unless that person
12 is a qualifying patient, as defined in s. 73.17 (1) (d).

13 (4) The maximum amount of usable marijuana that a retail outlet may sell to
14 an individual consumer in a single transaction may not exceed a permissible amount,
15 as defined in s. 961.70 (3).

16 (4m) A marijuana retailer may not collect, retain, or distribute personal
17 information regarding the retailer's customers except that which is necessary to
18 complete a sale of usable marijuana.

19 (5) No marijuana retailer may display any signage in a window, on a door, or
20 on the outside of the premises of a retail outlet that is visible to the general public
21 from a public right-of-way, other than a single sign that is no larger than 1,600
22 square inches identifying the retail outlet by the permittee's business or trade name.

23 (6) No marijuana retailer may display usable marijuana in a manner that is
24 visible to the general public from a public right-of-way.

1 **(7)** No marijuana retailer or employee of a retail outlet may consume, or allow
2 to be consumed, any usable marijuana on the premises of the retail outlet.

3 **(7m)** A marijuana retailer may operate a retail outlet only between the hours
4 of 8 a.m. and 8 p.m.

5 **(8)** Except as provided under sub. (5), no marijuana producer, marijuana
6 processor, marijuana distributor, marijuana retailer, or microbusiness may place or
7 maintain, or cause to be placed or maintained, an advertisement of usable marijuana
8 in any form or through any medium.

9 **(9)** (a) On a schedule determined by the department, every marijuana
10 producer, marijuana processor, or microbusiness shall submit representative
11 samples of the marijuana and usable marijuana produced or processed by the
12 marijuana producer, marijuana processor, or microbusiness to a testing laboratory
13 registered under s. 94.57 for testing marijuana and usable marijuana in order to
14 certify that the marijuana and usable marijuana comply with standards prescribed
15 by the department by rule, including testing for potency and for mold, fungus,
16 pesticides, and other contaminants. The laboratory testing the sample shall destroy
17 any part of the sample that remains after the testing.

18 (b) Marijuana producers, marijuana processors, and microbusinesses shall
19 submit the results of the testing provided under par. (a) to the department in the
20 manner prescribed by the department by rule.

21 (c) If a representative sample tested under par. (a) does not meet the standards
22 prescribed by the department, the department shall take the necessary action to
23 ensure that the entire lot from which the sample was taken is destroyed. The
24 department shall promulgate rules to determine lots and lot numbers for purposes
25 of this subsection and for the reporting of lots and lot numbers to the department.

1 **(10)** (a) A marijuana processor or a microbusiness that operates as a marijuana
2 processor shall affix a label to all usable marijuana that the marijuana processor or
3 microbusiness sells to marijuana distributors. The label may not be designed to
4 appeal to persons under the age of 18. The label shall include all of the following:

5 1. The ingredients and the tetrahydrocannabinols concentration in the usable
6 marijuana.

7 2. The producer's business or trade name.

8 3. The producer's permit number.

9 4. The harvest batch number of the marijuana.

10 5. The harvest date.

11 6. The strain name and product identity.

12 7. The net weight.

13 8. The activation time.

14 9. The name of laboratory performing any test, the test batch number, and the
15 test analysis dates.

16 10. The logotype for recreational marijuana developed by the department of
17 agriculture, trade and consumer protection under s. 100.145.

18 11. Warnings about the risks of marijuana use and pregnancy and risks of
19 marijuana use by persons under the age of 18.

20 (b) No marijuana processor or microbusiness that operates as a marijuana
21 processor may make usable marijuana using marijuana grown outside this state.
22 The label on each package of usable marijuana may indicate that the usable
23 marijuana is made in this state.

24 **(11)** (a) No permittee may sell marijuana or usable marijuana that contains
25 more than 3 parts tetrahydrocannabinols to one part cannabidiol.

1 (b) No permittee may sell marijuana or usable marijuana that tests positive
2 under sub. (9) (a) for mold, fungus, pesticides, or other contaminants if the
3 contaminants, or level of contaminants, are identified by a testing laboratory to be
4 potentially unsafe to the consumer.

5 (12) Immediately after beginning employment with a permittee, every
6 employee of a permittee shall receive training, approved by the department, on the
7 safe handling of marijuana and usable marijuana and on security and inventory
8 accountability procedures.

9 (13) The department shall deposit all moneys received under this subchapter
10 into the community reinvestment fund.

11 **139.974 Records and reports.** (1) Every permittee shall keep accurate and
12 complete records of the production and sales of marijuana and usable marijuana in
13 this state. The records shall be kept on the premises described in the permit and in
14 such manner as to ensure permanency and accessibility for inspection at reasonable
15 hours by the department's authorized personnel. The department shall prescribe
16 reasonable and uniform methods of keeping records and making reports and shall
17 provide the necessary forms to permittees.

18 (2) If the department determines that any permittee's records are not kept in
19 the prescribed form or are in such condition that the department requires an unusual
20 amount of time to determine from the records the amount of the tax due, the
21 department shall give notice to the permittee that the permittee is required to revise
22 the permittee's records and keep them in the prescribed form. If the permittee fails
23 to comply within 30 days, the permittee shall pay the expenses reasonably
24 attributable to a proper examination and tax determination at the rate of \$30 a day
25 for each auditor used to make the examination and determination. The department

1 shall send a bill for such expenses, and the permittee shall pay the amount of such
2 bill within 10 days.

3 (3) If any permittee fails to file a report when due, the permittee shall be
4 required to pay a late filing fee of \$10. A report that is mailed is filed on time if it is
5 mailed in a properly addressed envelope with postage prepaid, the envelope is
6 officially postmarked, or marked or recorded electronically as provided under section
7 7502 (f) (2) (c) of the Internal Revenue Code, on the date due, and the report is
8 actually received by the department or at the destination that the department
9 prescribes within 5 days of the due date. A report that is not mailed is timely if it
10 is received on or before the due date by the department or at the destination that the
11 department prescribes. For purposes of this subsection, "mailed" includes delivery
12 by a delivery service designated under section 7502 (f) of the Internal Revenue Code.

13 (4) Sections 71.78 (1), (1m), and (4) to (9) and 71.83 (2) (a) 3. and 3m., relating
14 to confidentiality of income, franchise, and gift tax returns, apply to any information
15 obtained from any permittee under this subchapter on a tax return, report, schedule,
16 exhibit, or other document or from an audit report relating to any of those documents,
17 except that the department shall publish production and sales statistics.

18 **139.975 Administration and enforcement.** (1) The department shall
19 administer and enforce this subchapter and promulgate rules necessary to
20 administer and enforce this subchapter.

21 (2) The duly authorized employees of the department have all necessary police
22 powers to prevent violations of this subchapter.

23 (3) Authorized personnel of the department of justice and the department of
24 revenue, and any law enforcement officer, within their respective jurisdictions, may
25 at all reasonable hours enter the premises of any permittee and examine the books

1 and records to determine whether the tax imposed by this subchapter has been fully
2 paid and may enter and inspect any premises where marijuana or usable marijuana
3 is produced, processed, made, sold, or stored to determine whether the permittee is
4 complying with this subchapter.

5 (4) The department may suspend or revoke the permit of any permittee who
6 violates s. 100.30, any provision of this subchapter, or any rules promulgated under
7 sub. (1). The department shall revoke the permit of any permittee who violates s.
8 100.30 3 or more times within a 5-year period.

9 (5) No suit shall be maintained in any court to restrain or delay the collection
10 or payment of the tax levied in s. 139.971. The aggrieved taxpayer shall pay the tax
11 when due and, if paid under protest, may at any time within 90 days from the date
12 of payment sue the state to recover the tax paid. If it is finally determined that any
13 part of the tax was wrongfully collected, the secretary of administration shall pay the
14 amount wrongfully collected. A separate suit need not be filed for each separate
15 payment made by any taxpayer, but a recovery may be had in one suit for as many
16 payments as may have been made.

17 (6) (a) Any person may be compelled to testify in regard to any violation of this
18 subchapter of which the person may have knowledge, even though such testimony
19 may tend to incriminate the person, upon being granted immunity from prosecution
20 in connection with the testimony, and upon the giving of such testimony, the person
21 shall not be prosecuted because of the violation relative to which the person has
22 testified.

23 (b) The immunity provided under par. (a) is subject to the restrictions under
24 s. 972.085.

1 (7) The provisions on timely filing under s. 71.80 (18) apply to the tax imposed
2 under this subchapter.

3 (8) Sections 71.74 (1), (2), (10), (11), and (14), 71.77, 71.91 (1) (a) and (c) and
4 (2) to (7), 71.92, and 73.0301 as they apply to the taxes under ch. 71 apply to the taxes
5 under this subchapter. Section 71.74 (13) as it applies to the collection of the taxes
6 under ch. 71 applies to the collection of the taxes under this subchapter, except that
7 the period during which notice of an additional assessment shall be given begins on
8 the due date of the report under this subchapter.

9 (9) Any building or place of any kind where marijuana or usable marijuana is
10 sold, possessed, stored, or manufactured without a lawful permit or in violation of
11 s. 139.972 or 139.973 is declared a public nuisance and may be closed and abated as
12 such.

13 (10) At the request of the secretary of revenue, the attorney general may
14 represent this state or assist a district attorney in prosecuting any case arising under
15 this subchapter.

16 **139.976 Theft of tax moneys.** All marijuana tax moneys received by a
17 permittee for the sale of marijuana or usable marijuana on which the tax under this
18 subchapter has become due and has not been paid are trust funds in the permittee's
19 possession and are the property of this state. Any permittee who fraudulently
20 withholds, appropriates, or otherwise uses marijuana tax moneys that are the
21 property of this state is guilty of theft under s. 943.20 (1), whether or not the
22 permittee has or claims to have an interest in those moneys.

23 **139.977 Seizure and confiscation. (1)** All marijuana and usable marijuana
24 produced, processed, made, kept, stored, sold, distributed, or transported in violation
25 of this subchapter, and all tangible personal property used in connection with the

1 marijuana or usable marijuana, is unlawful property and subject to seizure by the
2 department or a law enforcement officer. Except as provided in sub. (2), all
3 marijuana and usable marijuana seized under this subsection shall be destroyed.

4 (2) If marijuana or usable marijuana on which the tax has not been paid is
5 seized as provided under sub. (1), it may be given to law enforcement officers to use
6 in criminal investigations or sold to qualified buyers by the department, without
7 notice. If the department finds that the marijuana or usable marijuana may
8 deteriorate or become unfit for use in criminal investigations or for sale, or that those
9 uses would otherwise be impractical, the department may order it destroyed.

10 (3) If marijuana or usable marijuana on which the tax has been paid is seized
11 as provided under sub. (1), it shall be returned to the true owner if ownership can be
12 ascertained and the owner or the owner's agent is not involved in the violation
13 resulting in the seizure. If the ownership cannot be ascertained or if the owner or
14 the owner's agent was guilty of the violation that resulted in the seizure of the
15 marijuana or usable marijuana, it may be sold or otherwise disposed of as provided
16 in sub. (2).

17 (4) If tangible personal property other than marijuana or usable marijuana is
18 seized as provided under sub. (1), the department shall advertise the tangible
19 personal property for sale by publication of a class 2 notice under ch. 985. If no person
20 claiming a lien on, or ownership of, the property has notified the department of the
21 person's claim within 10 days after last insertion of the notice, the department shall
22 sell the property. If a sale is not practical the department may destroy the property.
23 If a person claiming a lien on, or ownership of, the property notifies the department
24 within the time prescribed in this subsection, the department may apply to the
25 circuit court in the county where the property was seized for an order directing

1 disposition of the property or the proceeds from the sale of the property. If the court
2 orders the property to be sold, all liens, if any, may be transferred from the property
3 to the sale proceeds. Neither the property seized nor the proceeds from the sale shall
4 be turned over to any claimant of lien or ownership unless the claimant first
5 establishes that the property was not used in connection with any violation under
6 this subchapter or that, if so used, it was done without the claimant's knowledge or
7 consent and without the claimant's knowledge of facts that should have given the
8 claimant reason to believe it would be put to such use. If no claim of lien or ownership
9 is established as provided under this subsection the property may be ordered
10 destroyed.

11 **139.978 Interest and penalties.** (1) Any person who makes or signs any
12 false or fraudulent report under this subchapter or who attempts to evade the tax
13 imposed by s. 139.971, or who aids in or abets the evasion or attempted evasion of
14 that tax, may be fined not more than \$10,000 or imprisoned for not more than 9
15 months or both.

16 (2) Any permittee who fails to keep the records required by s. 139.974 (1) and
17 (2) shall be fined not less than \$100 nor more than \$500 or imprisoned not more than
18 6 months or both.

19 (3) Any person who refuses to permit the examination or inspection authorized
20 under s. 139.975 (3) may be fined not more than \$500 or imprisoned not more than
21 6 months or both. The department shall immediately suspend or revoke the permit
22 of any person who refuses to permit the examination or inspection authorized under
23 s. 139.975 (3).

1 **(4)** Any person who violates any of the provisions of this subchapter for which
2 no other penalty is prescribed shall be fined not less than \$100 nor more than \$1,000
3 or imprisoned not less than 10 days nor more than 90 days or both.

4 **(5)** Any person who violates any of the rules promulgated in accordance with
5 this subchapter shall be fined not less than \$100 nor more than \$500 or imprisoned
6 not more than 6 months or both.

7 **(6)** In addition to the penalties imposed for violating the provisions of this
8 subchapter or any of the department's rules, the department shall revoke the permit
9 of any person convicted of such a violation and not issue another permit to that
10 person for a period of 2 years following the revocation.

11 **(7)** Unpaid taxes bear interest at the rate of 12 percent per year from the due
12 date of the return until paid or deposited with the department, and all refunded taxes
13 bear interest at the rate of 3 percent per year from the due date of the return to the
14 date on which the refund is certified on the refund rolls.

15 **(8)** All nondelinquent payments of additional amounts owed shall be applied
16 in the following order: penalties, interest, tax principal.

17 **(9)** Delinquent marijuana taxes bear interest at the rate of 1.5 percent per
18 month until paid. The taxes imposed by this subchapter shall become delinquent if
19 not paid:

20 (a) In the case of a timely filed return, no return filed or a late return, on or
21 before the due date of the return.

22 (b) In the case of a deficiency determination of taxes, within 2 months after the
23 date of demand.

24 **(10)** If due to neglect an incorrect return is filed, the entire tax finally
25 determined is subject to a penalty of 25 percent of the tax exclusive of interest or

1 other penalty. A person filing an incorrect return has the burden of proving that the
2 error or errors were due to good cause and not due to neglect.

3 **139.979 Personal use.** An individual who possesses no more than 6
4 marijuana plants that have reached the flowering stage at any one time is not subject
5 to the tax imposed under s. 139.971. An individual who possesses more than 6
6 marijuana plants that have reached the flowering stage at any one time shall apply
7 for the appropriate permit under s. 139.972 and pay the appropriate tax imposed
8 under s. 139.971.

9 **139.980 Agreement with tribes.** The department may enter into an
10 agreement with a federally recognized American Indian tribe in this state for the
11 administration and enforcement of this subchapter and to provide refunds of the tax
12 imposed under s. 139.971 on marijuana sold on tribal land by or to enrolled members
13 of the tribe residing on the tribal land.

14 **SECTION 317.** 157.06 (11) (hm) of the statutes is created to read:

15 157.06 (11) (hm) Unless otherwise required by federal law, a hospital,
16 physician, procurement organization, or other person may not determine the
17 ultimate recipient of an anatomical gift based solely upon a positive test for the use
18 of marijuana by a potential recipient.

19 **SECTION 318.** 157.06 (11) (i) of the statutes is amended to read:

20 157.06 (11) (i) Except as provided under ~~par. pars.~~ (a) 2. and (hm), nothing in
21 this section affects the allocation of organs for transplantation or therapy.

22 **SECTION 319.** 250.22 of the statutes is created to read:

23 **250.22 Payments to counties.** The department shall promulgate rules to
24 establish grants to counties to support mental health and substance use disorder

1 services. The department shall fund all grants established under this section from
2 the appropriation under s. 20.435 (5) (q).

3 **SECTION 320.** 289.33 (3) (d) of the statutes is amended to read:

4 289.33 (3) (d) “Local approval” includes any requirement for a permit, license,
5 authorization, approval, variance or exception or any restriction, condition of
6 approval or other restriction, regulation, requirement or prohibition imposed by a
7 charter ordinance, general ordinance, zoning ordinance, resolution or regulation by
8 a town, city, village, county or special purpose district, including without limitation
9 because of enumeration any ordinance, resolution or regulation adopted under s.
10 91.73, 2007 stats., s. 59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2),
11 (5), (6), (7), (8), (9), (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24),
12 (25), (26) and (27), 59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19),
13 (20) and (23), 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10),
14 (11), (12), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25) (a), and (26), 59.55 (3),
15 (4), (5) and (6), 59.56 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16),
16 59.57 (1), 59.58 (1) and (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70
17 (1), (2), (3), (5), (7), (8), (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (5), (7), (8),
18 and (10), 59.792 (2) and (3), 59.80, 59.82, 60.10, 60.22, 60.23, 60.54, 60.77, 61.34,
19 61.35, 61.351, 61.353, 61.354, 62.11, 62.23, 62.231, 62.233, 62.234, 66.0101, 66.0415,
20 87.30, 196.58, 200.11 (8), 236.45, 281.43 or 349.16, subch. VIII of ch. 60, or subch. III
21 of ch. 91.

22 **SECTION 321.** 349.02 (2) (b) 4. of the statutes is amended to read:

23 349.02 (2) (b) 4. Local ordinances enacted under s. 59.54 (25) (a) or (25m) or
24 66.0107 (1) (bm).

1 **SECTION 322.** 961.01 (14) of the statutes is renumbered 961.70 (2) and amended
2 to read:

3 961.70 (2) “Marijuana” means all parts of the plants of the genus Cannabis,
4 whether growing or not; the seeds thereof; the resin extracted from any part of the
5 plant; and every compound, manufacture, salt, derivative, mixture, or preparation
6 of the plant, its seeds or resin, including if the tetrahydrocannabinols concentration
7 of the plant part, seeds, resin, compound, manufacture, salt, derivative, mixture, or
8 preparation is greater than 0.3 percent on a dry weight basis. “Marijuana” does
9 include the mature stalks if mixed with other parts of the plant, but does not include
10 fiber produced from the stalks, oil or cake made from the seeds of the plant, any other
11 compound, manufacture, salt, derivative, mixture, or preparation of the mature
12 stalks (except the resin extracted therefrom), fiber, oil, or cake or the sterilized seed
13 of the plant which is incapable of germination. “Marijuana” does not include hemp,
14 as defined in s. 94.55 (1).

15 **SECTION 323.** 961.11 (4g) of the statutes is repealed.

16 **SECTION 324.** 961.14 (4) (t) of the statutes is repealed.

17 **SECTION 325.** 961.32 (2m) of the statutes is repealed.

18 **SECTION 326.** 961.34 of the statutes is renumbered 961.75, and 961.75 (title),
19 as renumbered, is amended to read:

20 **961.75 (title) ~~Controlled substances~~ Marijuana therapeutic research.**

21 **SECTION 327.** 961.38 (1n) of the statutes is repealed.

22 **SECTION 328.** 961.41 (1) (h) of the statutes is repealed.

23 **SECTION 329.** 961.41 (1m) (h) of the statutes is repealed.

24 **SECTION 330.** 961.41 (1q) of the statutes is repealed.

25 **SECTION 331.** 961.41 (1r) of the statutes is amended to read:

1 **961.41 (1r) DETERMINING WEIGHT OF SUBSTANCE.** In determining amounts under
2 s. 961.49 (2) (b), 1999 stats., and subs. (1) and (1m), an amount includes the weight
3 of cocaine, cocaine base, fentanyl, a fentanyl analog, heroin, phencyclidine, lysergic
4 acid diethylamide, psilocin, psilocybin, amphetamine, methamphetamine,
5 tetrahydrocannabinols, synthetic cannabinoids, or substituted cathinones, or any
6 controlled substance analog of any of these substances together with any compound,
7 mixture, diluent, plant material or other substance mixed or combined with the
8 controlled substance or controlled substance analog. ~~In addition, in determining~~
9 ~~amounts under subs. (1) (h) and (1m) (h), the amount of tetrahydrocannabinols~~
10 ~~means anything included under s. 961.14 (4) (t) and includes the weight of any~~
11 ~~marijuana.~~

12 **SECTION 332.** 961.41 (1x) of the statutes is amended to read:

13 **961.41 (1x) CONSPIRACY.** Any person who conspires, as specified in s. 939.31,
14 to commit a crime under sub. (1) (cm) to ~~(h)~~ (g) or (1m) (cm) to ~~(h)~~ (g) is subject to the
15 applicable penalties under sub. (1) (cm) to ~~(h)~~ (g) or (1m) (cm) to ~~(h)~~ (g).

16 **SECTION 333.** 961.41 (3g) (c) of the statutes is amended to read:

17 **961.41 (3g) (c) Cocaine and cocaine base.** If a person possesses or attempts to
18 possess cocaine or cocaine base, or a controlled substance analog of cocaine or cocaine
19 base, the person shall be fined not more than \$5,000 and may be imprisoned for not
20 more than one year in the county jail upon a first conviction and is guilty of a Class
21 I felony for a 2nd or subsequent offense. For purposes of this paragraph, an offense
22 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the
23 offense, the offender has at any time been convicted of any felony or misdemeanor
24 under this chapter or under any statute of the United States or of any state relating

1 to controlled substances, controlled substance analogs, narcotic drugs, ~~marijuana~~,
2 or depressant, stimulant, or hallucinogenic drugs.

3 **SECTION 334.** 961.41 (3g) (d) of the statutes is amended to read:

4 961.41 (3g) (d) *Certain hallucinogenic and stimulant drugs.* If a person
5 possesses or attempts to possess lysergic acid diethylamide, phencyclidine,
6 amphetamine, 3,4-methylenedioxymethamphetamine, methcathinone, cathinone,
7 N-benzylpiperazine, a substance specified in s. 961.14 (4) (a) to (h), (m) to (q), (sm),
8 (u) to (xb), or (7) (L), psilocin, or psilocybin, or a controlled substance analog of
9 lysergic acid diethylamide, phencyclidine, amphetamine,
10 3,4-methylenedioxymethamphetamine, methcathinone, cathinone,
11 N-benzylpiperazine, a substance specified in s. 961.14 (4) (a) to (h), (m) to (q), (sm),
12 (u) to (xb), or (7) (L), psilocin, or psilocybin, the person may be fined not more than
13 \$5,000 or imprisoned for not more than one year in the county jail or both upon a first
14 conviction and is guilty of a Class I felony for a 2nd or subsequent offense. For
15 purposes of this paragraph, an offense is considered a 2nd or subsequent offense if,
16 prior to the offender's conviction of the offense, the offender has at any time been
17 convicted of any felony or misdemeanor under this chapter or under any statute of
18 the United States or of any state relating to controlled substances, controlled
19 substance analogs, narcotic drugs, ~~marijuana~~, or depressant, stimulant, or
20 hallucinogenic drugs.

21 **SECTION 335.** 961.41 (3g) (e) of the statutes is repealed.

22 **SECTION 336.** 961.41 (3g) (em) of the statutes is amended to read:

23 961.41 (3g) (em) *Synthetic cannabinoids.* If a person possesses or attempts to
24 possess a controlled substance specified in s. 961.14 (4) (tb), or a controlled substance
25 analog of a controlled substance specified in s. 961.14 (4) (tb), the person may be fined

1 not more than \$1,000 or imprisoned for not more than 6 months or both upon a first
2 conviction and is guilty of a Class I felony for a 2nd or subsequent offense. For
3 purposes of this paragraph, an offense is considered a 2nd or subsequent offense if,
4 prior to the offender's conviction of the offense, the offender has at any time been
5 convicted of any felony or misdemeanor under this chapter or under any statute of
6 the United States or of any state relating to controlled substances, controlled
7 substance analogs, narcotic drugs, ~~marijuana~~, or depressant, stimulant, or
8 hallucinogenic drugs.

9 **SECTION 337.** 961.47 (1) of the statutes is amended to read:

10 961.47 (1) Whenever any person who has not previously been convicted of any
11 offense under this chapter, or of any offense under any statute of the United States
12 or of any state or of any county ordinance relating to controlled substances or
13 controlled substance analogs, narcotic drugs, ~~marijuana~~ or stimulant, depressant,
14 or hallucinogenic drugs, pleads guilty to or is found guilty of possession or attempted
15 possession of a controlled substance or controlled substance analog under s. 961.41
16 (3g) (b), the court, without entering a judgment of guilt and with the consent of the
17 accused, may defer further proceedings and place him or her on probation upon terms
18 and conditions. Upon violation of a term or condition, the court may enter an
19 adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the
20 terms and conditions, the court shall discharge the person and dismiss the
21 proceedings against him or her. Discharge and dismissal under this section shall be
22 without adjudication of guilt and is not a conviction for purposes of disqualifications
23 or disabilities imposed by law upon conviction of a crime, including the additional
24 penalties imposed for 2nd or subsequent convictions under s. 961.48. There may be
25 only one discharge and dismissal under this section with respect to any person.

1 **SECTION 338.** 961.48 (3) of the statutes is amended to read:

2 961.48 (3) For purposes of this section, a felony offense under this chapter is
3 considered a 2nd or subsequent offense if, prior to the offender's conviction of the
4 offense, the offender has at any time been convicted of any felony or misdemeanor
5 offense under this chapter or under any statute of the United States or of any state
6 relating to controlled substances or controlled substance analogs, narcotic drugs,
7 ~~marijuana~~ or depressant, stimulant, or hallucinogenic drugs.

8 **SECTION 339.** 961.48 (5) of the statutes is amended to read:

9 961.48 (5) This section does not apply if the person is presently charged with
10 a felony under s. 961.41 (3g) (c), (d), ~~(e)~~, or (g).

11 **SECTION 340.** 961.49 (1m) (intro.) of the statutes is amended to read:

12 961.49 (1m) (intro.) If any person violates s. 961.41 (1) (cm), (d), (dm), (e), (f),
13 ~~or (g) or (h)~~ by delivering or distributing, or violates s. 961.41 (1m) (cm), (d), (dm), (e),
14 (f), ~~or (g) or (h)~~ by possessing with intent to deliver or distribute, cocaine, cocaine
15 base, fentanyl, a fentanyl analog, heroin, phencyclidine, lysergic acid diethylamide,
16 psilocin, psilocybin, amphetamine, methamphetamine, or methcathinone ~~or any~~
17 ~~form of tetrahydrocannabinols~~ or a controlled substance analog of any of these
18 substances and the delivery, distribution or possession takes place under any of the
19 following circumstances, the maximum term of imprisonment prescribed by law for
20 that crime may be increased by 5 years:

21 **SECTION 341.** 961.571 (1) (a) 7. of the statutes is repealed.

22 **SECTION 342.** 961.571 (1) (a) 11. (intro.) of the statutes is amended to read:

23 961.571 (1) (a) 11. (intro.) Objects used, designed for use or primarily intended
24 for use in ingesting, inhaling, or otherwise introducing ~~marijuana~~, cocaine, hashish
25 or hashish oil into the human body, such as:

1 (5) “Retail outlet” has the meaning given in s. 139.97 (11).

2 (6) “Tetrahydrocannabinols concentration” means the percent of
3 tetrahydrocannabinol content per dry weight of any part of the plant Cannabis, or
4 per volume or weight of marijuana product, or the combined percent of
5 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant
6 Cannabis regardless of moisture content.

7 (7) “Underage person” means a person who has not attained the legal age.

8 (8) “Usable marijuana” has the meaning given in s. 139.97 (13).

9 **961.71 Underage persons prohibitions; penalties.** (1) (a) 1. No permittee
10 may sell, distribute, or deliver marijuana to any underage person.

11 2. No permittee may directly or indirectly permit an underage person to violate
12 sub. (2m).

13 (b) A permittee that violates par. (a) 1. or 2. may be subject to a forfeiture of not
14 more than \$500 and to a suspension of the permittee’s permit for an amount of time
15 not to exceed 30 days.

16 (c) In determining whether a permittee has violated par. (a) 2., all relevant
17 circumstances surrounding the presence of the underage person may be considered.
18 In determining whether a permittee has violated par. (a) 1., all relevant
19 circumstances surrounding the selling, distributing, or delivering of marijuana may
20 be considered. In addition, proof of all of the following facts by the permittee is a
21 defense to any prosecution for a violation under par. (a):

22 1. That the underage person falsely represented that he or she had attained the
23 legal age.

24 2. That the appearance of the underage person was such that an ordinary and
25 prudent person would believe that the underage person had attained the legal age.

1 3. That the action was made in good faith and in reliance on the representation
2 and appearance of the underage person in the belief that the underage person had
3 attained the legal age.

4 4. That the underage person supported the representation under subd. 1. with
5 documentation that he or she had attained the legal age.

6 **(2)** Any underage person who does any of the following is subject to a forfeiture
7 of not less than \$250 nor more than \$500:

8 (a) Procures or attempts to procure marijuana from a permittee.

9 (b) Falsely represents his or her age for the purpose of receiving marijuana from
10 a permittee.

11 (c) Knowingly possesses or consumes marijuana.

12 (d) Violates sub. (2m).

13 **(2m)** An underage person not accompanied by his or her parent, guardian, or
14 spouse who has attained the legal age may not enter, knowingly attempt to enter, or
15 be on the premises of a retail outlet.

16 **(3)** An individual who has attained the legal age and who knowingly does any
17 of the following may be subject to a forfeiture that does not exceed \$1,000:

18 (a) Permits or fails to take action to prevent a violation of sub. (2) (c) on premises
19 owned by the individual or under the individual's control.

20 (b) Encourages or contributes to a violation of sub. (2) (a).

21 **961.72 Restrictions; penalties. (1)** No person except a permittee may sell,
22 or possess with the intent to sell, marijuana. No person may distribute or deliver,
23 or possess with the intent to distribute or deliver, marijuana except a permittee. Any
24 person who violates a prohibition under this subsection is guilty of the following:

25 (a) Except as provided in par. (b), a Class I felony.

1 (b) If the individual to whom the marijuana is, or is intended to be, sold,
2 distributed, or delivered has not attained the legal age and the actual or intended
3 seller, distributor, or deliverer is at least 3 years older than the individual to whom
4 the marijuana is, or is intended to be, sold, distributed, or delivered, a Class H felony.

5 (2) (a) A person that is not a permittee who possesses an amount of marijuana
6 that exceeds the permissible amount by not more than one ounce is subject to a civil
7 forfeiture not to exceed \$1,000.

8 (b) A person who is not a permittee who possesses an amount of marijuana that
9 exceeds the permissible amount by more than one ounce is one of the following:

10 1. Except as provided in subd. 2., subject to a fine not to exceed \$1,000 or
11 imprisonment not to exceed 90 days, or both.

12 2. Guilty of a Class I felony if the person has taken action to hide how much
13 marijuana the person possesses and has in place an extreme measure to avoid
14 detection.

15 (c) A person who is not a permittee that possesses more than 6 marijuana plants
16 that have reached the flowering stage at one time must apply for a permit under s.
17 139.972 and is one of the following:

18 1. Except as provided in subds. 2. and 3., subject to a civil forfeiture that is not
19 more than twice the permitting fee under s. 139.972.

20 2. Except as provided in subd. 3., subject to a fine not to exceed \$1,000 or
21 imprisonment not to exceed 90 days, or both, if the number of marijuana plants that
22 have reached the flowering stage is more than 12.

23 3. Guilty of a Class I felony if the number of marijuana plants that have reached
24 the flowering stage is more than 12, if the individual has taken action to hide the

1 number of marijuana plants that have reached the flowering stage and if the person
2 has in place an extreme measure to avoid detection.

3 (d) Whoever uses or displays marijuana in a public space is subject to a civil
4 forfeiture of not more than \$100.

5 (3) Any person who sells or attempts to sell marijuana via mail, telephone, or
6 Internet is subject to a fine not to exceed \$10,000 or imprisonment not to exceed 9
7 months, or both.

8 **SECTION 346.** 967.055 (1m) (b) 5. of the statutes is repealed.

9 **SECTION 347.** 971.365 (1) (a) of the statutes is amended to read:

10 971.365 (1) (a) In any case under s. 961.41 (1) (em), 1999 stats., or s. 961.41 (1)
11 (cm), (d), (dm), (e), (f), or (g) ~~or~~ (h) involving more than one violation, all violations
12 may be prosecuted as a single crime if the violations were pursuant to a single intent
13 and design.

14 **SECTION 348.** 971.365 (1) (b) of the statutes is amended to read:

15 971.365 (1) (b) In any case under s. 961.41 (1m) (em), 1999 stats., or s. 961.41
16 (1m) (cm), (d), (dm), (e), (f), or (g) ~~or~~ (h) involving more than one violation, all
17 violations may be prosecuted as a single crime if the violations were pursuant to a
18 single intent and design.

19 **SECTION 349.** 971.365 (1) (c) of the statutes is amended to read:

20 971.365 (1) (c) In any case under s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41
21 (3g) (dm), 1999 stats., or s. 961.41 (3g) (am), (c), (d), ~~(e)~~, or (g) involving more than
22 one violation, all violations may be prosecuted as a single crime if the violations were
23 pursuant to a single intent and design.

24 **SECTION 350.** 971.365 (2) of the statutes is amended to read:

1 971.365 (2) An acquittal or conviction under sub. (1) does not bar a subsequent
2 prosecution for any acts in violation of s. 961.41 (1) (em), 1999 stats., s. 961.41 (1m)
3 (em), 1999 stats., s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41 (3g) (dm), 1999 stats.,
4 or s. 961.41 (1) (cm), (d), (dm), (e), (f), or (g), ~~or (h)~~, (1m) (cm), (d), (dm), (e), (f), or (g),
5 ~~or (h)~~ or (3g) (am), (c), (d), ~~(e)~~, or (g) on which no evidence was received at the trial
6 on the original charge.

7 **SECTION 351.** 973.016 of the statutes is created to read:

8 **973.016 Special disposition for marijuana-related crimes. (1)**

9 RESENTENCING PERSONS SERVING A SENTENCE OR PROBATION. (a) A person serving a
10 sentence or on probation may request resentencing or dismissal as provided under
11 par. (b) if all of the following apply:

12 1. The sentence or probation period was imposed for a violation of s. 961.41 (1)
13 (h), 2021 stats., s. 961.41 (1m) (h), 2021 stats., or s. 961.41 (3g) (e), 2021 stats.

14 2. One of the following applies:

15 a. The person would not have been guilty of a crime had the violation occurred
16 on or after the effective date of this subd. 2. a. [LRB inserts date].

17 b. The person would have been guilty of a lesser crime had the violation
18 occurred on or after the effective date of this subd. 2. b. [LRB inserts date].

19 (b) 1. A person to whom par. (a) applies shall file a petition with the sentencing
20 court to request resentencing, adjustment of probation, or dismissal.

21 2. If the court receiving a petition under subd. 1. determines that par. (a)
22 applies, the court shall schedule a hearing to consider the petition. At the hearing,
23 if the court determines that par. (a) 2. b. applies, the court shall resentence the person
24 or adjust the probation and change the record to reflect the lesser crime, and, if the
25 court determines that par. (a) 2. a. applies, the court shall dismiss the conviction and

1 expunge the record. Before resentencing, adjusting probation, or dismissing a
2 conviction under this subdivision, the court shall determine that the action does not
3 present an unreasonable risk of danger to public safety.

4 3. If the court resentences the person or adjusts probation, the person shall
5 receive credit for time or probation served for the relevant offense.

6 **(2) REDESIGNATING OFFENSE FOR PERSONS WHO COMPLETED A SENTENCE OR**
7 **PROBATION.** (a) A person who has completed his or her sentence or period of probation
8 may request under par. (b) expungement of the conviction because the conviction is
9 legally invalid or redesignation to a lesser crime if all of the following apply:

10 1. The sentence or probation period was imposed for a violation of s. 961.41 (1)
11 (h), 2021 stats., s. 961.41 (1m) (h), 2021 stats., or s. 961.41 (3g) (e), 2021 stats.

12 2. One of the following applies:

13 a. The person would not have been guilty of a crime had the violation occurred
14 on or after the effective date of this subd. 2. a. [LRB inserts date].

15 b. The person would have been guilty of a lesser crime had the violation
16 occurred on or after the effective date of this subd. 2. b. [LRB inserts date].

17 (b) 1. A person to whom par. (a) applies shall file a petition with the sentencing
18 court to request expungement or redesignation.

19 2. If the court receiving a petition under subd. 1. determines that par. (a)
20 applies, the court shall schedule a hearing to consider the petition. At the hearing,
21 if the court determines that par. (a) 2. b. applies, the court shall redesignate the crime
22 to a lesser crime and change the record to reflect the lesser crime, and if the court
23 determines that par. (a) 2. a. applies, the court shall expunge the conviction. Before
24 redesignating or expunging under this subdivision, the court shall determine that
25 the action does not present an unreasonable risk of danger to public safety.

1 **(3) EFFECT OF RESENTENCING, DISMISSAL, REDESIGNATION, OR EXPUNGEMENT.** If the
2 court changes or expunges a record under this section, a conviction that was changed
3 or expunged is not considered a conviction for any purpose under state or federal law,
4 including for purposes of s. 941.29 or 18 USC 921.

5 **SECTION 9128. Nonstatutory provisions; Legislature.**

6 (1) **JOINT LEGISLATIVE COUNCIL STUDY.** The joint legislative council shall study
7 the implementation of the marijuana tax and regulation provided under subch. IV
8 of ch. 139 and identify uses for the revenues generated by the tax. The joint
9 legislative council shall report its findings, conclusions, and recommendations to the
10 joint committee on finance no later than 2 years after the effective date of this
11 subsection.”.

12 **274.** Page 374, line 11: after that line insert:

13 “**SECTION 352.** 961.443 (2) (title) of the statutes is amended to read:

14 961.443 (2) (title) **IMMUNITY FROM CRIMINAL PROSECUTION AND REVOCATION OF**
15 **PAROLE, PROBATION, OR EXTENDED SUPERVISION.**

16 **SECTION 353.** 961.443 (2) of the statutes is renumbered 961.443 (2) (a) and
17 amended to read:

18 961.443 (2) (a) ~~An~~ No aider may have his or her parole, probation, or extended
19 supervision revoked, and an aider is immune from prosecution under s. 961.573 for
20 the possession of drug paraphernalia, under s. 961.41 (3g) for the possession of a
21 controlled substance or a controlled substance analog, and under s. 961.69 (2) for
22 possession of a masking agent under the circumstances surrounding or leading to his
23 or her commission of an act described in sub. (1) if the aider’s attempt to obtain

1 assistance occurs immediately after the aider believes the other person is suffering
2 from the overdose or other adverse reaction.

3 **SECTION 354.** 961.443 (2) (b) of the statutes is created to read:

4 961.443 (2) (b) 1. No aided person person may have his or her parole, probation,
5 or extended supervision revoked under the circumstances surrounding or leading to
6 an aider's commission of an act described in sub. (1) if the aided person completes a
7 treatment program as a condition of his or her parole, probation, or extended
8 supervision or, if a treatment program is unavailable or would be prohibitive
9 financially, agrees to be imprisoned in the county jail for not less than 15 days.

10 2. If an aided person is subject to prosecution under s. 961.573 for the
11 possession of drug paraphernalia, under s. 961.41 (3g) for the possession of a
12 controlled substance or a controlled substance analog, or under s. 961.69 (2) for
13 possession of a masking agent under the circumstances surrounding or leading to an
14 aider's commission of an act described in sub. (1), the district attorney shall offer the
15 aided person a deferred prosecution agreement that includes the completion of a
16 treatment program. This subdivision does not apply to an aided person who is on
17 parole, probation, or extended supervision and fails to meet a condition under subd.
18 1.”.

19 **275.** Page 374, line 11: after that line insert:

20 “**SECTION 355.** 302.05 (title) of the statutes is amended to read:

21 **302.05** (title) **Wisconsin substance-abuse earned release program.**

22 **SECTION 356.** 302.05 (1) (am) (intro.) of the statutes is amended to read:

23 302.05 (1) (am) (intro.) The department of corrections and the department of
24 health services may designate a section of a mental health institute as a correctional

1 treatment facility for the treatment of substance ~~abuse~~ use disorder of inmates
2 transferred from Wisconsin state prisons. ~~This section shall be administered by the~~
3 ~~department of corrections and shall be known as the Wisconsin substance abuse~~
4 ~~program.~~ The department of corrections and the department of health services shall
5 ensure that the residents at the institution and the residents in the substance ~~abuse~~
6 use disorder program:

7 **SECTION 357.** 302.05 (1) (b) of the statutes is amended to read:

8 302.05 (1) (b) The department of corrections and the department of health
9 services shall, at any correctional facility the departments determine is appropriate,
10 provide a substance ~~abuse~~ use disorder treatment program for inmates for the
11 purposes of the program described in sub. (3).

12 **SECTION 358.** 302.05 (1) (c) of the statutes is created to read:

13 302.05 (1) (c) 1. In this paragraph, “vocational readiness training program”
14 means an educational, vocational, treatment, or other evidence-based training
15 program to reduce recidivism.

16 2. The department shall, at any correctional facility the department
17 determines is appropriate, provide vocational readiness training programs for the
18 purposes of the program described in sub. (3).

19 **SECTION 359.** 302.05 (2) of the statutes is amended to read:

20 302.05 (2) Transfer to a correctional treatment facility for the treatment of a
21 substance ~~abuse~~ use disorder shall be considered a transfer under s. 302.18.

22 **SECTION 360.** 302.05 (3) (a) 2. of the statutes is amended to read:

23 302.05 (3) (a) 2. ~~If the inmate is serving a bifurcated sentence imposed under~~
24 ~~s. 973.01, the sentencing court decided under par. (e) or s. 973.01 (3g) The department~~
25 determines that the inmate is eligible to participate in the earned release program

1 described in this subsection. In making its determination, the department shall
2 consider a decision of the sentencing court under s. 302.05 (3) (e), 2021 stats., or s.
3 973.01 (3g), 2021 stats.

4 **SECTION 361.** 302.05 (3) (b) of the statutes is amended to read:

5 302.05 (3) (b) Except as provided in par. (d), if the department determines that
6 an eligible inmate serving a sentence other than one imposed under s. 973.01 has
7 successfully completed a substance use disorder treatment program described in
8 sub. (1) (b) or a vocational readiness training program described in sub. (1) (c), the
9 parole commission shall parole the inmate for that sentence under s. 304.06,
10 regardless of the time the inmate has served. If the parole commission grants parole
11 under this paragraph for the completion of a substance use disorder treatment
12 program, it shall require the parolee to participate in an intensive supervision
13 program for drug abusers as a condition of parole.

14 **SECTION 362.** 302.05 (3) (c) 1. of the statutes is amended to read:

15 302.05 (3) (c) 1. Except as provided in par. (d), if the department determines
16 that an eligible inmate serving the term of confinement in prison portion of a
17 bifurcated sentence imposed under s. 973.01 has successfully completed a substance
18 use disorder treatment program described in sub. (1) (b) or a vocational readiness
19 training program described in sub. (1) (c), the department shall inform the court that
20 sentenced the inmate.

21 **SECTION 363.** 302.05 (3) (c) 2. (intro.) of the statutes is amended to read:

22 302.05 (3) (c) 2. (intro.) Upon being informed by the department under subd.
23 1. that an inmate whom the court sentenced under s. 973.01 has successfully
24 completed a substance use disorder treatment program described in sub. (1) (b) or

1 a vocational readiness training program described in sub. (1) (c), the court shall
2 modify the inmate's bifurcated sentence as follows:

3 **SECTION 364.** 302.05 (3) (d) of the statutes is amended to read:

4 302.05 (3) (d) The department may place intensive sanctions program
5 participants in a treatment program described in sub. (1) (b), but pars. (b) and (c) do
6 not apply to those participants.

7 **SECTION 365.** 302.05 (3) (e) of the statutes is repealed.

8 **SECTION 366.** 302.11 (7) (am) of the statutes is amended to read:

9 302.11 (7) (am) The reviewing authority may return a parolee released under
10 sub. (1) or (1g) (b) or s. 304.02 or 304.06 (1) to prison for a period up to the remainder
11 of the sentence for a violation of the conditions of parole. The remainder of the
12 sentence is the entire sentence, less time served in custody prior to parole and less
13 any earned compliance credit under s. 973.156. The revocation order shall provide
14 the parolee with credit in accordance with ss. 304.072 and 973.155.

15 **SECTION 367.** 302.113 (9) (ag) of the statutes is renumbered 302.113 (9) (ag)
16 (intro.) and amended to read:

17 302.113 (9) (ag) (intro.) In this subsection "reviewing:

18 1. "Reviewing authority" means the division of hearings and appeals in the
19 department of administration, upon proper notice and hearing, or the department
20 of corrections, if the person on extended supervision waives a hearing.

21 **SECTION 368.** 302.113 (9) (am) of the statutes is renumbered 302.113 (9) (am)
22 1. and amended to read:

23 302.113 (9) (am) 1. If a person released to extended supervision under this
24 section violates a condition of extended supervision, the reviewing authority may
25 revoke the extended supervision of the person. If the extended supervision of the

1 person is revoked, the reviewing authority shall order the person to be returned to
2 prison for any specified period of time that does not exceed the time remaining on the
3 bifurcated sentence. ~~The time~~

4 (ag) 2. "Time remaining on the bifurcated sentence is" means the total length
5 of the bifurcated sentence, less time served by the person in confinement under the
6 sentence before release to extended supervision under sub. (2), less any earned
7 compliance credit under s. 973.156, and less all time served in confinement for
8 previous revocations of extended supervision under the sentence.

9 (am) 2. The order returning a person to prison under this paragraph shall
10 provide the person whose extended supervision was revoked with credit in
11 accordance with ss. 304.072 and 973.155.

12 **SECTION 369.** 302.113 (9) (b) of the statutes is amended to read:

13 302.113 (9) (b) A person who is returned to prison after revocation of extended
14 supervision shall be incarcerated for the entire period of time specified by the order
15 under par. (am) 1. The period of time specified under par. (am) 1, may be extended
16 in accordance with sub. (3). If a person is returned to prison under par. (am) 1, for
17 a period of time that is less than the time remaining on the bifurcated sentence, the
18 person shall be released to extended supervision after he or she has served the period
19 of time specified by the order under par. (am) 1, and any periods of extension imposed
20 in accordance with sub. (3).

21 **SECTION 370.** 302.113 (9) (c) of the statutes is amended to read:

22 302.113 (9) (c) A person who is subsequently released to extended supervision
23 after service of the period of time specified by the order under par. (am) 1, is subject
24 to all conditions and rules under sub. (7) and, if applicable, sub. (7m) until the
25 expiration of the time remaining ~~extended supervision portion of~~ on the bifurcated

1 sentence. ~~The remaining extended supervision portion of the bifurcated sentence is~~
2 ~~the total length of the bifurcated sentence, less the time served by the person in~~
3 ~~confinement under the bifurcated sentence before release to extended supervision~~
4 ~~under sub. (2) and less all time served in confinement for previous revocations of~~
5 ~~extended supervision under the bifurcated sentence.~~

6 **SECTION 371.** 302.114 (9) (ag) of the statutes is amended to read:

7 302.114 (9) (ag) In this subsection “reviewing authority” has the meaning given
8 in s. 302.113 (9) (ag) 1.

9 **SECTION 372.** 304.072 (4) of the statutes is amended to read:

10 304.072 (4) The sentence of a revoked parolee or person on extended
11 supervision resumes running on the day he or she is received at a correctional
12 institution subject to sentence credit for the period of custody in a jail, correctional
13 institution or any other detention facility pending revocation according to the terms
14 of s. 973.155 and subject to earned compliance credit under s. 973.156.

15 **SECTION 373.** 973.15 (5) of the statutes is amended to read:

16 973.15 (5) A convicted offender who is made available to another jurisdiction
17 under ch. 976 or in any other lawful manner shall be credited with service of his or
18 her Wisconsin sentence or commitment under the terms of s. ss. 973.155 and 973.156
19 for the duration of custody in the other jurisdiction.

20 **SECTION 374.** 973.156 of the statutes is created to read:

21 **973.156 Earned compliance credit. (1)** In this section, “qualifying offense”
22 means a crime other than a violation of ch. 940 or s. 948.02, 948.025, 948.03, 948.05,
23 948.051, 948.055, 948.06, 948.07, 948.075, 948.08, 948.085, or 948.095.

24 **(2)** Upon the revocation of extended supervision under s. 302.113 (9) or parole
25 under s. 302.11 (7), a person shall be given earned compliance credit toward the

1 service of his or her sentence for a qualifying offense for each day that the person
2 spent on extended supervision or parole without violating a condition or rule of
3 extended supervision or parole prior to the violation that resulted in the revocation.

4 (3) Subsection (2) does not apply to a person who is required to register under
5 s. 301.45.

6 (4) If a person is serving more than one sentence, earned compliance credit
7 under sub. (2) is earned only for the time spent on extended supervision or parole for
8 qualifying offenses.

9 (5) The amount of the earned compliance credit under sub. (2) shall be
10 calculated and applied by the appropriate reviewing authority under s. 302.11 (7)
11 (am) or 302.113 (9) (am) 1.

12 **SECTION 9108. Nonstatutory provisions; Corrections.**

13 (1) **EARNED RELEASE PROGRAM RULES.** The department of corrections shall update
14 its administrative rules to implement earned release for completion of a vocational
15 readiness training program under s. 302.05 (3), including specification of the
16 eligibility criteria for persons sentenced before the effective date of this subsection
17 to participate in the program.

18 (2) **EARNED COMPLIANCE CREDIT.** A person who is serving a sentence for a
19 violation other than a crime specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05,
20 948.051, 948.055, 948.06, 948.07, 948.075, 948.08, 948.085, or 948.095 and who is in
21 custody upon revocation of extended supervision or parole on the effective date of this
22 subsection may petition the department of corrections to be given credit under s.
23 973.156. Upon proper verification of the facts alleged in the petition, credit under
24 s. 973.156 shall be applied retroactively to the person. If the department of
25 corrections is unable to determine whether credit under s. 973.156 should be given,

1 or otherwise refuses to award retroactive credit, the person may petition the
2 sentencing court for relief. This subsection applies regardless of the date the person
3 was sentenced. A person who is required to register under s. 301.45 is not eligible
4 to receive credit under this subsection.”.

5 **276.** Page 374, line 11: after that line insert:

6 “**SECTION 375.** 20.866 (2) (uv) of the statutes is amended to read:

7 20.866 (2) (uv) *Transportation, harbor improvements.* From the capital
8 improvement fund, a sum sufficient for the department of transportation to provide
9 grants for harbor improvements. The state may contract public debt in an amount
10 not to exceed \$120,000,000 \$183,300,000 for this purpose. ~~The state may contract~~
11 ~~additional public debt in an amount up to \$32,000,000 for this purpose. The state~~
12 ~~may contract additional public debt in an amount up to \$15,300,000 for this~~
13 ~~purpose.”.~~

14 **277.** Page 374, line 11: after that line insert:

15 “**SECTION 376.** 20.395 (4) (fq) of the statutes is created to read:

16 20.395 (4) (fq) *Electric vehicle infrastructure, state funds.* As a continuing
17 appropriation, the amounts in the schedule for the electric vehicle infrastructure
18 program under s. 85.53.

19 **SECTION 377.** 20.395 (4) (fv) of the statutes is created to read:

20 20.395 (4) (fv) *Electric vehicle infrastructure, local funds.* All moneys received
21 from any local unit of government or other source for the electric vehicle
22 infrastructure program under s. 85.53, for such purposes.

23 **SECTION 378.** 20.395 (4) (fx) of the statutes is created to read:

1 20.395 (4) (fx) *Electric vehicle infrastructure, federal funds.* All moneys
2 received from the federal government for the electric vehicle infrastructure program
3 under s. 85.53, for such purposes.

4 **SECTION 379.** 85.53 of the statutes is created to read:

5 **85.53 Electric vehicle infrastructure program.** The department may
6 establish and administer an electric vehicle infrastructure program. Under the
7 program, the department may provide funding for electric vehicle infrastructure
8 projects eligible for funding under state or federal law, including under the National
9 Electric Vehicle Formula Program as provided in Division J, Title VIII, of P.L.
10 117-58. All funding under this section shall be from the appropriations under s.
11 20.395 (4) (fq), (fv), and (fx).

12 **SECTION 380.** 196.01 (5) (b) 8. of the statutes is created to read:

13 196.01 (5) (b) 8. A person who supplies electricity through the person's electric
14 vehicle charging station to users' electric vehicles, if the person does not otherwise
15 directly or indirectly provide electricity to the public.”.

16 **278.** Page 374, line 11: after that line insert:

17 “**SECTION 381.** 15.253 (4) of the statutes is created to read:

18 15.253 (4) **OFFICE OF MISSING AND MURDERED INDIGENOUS WOMEN.** There is
19 created an office of missing and murdered indigenous women. The director of the
20 office shall be appointed by the attorney general.

21 **SECTION 382.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
22 insert the following amounts for the purposes indicated:

2023-24

2024-25

1 **20.370 Justice, department of**

2 (5) VICTIMS AND WITNESSES

3 (c) Office of missing and murdered

4 indigenous women GPR A 3,675,200 3,733,500

5 **SECTION 383.** 20.455 (5) (c) of the statutes is created to read:

6 20.455 (5) (c) *Office of missing and murdered indigenous women.* The amounts
7 in the schedule for the administration of the office of missing and murdered
8 indigenous women and to provide grants under s. 165.97 (3).

9 **SECTION 384.** 20.923 (4) (c) 7. of the statutes is created to read:

10 20.923 (4) (c) 7. Justice, department of: director of the office of missing and
11 murdered indigenous women.

12 **SECTION 385.** 165.97 of the statutes is created to read:

13 **165.97 Office of missing and murdered indigenous women. (1)**

14 DEFINITIONS. In this section:

15 (d) "Office" means the office of missing and murdered indigenous women.

16 (m) "Tribe" means a federally recognized American Indian tribe or band in this
17 state.

18 **(2) DUTIES.** The office shall do all of the following:

19 (a) Provide services to crime victims and witnesses who are members of a tribe.

20 (b) Provide trauma-informed health and wellness support for crime victims,
21 their families, and other persons who are members of a tribe.

22 (c) Offer or contract with another entity to offer training relating to missing and
23 murdered indigenous women. Training under this paragraph may include training
24 topics such as search and rescue tactics, enhanced response and coordination tactics

1 across federal, state, and tribal jurisdictions, and other topics relating to missing and
2 murdered indigenous women.

3 **(3) GRANT PROGRAM.** The office shall establish a program to provide grants from
4 the appropriation under s. 20.455 (5) (c) to tribes and organizations affiliated with
5 tribes relating to missing and murdered indigenous women.

6 **SECTION 386.** 230.08 (2) (wd) of the statutes is created to read:

7 230.08 **(2)** (wd) The director of the office of missing and murdered indigenous
8 women in the department of justice.

9 **SECTION 9127. Nonstatutory provisions; Justice.**

10 (1) **OFFICE OF MISSING AND MURDERED INDIGENOUS WOMEN.** The authorized FTE
11 positions to the department of justice are increased by 3.0 GPR positions staff the
12 office of missing and murdered indigenous women. One of the positions authorized
13 under this subsection shall be the director of the office of missing and murdered
14 indigenous women under s. 20.923 (4) (c) 7.”.

15 **279.** Page 374, line 11: after that line insert:

16 **“SECTION 387.** 20.395 (2) (gt) of the statutes is created to read:

17 20.395 **(2)** (gt) *Interconnected traffic signal and railroad signal systems, state*
18 *funds.* As a continuing appropriation, the amounts in the schedule for the planning
19 and installation of interconnected traffic signal and railroad signal systems.

20 **SECTION 388.** 20.395 (2) (gw) of the statutes is created to read:

21 20.395 **(2)** (gw) *Interconnected traffic signal and railroad signal systems, local*
22 *funds.* All moneys received from any local unit of government for the planning and
23 installation of interconnected traffic signal and railroad signal systems, for such
24 purposes.”.

1 **280.** Page 374, line 11: after that line insert:

2 “**SECTION 389.** 165.73 of the statutes is created to read:

3 **165.73 Hate crimes reporting. (1)** In this section, “hate crime” means an
4 act described under s. 939.645 (1).

5 **(2)** The department of justice shall provide a publicly accessible
6 Internet-based reporting system and a telephone hotline for the reporting of hate
7 crimes. The department of justice shall ensure that the reporting system and hotline
8 do all of the following:

9 (a) Relay a report of a hate crime to the appropriate employee of the department
10 or law enforcement officer for investigation.

11 (b) Direct individuals to appropriate local support services.

12 (c) Maintain confidentiality for any personally identifiable information that an
13 individual provides through the reporting system or hotline, except as needed for
14 investigative, legal, or crime victims service purposes.

15 (d) Are staffed by individuals who are trained to be knowledgeable about
16 applicable federal, state, and local hate crime laws and law enforcement and support
17 services.

18 **(3)** The department of justice shall collaborate with community organizations
19 to provide a public education campaign to raise awareness of hate crimes and to
20 promote the reporting of hate crimes using the reporting system and hotline
21 described in sub. (2).

22 **(4)** The department of justice shall collect data on hate crime reporting under
23 sub. (2).”.

24 **281.** Page 374, line 11: after that line insert:

1 **SECTION 390.** 165.93 (2) (title) of the statutes is amended to read:

2 165.93 (2) (title) GRANTS BY APPLICATION.

3 **SECTION 391.** 165.93 (2m) of the statutes is created to read:

4 165.93 (2m) GRANTS TO THE WISCONSIN COALITION AGAINST SEXUAL ASSAULT. In
5 addition to the grants under sub. (2), from the appropriation under s. 20.455 (5) (e),
6 the department shall provide a grant of \$343,000 annually to the Wisconsin Coalition
7 Against Sexual Assault to provide services for sexual assault victims. The Wisconsin
8 Coalition Against Sexual Assault may also apply for grants under sub. (2).”.

9 **282.** Page 374, line 11: after that line insert:

10 **SECTION 392.** 20.455 (2) (ek) of the statutes is repealed.

11 **SECTION 393.** 20.455 (2) (em) (title) of the statutes is amended to read:

12 20.455 (2) (em) (title) *Alternatives Grants for alternatives to prosecution and*
13 *incarceration for persons who use alcohol or other drugs; presentencing assessments.*

14 **SECTION 394.** 20.455 (2) (jd) of the statutes is amended to read:

15 20.455 (2) (jd) *Alternatives to prosecution and incarceration grant program.*

16 The amounts in the schedule to provide grants under s. 165.95 (2) to counties that
17 are not a recipient of a grant under the alternatives to incarceration grant program
18 on September 23, 2017. All moneys transferred under 2017 Wisconsin Act 59, section
19 9228 (15t), and 2023 Wisconsin Act (this act), section 9227 (1), shall be credited
20 to this appropriation account.

21 **SECTION 395.** 20.455 (2) (kn) (title) of the statutes is amended to read:

22 20.455 (2) (kn) (title) *Alternatives to prosecution and incarceration for persons*
23 *who use alcohol or other drugs; justice information fee.*

24 **SECTION 396.** 20.455 (2) (kr) of the statutes is repealed.

1 **SECTION 397.** 20.455 (2) (kv) (title) of the statutes is amended to read:

2 20.455 (2) (kv) (title) *Grants for ~~substance abuse treatment~~ programs for*
3 *criminal offenders.*

4 **SECTION 398.** 165.95 (title) of the statutes is amended to read:

5 **165.95** (title) **Alternatives to prosecution and incarceration; grant**
6 **program.**

7 **SECTION 399.** 165.95 (1) (ac) of the statutes is created to read:

8 165.95 (1) (ac) “Evidence-based practice” means a practice that has been
9 developed using research to determine its efficacy for achieving positive measurable
10 outcomes, including reducing recidivism and increasing public safety.

11 **SECTION 400.** 165.95 (2) of the statutes is amended to read:

12 165.95 (2) The department of justice shall make grants to counties and to tribes
13 to enable them to establish and operate programs, including suspended and deferred
14 prosecution programs and programs based on principles of restorative justice, that
15 provide alternatives to prosecution and incarceration for criminal offenders who
16 ~~abuse alcohol or other drugs.~~ The department of justice shall make the grants from
17 the appropriations under s. 20.455 (2) (~~ek~~), (em), (jd), (kn), and (kv). The department
18 of justice shall collaborate with the department of corrections and the department
19 of health services in establishing this grant program.

20 **SECTION 401.** 165.95 (2r) of the statutes is amended to read:

21 165.95 (2r) Any county or tribe that receives a grant under this section ~~on or~~
22 ~~after January 1, 2012,~~ shall provide matching funds that are equal to ~~25~~ 10 percent
23 of the amount of the grant.

24 **SECTION 402.** 165.95 (3) (a) of the statutes is repealed.

25 **SECTION 403.** 165.95 (3) (ag) of the statutes is created to read:

1 165.95 (3) (ag) The county's or tribe's program operates within the continuum
2 from arrest to discharge from supervision and provides an alternative to prosecution,
3 revocation, or incarceration through the use of pre-charge and post-charge
4 diversion programs or treatment courts and community-based corrections.

5 **SECTION 404.** 165.95 (3) (bd) of the statutes is created to read:

6 165.95 (3) (bd) The program identifies each target population served by the
7 program and identifies the evidence-based practices the program employs for each
8 target population it serves.

9 **SECTION 405.** 165.95 (3) (d) of the statutes is amended to read:

10 165.95 (3) (d) Services provided under the program are consistent with
11 evidence-based practices ~~in substance abuse and mental health treatment, as~~
12 ~~determined by the department of health services,~~ and the program provides
13 intensive case management.

14 **SECTION 406.** 165.95 (3) (e) of the statutes is amended to read:

15 165.95 (3) (e) The program uses graduated sanctions and incentives to promote
16 ~~successful substance abuse treatment~~ success.

17 **SECTION 407.** 165.95 (3) (g) of the statutes is amended to read:

18 165.95 (3) (g) The program is designed to integrate all mental health services
19 provided to program participants by state and local government agencies, tribes, and
20 other organizations. The program shall require regular communication and
21 coordination among a participant's ~~substance abuse treatment providers, other~~
22 service providers, the case manager, and any person designated under the program
23 to monitor the person's compliance with his or her obligations under the program,
24 and any probation, extended supervision, and parole agent assigned to the
25 participant.

1 **SECTION 408.** 165.95 (3) (h) of the statutes is amended to read:

2 165.95 (3) (h) The program provides ~~substance abuse and mental health~~
3 ~~treatment~~ services through providers that who use evidence-based practices in the
4 delivery of services and, where applicable, who are certified by the ~~department of~~
5 ~~health services~~ or licensed to provide the services approved under the program.

6 **SECTION 409.** 165.95 (3) (j) of the statutes is amended to read:

7 165.95 (3) (j) The program is developed with input from, and implemented in
8 collaboration with, one or more circuit court judges, the district attorney, the state
9 public defender, local and, if applicable, tribal law enforcement officials, county
10 agencies and, if applicable, tribal agencies responsible for providing social services,
11 including services relating to ~~alcohol and other drug addiction~~ substance use
12 disorder, child welfare, mental health, and the Wisconsin Works program, the
13 departments of corrections, children and families, and health services, private social
14 services agencies, and substance ~~abuse~~ use disorder treatment providers.

15 **SECTION 410.** 165.95 (3) (k) of the statutes is amended to read:

16 165.95 (3) (k) The county or tribe complies with other eligibility requirements
17 established by the department of justice to promote the objectives listed in ~~pars. (a)~~
18 ~~and (b)~~ this subsection.

19 **SECTION 411.** 302.43 of the statutes is amended to read:

20 **302.43 Good time.** Every inmate of a county jail is eligible to earn good time
21 in the amount of one-fourth of his or her term for good behavior if sentenced to at
22 least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit
23 for time served prior to sentencing under s. 973.155, including good time under s.
24 973.155 (4). An inmate who violates any law or any regulation of the jail, or neglects
25 or refuses to perform any duty lawfully required of him or her, may be deprived by

1 the sheriff of good time under this section, except that the sheriff shall not deprive
2 the inmate of more than 2 days good time for any one offense without the approval
3 of the court. An inmate who files an action or special proceeding, including a petition
4 for a common law writ of certiorari, to which s. 807.15 applies shall be deprived of
5 the number of days of good time specified in the court order prepared under s. 807.15
6 (3). This section does not apply to a person who is confined in the county jail in
7 connection with his or her participation in a ~~substance abuse treatment~~ program
8 that meets the requirements of s. 165.95 (3), as determined by the department of
9 justice under s. 165.95 (9) and (10).

10 **SECTION 412.** 961.472 (5) (b) of the statutes is amended to read:

11 961.472 (5) (b) The person is participating in a an evidence-based substance
12 abuse use disorder treatment program ~~that meets the requirements of s. 165.95 (3),~~
13 as determined by the department of justice ~~under s. 165.95 (9) and (10).~~

14 **SECTION 413.** 967.11 (1) of the statutes is amended to read:

15 967.11 (1) In this section, “~~approved substance abuse treatment program~~”
16 means a ~~substance abuse treatment~~ program that meets the requirements of s.
17 165.95 (3), as determined by the department of justice under s. 165.95 (9) and (10).

18 **SECTION 414.** 967.11 (2) of the statutes is amended to read:

19 967.11 (2) If a county establishes an approved ~~substance abuse treatment~~
20 program and the approved program authorizes the use of surveillance and
21 monitoring technology or day reporting programs, a court or a district attorney may
22 require a person participating in ~~an~~ the approved ~~substance abuse treatment~~
23 program to submit to surveillance and monitoring technology or a day reporting
24 program as a condition of participation.

25 **SECTION 415.** 973.155 (1m) of the statutes is amended to read:

1 973.155 **(1m)** A convicted offender shall be given credit toward the service of
2 his or her sentence for all days spent in custody as part of a substance-abuse
3 ~~treatment~~ program that meets the requirements of s. 165.95 (3), as determined by
4 the department of justice under s. 165.95 (9) and (10), for any offense arising out of
5 the course of conduct that led to the person's placement in that program.

6 **SECTION 9227. Fiscal changes; Justice.**

7 (1) TRANSFER OF MONEYS FOR GRANTS FOR ALTERNATIVES TO PROSECUTION AND
8 INCARCERATION. There is transferred the unencumbered balance in the appropriation
9 account under s. 20.455 (2) (kr), 2021 stats., to the appropriation account under s.
10 20.455 (2) (jd) on the effective date of this subsection.

11 **SECTION 9327. Initial applicability; Justice.**

12 (1) TREATMENT ALTERNATIVES AND DIVERSIONS. The treatment of s. 165.95 (1) (ac),
13 (2), (2r), and (3) (a), (ag), (bd), (d), (e), (g), (h), (j), and (k), first applies to grants
14 awarded under s. 165.95 (2) on the effective date of this subsection.”.

15 **283.** Page 374, line 11: after that line insert:

16 “**SECTION 416.** 23.09 (2) (d) (intro.) of the statutes is amended to read:

17 23.09 **(2)** (d) *Lands, acquisition.* (intro.) Acquire by purchase, lease or
18 agreement, and receive by gifts or devise, lands or waters suitable for the purposes
19 enumerated in this paragraph, and maintain such lands and waters for such
20 purposes; and, ~~except for the purpose specified under subd. 12.,~~ may condemn lands
21 or waters suitable for such purposes after obtaining approval of the appropriate
22 standing committees of each house of the legislature as determined by the presiding
23 officer thereof:

24 **SECTION 417.** 27.01 (2) (a) of the statutes is amended to read:

1 27.01 (2) (a) Acquire by purchase, lease or agreement lands or waters suitable
2 for state park purposes and may acquire such lands and waters by condemnation
3 after obtaining approval of the senate and assembly committees on natural
4 resources. ~~The power of condemnation may not be used for the purpose of~~
5 ~~establishing or extending a recreational trail; a bicycle way, as defined in s. 340.01~~
6 ~~(5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s.~~
7 ~~346.02 (8) (a).~~

8 **SECTION 418.** 27.019 (10) of the statutes is amended to read:

9 27.019 (10) ACQUISITION OF LAND. Any county in which there does not exist a
10 county park commission acting through its rural planning committee may acquire
11 by gift, grant, devise, donation, purchase, condemnation or otherwise, with the
12 consent of the county board, a sufficient tract or tracts of land for the reservation for
13 public use of river fronts, lake shores, picnic groves, outlook points from hilltops,
14 places of special historic interest, memorial grounds, parks, playgrounds, sites for
15 public buildings, and reservations in and about and along and leading to any or all
16 of the same, and to develop and maintain the same for public use. ~~The power of~~
17 ~~condemnation may not be used for the purpose of establishing or extending a~~
18 ~~recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle lane, as defined~~
19 ~~in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).~~

20 **SECTION 419.** 27.05 (3) of the statutes is amended to read:

21 27.05 (3) Acquire, in the name of the county, by purchase, land contract, lease,
22 condemnation, or otherwise, with the approval and consent of the county board, such
23 tracts of land or public ways as it deems suitable for park purposes; including lands
24 in any other county not more than three-fourths of a mile from the county line; but
25 no land so acquired shall be disposed of by the county without the consent of said

1 commission, and all moneys received for any such lands, or any materials, so
2 disposed of, shall be paid into the county park fund hereinafter established. The
3 ~~power of condemnation may not be used for the purpose of establishing or extending~~
4 ~~a recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle lane, as~~
5 ~~defined in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).~~

6 **SECTION 420.** 27.065 (1) (a) of the statutes is amended to read:

7 27.065 (1) (a) The county board of any county which shall have adopted a
8 county system of parks or a county system of streets and parkways, pursuant to s.
9 27.04, may acquire the lands necessary for carrying out all or part of such plan by
10 gift, purchase, condemnation or otherwise; provided, however, that no lands shall be
11 acquired by condemnation unless and until the common council of the city or the
12 board of trustees of the village or the board of supervisors of the town wherein such
13 land is situated shall consent thereto. ~~The power of condemnation may not be used~~
14 ~~for the purpose of establishing or extending a recreational trail; a bicycle way, as~~
15 ~~defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian~~
16 ~~way, as defined in s. 346.02 (8) (a).~~ The cost of acquiring such lands by purchase or
17 condemnation may be paid in whole or in part by the county or by the property to be
18 benefited thereby, as the county board shall direct but in no case shall the amount
19 assessed to any parcel of real estate exceed the benefits accruing thereto; provided,
20 that no assessment for paying the cost of acquiring lands may be levied or collected
21 against the property to be benefited until the governing body of the city, village or
22 town where such lands are located has by resolution determined that the public
23 welfare will be promoted thereby. Title to all lands acquired hereunder shall be an
24 estate in fee simple.

25 **SECTION 421.** 27.08 (2) (b) of the statutes is amended to read:

1 27.08 (2) (b) To acquire in the name of the city for park, parkway, boulevard or
2 pleasure drive purposes by gift, devise, bequest or condemnation, either absolutely
3 or in trust, money, real or personal property, or any incorporeal right or privilege;
4 ~~except that no lands may be acquired by condemnation for the purpose of~~
5 ~~establishing or extending a recreational trail; a bicycle way, as defined in s. 340.01~~
6 ~~(5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s.~~
7 ~~346.02 (8) (a).~~ Gifts to any city of money or other property, real or personal, either
8 absolutely or in trust, for park, parkway, boulevard or pleasure drive purposes shall
9 be accepted only after they shall have been recommended by the board to the common
10 council and approved by said council by resolution. Subject to the approval of the
11 common council the board may execute every trust imposed upon the use of property
12 or property rights by the deed, testament or other conveyance transferring the title
13 of such property to the city for park, parkway, boulevard or pleasure drive purposes.

14 **SECTION 422.** 27.08 (2) (c) of the statutes is amended to read:

15 27.08 (2) (c) Subject to the approval of the common council to buy or lease lands
16 in the name of the city for park, parkway, boulevard or pleasure drive purposes
17 within or without the city and, with the approval of the common council, to sell or
18 exchange property no longer required for its purposes. Every city is authorized, upon
19 recommendation of its officers, board or body having the control and management
20 of its public parks, to acquire by condemnation in the name of the city such lands
21 within or without its corporate boundaries as it may need for public parks, parkways,
22 boulevards and pleasure drives. ~~The power of condemnation may not be used for the~~
23 ~~purpose of establishing or extending a recreational trail; a bicycle way, as defined in~~
24 ~~s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as~~
25 ~~defined in s. 346.02 (8) (a).~~

1 **SECTION 423.** 32.015 of the statutes is repealed.

2 **SECTION 424.** 32.51 (1) (intro.) of the statutes is amended to read:

3 32.51 (1) **PURPOSES.** (intro.) In addition to the powers granted under subch. I
4 and subject to the limitations under s. 32.015, any city may condemn or otherwise
5 acquire property under this subchapter for:

6 **SECTION 425.** 59.52 (6) (a) of the statutes is amended to read:

7 59.52 (6) (a) *How acquired; purposes.* Take and hold land acquired under ch.
8 75 and acquire, lease or rent property, real and personal, for public uses or purposes
9 of any nature, including without limitation acquisitions for county buildings,
10 airports, parks, recreation, highways, dam sites in parks, parkways and
11 playgrounds, flowages, sewage and waste disposal for county institutions, lime pits
12 for operation under s. 59.70 (24), equipment for clearing and draining land and
13 controlling weeds for operation under s. 59.70 (18), ambulances, acquisition and
14 transfer of real property to the state for new collegiate institutions or research
15 facilities, and for transfer to the state for state parks and for the uses and purposes
16 specified in s. 23.09 (2) (d). ~~The power of condemnation may not be used to acquire~~
17 ~~property for the purpose of establishing or extending a recreational trail; a bicycle~~
18 ~~way, as defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a~~
19 ~~pedestrian way, as defined in s. 346.02 (8) (a).~~

20 **SECTION 426.** 60.782 (2) (d) of the statutes is amended to read:

21 60.782 (2) (d) Lease or acquire, including by condemnation, any real property
22 situated in this state that may be needed for the purposes of s. 23.09 (19), 23.094 (3g)
23 or 30.275 (4). ~~The power of condemnation may not used to acquire property for the~~
24 ~~purpose of establishing or extending a recreational trail; a bicycle way, as defined in~~

1 s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as
2 defined in s. 346.02 (8) (a).

3 **SECTION 427.** 61.34 (3) (a) of the statutes is renumbered 61.34 (3) and amended
4 to read:

5 61.34 (3) ACQUISITION AND DISPOSAL OF PROPERTY. ~~Except as provided in par. (b),~~
6 the The village board may acquire property, real or personal, within or outside the
7 village, for parks, libraries, recreation, beautification, streets, water systems,
8 sewage or waste disposal, harbors, improvement of watercourses, public grounds,
9 vehicle parking areas, and for any other public purpose; may acquire real property
10 within or contiguous to the village, by means other than condemnation, for industrial
11 sites; may improve and beautify the same; may construct, own, lease and maintain
12 buildings on such property for instruction, recreation, amusement and other public
13 purposes; and may sell and convey such property. Condemnation shall be as
14 provided by ch. 32.

15 **SECTION 428.** 61.34 (3) (b) of the statutes is repealed.

16 **SECTION 429.** 62.22 (1) (a) of the statutes is renumbered 62.22 (1) and amended
17 to read:

18 62.22 (1) PURPOSES. ~~Except as provided in par. (b), the~~ The governing body of
19 any city may by gift, purchase or condemnation acquire property, real or personal,
20 within or outside the city, for parks, recreation, water systems, sewage or waste
21 disposal, airports or approaches thereto, cemeteries, vehicle parking areas, and for
22 any other public purpose; may acquire real property within or contiguous to the city,
23 by means other than condemnation, for industrial sites; may improve and beautify
24 the same; may construct, own, lease and maintain buildings on such property for

1 public purposes; and may sell and convey such property. The power of condemnation
2 for any such purpose shall be as provided by ch. 32.

3 **SECTION 430.** 62.22 (1) (b) of the statutes is repealed.

4 **SECTION 431.** 62.23 (17) (a) (intro.) of the statutes is amended to read:

5 62.23 (17) (a) (intro.) ~~Except as provided in par. (am), cities~~ Cities may acquire
6 by gift, lease, purchase, or condemnation any lands within its corporate limits for
7 establishing, laying out, widening, enlarging, extending, and maintaining memorial
8 grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public
9 buildings, and reservations in and about and along and leading to any or all of the
10 same or any lands adjoining or near to such city for use, sublease, or sale for any of
11 the following purposes:

12 **SECTION 432.** 62.23 (17) (am) of the statutes is repealed.

13 **SECTION 433.** 85.09 (2) (a) of the statutes is amended to read:

14 85.09 (2) (a) The department of transportation shall have the first right to
15 acquire, for present or future transportational or recreational purposes, any
16 property used in operating a railroad or railway, including land and rails, ties,
17 switches, trestles, bridges, and the like located on that property, that has been
18 abandoned. The department of transportation may, in connection with abandoned
19 rail property, assign this right to a state agency, the board of regents of the University
20 of Wisconsin System, any county or municipality, or any transit commission.
21 Acquisition by the department of transportation may be by gift, purchase, or
22 condemnation in accordance with the procedure under s. 32.05, ~~except that the power~~
23 ~~of condemnation may not be used to acquire property for the purpose of establishing~~
24 ~~or extending a recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle~~
25 ~~lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).~~

1 In addition to its property management authority under s. 85.15, the department of
2 transportation may, subject to any prior action under s. 13.48 (14) (am) or 16.848 (1),
3 lease and collect rents and fees for any use of rail property pending discharge of the
4 department's duty to convey property that is not necessary for a public purpose. No
5 person owning abandoned rail property, including any person to whom ownership
6 reverts upon abandonment, may convey or dispose of any abandoned rail property
7 without first obtaining a written release from the department of transportation
8 indicating that the first right of acquisition under this subsection will not be
9 exercised or assigned. No railroad or railway may convey any rail property prior to
10 abandonment if the rail property is part of a rail line shown on the railroad's system
11 map as in the process of abandonment, expected to be abandoned, or under study for
12 possible abandonment unless the conveyance or disposal is for the purpose of
13 providing continued rail service under another company or agency. Any conveyance
14 made without obtaining such release is void. The first right of acquisition of the
15 department of transportation under this subsection does not apply to any rail
16 property declared by the department to be abandoned before January 1, 1977. The
17 department of transportation may acquire any abandoned rail property under this
18 section regardless of the date of its abandonment.

19 **SECTION 434.** 990.01 (2) of the statutes is amended to read:

20 990.01 (2) ACQUIRE. "Acquire," when used in connection with a grant of power
21 to any person, includes the acquisition by purchase, grant, gift or bequest. It includes
22 the power to condemn ~~only~~ in the cases specified in s. 32.02 ~~and subject to the~~
23 ~~limitations under s. 32.015.~~

24 **SECTION 9351. Initial applicability; Other.**

1 (1) CONDEMNATION AUTHORITY FOR NONMOTORIZED PATHS. The treatment of ss.
2 23.09 (2) (d) (intro.), 27.01 (2) (a), 27.019 (10), 27.05 (3), 27.065 (1) (a), 27.08 (2) (b)
3 and (c), 32.015, 32.51 (1) (intro.), 59.52 (6) (a), 60.782 (2) (d), 61.34 (3) (a) and (b),
4 62.22 (1) (a) and (b), 62.23 (17) (a) (intro.) and (am), 85.09 (2) (a), and 990.01 (2) first
5 applies to condemnation proceedings in which title to the subject property has not
6 vested in the condemnor on the effective date of this subsection.”.

7 **284.** Page 374, line 11: after that line insert:

8 “**SECTION 435.** 29.219 (4) of the statutes is amended to read:

9 29.219 (4) ~~HUSBAND AND WIFE~~ SPOUSES RESIDENT LICENSES. A combined husband
10 and wife spouses resident fishing license shall be issued subject to s. 29.024 by the
11 department to residents applying for this license. This license confers upon both
12 husband and wife spouses the privileges of resident fishing licenses.

13 **SECTION 436.** 29.228 (5) of the statutes is amended to read:

14 29.228 (5) ANNUAL FAMILY FISHING LICENSE. The department shall issue a
15 nonresident annual family fishing license, subject to s. 29.024, to any nonresident
16 who applies for this license. This license entitles the ~~husband, wife~~ spouses and any
17 minor children to fish under this license.

18 **SECTION 437.** 29.228 (6) of the statutes is amended to read:

19 29.228 (6) FIFTEEN-DAY FAMILY FISHING LICENSE. The department shall issue a
20 nonresident 15-day family fishing license, subject to s. 29.024, to any nonresident
21 who applies for this license. This license entitles the ~~husband, wife~~ spouses and any
22 minor children to fish under this license.

23 **SECTION 438.** 29.229 (2) (i) of the statutes is amended to read:

24 29.229 (2) (i) ~~Husband and wife~~ Spouses fishing licenses.

1 **SECTION 439.** 29.2295 (2) (i) of the statutes is amended to read:

2 29.2295 (2) (i) ~~Husband and wife~~ Spouses fishing licenses.

3 **SECTION 440.** 29.563 (3) (a) 3. of the statutes is amended to read:

4 29.563 (3) (a) 3. ~~Husband and wife~~ Spouses: \$30.25.

5 **SECTION 441.** 29.607 (3) of the statutes is amended to read:

6 29.607 (3) LICENSE REQUIRED; EXCEPTIONS; WILD RICE IDENTIFICATION CARD. Every
7 person over the age of 16 and under the age of 65 shall obtain the appropriate wild
8 rice license to harvest or deal in wild rice but no license to harvest is required of the
9 members of the immediate family of a licensee or of a recipient of old-age assistance
10 or members of their immediate families. The department, subject to s. 29.024 (2g)
11 and (2r), shall issue a wild rice identification card to each member of a licensee's
12 immediate family, to a recipient of old-age assistance and to each member of the
13 recipient's family. The term "immediate family" includes ~~husband and wife~~ spouses
14 and minor children having their abode and domicile with the parent or legal
15 guardian.

16 **SECTION 442.** 45.01 (6) (c) of the statutes is amended to read:

17 45.01 (6) (c) The ~~biological~~ natural or adoptive parent or a person who acts in
18 the place of a parent and who has so acted for not less than 12 months prior to the
19 veteran's entrance into active service.

20 **SECTION 443.** 45.51 (3) (c) 2. of the statutes is amended to read:

21 45.51 (3) (c) 2. The department may deviate from this sequence upon order of
22 the board to prevent the separation of ~~a husband and wife~~ spouses.

23 **SECTION 444.** 45.51 (5) (a) 1. b. of the statutes is amended to read:

24 45.51 (5) (a) 1. b. Was married to the person under sub. (2) (a) 1. or 2. at the time
25 the person entered the service and who became a ~~widow or widower~~ surviving spouse

1 by the death of the person while in the service or as a result of physical disability of
2 the person incurred during the service.

3 **SECTION 445.** 45.51 (5) (a) 1. c. of the statutes is amended to read:

4 45.51 (5) (a) 1. c. The period during which the surviving spouse was married
5 to and lived with the deceased person under sub. (2) (a) 1. or 2. plus the period of
6 ~~widowhood or widowerhood~~ after the death of the deceased person is 6 months or
7 more.

8 **SECTION 446.** 45.55 of the statutes is amended to read:

9 **45.55 Notes and mortgages of minor veterans.** Notwithstanding any
10 provision of this chapter or any other law to the contrary, any minor who served in
11 the active armed forces of the United States at any time after August 27, 1940, and
12 the ~~husband or wife~~ spouse of such a minor may execute, in his or her own right, notes
13 or mortgages, as defined in s. 851.15, the payment of which is guaranteed or insured
14 by the U.S. department of veterans affairs or the federal housing administrator
15 under the servicemen's readjustment act of 1944, the national housing act, or any
16 acts supplementing or amending these acts. In connection with these transactions,
17 the minors may sell, release, or convey the mortgaged property and litigate or settle
18 controversies arising therefrom, including the execution of releases, deeds, and other
19 necessary papers or instruments. The notes, mortgages, releases, deeds, and other
20 necessary papers or instruments when so executed are not subject to avoidance by
21 the minor or the ~~husband or wife~~ spouse of the minor upon either or both of them
22 attaining the age of 18 because of the minority of either or both of them at the time
23 of the execution thereof.

24 **SECTION 447.** 46.10 (2) of the statutes is amended to read:

1 46.10 (2) Except as provided in subs. (2m) and (14) (b) and (c), any person,
2 including but not limited to a person admitted, committed, protected, or placed under
3 s. 975.01, 1977 stats., s. 975.02, 1977 stats., s. 975.17, 1977 stats., s. 55.05 (5), 2003
4 stats., and s. 55.06, 2003 stats., and ss. 51.10, 51.13, 51.15, 51.20, 51.35 (3), 51.37 (5),
5 51.45 (10), (11), (12) and (13), 55.05, 55.055, 55.12, 55.13, 55.135, 971.14 (2) and (5),
6 971.17 (1), 975.06 and 980.06, receiving care, maintenance, services, and supplies
7 provided by any institution in this state including University of Wisconsin Hospitals
8 and Clinics, in which the state is chargeable with all or part of the person's care,
9 maintenance, services, and supplies, any person receiving care and services from a
10 county department established under s. 51.42 or 51.437 or from a facility established
11 under s. 49.73, and any person receiving treatment and services from a public or
12 private agency under s. 980.06 (2) (c), 1997 stats., s. 980.08 (5), 2003 stats., or s.
13 971.17 (3) (d) or (4) (e) or 980.08 (4) (g) and the person's property and estate, including
14 the homestead, and the spouse of the person, and the spouse's property and estate,
15 including the homestead, and, in the case of a minor child, the parents of the person,
16 and their property and estates, including their homestead, and, in the case of a
17 foreign child described in s. 48.839 (1) who became dependent on public funds for his
18 or her primary support before an order granting his or her adoption, the resident of
19 this state appointed guardian of the child by a foreign court who brought the child
20 into this state for the purpose of adoption, and his or her property and estate,
21 including his or her homestead, shall be liable for the cost of the care, maintenance,
22 services, and supplies in accordance with the fee schedule established by the
23 department under s. 46.03 (18). If a spouse, ~~widow~~ surviving spouse, or minor, or an
24 incapacitated person may be lawfully dependent upon the property for their support,
25 the court shall release all or such part of the property and estate from the charges

1 that may be necessary to provide for those persons. The department shall make
2 every reasonable effort to notify the liable persons as soon as possible after the
3 beginning of the maintenance, but the notice or the receipt thereof is not a condition
4 of liability.

5 **SECTION 448.** 48.02 (13) of the statutes is amended to read:

6 48.02 (13) "Parent" means a ~~biological~~ natural parent, ~~a husband who has~~
7 ~~consented to the artificial insemination of his wife under s. 891.40,~~ or a parent by
8 adoption. If the child is a nonmarital child who is not adopted or whose parents do
9 not subsequently intermarry under s. 767.803, "parent" includes a person
10 conclusively determined from genetic test results to be the father under s. 767.804
11 ~~or,~~ a person acknowledged under s. 767.805 or a substantially similar law of another
12 state ~~to be a natural parent, or a person~~ adjudicated to be the ~~biological father a~~
13 natural parent. "Parent" does not include any person whose parental rights have
14 been terminated. For purposes of the application of s. 48.028 and the federal Indian
15 Child Welfare Act, 25 USC 1901 to 1963, "parent" means a ~~biological~~ natural parent
16 of an Indian child, an Indian ~~husband~~ spouse who has consented to the artificial
17 insemination of his ~~wife~~ or her spouse under s. 891.40, or an Indian person who has
18 lawfully adopted an Indian child, including an adoption under tribal law or custom,
19 and includes, in the case of a nonmarital Indian child who is not adopted or whose
20 parents do not subsequently intermarry under s. 767.803, a person conclusively
21 determined from genetic test results to be the father under s. 767.804, a person
22 acknowledged under s. 767.805, a substantially similar law of another state, or tribal
23 law or custom to be the ~~biological father~~ natural parent, or a person adjudicated to
24 be the ~~biological father~~ natural parent, but does not include any person whose
25 parental rights have been terminated.

1 **SECTION 449.** 48.025 (title) of the statutes is amended to read:

2 **48.025 (title) Declaration of paternal parental interest in matters**
3 **affecting children.**

4 **SECTION 450.** 48.025 (2) (b) of the statutes is amended to read:

5 48.025 (2) (b) A declaration under sub. (1) may be filed at any time before the
6 birth of the child or within 14 days after the birth of the child, except that a ~~man~~
7 person who receives a notice under s. 48.42 (1g) (b) may file a declaration within 21
8 days after the date on which the notice was mailed. This paragraph does not apply
9 to a declaration filed before July 1, 2006.

10 **SECTION 451.** 48.025 (3) (c) of the statutes is amended to read:

11 48.025 (3) (c) A court in a proceeding under s. 48.13, 48.133, 48.14, or 938.13
12 or under a substantially similar law of another state or a person authorized to file
13 a petition under s. 48.25, 48.42, 48.837, or 938.25 or under a substantially similar
14 law of another state may request the department to search its files to determine
15 whether a person who may be the ~~father~~ parent of the child who is the subject of the
16 proceeding has filed a declaration under this section. If the department has on file
17 a declaration of ~~paternal~~ parental interest in matters affecting the child, the
18 department shall issue to the requester a copy of the declaration. If the department
19 does not have on file a declaration of ~~paternal~~ parental interest in matters affecting
20 the child, the department shall issue to the requester a statement that no declaration
21 could be located. The department may require a person who requests a search under
22 this paragraph to pay a reasonable fee that is sufficient to defray the costs to the
23 department of maintaining its file of declarations and publicizing information
24 relating to declarations of ~~paternal~~ parental interest under this section.

25 **SECTION 452.** 48.27 (3) (b) 1. a. of the statutes is amended to read:

1 48.27 (3) (b) 1. a. A person who has filed a declaration of ~~paternal~~ parental
2 interest under s. 48.025.

3 **SECTION 453.** 48.27 (3) (b) 1. b. of the statutes is amended to read:

4 48.27 (3) (b) 1. b. A person alleged to the court to be ~~the father~~ a parent of the
5 child or who may, based on the statements of the ~~mother~~ parent who gave birth to
6 the child or other information presented to the court, be ~~the father~~ a parent of the
7 child.

8 **SECTION 454.** 48.27 (5) of the statutes is amended to read:

9 48.27 (5) Subject to sub. (3) (b), the court shall make every reasonable effort
10 to identify and notify any person who has filed a declaration of ~~paternal~~ parental
11 interest under s. 48.025, any person conclusively determined from genetic test
12 results to be the father under s. 767.804 (1), any person who has acknowledged
13 ~~paternity~~ parentage of the child under s. 767.805 (1), and any person who has been
14 adjudged to be the ~~father~~ parent of the child in a judicial proceeding unless the
15 person's parental rights have been terminated.

16 **SECTION 455.** 48.299 (6) (intro.) of the statutes is amended to read:

17 48.299 (6) (intro.) If a ~~man~~ person who has been given notice under s. 48.27 (3)
18 (b) 1., 48.977 (4) (c) 1., 48.978 (2) (c) 1., or 48.9795 (4) (c) 1. appears at any hearing
19 for which he or she received the notice, alleges that he or she is ~~the father~~ a parent
20 of the child, and states that he or she wishes to establish the ~~paternity~~ parentage of
21 the child, all of the following apply:

22 **SECTION 456.** 48.299 (6) (e) 1. of the statutes is amended to read:

23 48.299 (6) (e) 1. In this paragraph, "genetic test" means a test that examines
24 genetic markers present on blood cells, skin cells, tissue cells, bodily fluid cells or
25 cells of another body material for the purpose of determining the statistical

1 probability that a ~~man~~ person who is alleged to be a child's ~~father~~ parent is the child's
2 biological ~~father~~ parent.

3 **SECTION 457.** 48.299 (6) (e) 2. of the statutes is amended to read:

4 48.299 (6) (e) 2. The court shall, at the hearing, orally inform any ~~man~~ person
5 specified in sub. (6) (intro.) that he or she may be required to pay for any testing
6 ordered by the court under this paragraph or under s. 885.23.

7 **SECTION 458.** 48.299 (6) (e) 3. of the statutes is amended to read:

8 48.299 (6) (e) 3. In addition to ordering testing as provided under s. 885.23, if
9 the court determines that it would be in the best interests of the child, the court may
10 order any ~~man~~ person specified in sub. (6) (intro.) to submit to one or more genetic
11 tests which shall be performed by an expert qualified as an examiner of genetic
12 markers present on the cells and of the specific body material to be used for the tests,
13 as appointed by the court. A report completed and certified by the court-appointed
14 expert stating genetic test results and the statistical probability that the ~~man~~ person
15 alleged to be the child's ~~father~~ parent is the child's biological ~~father~~ parent based
16 upon the genetic tests is admissible as evidence without expert testimony and may
17 be entered into the record at any hearing. The court, upon request by a party, may
18 order that independent tests be performed by other experts qualified as examiners
19 of genetic markers present on the cells of the specific body materials to be used for
20 the tests.

21 **SECTION 459.** 48.299 (6) (e) 4. of the statutes is amended to read:

22 48.299 (6) (e) 4. If the genetic tests show that an alleged ~~father~~ parent is not
23 excluded and that the statistical probability that the alleged ~~father~~ parent is the
24 child's biological ~~father~~ parent is 99.0 percent or higher, the court may determine

1 that for purposes of a proceeding under this chapter, other than a proceeding under
2 subch. VIII, the man person is the child's biological parent.

3 **SECTION 460.** 48.299 (7) of the statutes is amended to read:

4 48.299 (7) If a man person who has been given notice under s. 48.27 (3) (b) 1.,
5 48.977 (4) (c) 1., 48.978 (2) (c) 1., or 48.9795 (4) (c) 1. appears at any hearing for which
6 he or she received the notice but does not allege that he or she is ~~the father~~ a parent
7 of the child and state that he or she wishes to establish the paternity parentage of
8 the child or if no man person to whom such notice was given appears at a hearing,
9 the court may refer the matter to the state or to the attorney responsible for support
10 enforcement under s. 59.53 (6) (a) for a determination, under s. 767.80, of whether
11 an action should be brought for the purpose of determining the paternity parentage
12 of the child.

13 **SECTION 461.** 48.355 (4g) (a) 1. of the statutes is amended to read:

14 48.355 (4g) (a) 1. The child's parents are parties to a pending action for divorce,
15 annulment, or legal separation, a man person determined under s. 48.299 (6) (e) 4.
16 to be the biological ~~father~~ parent of the child for purposes of a proceeding under this
17 chapter is a party to a pending action to determine paternity of the child under ch.
18 767, or the child is the subject of a pending independent action under s. 767.41 or
19 767.43 to determine legal custody of the child or visitation rights with respect to the
20 child.

21 **SECTION 462.** 48.396 (2) (dm) of the statutes is amended to read:

22 48.396 (2) (dm) Upon request of a court having jurisdiction over actions
23 affecting the family, an attorney responsible for support enforcement under s. 59.53
24 (6) (a) or a party to a paternity proceeding under subch. IX of ch. 767, the party's
25 attorney or the guardian ad litem for the child who is the subject of that proceeding

1 to review or be provided with information from the records of the court assigned to
2 exercise jurisdiction under this chapter and ch. 938 relating to the paternity of a child
3 for the purpose of determining the paternity of the child or for the purpose of
4 rebutting the presumption of ~~paternity~~ parentage under s. 891.405, 891.407, or
5 891.41 (1), the court assigned to exercise jurisdiction under this chapter and ch. 938
6 shall open for inspection by the requester its records relating to the paternity of the
7 child or disclose to the requester those records.

8 **SECTION 463.** 48.42 (1g) (a) 4. of the statutes is amended to read:

9 48.42 (1g) (a) 4. A statement identifying any ~~man~~ person who has lived in a
10 familial relationship with the child and who may be ~~the father~~ a parent of the child.

11 **SECTION 464.** 48.42 (1g) (b) of the statutes is amended to read:

12 48.42 (1g) (b) The petitioner shall notify any ~~man~~ person identified in the
13 affidavit under par. (a) as an alleged ~~father~~ parent of ~~his~~ the right to file a declaration
14 of ~~paternal~~ parental interest under s. 48.025 before the birth of the child, within 14
15 days after the birth of the child, or within 21 days after the date on which the notice
16 is mailed, whichever is later; of the birth date or anticipated birth date of the child;
17 and of the consequences of filing or not filing a declaration of ~~paternal~~ parental
18 interest. The petitioner shall include with the notice a copy of the form required to
19 file a declaration of ~~paternal~~ parental interest under s. 48.025. The notice shall be
20 sent by certified mail to the last-known address of the alleged ~~father~~ parent.

21 **SECTION 465.** 48.42 (1g) (c) of the statutes is amended to read:

22 48.42 (1g) (c) If an affidavit under par. (a) is not filed with the petition, notice
23 shall be given to an alleged ~~father~~ parent under sub. (2).

24 **SECTION 466.** 48.42 (2) (b) 1. of the statutes is amended to read:

1 48.42 (2) (b) 1. A person who has filed an unrevoked declaration of ~~paternal~~
2 parental interest under s. 48.025 before the birth of the child or within 14 days after
3 the birth of the child.

4 **SECTION 467.** 48.42 (2) (b) 2. of the statutes is amended to read:

5 48.42 (2) (b) 2. A person or persons alleged to the court to be ~~the father~~ a parent
6 of the child or who may, based upon the statements of the ~~mother~~ parent who gave
7 birth to the child or other information presented to the court, be the ~~father~~ parent
8 of the child unless that person has waived the right to notice under s. 48.41 (2) (c).

9 **SECTION 468.** 48.42 (2) (bm) 1. of the statutes is amended to read:

10 48.42 (2) (bm) 1. A person who has filed an unrevoked declaration of ~~paternal~~
11 parental interest under s. 48.025 before the birth of the child, within 14 days after
12 the birth of the child, or within 21 days after a notice under sub. (1g) (b) is mailed,
13 whichever is later.

14 **SECTION 469.** 48.422 (6) (a) of the statutes is amended to read:

15 48.422 (6) (a) In the case of a nonmarital child who is not adopted or whose
16 parents do not subsequently intermarry under s. 767.803 and for whom paternity
17 has not been established, or for whom a declaration of ~~paternal~~ parental interest has
18 not been filed under s. 48.025 within 14 days after the date of birth of the child or,
19 if s. 48.42 (1g) (b) applies, within 21 days after the date on which the notice under
20 s. 48.42 (1g) (b) is mailed, the court shall hear testimony concerning the ~~paternity~~
21 parentage of the child. Based on the testimony, the court shall determine whether
22 all interested parties who are known have been notified under s. 48.42 (2) and (2g)
23 (ag). If not, the court shall adjourn the hearing and order appropriate notice to be
24 given.

25 **SECTION 470.** 48.422 (7) (bm) of the statutes is amended to read:

1 48.422 (7) (bm) Establish whether a proposed adoptive parent of the child has
2 been identified. If a proposed adoptive parent of the child has been identified and
3 the proposed adoptive parent is not a relative of the child, the court shall order the
4 petitioner to submit a report to the court containing the information specified in s.
5 48.913 (7). The court shall review the report to determine whether any payments or
6 agreement to make payments set forth in the report are coercive to the birth parent
7 of the child or to an alleged ~~to~~ or presumed ~~father~~ parent of the child or are
8 impermissible under s. 48.913 (4). Making any payment to or on behalf of the any
9 birth parent of the child, ~~an~~, alleged or presumed ~~father~~ parent of the child, or the
10 child conditional in any part upon transfer or surrender of the child or the
11 termination of parental rights or the finalization of the adoption creates a rebuttable
12 presumption of coercion. Upon a finding of coercion, the court shall dismiss the
13 petition or amend the agreement to delete any coercive conditions, if the parties
14 agree to the amendment. Upon a finding that payments ~~which~~ that are
15 impermissible under s. 48.913 (4) have been made, the court may dismiss the petition
16 and may refer the matter to the district attorney for prosecution under s. 948.24 (1).
17 This paragraph does not apply if the petition was filed with a petition for adoptive
18 placement under s. 48.837 (2).

19 **SECTION 471.** 48.422 (7) (br) of the statutes is amended to read:

20 48.422 (7) (br) Establish whether any person has coerced a birth parent or ~~any~~
21 alleged or presumed ~~father~~ parent of the child in violation of s. 48.63 (3) (b) 5. Upon
22 a finding of coercion, the court shall dismiss the petition.

23 **SECTION 472.** 48.423 (2) (d) of the statutes is amended to read:

1 48.423 (2) (d) That the person has complied with the requirements of the state
2 where the ~~mother~~ birth parent previously resided or was located to protect and
3 preserve his ~~paternal~~ or her parental interests in matters affecting the child.

4 **SECTION 473.** 48.432 (1) (am) 2. b. of the statutes is amended to read:

5 48.432 (1) (am) 2. b. If there is no adjudicated father, the ~~husband~~ spouse of the
6 mother at the time the individual or adoptee is conceived or born, or when the parents
7 intermarry under s. 767.803.

8 **SECTION 474.** 48.63 (3) (b) 4. of the statutes is amended to read:

9 48.63 (3) (b) 4. Before a child may be placed under subd. 1., the department,
10 county department, or child welfare agency making the placement and the proposed
11 adoptive parent or parents shall enter into a written agreement that specifies who
12 is financially responsible for the cost of providing care for the child prior to the
13 finalization of the adoption and for the cost of returning the child to the parent who
14 has custody of the child if the adoption is not finalized. Under the agreement, the
15 department, county department, or child welfare agency or the proposed adoptive
16 parent or parents, but not the any birth parent of the child or any alleged or
17 presumed ~~father~~ parent of the child, shall be financially responsible for those costs.

18 **SECTION 475.** 48.63 (3) (b) 5. of the statutes is amended to read:

19 48.63 (3) (b) 5. Prior to termination of parental rights to the child, no person
20 may coerce a birth parent of the child or any alleged or presumed ~~father~~ parent of the
21 child into refraining from exercising his or her right to withdraw consent to the
22 transfer or surrender of the child or to termination of his or her parental rights to the
23 child, to have reasonable visitation or contact with the child, or to otherwise exercise
24 his or her parental rights to the child.

25 **SECTION 476.** 48.82 (1) (a) of the statutes is amended to read:

1 48.82 (1) (a) ~~A husband and wife~~ Spouses jointly, or either the husband or wife
2 if the ~~other~~ spouse is of a parent of the minor.

3 **SECTION 477.** 48.837 (1r) (d) of the statutes is amended to read:

4 48.837 (1r) (d) Before a child may be placed under par. (a), the department,
5 county department, or child welfare agency making the placement and the proposed
6 adoptive parent or parents shall enter into a written agreement that specifies who
7 is financially responsible for the cost of providing care for the child prior to the
8 finalization of the adoption and for the cost of returning the child to the parent who
9 has custody of the child if the adoption is not finalized. Under the agreement, the
10 department, county department, or child welfare agency or the proposed adoptive
11 parent or parents, but not the any birth parent ~~of the child~~ or any alleged or
12 presumed father parent of the child, shall be financially responsible for those costs.

13 **SECTION 478.** 48.837 (1r) (e) of the statutes is amended to read:

14 48.837 (1r) (e) Prior to termination of parental rights to the child, no person
15 may coerce a birth parent ~~of the child~~ or any alleged or presumed father parent of the
16 child into refraining from exercising his or her right to withdraw consent to the
17 transfer or surrender of the child or to termination of his or her parental rights to the
18 child, to have reasonable visitation or contact with the child, or to otherwise exercise
19 his or her parental rights to the child.

20 **SECTION 479.** 48.837 (6) (b) of the statutes is amended to read:

21 48.837 (6) (b) At the beginning of the hearing held under sub. (2), the court shall
22 review the report that is submitted under s. 48.913 (6). The court shall determine
23 whether any payments or the conditions specified in any agreement to make
24 payments are coercive to the any birth parent ~~of the child~~ or to an alleged or
25 presumed father parent of the child or are impermissible under s. 48.913 (4). Making

1 any payment to or on behalf of ~~the a~~ birth parent ~~of the child, an,~~ alleged or presumed
2 ~~father~~ parent of the child, or the child conditional in any part upon transfer or
3 surrender of the child or the termination of parental rights or the finalization of the
4 adoption creates a rebuttable presumption of coercion. Upon a finding of coercion,
5 the court shall dismiss the petitions under subs. (2) and (3) or amend the agreement
6 to delete any coercive conditions, if the parties agree to the amendment. Upon a
7 finding that payments ~~which~~ that are impermissible under s. 48.913 (4) have been
8 made, the court may dismiss the petition and may refer the matter to the district
9 attorney for prosecution under s. 948.24 (1).

10 **SECTION 480.** 48.837 (6) (br) of the statutes is amended to read:

11 48.837 (6) (br) At the hearing on the petition under sub. (2), the court shall
12 determine whether any person has coerced a birth parent or ~~any~~ alleged or presumed
13 ~~father~~ parent of the child in violation of sub. (1r) (e). Upon a finding of coercion, the
14 court shall dismiss the petitions under subs. (2) and (3).

15 **SECTION 481.** 48.913 (1) (a) of the statutes is amended to read:

16 48.913 (1) (a) Preadoptive counseling for a birth parent ~~of the child or an~~
17 alleged or presumed ~~father~~ parent of the child.

18 **SECTION 482.** 48.913 (1) (b) of the statutes is amended to read:

19 48.913 (1) (b) Post-adoptive counseling for a birth parent ~~of the child or an~~
20 alleged or presumed ~~father~~ parent of the child.

21 **SECTION 483.** 48.913 (1) (h) of the statutes is amended to read:

22 48.913 (1) (h) Legal and other services received by a birth parent of the child,
23 an alleged or presumed ~~father~~ parent of the child, or the child in connection with the
24 adoption.

25 **SECTION 484.** 48.913 (2) (intro.) of the statutes is amended to read:

1 48.913 (2) PAYMENT OF EXPENSES WHEN BIRTH PARENT IS RESIDING IN ANOTHER
2 STATE. (intro.) Notwithstanding sub. (1), the proposed adoptive parents of a child or
3 a person acting on behalf of the proposed adoptive parents of a child may pay for an
4 expense of a birth parent of the child or an alleged or presumed father parent of the
5 child if the birth parent or ~~the~~ alleged or presumed father parent was residing in
6 another state when the payment was made and when the expense was incurred and
7 if all of the following apply:

8 **SECTION 485.** 48.913 (2) (b) of the statutes is amended to read:

9 48.913 (2) (b) The state in which the birth parent or ~~the~~ alleged or presumed
10 father parent was residing when the payment was made permits the payment of that
11 expense by the proposed adoptive parents of the child.

12 **SECTION 486.** 48.913 (2) (c) (intro.) of the statutes is amended to read:

13 48.913 (2) (c) (intro.) A listing of all payments made under this subsection, a
14 copy of the statutory provisions of the state in which the birth parent or ~~the~~ alleged
15 or presumed father parent was residing when the payments were made that permit
16 those payments to be made by the proposed adoptive parents of the child, and a copy
17 of all orders entered in the state in which the birth parent or ~~the~~ alleged or presumed
18 father parent was residing when the payments were made that relate to the payment
19 of expenses of the birth parent or ~~the~~ alleged or presumed father parent by the
20 proposed adoptive parents of the child is submitted to the court as follows:

21 **SECTION 487.** 48.913 (3) of the statutes is amended to read:

22 48.913 (3) METHOD OF PAYMENT. Any payment under sub. (1) or (2) shall be made
23 directly to the provider of a good or service except that a payment under sub. (1) or
24 (2) may be made to a birth parent of ~~the child~~ or to an alleged or presumed father
25 parent of the child as reimbursement of an amount previously paid by the birth

1 parent or ~~by the alleged or presumed father~~ parent if documentation is provided
2 showing that the birth parent or alleged or presumed ~~father~~ parent has made the
3 previous payment.

4 **SECTION 488.** 48.913 (4) of the statutes is amended to read:

5 48.913 (4) OTHER PAYMENTS PROHIBITED. The proposed adoptive parents of a
6 child or a person acting on behalf of the proposed adoptive parents may not make any
7 payments to or on behalf of a birth parent of the child, an alleged or presumed ~~father~~
8 parent of the child, or the child except as provided in subs. (1) and (2).

9 **SECTION 489.** 48.913 (7) of the statutes is amended to read:

10 48.913 (7) REPORT TO THE COURT; CONTENTS REQUIRED. The report required under
11 sub. (6) shall include a list of all transfers of anything of value made or agreed to be
12 made by the proposed adoptive parents or by a person acting on their behalf to a birth
13 parent of the child, an alleged or presumed ~~father~~ parent of the child, or the child,
14 on behalf of a birth parent of the child, an alleged or presumed ~~father~~ parent of the
15 child, or the child, or to any other person in connection with the pregnancy, the birth
16 of the child, the placement of the child with the proposed adoptive parents, or the
17 adoption of the child by the proposed adoptive parents. The report shall be itemized
18 and shall show the goods or services for which payment was made or agreed to be
19 made. The report shall include the dates of each payment, the names and addresses
20 of each attorney, doctor, hospital, agency, or other person or organization receiving
21 any payment from the proposed adoptive parents or a person acting on behalf of the
22 proposed adoptive parents in connection with the pregnancy, the birth of the child,
23 the placement of the child with the proposed adoptive parents, or the adoption of the
24 child by the proposed adoptive parents.

25 **SECTION 490.** 48.9795 (1) (a) 1. c. of the statutes is amended to read:

1 48.9795 (1) (a) 1. c. Any person who has filed a declaration of ~~paternal~~ parental
2 interest under s. 48.025, who is alleged to the court to be ~~the father~~ a parent of the
3 child, or who may, based on the statements of the ~~mother~~ parent who gave birth to
4 the child or other information presented to the court, be the ~~father~~ parent of the child.

5 **SECTION 491.** 48.9795 (1) (b) of the statutes is amended to read:

6 48.9795 (1) (b) “Party” means the person petitioning for the appointment of a
7 guardian for a child or any interested person other than a person who is alleged to
8 the court to be ~~the father~~ a parent of the child or who may, based on the statements
9 of the ~~mother~~ parent who gave birth to the child or other information presented to
10 the court, be the ~~father~~ parent of the child.

11 **SECTION 492.** 49.141 (1) (j) 1. of the statutes is amended to read:

12 49.141 (1) (j) 1. A ~~biological~~ natural parent.

13 **SECTION 493.** 49.141 (1) (j) 2. of the statutes is repealed.

14 **SECTION 494.** 49.155 (1m) (c) 1g. of the statutes is amended to read:

15 49.155 (1m) (c) 1g. If the individual is a foster parent of the child or a subsidized
16 guardian or interim caretaker of the child under s. 48.623, the child’s ~~biological~~
17 natural or adoptive family has a gross income that is at or below 200 percent of the
18 poverty line. In calculating the gross income of the child’s ~~biological~~ natural or
19 adoptive family, the department or county department or agency determining
20 eligibility shall include court-ordered child or family support payments received by
21 the individual, if those support payments exceed \$1,250 per month, and income
22 described under s. 49.145 (3) (b) 1. and 3.

23 **SECTION 495.** 49.155 (1m) (c) 1h. of the statutes is amended to read:

24 49.155 (1m) (c) 1h. If the individual is a relative of the child, is providing care
25 for the child under a court order, and is receiving payments under s. 48.57 (3m) or

1 (3n) on behalf of the child, the child's ~~biological~~ natural or adoptive family has a gross
2 income that is at or below 200 percent of the poverty line. In calculating the gross
3 income of the child's ~~biological~~ natural or adoptive family, the department or county
4 department or agency determining eligibility shall include court-ordered child or
5 family support payments received by the individual, if those support payments
6 exceed \$1,250 per month, and income described under s. 49.145 (3) (b) 1. and 3.

7 **SECTION 496.** 49.163 (2) (am) 2. of the statutes is amended to read:

8 49.163 (2) (am) 2. If over 25 years of age, be a ~~biological~~ natural or adoptive
9 parent of a child under 18 years of age whose parental rights to the child have not
10 been terminated or be a relative and primary caregiver of a child under 18 years of
11 age.

12 **SECTION 497.** 49.19 (1) (a) 2. a. of the statutes is amended to read:

13 49.19 (1) (a) 2. a. Is living with a parent; a blood relative, including those of
14 half-blood, and including first cousins, nephews or nieces and persons of preceding
15 generations as denoted by prefixes of grand, great or great-great; a ~~stepfather,~~
16 ~~stepmother~~ stepparent, stepbrother, or stepsister; a person who legally adopts the
17 child or is the adoptive parent of the child's parent, a natural or legally adopted child
18 of such person or a relative of an adoptive parent; or a spouse of any person named
19 in this ~~subparagraph~~ subd. 2. a. even if the marriage is terminated by death or
20 divorce; and is living in a residence maintained by one or more of these relatives as
21 the child's or their own home, or living in a residence maintained by one or more of
22 these relatives as the child's or their own home because the parents of the child have
23 been found unfit to have care and custody of the child; or

24 **SECTION 498.** 49.19 (4) (d) (intro.) of the statutes is amended to read:

1 49.19 (4) (d) (intro.) Aid may be granted to the ~~mother or stepmother~~ parent
2 or stepparent of a dependent child if he or she is without a husband spouse or if he
3 or she:

4 **SECTION 499.** 49.19 (4) (d) 1. of the statutes is amended to read:

5 49.19 (4) (d) 1. Is the ~~wife~~ spouse of a ~~husband~~ person who is incapacitated for
6 gainful work by mental or physical disability; or

7 **SECTION 500.** 49.19 (4) (d) 2. of the statutes is amended to read:

8 49.19 (4) (d) 2. Is the ~~wife~~ spouse of a ~~husband~~ person who is incarcerated or
9 who is a convicted offender permitted to live at home but precluded from earning a
10 wage because the ~~husband~~ person is required by a court imposed sentence to perform
11 unpaid public work or unpaid community service; or

12 **SECTION 501.** 49.19 (4) (d) 3. of the statutes is amended to read:

13 49.19 (4) (d) 3. Is the ~~wife~~ spouse of a ~~husband~~ person who has been committed
14 to the department pursuant to ch. 975, irrespective of the probable period of such
15 commitment; or

16 **SECTION 502.** 49.19 (4) (d) 4. of the statutes is amended to read:

17 49.19 (4) (d) 4. Is the ~~wife~~ spouse of a ~~husband~~ person who has continuously
18 abandoned or failed to support him or her, if proceedings have been commenced
19 against the ~~husband~~ person under ch. 769; or

20 **SECTION 503.** 49.19 (4) (d) 5. of the statutes is amended to read:

21 49.19 (4) (d) 5. Has been divorced and is without a ~~husband~~ spouse or legally
22 separated from his or her ~~husband~~ spouse and is unable through use of the provisions
23 of law to compel his or her former ~~husband~~ spouse to adequately support the child
24 for whom aid is sought; or

25 **SECTION 504.** 49.345 (2) of the statutes is amended to read:

1 49.345 (2) Except as provided in sub. (14) (b) and (c), any person, including a
2 person placed under s. 48.32 (1) (am) or (b), 48.345 (3), 48.357 (1) or (2m), 938.183,
3 938.34 (3) or (4d), or 938.357 (1), (2m), (4), or (5) (e), receiving care, maintenance,
4 services, and supplies provided by any institution in this state, in which the state is
5 chargeable with all or part of the person's care, maintenance, services, and supplies,
6 and the person's property and estate, including the homestead, and the spouse of the
7 person, and the spouse's property and estate, including the homestead, and, in the
8 case of a minor child, the parents of the person, and their property and estates,
9 including their homestead, and, in the case of a foreign child described in s. 48.839
10 (1) who became dependent on public funds for his or her primary support before an
11 order granting his or her adoption, the resident of this state appointed guardian of
12 the child by a foreign court who brought the child into this state for the purpose of
13 adoption, and his or her property and estate, including his or her homestead, shall
14 be liable for the cost of the care, maintenance, services, and supplies in accordance
15 with the fee schedule established by the department under s. 49.32 (1). If a spouse,
16 ~~widow~~ surviving spouse, or minor, or an incapacitated person may be lawfully
17 dependent upon the property for his or her support, the court shall release all or such
18 part of the property and estate from the charges that may be necessary to provide for
19 the person. The department shall make every reasonable effort to notify the liable
20 persons as soon as possible after the beginning of the maintenance, but the notice or
21 the receipt of the notice is not a condition of liability.

22 **SECTION 505.** 49.43 (12) of the statutes is amended to read:

23 49.43 (12) "Spouse" means the ~~legal husband or wife of~~ person to whom the
24 beneficiary is legally married, whether or not the person is eligible for medical
25 assistance.

1 **SECTION 506.** 49.471 (1) (b) 2. of the statutes is amended to read:
2 49.471 (1) (b) 2. A ~~stepfather, stepmother~~ stepparent, stepbrother, or stepsister.

3 **SECTION 507.** 49.90 (4) of the statutes is amended to read:
4 49.90 (4) The circuit court shall in a summary way hear the allegations and
5 proofs of the parties and by order require maintenance from these relatives, if they
6 have sufficient ability, considering their own future maintenance and making
7 reasonable allowance for the protection of the property and investments from which
8 they derive their living and their care and protection in old age, in the following
9 order: First the ~~husband or wife~~ spouse; then the ~~father and the mother~~ parents; and
10 then the grandparents in the instances in which sub. (1) (a) 2. applies. The order
11 shall specify a sum ~~which~~ that will be sufficient for the support of the dependent
12 person under sub. (1) (a) 1. or the maintenance of a child of a dependent person under
13 sub. (1) (a) 2., to be paid weekly or monthly, during a period fixed by the order or until
14 the further order of the court. If the court is satisfied that any such relative is unable
15 wholly to maintain the dependent person or the child, but is able to contribute to the
16 person's support or the child's maintenance, the court may direct 2 or more of the
17 relatives to maintain the person or the child and prescribe the proportion each shall
18 contribute. If the court is satisfied that these relatives are unable together wholly
19 to maintain the dependent person or the child, but are able to contribute to the
20 person's support or the child's maintenance, the court shall direct a sum to be paid
21 weekly or monthly by each relative in proportion to ability. Contributions directed
22 by court order, if for less than full support, shall be paid to the department of health
23 services or the department of children and families, whichever is appropriate, and
24 distributed as required by state and federal law. An order under this subsection that
25 relates to maintenance required under sub. (1) (a) 2. shall specifically assign

1 responsibility for and direct the manner of payment of the child's health care
2 expenses, subject to the limitations under subs. (1) (a) 2. and (11). Upon application
3 of any party affected by the order and upon like notice and procedure, the court may
4 modify such an order. Obedience to such an order may be enforced by proceedings
5 for contempt.

6 **SECTION 508.** 54.01 (36) (a) of the statutes is amended to read:

7 54.01 (36) (a) An individual who obtains or consents to a final decree or
8 judgment of divorce from the decedent or an annulment of their marriage, if the
9 decree or judgment is not recognized as valid in this state, unless the 2 subsequently
10 participated in a marriage ceremony purporting to marry each other or they
11 subsequently held themselves out as ~~husband and wife~~ married to each other.

12 **SECTION 509.** 54.960 (1) of the statutes is amended to read:

13 54.960 (1) Beneficial interests in a custodial trust created for multiple
14 beneficiaries are deemed to be separate custodial trusts of equal undivided interests
15 for each beneficiary. Except in a transfer or declaration for use and benefit of
16 ~~husband and wife~~ 2 individuals who are married to each other, for whom
17 survivorship is presumed, a right of survivorship does not exist unless the
18 instrument creating the custodial trust specifically provides for survivorship or
19 survivorship is required as to marital property.

20 **SECTION 510.** 69.03 (15) of the statutes is amended to read:

21 69.03 (15) Periodically provide to each county child support agency under s.
22 59.53 (5) a list of names and, notwithstanding s. 69.20 (2) (a), addresses of registrants
23 who reside in that county for whom ~~no father's~~ only one parent's name has been
24 inserted on the registrant's birth record within 6 months of birth.

25 **SECTION 511.** 69.11 (4) (b) of the statutes is amended to read:

1 69.11 (4) (b) The state registrar may amend an item on a birth record that
2 affects information about the name, sex, date of birth, place of birth, parent's name,
3 or parent's marital status ~~of the mother~~ if 365 days have elapsed since the occurrence
4 of the event that is the subject of the birth record, if the amendment is at the request
5 of a person with a direct and tangible interest in the record and is in the manner
6 prescribed by the state registrar, and if the amendment is accompanied by 2 items
7 of documentary evidence from early childhood that are sufficient to prove that the
8 item to be changed is in error and by the affidavit of the person requesting the
9 amendment. A change in the marital status on the birth record may be made under
10 this paragraph only if the marital status is inconsistent with information concerning
11 ~~the father or husband~~ that appears on the birth record. This paragraph may not be
12 used to add to or delete from a birth record the name of a parent, to change the
13 identity of a parent named on the birth record, or to effect a name change prohibited
14 under s. 301.47.

15 **SECTION 512.** 69.12 (5) of the statutes is amended to read:

16 69.12 (5) A change in the marital status on the record of birth may be requested
17 under this section only if the marital status is inconsistent with ~~father or husband~~
18 information appearing on the birth record. This section may not be used to add or
19 delete the name of a parent on the record of birth or change the identity of either
20 parent named on the birth record.

21 **SECTION 513.** 69.13 (2) (b) 4. of the statutes is amended to read:

22 69.13 (2) (b) 4. If relevant to the correction sought, a certified copy of a marriage
23 document, divorce or annulment record, or a final divorce decree that indicates that
24 the mother was not married to the person listed as her ~~husband~~ spouse at any time

1 during the pregnancy, a legal name change order, or any other legal document that
2 clarifies the disputed information.

3 **SECTION 514.** 69.14 (1) (c) 4. of the statutes is amended to read:

4 69.14 (1) (c) 4. In the absence of a person under subds. 1. to 3., the ~~father or~~
5 mother, father, or mother's spouse, or in the absence of the father or the mother's
6 spouse and the inability of the mother, the person responsible for the premises where
7 the birth occurs.

8 **SECTION 515.** 69.14 (1) (e) (title) and 1. of the statutes are amended to read:

9 69.14 (1) (e) (title) *Father's Spouse's or father's name*. 1. If Except as provided
10 in par. (h), if the mother of a registrant under this section was married at any time
11 from the conception to the birth of the registrant, the name of the ~~husband~~ spouse
12 of the mother shall be entered on the birth record as the ~~a legal father~~ parent of the
13 registrant. The name of the ~~father~~ parent entered under this subdivision may not
14 be changed except by a proceeding under ch. 767.

15 **SECTION 516.** 69.14 (1) (f) 1. of the statutes is amended to read:

16 69.14 (1) (f) 1. a. Except as provided under subd. 1. b., if the mother of a
17 registrant of a birth record under this section is married ~~to the father of the~~
18 ~~registrant~~ at any time from the conception to the birth of the registrant, the given
19 name and surname ~~which~~ that the mother ~~and father~~ of the registrant and her
20 spouse enter for the registrant on the birth record shall be the given name and
21 surname filed and registered on the birth record.

22 b. If the mother of a registrant of a birth record under this section is married
23 ~~to the father of the registrant~~ at any time from the conception to the birth of the
24 registrant and the mother is separated or divorced ~~from the father of the registrant~~
25 at the time of birth, the given name and surname ~~which~~ that the parent of the

1 registrant with actual custody enters for the registrant on the birth record shall be
2 the given name and surname filed and registered on the birth record, except that if
3 a court has granted legal custody of the registrant, the given name and surname
4 ~~which~~ that the person with legal custody enters for the registrant on the birth record
5 shall be the given name and surname filed and registered on the birth record.

6 c. If the mother of a registrant of a birth record under this section is not married
7 ~~to the father of the registrant~~ at any time from the conception to the birth of the
8 registrant, the given name and surname ~~which~~ that the mother of the registrant
9 enters for the registrant on the birth record shall be the given name and surname
10 filed and registered on the birth record, except that if a court has granted legal
11 custody of the registrant, the given name and surname ~~which~~ that the person with
12 legal custody enters for the registrant on the birth record shall be the given name and
13 surname filed and registered on the birth record.

14 **SECTION 517.** 69.14 (1) (g) of the statutes is amended to read:

15 69.14 (1) (g) *Birth by artificial insemination.* If the registrant of a birth record
16 under this section is born as a result of artificial insemination under the
17 requirements of s. 891.40, the ~~husband~~ spouse of the ~~woman~~ person inseminated
18 shall be considered ~~the father~~ a parent of the registrant on the birth record. ~~If the~~
19 ~~registrant is born as a result of artificial insemination which does not satisfy the~~
20 ~~requirements of s. 891.40, the information about the father of the registrant shall be~~
21 ~~omitted from the registrant's birth record.~~

22 **SECTION 518.** 69.14 (2) (b) 2. d. of the statutes is amended to read:

23 69.14 (2) (b) 2. d. The full name of the father or the mother's spouse, except that
24 if the mother was not married at the time of conception or birth or between conception

1 and birth of the registrant, the name of the father may not be entered except as
2 provided under s. 69.15 (3).

3 **SECTION 519.** 69.15 (1) of the statutes is amended to read:

4 69.15 (1) BIRTH RECORD INFORMATION CHANGES. The state registrar may change
5 information on a birth record registered in this state which was correct at the time
6 the birth record was filed under a court or administrative order issued in this state,
7 in another state or in Canada or under the valid order of a court of any federally
8 recognized Indian tribe, band, or nation if all of the following occur:

9 (a) The order provides for an adoption, name change, or name change with sex
10 change or establishes paternity; and or parentage.

11 (b) A clerk of court or, for a paternity or parentage action, a clerk of court or
12 county child support agency under s. 59.53 (5), sends the state registrar a certified
13 report of an order of a court in this state in the method prescribed by the state
14 registrar or, in the case of any other order, the state registrar receives a certified copy
15 of the order and the proper fee under s. 69.22.

16 **SECTION 520.** 69.15 (3) (title) and (a) (intro.), 1., 2. and 3. of the statutes are
17 amended to read:

18 69.15 (3) (title) ~~PATERNITY~~ PARENTAGE. (a) (intro.) If the state registrar receives
19 an order under sub. (1) that establishes paternity or determines that the ~~man~~ person
20 whose name appears on a registrant's birth record is not the ~~father~~ parent of the
21 registrant, or a report under s. 767.804 (1) (c) that shows a conclusive determination
22 of paternity, the state registrar shall do the following, as appropriate:

23 1. Prepare under sub. (6) a new record omitting the ~~father's~~ parent's name if
24 the order determines that the ~~man~~ person whose name appears on a registrant's

1 birth record is not the ~~father~~ parent of the registrant and if there is no adjudicated
2 father.

3 2. Prepare under sub. (6) a new record for the subject of a paternity action
4 changing the name of the ~~father~~ parent if the name of the adjudicated father is
5 different than the name of the ~~man~~ person on the birth record.

6 3. Except as provided under subd. 4., insert the name of the adjudicated or
7 conclusively determined father on the original birth record if the name of the ~~father~~
8 that parent was omitted on the original record.

9 **SECTION 521.** 69.15 (3) (b) 1., 2., 3. and 4. (intro.), a. and b. of the statutes are
10 amended to read:

11 69.15 (3) (b) 1. Except as provided under par. (c), if the state registrar receives
12 a statement acknowledging paternity parentage in the manner prescribed by the
13 state registrar and signed by both of the ~~birth~~ natural parents of a child determined
14 to be a marital child under s. 767.803, a certified copy of the parents' marriage record,
15 and the fee required under s. 69.22 (5) (b) 1., the state registrar shall insert the name
16 of the ~~husband~~ spouse of the person who gave birth from the marriage record as the
17 ~~father~~ parent if the name of the ~~father~~ that parent was omitted on the original birth
18 record. The state registrar shall include for the acknowledgment the items in s.
19 767.813 (5g).

20 2. Except as provided under par. (c), if the parent of a child determined to be
21 a marital child under s. 767.803 dies after his or her marriage and before the
22 statement acknowledging paternity parentage has been signed, the state registrar
23 shall insert the name of the ~~father~~ parent under subd. 1. upon receipt of a court order
24 determining that the ~~husband~~ spouse was the ~~father~~ parent of the child.

1 3. Except as provided under par. (c), if the state registrar receives a statement
2 acknowledging ~~paternity~~ parentage in the method prescribed by the state registrar
3 and signed by both parents, neither of whom was under the age of 18 years when the
4 form was signed, along with the fee under s. 69.22, the state registrar shall insert the
5 name of the ~~father~~ parent under subd. 1. The state registrar shall mark the record
6 to show that the acknowledgement is on file. The acknowledgement shall be
7 available to the department of children and families or a county child support agency
8 under s. 59.53 (5) pursuant to the program responsibilities under s. 49.22 or to any
9 other person with a direct and tangible interest in the record. The state registrar
10 shall include on the acknowledgment the information in s. 767.805 and the items in
11 s. 767.813 (5g).

12 4. (intro.) If a registrant has not reached the age of 18 years and if any of the
13 following indicate, in a statement acknowledging ~~paternity~~ parentage under subd.
14 1. or 3., that the given name or surname, or both, of the registrant should be changed
15 on the birth record, the state registrar shall enter the name indicated on the birth
16 record without a court order:

17 a. ~~The mother of the~~ parent who gave birth to the registrant, except as provided
18 under subd. 4. b. and c.

19 b. ~~The father of~~ natural parent who did not give birth to the registrant if the
20 ~~father~~ that parent has legal custody of the registrant.

21 **SECTION 522.** 69.15 (3) (b) 3m. of the statutes is created to read:

22 69.15 (3) (b) 3m. Except as provided in par. (c), if the state registrar receives
23 an acknowledgement of parentage on a form prescribed by the state registrar and
24 signed by both of the people presumed to be natural parents under s. 891.41 (1) (b),
25 a certified copy of the parents' marriage certificate, and the fee required under s.

1 69.22 (5) (b) 1., the state registrar shall insert the name of the spouse from the
2 marriage certificate as a parent if the name of that parent was omitted on the original
3 birth certificate.

4 **SECTION 523.** 69.15 (3) (d) of the statutes is amended to read:

5 69.15 (3) (d) The method prescribed by the state registrar for acknowledging
6 ~~paternity~~ parentage shall require that the social security number of each of the
7 registrant's parents be provided.

8 **SECTION 524.** 69.15 (3m) (title) and (a) (intro.) of the statutes are amended to
9 read:

10 69.15 (3m) (title) RESCISSION OF STATEMENT ACKNOWLEDGING ~~PATERNITY~~
11 PARENTAGE. (a) (intro.) A statement acknowledging ~~paternity~~ parentage that is filed
12 with the state registrar under sub. (3) (b) 3. may be rescinded by either person who
13 signed the statement as a parent of the registrant if all of the following apply:

14 **SECTION 525.** 69.15 (3m) (a) 3. and (b) of the statutes are amended to read:

15 69.15 (3m) (a) 3. The person rescinding the statement files a rescission in the
16 method prescribed under subd. 2. before the day on which a court or circuit court
17 commissioner makes an order in an action affecting the family involving the ~~man~~
18 person who signed the statement and the child who is the subject of the statement
19 or before 60 days elapse after the statement was filed, whichever occurs first.

20 (b) If the state registrar, within the time required under par. (a) 3., receives a
21 rescission in the method prescribed by the state registrar, along with the proper fee
22 under s. 69.22, the state registrar shall prepare under sub. (6) a new record omitting
23 the ~~father's~~ parent's name if it was inserted under sub. (3) (b).

24 **SECTION 526.** 71.03 (2) (d) (title) of the statutes is amended to read:

25 71.03 (2) (d) (title) ~~Husband and wife~~ Spouses joint filing.

1 **SECTION 527.** 71.03 (2) (d) 1. of the statutes is amended to read:

2 71.03 (2) (d) 1. Except as provided in subds. 2. and 3. and par. (e), ~~a husband~~
3 ~~and a wife~~ spouses may file a joint return for income tax purposes even though one
4 of the spouses has no gross income or no deductions.

5 **SECTION 528.** 71.03 (2) (d) 2. of the statutes is amended to read:

6 71.03 (2) (d) 2. No joint return may be filed if either ~~the husband or wife~~ spouse
7 at any time during the taxable year is a nonresident alien, unless an election is in
8 effect for the taxable year under section 6013 (g) or (h) of the ~~internal revenue code~~
9 Internal Revenue Code.

10 **SECTION 529.** 71.03 (2) (d) 3. of the statutes is amended to read:

11 71.03 (2) (d) 3. No joint return may be filed if the ~~husband and wife~~ spouses
12 have different taxable years, except that if their taxable years begin on the same day
13 and end on different days because of the death of either or both the joint return may
14 be filed with respect to the taxable year of each unless the surviving spouse remarries
15 before the close of his or her taxable year or unless the taxable year of either spouse
16 is a fractional part of a year under section 443 (a) (1) of the ~~internal revenue code~~
17 Internal Revenue Code.

18 **SECTION 530.** 71.03 (2) (g) of the statutes is amended to read:

19 71.03 (2) (g) *Joint return following separate return.* Except as provided in par.
20 (i), if an individual has filed a separate return for a taxable year for which a joint
21 return could have been filed by the individual and the individual's spouse under par.
22 (d) or (e) and the time prescribed by law for timely filing the return for that taxable
23 year has expired, the individual and the individual's spouse may file a joint return
24 for that taxable year. A joint return filed by the ~~husband and wife~~ spouses under this
25 paragraph is their return for that taxable year, and all payments, credits, refunds

1 or other repayments made or allowed with respect to the separate return of each
2 spouse for that taxable year shall be taken into account in determining the extent
3 to which the tax based upon the joint return has been paid. If a joint return is filed
4 under this paragraph, any election, other than the election to file a separate return,
5 made by either spouse in that spouse's separate return for that taxable year with
6 respect to the treatment of any income, deduction or credit of that spouse may not
7 be changed in the filing of the joint return if that election would have been irrevocable
8 if the joint return had not been filed.

9 **SECTION 531.** 71.03 (2) (m) 2. of the statutes is amended to read:

10 71.03 (2) (m) 2. If ~~a husband and wife~~ spouses change from a joint return to
11 separate returns within the time prescribed in subd. 1., the tax paid on the joint
12 return shall be allocated between them in proportion to the tax liability shown on
13 each separate return.

14 **SECTION 532.** 71.03 (4) (a) of the statutes is amended to read:

15 71.03 (4) (a) Natural persons whose total income is not in excess of \$10,000 and
16 consists entirely of wages subject to withholding for Wisconsin tax purposes and not
17 more than \$200 total of dividends, interest and other wages not subject to Wisconsin
18 withholding, and who have elected the Wisconsin standard deduction and have not
19 claimed either the credit for homestead property tax relief or deductions for expenses
20 incurred in earning such income, shall, at their election, not be required to record on
21 their income tax returns the amount of the tax imposed on their Wisconsin taxable
22 income. Married persons shall be permitted this election only if the joint income of
23 the ~~husband and wife~~ spouses does not exceed \$10,000, if both report their incomes
24 on the same joint income tax return form, and if both make this election.

25 **SECTION 533.** 71.05 (22) (a) (title) of the statutes is amended to read:

1 71.05 **(22)** (a) (title) *Election of deductions; ~~husband and wife~~ spousal*
2 *deductions.*

3 **SECTION 534.** 71.07 (5m) (a) 3. of the statutes is amended to read:

4 71.07 **(5m)** (a) 3. “Household” means a claimant and an individual related to
5 the claimant as ~~husband or wife~~ his or her spouse.

6 **SECTION 535.** 71.07 (9e) (b) of the statutes is amended to read:

7 71.07 **(9e)** (b) No credit may be allowed under this subsection to married
8 persons, except married persons living apart who are treated as single under section
9 7703 (b) of the ~~internal revenue code~~ Internal Revenue Code, if the ~~husband and wife~~
10 spouses report their income on separate income tax returns for the taxable year.

11 **SECTION 536.** 71.09 (13) (a) 2. of the statutes is amended to read:

12 71.09 **(13)** (a) 2. The tax shown on the return for the preceding year. If ~~a~~
13 ~~husband and wife~~ spouses who filed separate returns for the preceding taxable year
14 file a joint return, the tax shown on the return for the preceding year is the sum of
15 the taxes shown on the separate returns of the ~~husband and wife~~ spouses. If ~~a~~
16 ~~husband and wife~~ spouses who filed a joint return for the preceding taxable year file
17 separate returns, the tax shown on the return for the preceding year is ~~the husband’s~~
18 ~~or wife’s~~ each spouse’s proportion of that tax based on what their respective tax
19 liabilities for that year would have been had they filed separately.

20 **SECTION 537.** 71.52 (4) of the statutes is amended to read:

21 71.52 **(4)** “Household” means a claimant and an individual related to the
22 claimant as ~~husband or wife~~ his or her spouse.

23 **SECTION 538.** 71.83 (1) (a) 8. of the statutes is amended to read:

24 71.83 **(1)** (a) 8. ‘Joint return replacing separate returns.’ If the amount shown
25 as the tax by ~~the husband and wife~~ spouses on a joint return filed under s. 71.03 (2)

1 (g) to (L) exceeds the sum of the amounts shown as the tax upon the separate return
2 of each spouse and if any part of that excess is attributable to negligence or
3 intentional disregard of this chapter, but without intent to defraud, at the time of the
4 filing of that separate return, then 25 percent of the total amount of that excess shall
5 be added to the tax.

6 **SECTION 539.** 71.83 (1) (b) 5. of the statutes is amended to read:

7 71.83 (1) (b) 5. ‘Joint return after separate returns.’ If the amount shown as
8 the tax by ~~the husband and wife~~ spouses on a joint return filed under s. 71.03 (2) (g)
9 to (L) exceeds the sum of the amounts shown as the tax on the separate return of each
10 spouse and if any part of that excess is attributable to fraud with intent to evade tax
11 at the time of the filing of that separate return, then 50 percent of the total amount
12 of that excess shall be added to the tax.

13 **SECTION 540.** 77.25 (8m) of the statutes is amended to read:

14 77.25 (8m) Between ~~husband and wife~~ spouses.

15 **SECTION 541.** 77.54 (7) (b) 1. of the statutes is amended to read:

16 77.54 (7) (b) 1. The item is transferred to a child, spouse, parent, ~~father-in-law,~~
17 ~~mother-in-law~~ parent-in-law, daughter-in-law, or son-in-law of the transferor or,
18 if the item is a motor vehicle, from the transferor to a corporation owned solely by the
19 transferor or by the transferor’s spouse.

20 **SECTION 542.** 101.91 (5m) of the statutes is amended to read:

21 101.91 (5m) “Manufactured home community” means any plot or plots of
22 ground upon which 3 or more manufactured homes that are occupied for dwelling or
23 sleeping purposes are located. “Manufactured home community” does not include a
24 farm where the occupants of the manufactured homes are the ~~father, mother, son,~~

1 ~~daughter, brother or sister~~ parents, children, or siblings of the farm owner or
2 operator or where the occupants of the manufactured homes work on the farm.

3 **SECTION 543.** 102.07 (5) (b) of the statutes is amended to read:

4 102.07 (5) (b) The parents, spouse, child, brother, sister, son-in-law,
5 daughter-in-law, ~~father-in-law, mother-in-law~~ parent-in-law, brother-in-law, or
6 sister-in-law of a farmer shall not be deemed the farmer's employees.

7 **SECTION 544.** 102.07 (5) (c) of the statutes is amended to read:

8 102.07 (5) (c) A shareholder-employee of a family farm corporation shall be
9 deemed a "farmer" for purposes of this chapter and shall not be deemed an employee
10 of a farmer. A "family farm corporation" means a corporation engaged in farming all
11 of whose shareholders are related as lineal ancestors or lineal descendants, whether
12 by blood or by adoption, or as spouses, brothers, sisters, uncles, aunts, cousins,
13 sons-in-law, daughters-in-law, ~~fathers-in-law, mothers-in-law~~ parents-in-law,
14 brothers-in-law, or sisters-in-law of such lineal ancestors or lineal descendants.

15 **SECTION 545.** 102.51 (1) (a) 1. of the statutes is amended to read:

16 102.51 (1) (a) 1. A wife married person upon ~~a husband~~ his or her spouse with
17 whom he or she is living at the time of ~~his~~ the spouse's death.

18 **SECTION 546.** 102.51 (1) (a) 2. of the statutes is repealed.

19 **SECTION 547.** 103.10 (1) (h) of the statutes is amended to read:

20 103.10 (1) (h) "Spouse" means ~~an employee's legal husband or wife~~ the person
21 to whom an employee is legally married.

22 **SECTION 548.** 103.165 (3) (a) 3. of the statutes is amended to read:

23 103.165 (3) (a) 3. The decedent's ~~father or mother~~ parent or parents if the
24 decedent leaves no surviving spouse, domestic partner under ch. 770, or children.

25 **SECTION 549.** 111.32 (12) of the statutes is amended to read:

1 111.32 (12) “Marital status” means the status of being married, single,
2 divorced, separated, or widowed a surviving spouse.

3 **SECTION 550.** 115.76 (12) (a) 1. of the statutes is amended to read:

4 115.76 (12) (a) 1. A ~~biological~~ natural parent.

5 **SECTION 551.** 115.76 (12) (a) 2. of the statutes is repealed.

6 **SECTION 552.** 115.76 (12) (a) 3. of the statutes is repealed.

7 **SECTION 553.** 115.76 (13) of the statutes is amended to read:

8 115.76 (13) “Person acting as a parent of a child” means a relative of the child
9 or a private individual allowed to act as a parent of a child by the child’s ~~biological~~
10 natural or adoptive parents or guardian, and includes the child’s grandparent,
11 neighbor, friend or private individual caring for the child with the explicit or tacit
12 approval of the child’s ~~biological~~ natural or adoptive parents or guardian. “Person
13 acting as a parent of a child” does not include any person that receives public funds
14 to care for the child if such funds exceed the cost of such care.

15 **SECTION 554.** 146.34 (1) (f) of the statutes is amended to read:

16 146.34 (1) (f) “Parent” means a ~~biological~~ natural parent, ~~a husband who has~~
17 ~~consented to the artificial insemination of his wife under s. 891.40~~ or a parent by
18 adoption. If the minor is a nonmarital child who is not adopted or whose parents do
19 not subsequently intermarry under s. 767.803, “parent” includes a person adjudged
20 in a judicial proceeding under ch. 48 to be the biological father of the minor. “Parent”
21 does not include any person whose parental rights have been terminated.

22 **SECTION 555.** 157.05 of the statutes is amended to read:

23 **157.05 Autopsy.** Consent for a licensed physician to conduct an autopsy on
24 the body of a deceased person shall be deemed sufficient when given by whichever
25 one of the following assumes custody of the body for purposes of burial: ~~Father,~~

1 ~~mother, husband, wife~~ parent, spouse, child, guardian, next of kin, domestic partner
2 under ch. 770, or in the absence of any of the foregoing, a friend, or a person charged
3 by law with the responsibility for burial. If 2 or more such persons assume custody
4 of the body, the consent of one of them shall be deemed sufficient.

5 **SECTION 556.** 182.004 (6) of the statutes is amended to read:

6 182.004 (6) Stock may be issued and leases made to ~~husband and wife~~ spouses,
7 and to the survivor of them, in which event title shall descend the same as in like
8 conveyances of real property subject to ch. 766. Otherwise, title to the stock and lease
9 shall descend to the persons to whom a homestead of the stockholder would descend
10 except as provided in ch. 766. The interest of a tenant in the lease and stock shall
11 be exempt from execution to the same extent as a homestead in real estate.

12 **SECTION 557.** 250.04 (3) (a) of the statutes is amended to read:

13 250.04 (3) (a) The department shall establish and maintain surveillance
14 activities sufficient to detect any occurrence of acute, communicable, or chronic
15 diseases and threat of occupational or environmental hazards, injuries, or changes
16 in the health of ~~mothers~~ parents and children.

17 **SECTION 558.** 301.50 (1) of the statutes is amended to read:

18 301.50 (1) In this section, “substantial parental relationship” means the
19 acceptance and exercise of significant responsibility for the daily supervision,
20 education, protection, and care of the child. In evaluating whether an individual has
21 had a substantial parental relationship with the child, factors that may be
22 considered include, but are not limited to, whether the individual has expressed
23 concern for or interest in the support, care, or well-being of the child; whether the
24 individual has neglected or refused to provide care or support for the child; and
25 whether, with respect to an individual who is or may be ~~the father~~ a parent of the

1 child, the individual has expressed concern for or interest in the support, care, or
2 well-being of the ~~mother during her~~ parent who gave birth during pregnancy.

3 **SECTION 559.** 700.19 (2) of the statutes is amended to read:

4 700.19 (2) ~~HUSBAND AND WIFE~~ SPOUSES. If persons named as owners in a
5 document of title, transferees in an instrument of transfer, or buyers in a bill of sale
6 are described in the document, instrument, or bill of sale as ~~husband and wife~~
7 married to each other, or are in fact ~~husband and wife~~ married to each other, they are
8 joint tenants, unless the intent to create a tenancy in common is expressed in the
9 document, instrument, or bill of sale. This subsection applies to property acquired
10 before January 1, 1986, and, if ch. 766 does not apply when the property is acquired,
11 to property acquired on or after January 1, 1986.

12 **SECTION 560.** 705.01 (4) of the statutes is amended to read:

13 705.01 (4) “Joint account” means an account, other than a marital account,
14 payable on request to one or more of 2 or more parties whether or not mention is made
15 of any right of survivorship. “Joint account” also means any account established with
16 the right of survivorship on or after January 1, 1986, by 2 parties who claim to be
17 ~~husband and wife~~ married to each other, which is payable on request to either or both
18 of the parties.

19 **SECTION 561.** 705.01 (4m) of the statutes is amended to read:

20 705.01 (4m) “Marital account” means an account established without the right
21 of survivorship on or after January 1, 1986, by 2 parties who claim to be ~~husband and~~
22 ~~wife~~ married to each other, which is payable on request to either or both of the parties
23 and which is designated as a marital account. An account established by those
24 parties with the right of survivorship under s. 766.58 (3) (f) or 766.60 is a joint
25 account.

1 **SECTION 562.** 706.09 (1) (e) of the statutes is amended to read:

2 706.09 (1) (e) *Marital interests.* Homestead of the spouse of any transferor of
3 an interest in real estate, if the recorded conveyance purporting to transfer the
4 homestead states that the person executing it is single, unmarried, or widowed a
5 surviving spouse or fails to indicate the marital status of the transferor, and if the
6 conveyance has, in either case, appeared of record for 5 years. This paragraph does
7 not apply to the interest of a married person who is described of record as a holder
8 in joint tenancy or of marital property with that transferor.

9 **SECTION 563.** 765.001 (2) of the statutes is amended to read:

10 765.001 (2) INTENT. It is the intent of chs. 765 to 768 to promote the stability
11 and best interests of marriage and the family. It is the intent of the legislature to
12 recognize the valuable contributions of both spouses during the marriage and at
13 termination of the marriage by dissolution or death. Marriage is the institution that
14 is the foundation of the family and of society. Its stability is basic to morality and
15 civilization, and of vital interest to society and the state. The consequences of the
16 marriage contract are more significant to society than those of other contracts, and
17 the public interest must be taken into account always. The seriousness of marriage
18 makes adequate premarital counseling and education for family living highly
19 desirable and courses thereon are urged upon all persons contemplating marriage.
20 The impairment or dissolution of the marriage relation generally results in injury
21 to the public wholly apart from the effect upon the parties immediately concerned.
22 Under the laws of this state, marriage is a legal relationship between 2 equal
23 persons, ~~a husband and wife~~, who owe to each other mutual responsibility and
24 support. Each spouse has an equal obligation in accordance with his or her ability
25 to contribute money or services or both which are necessary for the adequate support

1 and maintenance of his or her minor children and of the other spouse. No spouse may
2 be presumed primarily liable for support expenses under this subsection.

3 **SECTION 564.** 765.01 of the statutes is amended to read:

4 **765.01 A civil contract.** Marriage, so far as its validity at law is concerned,
5 is a civil contract, to which the consent of the parties capable in law of contracting
6 is essential, and which creates the legal status of ~~husband and wife~~ spouse to each
7 other.

8 **SECTION 565.** 765.02 (3) of the statutes is created to read:

9 765.02 (3) Marriage may be contracted between persons of the same sex or
10 different sexes.

11 **SECTION 566.** 765.03 (1) of the statutes is amended to read:

12 765.03 (1) No marriage shall be contracted while either of the parties has a
13 ~~husband or wife~~ spouse living, nor between persons who are nearer of kin than 2nd
14 cousins except that marriage may be contracted between first cousins ~~where the~~
15 ~~female has attained the age of 55 years or where~~ if either party, at the time of
16 application for a marriage license, submits an affidavit signed by a physician stating
17 that either party is permanently sterile or that the 2 parties are otherwise
18 permanently biologically incapable of producing a child together. Relationship
19 under this section shall be computed by the rule of the civil law, whether the parties
20 to the marriage are of the half or of the whole blood. A marriage may not be
21 contracted if either party has such want of understanding as renders him or her
22 incapable of assenting to marriage.

23 **SECTION 567.** 765.16 (1m) (intro.) of the statutes is amended to read:

24 765.16 (1m) (intro.) Marriage may be validly solemnized and contracted in this
25 state only after a marriage license has been issued therefor, and only by the mutual

1 declarations of the 2 parties to be joined in marriage that ~~they take~~ each takes the
2 other as ~~husband and wife~~ his or her spouse, made before an authorized officiating
3 person and in the presence of at least 2 competent adult witnesses other than the
4 officiating person. If one of the parties is serving on active duty in the U.S. armed
5 forces or in forces incorporated in the U.S. armed forces, in a reserve unit of the U.S.
6 armed forces, or in the national guard, the presence of only one competent adult
7 witness other than the officiating person is required. The following are authorized
8 to be officiating persons:

9 **SECTION 568.** 765.16 (1m) (c) of the statutes is amended to read:

10 765.16 **(1m)** (c) The 2 parties themselves, by mutual declarations that ~~they~~
11 ~~take each takes the~~ other as ~~husband and wife~~ his or her spouse, in accordance with
12 the customs, rules, and regulations of any religious society, denomination, or sect to
13 which either of the parties may belong.

14 **SECTION 569.** 765.23 of the statutes is amended to read:

15 **765.23 Immaterial irregularities otherwise.** No marriage hereafter
16 contracted shall be void either by reason of the marriage license having been issued
17 by a county clerk not having jurisdiction to issue the same; or by reason of any
18 informality or irregularity of form in the application for the marriage license or in
19 the marriage license itself, or the incompetency of the witnesses to such marriage;
20 or because the marriage may have been solemnized more than 60 days after the date
21 of the marriage license, if the marriage is in other respects lawful and is
22 consummated with the full belief on the part of the persons so married, or either of
23 them, that they have been lawfully joined in marriage. Where a marriage has been
24 celebrated in one of the forms provided for in s. 765.16 (1m), and the parties thereto
25 have immediately thereafter assumed the habit and repute of ~~husband and wife~~ a

1 married couple, and having continued the same uninterruptedly thereafter for the
2 period of one year, or until the death of either of them, it shall be deemed that a
3 marriage license has been issued as required by ss. 765.05 to 765.24 and 767.803.

4 **SECTION 570.** 765.24 of the statutes is amended to read:

5 **765.24 Removal of impediments to subsequent marriage.** If a person
6 during the lifetime of a ~~husband or wife~~ spouse with whom the marriage is in force,
7 enters into a subsequent marriage contract in accordance with s. 765.16, and the
8 parties thereto live together thereafter as ~~husband and wife~~ a married couple, and
9 such subsequent marriage contract was entered into by one of the parties in good
10 faith, in the full belief that the former ~~husband or wife~~ spouse was dead, or that the
11 former marriage had been annulled, or dissolved by a divorce, or without knowledge
12 of such former marriage, ~~they~~ the parties shall, after the impediment to their
13 marriage has been removed by the death or divorce of the other party to such former
14 marriage, if they continue to live together as ~~husband and wife~~ a married couple in
15 good faith on the part of one of them, be held to have been legally married from and
16 after the removal of such impediment and ~~the issue of~~ any children born during such
17 subsequent marriage shall be considered as the marital issue children of both
18 ~~parents~~ parties.

19 **SECTION 571.** 765.30 (3) (a) of the statutes is amended to read:

20 765.30 (3) (a) *Penalty for unlawful solemnization of marriage.* Any officiating
21 person who solemnizes a marriage unless the contracting parties have first obtained
22 a proper marriage license as heretofore provided; or unless the parties to such
23 marriage declare that ~~they take each~~ takes the other as ~~husband and wife~~ his or her
24 spouse; or without the presence of competent adult witnesses as required under s.
25 765.16 (1m); or solemnizes a marriage knowing of any legal impediment thereto; or

1 solemnizes a marriage more than 60 days after the date of the marriage license; or
2 falsely certifies to the date of a marriage solemnized by the officiating person.

3 **SECTION 572.** 766.587 (7) (form) 9. of the statutes is amended to read:

4 766.587 (7) (form) 9. BOTH SPOUSES MUST SIGN THIS AGREEMENT. IF
5 SIGNED BEFORE JANUARY 1, 1986, IT IS EFFECTIVE ON JANUARY 1, 1986,
6 OR THE DATE THE PARTIES MARRY, WHICHEVER IS LATER. IF SIGNED ON
7 OR AFTER JANUARY 1, 1986, IT IS EFFECTIVE ON THE DATE SIGNED OR THE
8 DATE THE PARTIES MARRY, WHICHEVER IS LATER.

9 STATUTORY INDIVIDUAL

10 PROPERTY CLASSIFICATION AGREEMENT

11 (Pursuant to Section 766.587, Wisconsin Statutes)

12 This agreement is made and entered into by and, (~~husband and wife who~~
13 are married) (who intend to marry) (strike one).

14 The parties to this agreement agree to classify all their property, including
15 property owned by them now and property acquired before January 1, 1987, as the
16 individual property of the owning spouse, and agree that ownership of their property
17 shall be determined as if it were December 31, 1985.

18 This agreement terminates on January 1, 1987.

19 Signature Date

20 Print Name Here:

21 Address:

22 Signature Date

23 Print Name Here:

24 Address:

1 [NOTE: Each spouse should retain a copy of the agreement for himself or
2 herself.]

3 **SECTION 573.** 766.588 (9) (form) 13. of the statutes is amended to read:

4 766.588 (9) (form) 13. IF AFTER ENTERING INTO THIS AGREEMENT ONE
5 OR BOTH OF YOU ESTABLISH A DOMICILE OUTSIDE THIS STATE, YOU ARE
6 URGED TO SEEK LEGAL ADVICE CONCERNING THE CONTINUED
7 EFFECTIVENESS OF THIS AGREEMENT.

8 STATUTORY TERMINABLE MARITAL

9 PROPERTY CLASSIFICATION AGREEMENT

10 (Pursuant to Section 766.588, Wisconsin Statutes)

11 This agreement is entered into by and (~~husband and wife~~ who are
12 married) (who intend to marry) (strike one). The parties hereby classify all of the
13 property owned by them when this agreement becomes effective, and property
14 acquired during the term of this agreement, as marital property.

15 One spouse may terminate this agreement at any time by giving signed notice
16 of termination to the other spouse. Notice of termination by a spouse is given upon
17 personal delivery or when sent by certified mail to the other spouse's last-known
18 address. The agreement terminates 30 days after such notice is given.

19 The parties (have) (have not) (strike one) completed Schedule "A", "Financial
20 Disclosure", attached to this agreement. If Schedule "A" has not been completed, the
21 duration of this agreement is 3 years after both parties have signed the agreement.
22 If Schedule "A" has been completed, the duration of this agreement is not limited to
23 3 years after it is signed.

24 IF THE DURATION OF THIS AGREEMENT IS NOT TO BE LIMITED TO 3
25 YEARS, MAKE SURE SCHEDULE "A", "FINANCIAL DISCLOSURE", IS

1 COMPLETED AND THAT YOU HAVE REVIEWED THE SCHEDULE BEFORE
 2 SIGNING THE AGREEMENT. IF YOU AND YOUR SPOUSE HAVE PREVIOUSLY
 3 ENTERED INTO A STATUTORY TERMINABLE MARITAL PROPERTY
 4 CLASSIFICATION AGREEMENT WITH EACH OTHER WHICH WAS
 5 EFFECTIVE DURING YOUR PRESENT MARRIAGE AND YOU AND YOUR
 6 SPOUSE DID NOT COMPLETE SCHEDULE "A", YOU MAY NOT EXECUTE THIS
 7 AGREEMENT IF YOU DO NOT COMPLETE SCHEDULE "A".

8 Signature of One Spouse:

9 Date:

10 Print Name Here:

11 Residence Address:

12 (Make Sure Your Signature is Authenticated or Acknowledged Below.)

13 AUTHENTICATION

14 Signature authenticated this day of, (year)

15 *....

16 TITLE: MEMBER STATE BAR OF WISCONSIN

17 (If not, authorized by s. 706.06, Wis. Stats.)

18 ACKNOWLEDGMENT

19 STATE OF WISCONSIN)

20) ss.

21 County)

22 Personally came before me this day of, (year) the above named to
 23 me known to be the person who executed the foregoing instrument and acknowledge
 24 the same.

25 *....

1 Notary Public, County, Wisconsin.

2 My Commission is permanent.

3 (If not, state expiration date:, (year))

4 (Signatures may be authenticated or
5 acknowledged. Both are not necessary.)

6 *Names of persons signing in any capacity should be
7 typed or printed below their signatures.

8 Signature of Other Spouse:

9 Date:

10 Print Name Here:

11 Residence Address:

12 (Make Sure Your Signature is Authenticated or Acknowledged Below.)

13 AUTHENTICATION

14 Signature authenticated this day of, (year)

15 *....

16 TITLE: MEMBER STATE BAR OF WISCONSIN

17 (If not, authorized by s. 706.06, Wis. Stats.)

18 ACKNOWLEDGMENT

19 STATE OF WISCONSIN)

20) ss.

21 County)

22 Personally came before me this day of, (year) the above named to
23 me known to be the person who executed the foregoing instrument and acknowledge
24 the same.

25 *....

1 Notary Public, County, Wisconsin.

2 My Commission is permanent.

3 (If not, state expiration date:, (year))

4 (Signatures may be authenticated or

5 acknowledged. Both are not necessary.)

6 *Names of persons signing in any capacity should be

7 typed or printed below their signatures.

8 TERMINATION OF STATUTORY TERMINABLE

9 MARITAL PROPERTY CLASSIFICATION AGREEMENT

10 I UNDERSTAND THAT:

11 1. THIS TERMINATION TAKES EFFECT 30 DAYS AFTER MY SPOUSE IS
12 NOTIFIED OF THE TERMINATION, AS PROVIDED UNDER SECTION 766.588
13 (4) OF THE WISCONSIN STATUTES.

14 2. THIS TERMINATION IS PROSPECTIVE; IT DOES NOT AFFECT THE
15 CLASSIFICATION OF PROPERTY ACQUIRED BEFORE THE TERMINATION
16 BECOMES EFFECTIVE. PROPERTY ACQUIRED AFTER THE TERMINATION
17 BECOMES EFFECTIVE IS CLASSIFIED AS PROVIDED UNDER THE MARITAL
18 PROPERTY LAW.

19 3. IN GENERAL, THIS TERMINATION IS NOT BINDING ON CREDITORS
20 UNLESS THEY ARE PROVIDED A COPY OF THE TERMINATION BEFORE
21 CREDIT IS EXTENDED.

22 The undersigned terminates the statutory terminable marital property
23 classification agreement entered into by me and my spouse on (date last spouse
24 signed the agreement) under section 766.588 of the Wisconsin Statutes.

25 Signature:

1 Date:

2 Print Name Here:

3 Residence Address:

4 SCHEDULE "A"

5 FINANCIAL DISCLOSURE

6 The following general categories of assets and liabilities are not all inclusive
7 and if other assets or liabilities exist they should be listed. Assets should be listed
8 according to which spouse has title (including assets owned by a spouse or the
9 spouses with one or more third parties) and at their approximate market value.

10 *Husband* ~~*Wife*~~ *Spouse (Name)* *Spouse (Name)* *Both Names*

11 I. ASSETS

12 A. Real estate (gross value)

13 B. Stocks, bonds and mutual funds

14 C. Accounts at and certificates or other

15 instruments issued by financial institutions

16 D. Mortgages, land contracts, promissory notes

17 and cash

18 E. Partnership interests

19 EL. Limited liability company interests.

20 F. Trust interests

21 G. Livestock, farm products, crops

22 H. Automobiles and other vehicles

23 I. Jewelry and personal effects

24 J. Household furnishings

25 K. Life insurance and annuities:

1 STATE OF WISCONSIN)

2) ss.

3 County)

4 Personally came before me this day of, (year) the above named to
5 me known to be the person who executed the foregoing instrument and acknowledge
6 the same.

7 *....

8 Notary Public, County, Wisconsin.

9 My Commission is permanent.

10 (If not, state expiration date:, (year))

11 (Signatures may be authenticated or
12 acknowledged. Both are not necessary.)

13 *Names of persons signing in any capacity should be
14 typed or printed below their signatures.

15 Signature of Other Spouse:

16 Date:

17 Print Name Here:

18 Residence Address:

19 (Make Sure Your Signature is Authenticated or Acknowledged Below.)

20 AUTHENTICATION

21 Signature authenticated this day of, (year)

22 *....

23 TITLE: MEMBER STATE BAR OF WISCONSIN

24 (If not, authorized by s. 706.06, Wis. Stats.)

25 ACKNOWLEDGMENT

1 STATE OF WISCONSIN)

2) ss.

3 County)

4 Personally came before me this day of, (year) the above named to
5 me known to be the person who executed the foregoing instrument and acknowledge
6 the same.

7 *....

8 Notary Public, County, Wisconsin.

9 My Commission is permanent.

10 (If not, state expiration date:, (year))

11 (Signatures may be authenticated or

12 acknowledged. Both are not necessary.)

13 *Names of persons signing in any capacity should

14 be typed or printed below their signatures.

15 TERMINATION OF

16 STATUTORY TERMINABLE INDIVIDUAL

17 PROPERTY CLASSIFICATION AGREEMENT

18 I UNDERSTAND THAT:

19 1. THIS TERMINATION TAKES EFFECT 30 DAYS AFTER MY SPOUSE IS
20 NOTIFIED OF THE TERMINATION, AS PROVIDED UNDER SECTION 766.589
21 (4) OF THE WISCONSIN STATUTES.

22 2. THIS TERMINATION IS PROSPECTIVE; IT DOES NOT AFFECT THE
23 CLASSIFICATION OF PROPERTY ACQUIRED BEFORE THE TERMINATION
24 BECOMES EFFECTIVE. PROPERTY ACQUIRED AFTER THE TERMINATION

1 BECOMES EFFECTIVE IS CLASSIFIED AS PROVIDED UNDER THE MARITAL
2 PROPERTY LAW.

3 3. IN GENERAL, THIS TERMINATION IS NOT BINDING ON CREDITORS
4 UNLESS THEY ARE PROVIDED A COPY OF THE TERMINATION BEFORE
5 CREDIT IS EXTENDED.

6 The undersigned terminates the statutory terminable individual property
7 classification agreement entered into by me and my spouse on (date last spouse
8 signed the agreement) under section 766.589 of the Wisconsin Statutes.

9 Signature:

10 Date:

11 Print Name Here:

12 Residence Address:

13 SCHEDULE "A"

14 FINANCIAL DISCLOSURE

15 The following general categories of assets and liabilities are not all inclusive
16 and if other assets or liabilities exist they should be listed. Assets should be listed
17 according to which spouse has title (including assets owned by a spouse or the
18 spouses with one or more third parties) and at their approximate market value.

19 *Husband* ~~*Wife*~~ *Spouse (Name)* *Spouse (Name)* *Both Names*

20 I. ASSETS:

21 A. Real estate (gross value)

22 B. Stocks, bonds and mutual funds

23 C. Accounts at and certificates and other

24 instruments issued by financial institutions

- 1 D. Mortgages, land contracts, promissory notes
- 2 and cash
- 3 E. Partnership interests
- 4 EL. Limited liability company interests
- 5 F. Trust interests
- 6 G. Livestock, farm products, crops
- 7 H. Automobiles and other vehicles
- 8 I. Jewelry and personal effects
- 9 J. Household furnishings
- 10 K. Life insurance and annuities:
 - 11 1. Face value
 - 12 2. Cash surrender value
- 13 L. Retirement benefits (include value):
 - 14 1. Pension plans
 - 15 2. Profit sharing plans
 - 16 3. HR-10 KEOGH plans
 - 17 4. IRAs
 - 18 5. Deferred compensation plans
- 19 M. Other assets not listed elsewhere
- 20 II. OBLIGATIONS (TOTAL OUTSTANDING BALANCE):
 - 21 A. Mortgages and liens
 - 22 B. Credit cards
 - 23 C. Other obligations to financial institutions
 - 24 D. Alimony, maintenance and child support (per
 - 25 month)

1 E. Other obligations (such as other obligations
2 to individuals, guarantees, contingent
3 liabilities)

4 III. ANNUAL COMPENSATION FOR SERVICES:
5 (for example, wages and income from
6 self-employment; also include social security,
7 disability and similar income here)

8 (IF YOU NEED ADDITIONAL SPACE,
9 ADD ADDITIONAL SHEETS.)

10 **SECTION 575.** 767.215 (2) (b) of the statutes is amended to read:

11 767.215 (2) (b) The name and birthdate of each minor child of the parties and
12 each other child born to the wife a party during the marriage, and whether the wife
13 a party is pregnant.

14 **SECTION 576.** 767.215 (5) (a) 2. of the statutes is amended to read:

15 767.215 (5) (a) 2. The name, date of birth, and social security number of each
16 minor child of the parties and of each child who was born to the wife a party during
17 the marriage and who is a minor.

18 **SECTION 577.** 767.323 of the statutes is amended to read:

19 **767.323 Suspension of proceedings to effect reconciliation.** During the
20 pendency of an action for divorce or legal separation, the court may, upon written
21 stipulation of both parties that they desire to attempt a reconciliation, enter an order
22 suspending any and all orders and proceedings for such period, not exceeding 90
23 days, as the court determines advisable to permit the parties to attempt a
24 reconciliation without prejudice to their respective rights. During the suspension
25 period, the parties may resume living together as ~~husband and wife~~ a married couple

1 and their acts and conduct do not constitute an admission that the marriage is not
2 irretrievably broken or a waiver of the ground that the parties have voluntarily lived
3 apart continuously for 12 months or more immediately prior to the commencement
4 of the action. Suspension may be revoked upon the motion of either party by an order
5 of the court. If the parties become reconciled, the court shall dismiss the action. If
6 the parties are not reconciled after the period of suspension, the action shall proceed
7 as though no reconciliation period was attempted.

8 **SECTION 578.** 767.80 (1) (intro.) of the statutes is amended to read:

9 767.80 (1) WHO MAY BRING ACTION OR FILE MOTION. (intro.) The following persons
10 may bring an action or file a motion, including an action or motion for declaratory
11 judgment, for the purpose of determining the paternity of a child, or for the purpose
12 of rebutting the presumption of ~~paternity~~ parentage under s. 891.405, 891.407, or
13 891.41 (1):

14 **SECTION 579.** 767.80 (1) (c) of the statutes is amended to read:

15 767.80 (1) (c) Unless s. 767.804 (1) or 767.805 (1) applies, a male person
16 presumed to be the child's ~~father~~ parent under s. 891.405, 891.407, or 891.41 (1).

17 **SECTION 580.** 767.80 (2) of the statutes is amended to read:

18 767.80 (2) CERTAIN AGREEMENTS NOT A BAR TO ACTION. Regardless of its terms,
19 an agreement made after July 1, 1981, other than an agreement approved by the
20 court between an alleged or presumed ~~father~~ parent and the mother or child, does
21 not bar an action under this section. Whenever the court approves an agreement in
22 which one of the parties agrees not to commence an action under this section, the
23 court shall first determine whether or not the agreement is in the best interest of the
24 child. The court shall not approve any provision waiving the right to bring an action
25 under this section if this provision is contrary to the best interests of the child.

1 **SECTION 581.** 767.803 of the statutes is amended to read:

2 **767.803 Determination of marital children.** If the father and mother
3 natural parents of a nonmarital child enter into a lawful marriage or a marriage
4 which appears and they believe is lawful, except where the parental rights of the
5 ~~mother parent who gave birth~~ were terminated before either of these circumstances,
6 the child becomes a marital child, is entitled to a change in birth record under s. 69.15
7 (3) (b), and shall enjoy all of the rights and privileges of a marital child as if he or she
8 had been born during the marriage of the parents. This section applies to all cases
9 before, on, or after its effective date, but no estate already vested shall be divested
10 by this section and ss. 765.05 to 765.24 and 852.05. The children of all marriages
11 declared void under the law are nevertheless marital children.

12 **SECTION 582.** 767.804 (1) (a) 4. of the statutes is amended to read:

13 767.804 (1) (a) 4. No other male person is presumed to be the father natural
14 parent under s. 891.405 or 891.41 (1).

15 **SECTION 583.** 767.805 (title), (1), (1m), (2) (a) and (b) and (3) (title) and (a) of
16 the statutes are amended to read:

17 **767.805 (title) Voluntary acknowledgment of paternity parentage.** (1)
18 CONCLUSIVE DETERMINATION OF ~~PATERNITY~~ PARENTAGE. A statement acknowledging
19 paternity parentage that is on file with the state registrar under s. 69.15 (3) (b) 3.
20 after the last day on which a person may timely rescind the statement, as specified
21 in s. 69.15 (3m), is a conclusive determination, which shall be of the same effect as
22 a judgment, of ~~paternity~~ parentage.

23 **(1m) MINOR PARENT MAY NOT SIGN.** A minor may not sign a statement
24 acknowledging paternity parentage.

1 **(2)** (a) A statement acknowledging paternity parentage that is filed with the
2 state registrar under s. 69.15 (3) (b) 3. may be rescinded as provided in s. 69.15 (3m)
3 by a person who signed the statement as a parent of the child who is the subject of
4 the statement.

5 (b) If a statement acknowledging paternity parentage is timely rescinded as
6 provided in s. 69.15 (3m), a court may not enter an order specified in sub. (4) with
7 respect to the male person who signed the statement as the father parent of the child
8 unless the male person is adjudicated the child's father parent using the procedures
9 set forth in this subchapter, except for this section.

10 **(3)** (title) ACTIONS WHEN PATERNITY PARENTAGE ACKNOWLEDGED. (a) Unless the
11 statement acknowledging paternity parentage has been rescinded, an action
12 affecting the family concerning custody, child support or physical placement rights
13 may be brought with respect to persons who, with respect to a child, jointly signed
14 and filed with the state registrar under s. 69.15 (3) (b) 3. as parents of the child a
15 statement acknowledging paternity parentage.

16 **SECTION 584.** 767.805 (4) (intro.) of the statutes is amended to read:

17 767.805 (4) ORDERS WHEN PATERNITY PARENTAGE ACKNOWLEDGED. (intro.) In an
18 action under sub. (3) (a), if the persons who signed and filed the statement
19 acknowledging ~~paternity as parents~~ parentage of the child had notice of the hearing,
20 the court shall make an order that contains all of the following provisions:

21 **SECTION 585.** 767.805 (4) (d) of the statutes is amended to read:

22 767.805 (4) (d) 1. An order establishing the amount of the ~~father's~~ obligation
23 to pay or contribute to the reasonable expenses of ~~the mother's~~ pregnancy and the
24 ~~child's birth~~ childbirth by the parent who did not give birth. The amount established
25 may not exceed one-half of the total actual and reasonable pregnancy and birth

1 expenses. The order also shall specify the court's findings as to whether the father's
2 parent who did not give birth has an income that is at or below the poverty line
3 established under 42 USC 9902 (2), and shall specify whether periodic payments are
4 due on the obligation, based on the father's parent's ability to pay or contribute to
5 those expenses.

6 2. If the order does not require periodic payments because the ~~father~~ parent has
7 no present ability to pay or contribute to the expenses, the court may modify the
8 judgment or order at a later date to require periodic payments if the ~~father~~ parent
9 has the ability to pay at that time.

10 **SECTION 586.** 767.805 (5) (a) and (b) of the statutes are amended to read:

11 767.805 (5) (a) A determination of paternity parentage that arises under this
12 section may be voided at any time upon a motion or petition stating facts that show
13 fraud, duress or a mistake of fact. Except for good cause shown, any orders entered
14 under sub. (4) shall remain in effect during the pendency of a proceeding under this
15 paragraph.

16 (b) If a court in a proceeding under par. (a) determines that the ~~male~~ person is
17 not the ~~father~~ parent of the child, the court shall vacate any order entered under sub.
18 (4) with respect to the ~~male~~ person. The court or the county child support agency
19 under s. 59.53 (5) shall notify the state registrar, in the manner provided in s. 69.15
20 (1) (b), to remove the ~~male's~~ person's name as the ~~father~~ parent of the child from the
21 child's birth record. No paternity action may thereafter be brought against the ~~male~~
22 person with respect to the child.

23 **SECTION 587.** 767.805 (6) (a) (intro.) of the statutes is amended to read:

24 767.805 (6) (a) (intro.) This section does not apply unless all of the following
25 apply to the statement acknowledging paternity parentage:

1 **SECTION 588.** 767.855 of the statutes is amended to read:

2 **767.855 Dismissal if adjudication not in child's best interest.** Except as
3 provided in s. 767.863 (1m), at any time in an action to establish the paternity of a
4 child, upon the motion of a party or guardian ad litem or the child's mother if she is
5 not a party, the court or supplemental court commissioner under s. 757.675 (2) (g)
6 may, if the court or supplemental court commissioner determines that a judicial
7 determination of whether a male is the father of the child is not in the best interest
8 of the child, dismiss the action with respect to the male, regardless of whether genetic
9 tests have been performed or what the results of the tests, if performed, were.
10 Notwithstanding ss. 767.813 (5g) (form) 4., 767.84 (1) and (2), 767.863 (2), 767.865
11 (2), and 767.88 (4), if genetic tests have not yet been performed with respect to the
12 male, the court or supplemental court commissioner is not required to order those
13 genetic tests.

14 **SECTION 589.** 767.863 (1m) of the statutes is amended to read:

15 **767.863 (1m) PATERNITY ALLEGATION BY MALE PERSON OTHER THAN HUSBAND**
16 **SPOUSE; WHEN DETERMINATION NOT IN BEST INTEREST OF CHILD.** In an action to establish
17 the paternity of a child who was born to a woman while she was married, if a ~~male~~
18 person other than the woman's husband spouse alleges that he, not the husband
19 woman's spouse, is the child's father biological parent, a party, or the woman if she
20 is not a party, may allege that a judicial determination that a ~~male person~~ other than
21 the husband woman's spouse is the father biological parent is not in the best interest
22 of the child. If the court or a supplemental court commissioner under s. 757.675 (2)
23 (g) determines that a judicial determination of whether a ~~male person~~ other than the
24 husband woman's spouse is the father biological parent is not in the best interest of
25 the child, no genetic tests may be ordered and the action shall be dismissed.

1 **SECTION 590.** 767.87 (1m) (intro.) of the statutes is amended to read:

2 767.87 **(1m)** BIRTH RECORD REQUIRED. (intro.) If the child was born in this state,
3 the petitioner shall present a certified copy of the child's birth record or a printed copy
4 of the record from the birth database of the state registrar to the court, so that the
5 court is aware of whether a name has been inserted on the birth record as the ~~father~~
6 parent of the child other than the mother, at the earliest possible of the following:

7 **SECTION 591.** 767.87 (8) of the statutes is amended to read:

8 767.87 **(8)** BURDEN OF PROOF. The party bringing an action for the purpose of
9 determining paternity or for the purpose of declaring the nonexistence of paternity
10 presumed under s. 891.405, 891.407, or the nonexistence of parentage presumed
11 under s. 891.405 or 891.41 (1) shall have the burden of proving the issues involved
12 by clear and satisfactory preponderance of the evidence.

13 **SECTION 592.** 767.87 (9) of the statutes is amended to read:

14 767.87 **(9)** ARTIFICIAL INSEMINATION; NATURAL FATHER PARENT. ~~Where~~ If a child
15 is conceived by artificial insemination, the ~~husband~~ spouse of the mother of the child
16 at the time of the conception of the child is the natural ~~father~~ parent of the child, as
17 provided in s. 891.40.

18 **SECTION 593.** 767.883 (1) of the statutes is amended to read:

19 767.883 **(1)** TWO PARTS. The trial shall be divided into 2 parts, the first part
20 dealing with the determination of ~~paternity~~ parentage and the 2nd part dealing with
21 child support, legal custody, periods of physical placement, and related issues. The
22 main issue at the first part shall be whether the alleged or presumed ~~father~~ parent
23 is or is not the ~~father~~ parent of the mother's child, but if the child was born to the
24 mother while she was the lawful wife spouse of a specified male person, the prior
25 issue of whether the ~~husband~~ mother's spouse was not the ~~father~~ parent of the child

1 shall be determined first, as provided under s. 891.39. The first part of the trial shall
2 be by jury only if the defendant verbally requests a jury trial either at the initial
3 appearance or pretrial hearing or requests a jury trial in writing prior to the pretrial
4 hearing. The court may direct and, if requested by either party before the
5 introduction of any testimony in the party's behalf, shall direct the jury to find a
6 special verdict as to any of the issues specified in this section, except that the court
7 shall make all of the findings enumerated in s. 767.89 (2) to (4). If the mother is dead,
8 becomes insane, cannot be found within the jurisdiction, or fails to commence or
9 pursue the action, the proceeding does not abate if any of the persons under s. 767.80
10 (1) makes a motion to continue. The testimony of the mother taken at the pretrial
11 hearing may in any such case be read in evidence if it is competent, relevant, and
12 material. The issues of child support, custody, and visitation, and related issues shall
13 be determined by the court either immediately after the first part of the trial or at
14 a later hearing before the court.

15 **SECTION 594.** 769.316 (9) of the statutes is amended to read:

16 769.316 (9) The defense of immunity based on the relationship of husband and
17 wife between spouses or parent and child does not apply in a proceeding under this
18 chapter.

19 **SECTION 595.** 769.401 (2) (a) of the statutes is amended to read:

20 769.401 (2) (a) A parent or presumed father parent of the child.

21 **SECTION 596.** 769.401 (2) (g) of the statutes is repealed.

22 **SECTION 597.** 815.20 (1) of the statutes is amended to read:

23 815.20 (1) An exempt homestead as defined in s. 990.01 (14) selected by a
24 resident owner and occupied by him or her shall be exempt from execution, from the
25 lien of every judgment, and from liability for the debts of the owner to the amount

1 of \$75,000, except mortgages, laborers', mechanics', and purchase money liens, and
2 taxes, and except as otherwise provided. The exemption shall not be impaired by
3 temporary removal with the intention to reoccupy the premises as a homestead nor
4 by the sale of the homestead, but shall extend to the proceeds derived from the sale
5 to an amount not exceeding \$75,000, while held, with the intention to procure
6 another homestead with the proceeds, for 2 years. The exemption extends to land
7 owned by ~~husband and wife~~ spouses jointly or in common or as marital property, and
8 each spouse may claim a homestead exemption of not more than \$75,000. The
9 exemption extends to the interest therein of tenants in common, having a homestead
10 thereon with the consent of the cotenants, and to any estate less than a fee.

11 **SECTION 598.** 822.40 (4) of the statutes is amended to read:

12 822.40 (4) A privilege against disclosure of communications between spouses
13 and a defense of immunity based on the relationship of ~~husband and wife~~ between
14 spouses or parent and child may not be invoked in a proceeding under this
15 subchapter.

16 **SECTION 599.** 851.30 (2) (a) of the statutes is amended to read:

17 851.30 (2) (a) An individual who obtains or consents to a final decree or
18 judgment of divorce from the decedent or an annulment of their marriage, if the
19 decree or judgment is not recognized as valid in this state, unless they subsequently
20 participate in a marriage ceremony purporting to marry each other or they
21 subsequently hold themselves out as ~~husband and wife~~ married to each other.

22 **SECTION 600.** 852.01 (1) (f) 1. of the statutes is amended to read:

23 852.01 (1) (f) 1. One-half to the ~~maternal~~ grandparents on one side equally if
24 both survive, or to the surviving ~~maternal~~ grandparent on that side; if both ~~maternal~~

1 grandparents on that side are deceased, to the issue of the maternal grandparents
2 on that side or either of them, per stirpes.

3 **SECTION 601.** 852.01 (1) (f) 2. of the statutes is amended to read:

4 852.01 (1) (f) 2. One-half to the paternal relations on the other side in the same
5 manner as to the maternal relations under subd. 1.

6 **SECTION 602.** 852.01 (1) (f) 3. of the statutes is amended to read:

7 852.01 (1) (f) 3. If either ~~the maternal side or the paternal~~ side has no surviving
8 grandparent or issue of a grandparent, the entire estate to the decedent's relatives
9 on the other side.

10 **SECTION 603.** 854.03 (3) of the statutes is amended to read:

11 854.03 (3) MARITAL PROPERTY. Except as provided in subs. (4) and (5), if ~~a~~
12 ~~husband and wife~~ 2 spouses die leaving marital property and it is not established
13 that one survived the other by at least 120 hours, 50 percent of the marital property
14 shall be distributed as if it were the husband's first spouse's individual property and
15 the husband 2nd spouse had survived, and 50 percent of the marital property shall
16 be distributed as if it were the wife's 2nd spouse's individual property and the wife
17 first spouse had survived.

18 **SECTION 604.** 891.39 (title) of the statutes is amended to read:

19 **891.39 (title) Presumption as to whether a child is marital or**
20 **nonmarital; ~~self-erimination~~ self-incrimination; birth certificates.**

21 **SECTION 605.** 891.39 (1) (a) of the statutes is amended to read:

22 891.39 (1) (a) Whenever it is established in an action or proceeding that a child
23 was born to a woman while she was ~~the lawful wife of~~ legally married to a specified
24 ~~man~~ person, any party asserting in such action or proceeding that the ~~husband was~~
25 spouse is not the ~~father~~ parent of the child shall have the burden of proving that

1 assertion by a clear and satisfactory preponderance of the evidence. In all such
2 actions or proceedings the ~~husband and the wife~~ spouses are competent to testify as
3 witnesses to the facts. The court or judge in such cases shall appoint a guardian ad
4 litem to appear for and represent the child whose ~~paternity~~ parentage is questioned.
5 Results of a genetic test, as defined in s. 767.001 (1m), showing that a ~~man~~ person
6 other than the ~~husband~~ mother's spouse is not excluded as the father of the child and
7 that the statistical probability of the ~~man's~~ person's parentage is 99.0 percent or
8 higher constitute a clear and satisfactory preponderance of the evidence of the
9 assertion under this paragraph, even if the ~~husband~~ mother's spouse is unavailable
10 to submit to genetic tests, as defined in s. 767.001 (1m).

11 **SECTION 606.** 891.39 (1) (b) of the statutes is amended to read:

12 891.39 (1) (b) In actions affecting the family, in which the question of paternity
13 parentage is raised, and in paternity proceedings, the court, upon being satisfied that
14 the parties to the action are unable to adequately compensate any such guardian ad
15 litem for the guardian ad litem's services and expenses, shall then make an order
16 specifying the guardian ad litem's compensation and expenses, which compensation
17 and expenses shall be paid as provided in s. 967.06. If the court orders a county to
18 pay the compensation of the guardian ad litem, the amount ordered may not exceed
19 the compensation paid to private attorneys under s. 977.08 (4m) (b).

20 **SECTION 607.** 891.39 (3) of the statutes is amended to read:

21 891.39 (3) If any court under this section adjudges a child to be a nonmarital
22 child, the clerk of court shall report the facts to the state registrar, who shall issue
23 a new birth record showing the correct facts as found by the court, and shall dispose
24 of the original, with the court's report attached under s. 69.15 (3). If the ~~husband~~
25 mother's spouse is a party to the action and the court makes a finding as to whether

1 or not the ~~husband~~ mother's spouse is the ~~father~~ parent of the child, such finding
2 shall be conclusive in all other courts of this state.

3 **SECTION 608.** 891.40 (1) of the statutes is renumbered 891.40 (1) (a) and
4 amended to read:

5 891.40 (1) (a) If, ~~under the supervision of a licensed physician and with the~~
6 spouse's consent of her husband, a wife person is inseminated artificially as provided
7 in par. (b) with semen donated by a man person who is not her husband the spouse
8 of the person being inseminated, the husband spouse of the mother inseminated
9 person at the time of the conception of the child shall be the natural father parent
10 of a child conceived. The husband's spouse's consent must be in writing and signed
11 by him or her and ~~his wife.~~ The by the inseminated person.

12 (c) 1. If the artificial insemination under par. (a) takes place under the
13 supervision of a licensed physician, the physician shall certify their the signatures
14 on the consent and the date of the insemination, and shall file the husband's spouse's
15 consent with the department of health services, ~~where it shall be kept.~~ If the
16 artificial insemination under par. (a) does not take place under the supervision of a
17 licensed physician, the spouses shall file the signed consent, which shall include the
18 date of the insemination, with the department of health services.

19 2. The department of health services shall keep a consent filed under subd. 1.
20 confidential and in a sealed file except as provided in s. 46.03 (7) (bm). ~~However,~~

21 3. Notwithstanding subd. 1., the physician's or spouses' failure to file the
22 consent form does not affect the legal status of ~~father~~ natural parent and child.

23 (d) All papers and records pertaining to the artificial insemination under par.
24 (a), whether part of the permanent record of a court or of a file held by the a

1 supervising physician or sperm bank or elsewhere, may be inspected only upon an
2 order of the court for good cause shown.

3 **SECTION 609.** 891.40 (1) (b) of the statutes is created to read:

4 891.40 (1) (b) The artificial insemination under par. (a) must satisfy any of the
5 following:

6 1. The artificial insemination takes place under the supervision of a licensed
7 physician.

8 2. The semen used for the insemination is obtained from a sperm bank.

9 **SECTION 610.** 891.40 (2) of the statutes is amended to read:

10 891.40 (2) The donor of semen provided to a licensed physician or obtained from
11 a sperm bank for use in the artificial insemination of a woman other than the donor's
12 wife spouse is not the natural father parent of a child conceived, bears no liability for
13 the support of the child, and has no parental rights with regard to the child.

14 **SECTION 611.** 891.40 (3) of the statutes is created to read:

15 891.40 (3) This section applies with respect to children conceived before, on,
16 or after the effective date of this subsection [LRB inserts date], as a result of
17 artificial insemination.

18 **SECTION 612.** 891.405 of the statutes is amended to read:

19 **891.405 Presumption of paternity parentage based on**
20 **acknowledgment.** A ~~man~~ person is presumed to be the natural father parent of a
21 child if he the person and the ~~mother~~ person who gave birth have acknowledged
22 paternity parentage under s. 69.15 (3) (b) 1. or 3. and no other ~~man~~ person is
23 presumed to be the father natural parent under s. 891.41 (1).

24 **SECTION 613.** 891.407 of the statutes is amended to read:

1 **891.407 Presumption of paternity based on genetic test results.** A man
2 is presumed to be the natural father of a child if the man has been conclusively
3 determined from genetic test results to be the father under s. 767.804 and no other
4 ~~man~~ person is presumed to be the father natural parent under s. 891.405 or 891.41
5 (1).

6 **SECTION 614.** 891.41 (title) of the statutes is amended to read:

7 **891.41 (title) Presumption of paternity parentage based on marriage of**
8 **the parties.**

9 **SECTION 615.** 891.41 (1) (intro.) of the statutes is amended to read:

10 891.41 (1) (intro.) A ~~man~~ person is presumed to be the natural father parent
11 of a child if any of the following applies:

12 **SECTION 616.** 891.41 (1) (a) of the statutes is amended to read:

13 891.41 (1) (a) ~~He~~ The person and the child's established natural ~~mother~~ parent
14 are or have been married to each other and the child is conceived or born after
15 marriage and before the granting of a decree of legal separation, annulment, or
16 divorce between the parties.

17 **SECTION 617.** 891.41 (1) (b) of the statutes is renumbered 891.41 (1) (b) (intro.)
18 and amended to read:

19 891.41 (1) (b) (intro.) ~~He~~ The person and the child's established natural ~~mother~~
20 parent were married to each other after the child was born but ~~he~~ the person and the
21 child's established natural ~~mother~~ parent had a relationship with one another
22 during the period of time within which the child was conceived and ~~no other man~~ all
23 of the following apply:

24 1. No person has been adjudicated to be the father ~~or~~.

1 2. No other person is presumed to be the father parent of the child under par.
2 (a).

3 **SECTION 618.** 891.41 (2) of the statutes is amended to read:

4 891.41 (2) In a legal action or proceeding, a presumption under sub. (1) is
5 rebutted by results of a genetic test, as defined in s. 767.001 (1m), that show that a
6 man person other than the man person presumed to be the father parent under sub.
7 (1) is not excluded as the father of the child and that the statistical probability of the
8 man's person's parentage is 99.0 percent or higher, even if the man person presumed
9 to be the father natural parent under sub. (1) is unavailable to submit to genetic
10 tests, as defined in s. 767.001 (1m).

11 **SECTION 619.** 891.41 (3) of the statutes is created to read:

12 891.41 (3) This section applies with respect to children born before, on, or after
13 the effective date of this subsection [LRB inserts date].

14 **SECTION 620.** 905.05 (title) of the statutes is amended to read:

15 **905.05** (title) **Husband-wife Spousal and domestic partner privilege.**

16 **SECTION 621.** 938.02 (13) of the statutes is amended to read:

17 938.02 (13) "Parent" means a biological natural parent, ~~a husband who has~~
18 ~~consented to the artificial insemination of his wife under s. 891.40, or a parent by~~
19 adoption. If the juvenile is a nonmarital child who is not adopted or whose parents
20 do not subsequently intermarry under s. 767.803, "parent" includes a person
21 conclusively determined from genetic test results to be the father under s. 767.804
22 or a person acknowledged under s. 767.805 or a substantially similar law of another
23 state or adjudicated to be the biological father natural parent. "Parent" does not
24 include any person whose parental rights have been terminated. For purposes of the
25 application of s. 938.028 and the federal Indian Child Welfare Act, 25 USC 1901 to

1 1963, “parent” means a ~~biological~~ natural parent of an Indian child, an Indian
2 ~~husband~~ spouse who has consented to the artificial insemination of his wife or her
3 spouse under s. 891.40, or an Indian person who has lawfully adopted an Indian
4 juvenile, including an adoption under tribal law or custom, and includes, in the case
5 of a nonmarital Indian child who is not adopted or whose parents do not subsequently
6 intermarry under s. 767.803, a person conclusively determined from genetic test
7 results to be the father under s. 767.804, a person acknowledged under s. 767.805,
8 a substantially similar law of another state, or tribal law or custom to be the
9 ~~biological father~~ natural parent, or a person adjudicated to be the ~~biological father~~
10 natural parent, but does not include any person whose parental rights have been
11 terminated.

12 **SECTION 622.** 938.396 (2g) (g) of the statutes is amended to read:

13 938.396 (2g) (g) *Paternity Parentage of juvenile.* Upon request of a court having
14 jurisdiction over actions affecting the family, an attorney responsible for support
15 enforcement under s. 59.53 (6) (a) or a party to a paternity proceeding under subch.
16 IX of ch. 767, the party’s attorney or the guardian ad litem for the juvenile who is the
17 subject of that proceeding to review or be provided with information from the records
18 of the court assigned to exercise jurisdiction under this chapter and ch. 48 relating
19 to the ~~paternity~~ parentage of a juvenile for the purpose of determining the ~~paternity~~
20 parentage of the juvenile or for the purpose of rebutting the presumption of paternity
21 under s. 891.405, 891.407, or the presumption of parentage under s. 891.405 or
22 891.41, the court assigned to exercise jurisdiction under this chapter and ch. 48 shall
23 open for inspection by the requester its records relating to the ~~paternity~~ parentage
24 of the juvenile or disclose to the requester those records.

25 **SECTION 623.** 943.20 (2) (c) of the statutes is amended to read:

1 943.20 (2) (c) “Property of another” includes property in which the actor is a
2 co-owner and property of a partnership of which the actor is a member, unless the
3 actor and the victim are ~~husband and wife~~ married to each other.

4 **SECTION 624.** 943.201 (1) (b) 8. of the statutes is amended to read:

5 943.201 (1) (b) 8. The ~~maiden name~~ surname of an individual’s ~~mother~~ parent
6 before marriage if the surname was changed as a result of marriage.

7 **SECTION 625.** 943.205 (2) (b) of the statutes is amended to read:

8 943.205 (2) (b) “Owner” includes a co-owner of the person charged and a
9 partnership of which the person charged is a member, unless the person charged and
10 the victim are ~~husband and wife~~ married to each other.

11 **SECTION 626.** 990.01 (22h) of the statutes is created to read:

12 990.01 (22h) NATURAL PARENT. “Natural parent” means a parent of a child who
13 is not an adoptive parent, whether the parent is biologically related to the child or
14 not.

15 **SECTION 627.** 990.01 (39) of the statutes is created to read:

16 990.01 (39) SPOUSES. “Spouses” means 2 individuals of the same sex or different
17 sexes who are legally married to each other.

18 **SECTION 628.** 990.01 (40m) of the statutes is created to read:

19 990.01 (40m) STEPPARENT. “Stepparent” means a person who is the spouse of
20 a child’s parent and who is not also a parent of the child.

21 **SECTION 9151. Nonstatutory provisions; Other.**

22 (1) LEGISLATIVE INTENT. The legislature intends the repeal of ss. 49.141 (1) (j)
23 2., 102.51 (1) (a) 2., 115.76 (12) (a) 2. and 3., and 769.401 (2) (g), the renumbering and
24 amendment of ss. 891.40 (1) and 891.41 (1) (b), the amendment of ss. 29.219 (4),
25 29.228 (5) and (6), 29.229 (2) (i), 29.2295 (2) (i), 29.563 (3) (a) 3., 29.607 (3), 45.01 (6)

1 (c), 45.51 (3) (c) 2. and (5) (a) 1. b. and c., 45.55, 46.10 (2), 48.02 (13), 48.025 (title),
2 (2) (b), and (3) (c), 48.27 (3) (b) 1. a. and b. and (5), 48.299 (6) (intro.) and (e) 1., 2., 3.,
3 and 4. and (7), 48.355 (4g) (a) 1., 48.396 (2) (dm), 48.42 (1g) (a) 4., (b), and (c) and (2)
4 (b) 1. and 2. and (bm) 1., 48.422 (6) (a) and (7) (bm) and (br), 48.423 (2) (d), 48.432
5 (1) (am) 2. b., 48.63 (3) (b) 4. and 5., 48.82 (1) (a), 48.837 (1r) (d) and (e) and (6) (b)
6 and (br), 48.913 (1) (a), (b), and (h), (2) (intro.), (b), and (c) (intro.), (3), (4), and (7),
7 48.9795 (1) (a) 1. c. and (b), 49.141 (1) (j) 1., 49.155 (1m) (c) 1g. and 1h., 49.163 (2) (am)
8 2., 49.19 (1) (a) 2. a. and (4) (d) (intro.), 1., 2., 3., 4., and 5., 49.345 (2), 49.43 (12),
9 49.471 (1) (b) 2., 49.90 (4), 54.01 (36) (a), 54.960 (1), 69.03 (15), 69.11 (4) (b), 69.12 (5),
10 69.13 (2) (b) 4., 69.14 (1) (c) 4., (e) (title) and 1., (f) 1., and (g) and (2) (b) 2. d., 69.15
11 (1), (3) (title), (a) (intro.), 1., 2., and 3., (b) 1., 2., 3., and 4. (intro.), a., and b., and (d),
12 and (3m) (title), (a) (intro.) and 3., and (b), 71.03 (2) (d) (title), 1., 2., and 3., (g), and
13 (m) 2. and (4) (a), 71.05 (22) (a) (title), 71.07 (5m) (a) 3. and (9e) (b), 71.09 (13) (a) 2.,
14 71.52 (4), 71.83 (1) (a) 8. and (b) 5., 77.25 (8m), 77.54 (7) (b) 1., 101.91 (5m), 102.07
15 (5) (b) and (c), 102.51 (1) (a) 1., 103.10 (1) (h), 103.165 (3) (a) 3., 111.32 (12), 115.76
16 (12) (a) 1. and (13), 146.34 (1) (f), 157.05, 182.004 (6), 250.04 (3) (a), 301.50 (1), 700.19
17 (2), 705.01 (4) and (4m), 706.09 (1) (e), 765.001 (2), 765.01, 765.03 (1), 765.16 (1m)
18 (intro.) and (c), 765.23, 765.24, 765.30 (3) (a), 766.587 (7) (form) 9., 766.588 (9) (form)
19 13., 766.589 (10) (form) 14., 767.215 (2) (b) and (5) (a) 2., 767.323, 767.80 (1) (intro.)
20 and (c) and (2), 767.803, 767.804 (1) (a) 4., 767.805 (title), (1), (1m), (2) (a) and (b), (3)
21 (title) and (a), (4) (intro.) and (d), (5) (a) and (b), and (6) (a) (intro.), 767.855, 767.863
22 (1m), 767.87 (1m) (intro.), (8), and (9), 767.883 (1), 769.316 (9), 769.401 (2) (a), 815.20
23 (1), 822.40 (4), 851.30 (2) (a), 852.01 (1) (f) 1., 2., and 3., 854.03 (3), 891.39 (title), (1)
24 (a) and (b), and (3), 891.40 (2), 891.405, 891.407, 891.41 (title), (1) (intro.) and (a), and
25 (2), 905.05 (title), 938.02 (13), 938.396 (2g) (g), 943.20 (2) (c), 943.201 (1) (b) 8., and

1 943.205 (2) (b), and the creation of ss. 69.15 (3) (b) 3m., 765.02 (3), 891.40 (1) (b) and
2 (3), 891.41 (3), and 990.01 (22h), (39), and (40m) to harmonize the language of the
3 Wisconsin statutes relating to marriage and the determination of parentage with the
4 provision of s. 990.001 (2), which specifies that words importing one gender extend
5 and may be applied to any gender. The legislature intends that by amending the
6 statutes relating to marriage and the determination of parentage with respect to
7 married couples to use gender neutral language where appropriate so as to clarify
8 that the same statutory rights and responsibilities apply between married persons
9 of the same sex as between married persons of different sexes and to extend some of
10 the presumptions of paternity to either parent, the Wisconsin statutes will be better
11 aligned with the holding of the U.S. Supreme Court in Obergefell v. Hodges, 135 S.
12 Ct. 2584, 192 L. Ed. 2d 609 (2015), which recognizes that same-sex couples have a
13 fundamental constitutional right to marriage.”.

14 **285.** Page 374, line 11: after that line insert:

15 “**SECTION 629.** 341.085 (1) of the statutes is amended to read:

16 341.085 (1) The department shall inspect all ambulances prior to issuing an
17 original or renewal registration to determine that the vehicles meet requirements
18 specified by law or administrative rule as to specifications, ~~medical equipment,~~
19 supplies, and sanitation.

20 **SECTION 630.** 341.085 (1m) of the statutes is created to read:

21 341.085 (1m) Prior to the department issuing an original or renewal
22 registration for an ambulance under sub. (1), the department of health services shall
23 inspect the ambulance to determine whether the vehicle meets requirements
24 specified by law or administrative rule as to medical equipment.

1 **SECTION 631.** 341.085 (2) of the statutes is amended to read:

2 341.085 (2) The department may adopt rules necessary for administration of
3 this section and prescribe ambulance service equipment and standards therefor,
4 except that any ambulance which does not conform to rules adopted by the
5 department may be used until December 30, 1979. The department of health
6 services may adopt rules necessary to administer sub. (1m) and establish ambulance
7 medical equipment standards.”.

8 **286.** Page 374, line 11: after that line insert:

9 “**SECTION 632.** 20.395 (2) (fw) of the statutes is created to read:

10 20.395 (2) (fw) *Local transportation facility improvement assistance, state*
11 *funds.* As a continuing appropriation, the amounts in the schedule for providing
12 public access roads to navigable waters and for the purposes of ss. 84.27 and 84.28
13 and for improving transportation facilities, including facilities funded under
14 applicable federal acts or programs, that are not state trunk or connecting highways,
15 for such purposes.”.

16 **287.** Page 374, line 11: after that line insert:

17 “**SECTION 633.** 343.17 (3) (d) 1g. of the statutes is amended to read:

18 343.17 (3) (d) 1g. “F” endorsement, which authorizes a seasonal employee of
19 a farm service industry employer who is eligible for a restricted commercial driver
20 license under applicable federal law or regulation to operate “Class B” and “Class C”
21 vehicles as described in s. 343.04 (1) (b) and (c) for a seasonal period not to exceed ~~180~~
22 210 days in any calendar year. This endorsement permits the transporting of liquid
23 fertilizers in vehicles or implements of husbandry with total capacities of 3,000
24 gallons or less, solid fertilizers that are not transported with any organic substance

1 or 1,000 gallons or less of diesel fuel, but no combination of these materials. The
2 endorsement does not permit operation of a commercial motor vehicle beyond 150
3 miles of the farm service industry employer's place of business or, in the case of
4 custom harvesters, the farm currently being served.”.

5 **288.** Page 374, line 11: after that line insert:

6 “SECTION 634. 347.50 (2m) (a) of the statutes is amended to read:

7 347.50 (2m) (a) Any person who violates s. 347.48 (2m) (b) or (c) and any person
8 16 years of age or older who violates s. 347.48 (2m) (d) shall be required to forfeit \$10
9 \$25.”.

10 **289.** Page 374, line 11: after that line insert:

11 “SECTION 635. 343.301 (1g) (a) 2. a. of the statutes is amended to read:

12 343.301 (1g) (a) 2. a. The ~~person had an~~ offense involved the use of alcohol
13 concentration of 0.15 or more at the time of the offense.

14 **SECTION 9344. Initial applicability; Transportation.**

15 (1) IGNITION INTERLOCK DEVICE REQUIREMENT EXPANSION. The treatment of s.
16 343.301 (1g) (a) 2. a. first applies to violations committed on the effective date of this
17 subsection.”.

18 **290.** Page 374, line 11: after that line insert:

19 “SECTION 636. 343.06 (1) (c) of the statutes is amended to read:

20 343.06 (1) (c) To any person under age 18 unless the person is enrolled in a
21 school program or high school equivalency program and is not a habitual truant as
22 defined in s. 118.16 (1) (a), has graduated from high school or been granted a
23 declaration of high school graduation equivalency, or is enrolled in a home-based
24 private educational program, as defined in s. 115.001 (3g), and has satisfactorily

1 completed a course in driver education in public schools approved by the department
2 of public instruction, or in technical colleges approved by the technical college system
3 board, or in nonpublic and private schools or tribal schools, as defined in s. 115.001
4 (15m), that meet the minimum standards set by the department of public
5 instruction, or has satisfactorily completed a substantially equivalent course in
6 driver training approved by the department and given by a school licensed by the
7 department under s. 343.61, or has satisfactorily completed a substantially
8 equivalent course in driver education or training approved by another state and has
9 attained the age of 16, except as provided in s. 343.07 (1g). The department shall not
10 issue a license to any person under the age of 18 authorizing the operation of “Class
11 M” vehicles unless the person has successfully completed a basic rider course
12 approved by the Wisconsin department of transportation motorcycle safety program.
13 The department may, by rule, exempt certain persons from the basic rider course
14 requirement of this paragraph. Applicants for a license under s. 343.08 or 343.135
15 are exempt from the driver education, basic rider or driver training course
16 requirement. The secretary shall prescribe rules for licensing of schools and
17 instructors to qualify under this paragraph. The driver education course shall be
18 made available to every eligible student in the state. Except as provided under s.
19 343.16 (1) (a) 5., (bm), and (c) and (2) (cm) to (e), no operator’s license may be issued
20 unless a driver’s examination has been administered by the department.

21 **SECTION 637.** 343.085 (2m) (b) 2. of the statutes is amended to read:

22 343.085 **(2m)** (b) 2. If the department extends a restriction period under subd.
23 1., the department shall immediately provide notice of the extension by 1st class mail
24 to the person’s last-known residence address, or if the person has requested

1 electronic notification in the manner prescribed by the department, by any electronic
2 means offered by the department.

3 **SECTION 638.** 343.14 (3) of the statutes is amended to read:

4 343.14 (3) Except as provided in sub. (3m) and s. 343.16 (3) (c), the department
5 shall, as part of the application process, take a digital photograph including facial
6 image capture of the applicant to comply with s. 343.17 (3) (a) 2. Except as provided
7 in sub. (3m) and s. 343.16 (3) (c), no application may be processed without the
8 photograph being taken. Except as provided in sub. (3m) and s. ss. 343.16 (3) (c) and
9 343.165 (4) (d), in the case of renewal licenses, the photograph shall be taken once
10 every 8 years, and shall coincide with the appearance for examination which is
11 required under s. 343.16 (3).

12 **SECTION 639.** 343.16 (1) (a) 1. of the statutes is amended to read:

13 343.16 (1) (a) 1. Except as provided in subd. 5. and when examination by an
14 authorized 3rd-party tester is permitted under pars. (b) to (c), the department shall
15 examine every applicant for an operator's license, including applicants for license
16 renewal as provided in sub. (3), and every applicant for authorization to operate a
17 vehicle class or type for which the applicant does not hold currently valid
18 authorization, other than an instruction permit.

19 **SECTION 640.** 343.16 (1) (a) 2. a. of the statutes is amended to read:

20 343.16 (1) (a) 2. a. Except as provided in par. (cm) and sub. (2) (cm) and (e), the
21 examinations of applicants for licenses authorizing operation of "Class A", "Class B",
22 "Class C", "Class D" or "Class M" vehicles shall include both a knowledge test and
23 an actual demonstration in the form of a driving skills test of the applicant's ability
24 to exercise ordinary and reasonable control in the operation of a representative
25 vehicle.

1 **SECTION 641.** 343.16 (1) (a) 5. of the statutes is created to read:

2 343.16 (1) (a) 5. The department may waive the driving skills test of an
3 individual applying for an operator's license if all of the following apply:

4 a. The applicant is under 18 years of age.

5 b. The application is for authorization to operate only "Class D" vehicles.

6 c. The applicant has satisfactorily completed a course in driver education in a
7 public school approved by the department of public instruction, or in a technical
8 college approved by the technical college system board, or in a nonpublic and private
9 school or tribal school, as defined in s. 115.001 (15m), that meets the minimum
10 standards set by the department of public instruction, or has satisfactorily completed
11 a substantially equivalent course in driver training approved by the department and
12 given by a school licensed by the department under s. 343.61, or has satisfactorily
13 completed a substantially equivalent course in driver education or training approved
14 by another state.

15 d. An adult sponsor who has signed for the applicant under s. 343.15 (1)
16 consents to a waiver of the driving skills test.

17 **SECTION 642.** 343.16 (3) (a) of the statutes is amended to read:

18 343.16 (3) (a) Except as provided in s. 343.165 (4) (d), the department shall
19 examine every applicant for the renewal of an operator's license once every 8 years.
20 The department may institute a method of selecting the date of renewal so that such
21 examination shall be required for each applicant for renewal of a license to gain a
22 uniform rate of examinations. Subject to ~~par.~~ par. (am) and (c), the examination
23 shall consist of a test of eyesight. The department shall make provisions for giving
24 such examinations at examining stations in each county to all applicants for an
25 operator's license. The person to be examined shall appear at the examining station

1 nearest the person's place of residence or at such time and place as the department
2 designates in answer to an applicant's request. In lieu of examination, the applicant
3 may present or mail to the department a report of examination of the applicant's
4 eyesight by an ophthalmologist, optometrist or physician licensed to practice
5 medicine. The report shall be based on an examination made not more than 3 months
6 prior to the date it is submitted. The report shall be on a form furnished and in the
7 form required by the department. The department shall decide whether, in each
8 case, the eyesight reported is sufficient to meet the current eyesight standards.

9 **SECTION 643.** 343.16 (3) (c) of the statutes is created to read:

10 343.16 (3) (c) 1. An applicant for the renewal of an operator's license may apply
11 for the license, and the department may issue the license, by any electronic means
12 offered by the department if all of the following apply:

13 a. The applicant verifies that his or her eyesight is sufficient to meet the current
14 eyesight standards.

15 b. The applicant satisfies any eligibility criteria established by the department
16 under subd. 2.

17 2. The department may establish additional criteria for eligibility for license
18 renewal by electronic means under this paragraph.

19 3. a. The department may renew a license under this paragraph without a test
20 of eyesight.

21 b. Subject to s. 343.165 (7), the department may renew a license under this
22 paragraph without a photograph being taken if the department is able to produce a
23 photograph of the applicant from its records.

24 4. The department may not make consecutive renewals of an operator's license
25 by electronic means.

1 **SECTION 644.** 343.305 (8) (b) 7. of the statutes is amended to read:

2 343.305 (8) (b) 7. The hearing examiner shall notify the person in writing of the
3 hearing decision, of the right to judicial review and of the court's authority to issue
4 a stay of the suspension under par. (c). If the person has requested electronic
5 communication in the manner prescribed by the department, the hearing examiner
6 may provide the notice under this subdivision by any electronic means offered by the
7 department. The administrative suspension is vacated and the person's operating
8 privilege shall be automatically reinstated under s. 343.39 if the hearing examiner
9 fails to mail or provide this notice in the manner specified under this subdivision to
10 the person within 30 days after the date of the notification under par. (a).

11 **SECTION 645.** 343.315 (4) of the statutes is amended to read:

12 343.315 (4) NOTIFICATION AND COMMENCEMENT. The Except as provided in this
13 section, the department shall send the a notice of disqualification under this section
14 by 1st class mail to a person's last-known residence address. If a person has
15 requested electronic notification in the manner prescribed by the department, the
16 department may provide the notice of disqualification by any electronic means
17 offered by the department. A period of disqualification ordered under this section
18 commences on the date on which the notice is sent under this subsection. This
19 subsection does not apply to disqualifications under sub. (2) (g).

20 **SECTION 646.** 343.44 (3) of the statutes is amended to read:

21 343.44 (3) FAILURE TO RECEIVE NOTICE. Refusal to accept or failure to receive an
22 order of revocation, suspension, or disqualification ~~mailed by 1st class mail to such~~
23 ~~person's last-known address shall not be provided as authorized by the statutes is~~
24 not a defense to the charge of driving after revocation, suspension, or
25 disqualification. If the person has changed his or her address and fails to notify the

1 department as required in s. 343.22 then failure to receive notice of revocation,
2 suspension, or disqualification shall not be mailed as authorized by the statutes is
3 not a defense to the charge of driving after revocation, suspension or disqualification.
4 If a person has requested electronic notification in the manner prescribed by the
5 department and the person has changed the electronic contact information provided
6 to the department without informing the department, failure to receive notice of
7 revocation, suspension, or disqualification is not a defense to the charge of driving
8 after revocation, suspension, or disqualification.

9 **SECTION 647.** 344.02 (1) of the statutes is amended to read:

10 344.02 (1) Whenever the department under s. 344.13 gives notice of the amount
11 of security required to be deposited and that an order of suspension or impoundment
12 will be made if such the security is not deposited, it the department shall afford the
13 person ~~so notified~~ subject to the proposed action an opportunity for a hearing on the
14 proposed action, if written request for a hearing is received by the department prior
15 to the date specified in the notice, or prior to the postponed effective date of
16 suspension if postponement has been granted under s. 344.14 (1). ~~Upon~~ Except as
17 provided under this section, upon receipt of timely request for hearing, the
18 department shall fix the time and place of the hearing and give notice ~~thereof~~ of the
19 time and place of the hearing to ~~such~~ the person by regular mail. If the person has
20 requested electronic notification in the manner prescribed by the department, the
21 department may provide the notice of the time and place of the hearing by any
22 electronic means offered by the department. The scope of the hearing is limited to
23 the matter set forth in s. 344.14 (2) (k) and, subject to s. 344.14 (2m), to whether or
24 not the person is the owner of the motor vehicle to be impounded. Any person who

1 fails without reasonable cause to appear at the time and place specified in the notice
2 shall forfeit the right to a hearing.

3 **SECTION 648.** 344.13 (2) of the statutes is amended to read:

4 344.13 (2) The secretary shall determine the amount of security required to be
5 deposited by each person on the basis of the accident reports or other information
6 submitted. In addition to the accident reports required by law, the secretary may
7 request from any of the persons, including passengers and pedestrians, involved in
8 such accident such further information, sworn statements, or other evidence relating
9 to property damage, personal injury, or death in motor vehicle accidents as deemed
10 necessary to aid in determining the amount to be deposited as security under s.
11 344.14. Failure of a person to comply with such request is grounds for suspending
12 such person's operating privilege but no suspension shall be made on such grounds
13 until one follow-up request has been made and at least 20 days have elapsed since
14 the mailing of providing the first request. The first request under this subsection
15 shall be mailed to the person or, if the person has requested electronic
16 communication in the manner prescribed by the department, may be provided by any
17 electronic means offered by the department

18 **SECTION 649.** 351.025 (2) of the statutes is amended to read:

19 351.025 (2) ~~The revocation is effective~~ Revocation under this section takes
20 effect on the date the department mails, if the notice is sent by 1st class mail, or
21 provides, if the notice is by electronic means, the notice of revocation under s. 351.027
22 (1).

23 **SECTION 650.** 351.027 (1) of the statutes is amended to read:

24 351.027 (1) Whenever the secretary ~~under authority of s. 351.025~~ revokes a
25 person's operating privilege under s. 351.025, the secretary shall immediately notify

1 the person ~~in writing~~ of the revocation and of the person's right to a hearing on the
2 revocation as ~~provided in sub. (2).~~ The. Except as provided in this subsection, the
3 department shall send the notice by 1st class mail to the address most recently
4 provided to the department by the person. If a person has requested electronic
5 notification in the manner prescribed by the department, the department may
6 provide the notice by any electronic means offered by the department.".

7 **291.** Page 374, line 11: after that line insert:

8 "SECTION 651. 66.1011 (1) of the statutes is amended to read:

9 66.1011 (1) DECLARATION OF POLICY. The right of all persons to have equal
10 opportunities for housing regardless of their sex, race, color, disability, as defined in
11 s. 106.50 (1m) (g), sexual orientation, as defined in s. 111.32 (13m), religion, national
12 origin, marital status, family status, as defined in s. 106.50 (1m) (k), status as a
13 victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u),
14 status as a holder or nonholder of a license under s. 343.03 (3r), lawful source of
15 income, age, or ancestry is a matter both of statewide concern under ss. 101.132 and
16 106.50 and also of local interest under this section and s. 66.0125. The enactment
17 of ss. 101.132 and 106.50 by the legislature does not preempt the subject matter of
18 equal opportunities in housing from consideration by political subdivisions, and does
19 not exempt political subdivisions from their duty, nor deprive them of their right, to
20 enact ordinances that prohibit discrimination in any type of housing solely on the
21 basis of an individual being a member of a protected class.

22 SECTION 652. 66.1201 (2m) of the statutes is amended to read:

23 66.1201 (2m) DISCRIMINATION. Persons otherwise entitled to any right, benefit,
24 facility, or privilege under ss. 66.1201 to 66.1211 may not be denied the right, benefit,

1 facility, or privilege in any manner for any purpose nor be discriminated against
2 because of sex, race, color, creed, national origin, sexual orientation, status as a
3 victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u),
4 or national origin status as a holder or nonholder of a license under s. 343.03 (3r).

5 **SECTION 653.** 66.1213 (3) of the statutes is amended to read:

6 66.1213 (3) DISCRIMINATION. Persons otherwise entitled to any right, benefit,
7 facility, or privilege under this section may not be denied the right, benefit, facility,
8 or privilege in any manner for any purpose nor be discriminated against because of
9 sex, race, color, creed, national origin, sexual orientation, status as a victim of
10 domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or
11 national origin status as a holder or nonholder of a license under s. 343.03 (3r).

12 **SECTION 654.** 66.1301 (2m) of the statutes is amended to read:

13 66.1301 (2m) DISCRIMINATION. Persons entitled to any right, benefit, facility,
14 or privilege under ss. 66.1301 to 66.1329 may not be denied the right, benefit, facility,
15 or privilege in any manner for any purpose nor be discriminated against because of
16 sex, race, color, creed, national origin, sexual orientation, status as a victim of
17 domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or
18 national origin status as a holder or nonholder of a license under s. 343.03 (3r).

19 **SECTION 655.** 66.1333 (3) (e) 2. of the statutes is amended to read:

20 66.1333 (3) (e) 2. Persons otherwise entitled to any right, benefit, facility, or
21 privilege under this section may not be denied the right, benefit, facility, or privilege
22 in any manner for any purpose nor be discriminated against because of sex, race,
23 color, creed, national origin, sexual orientation, status as a victim of domestic abuse,
24 sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or national origin status
25 as a holder or nonholder of a license under s. 343.03 (3r).

1 **SECTION 656.** 86.195 (5) (c) of the statutes is amended to read:

2 86.195 (5) (c) *Conformity with discrimination laws.* Each business identified
3 as a motorist service on a specific information sign shall, as a condition of eligibility
4 for erection, installation and maintenance of a sign under this section, give written
5 assurance to the department that the business conforms with all applicable laws
6 concerning the provisions of public accommodations without regard to race, religion,
7 color, sex ~~or~~, national origin, or status as a holder or nonholder of a license under s.
8 343.03 (3r).

9 **SECTION 657.** 106.50 (1) of the statutes is amended to read:

10 106.50 (1) INTENT. It is the intent of this section to render unlawful
11 discrimination in housing. It is the declared policy of this state that all persons shall
12 have an equal opportunity for housing regardless of sex, race, color, sexual
13 orientation, disability, religion, national origin, marital status, family status, status
14 as a holder or nonholder of a license under s. 343.03 (3r), status as a victim of
15 domestic abuse, sexual assault, or stalking, lawful source of income, age, or ancestry
16 and it is the duty of the political subdivisions to assist in the orderly prevention or
17 removal of all discrimination in housing through the powers granted under ss.
18 66.0125 and 66.1011. The legislature hereby extends the state law governing equal
19 housing opportunities to cover single-family residences that are owner-occupied.
20 The legislature finds that the sale and rental of single-family residences constitute
21 a significant portion of the housing business in this state and should be regulated.
22 This section shall be considered an exercise of the police powers of the state for the
23 protection of the welfare, health, peace, dignity, and human rights of the people of
24 this state.

25 **SECTION 658.** 106.50 (1m) (h) of the statutes is amended to read:

1 106.50 (1m) (h) “Discriminate” means to segregate, separate, exclude, or treat
2 a person or class of persons unequally in a manner described in sub. (2), (2m), or (2r)
3 because of sex, race, color, sexual orientation, disability, religion, national origin,
4 marital status, family status, status as a holder or nonholder of a license under s.
5 343.03 (3r), status as a victim of domestic abuse, sexual assault, or stalking, lawful
6 source of income, age, or ancestry.

7 **SECTION 659.** 106.50 (1m) (nm) of the statutes is amended to read:

8 106.50 (1m) (nm) “Member of a protected class” means a group of natural
9 persons, or a natural person, who may be categorized because of sex, race, color,
10 disability, sexual orientation, religion, national origin, marital status, family status,
11 status as a holder or nonholder of a license under s. 343.03 (3r), status as a victim
12 of domestic abuse, sexual abuse, or stalking, lawful source of income, age, or ancestry.

13 **SECTION 660.** 106.50 (5m) (f) 1. of the statutes is amended to read:

14 106.50 (5m) (f) 1. Nothing in this section prohibits an owner or agent from
15 requiring that a person who seeks to buy or rent housing supply information
16 concerning family status, and marital, financial, and business status but not
17 concerning race, color, disability, sexual orientation, ancestry, national origin,
18 religion, creed, status as a holder or nonholder of a license under s. 343.03 (3r), status
19 as a victim of domestic abuse, sexual assault, or stalking, or, subject to subd. 2., age.

20 **SECTION 661.** 106.52 (3) (a) 1. of the statutes is amended to read:

21 106.52 (3) (a) 1. Deny to another or charge another a higher price than the
22 regular rate for the full and equal enjoyment of any public place of accommodation
23 or amusement because of sex, race, color, creed, disability, sexual orientation,
24 national origin, or ancestry or because a person holds or does not hold a license under
25 s. 343.03 (3r).

1 **SECTION 662.** 106.52 (3) (a) 2. of the statutes is amended to read:

2 106.52 **(3)** (a) 2. Give preferential treatment to some classes of persons in
3 providing services or facilities in any public place of accommodation or amusement
4 because of sex, race, color, creed, sexual orientation, national origin, or ancestry or
5 because a person holds or does not hold a license under s. 343.03 (3r).

6 **SECTION 663.** 106.52 (3) (a) 3. of the statutes is amended to read:

7 106.52 **(3)** (a) 3. Directly or indirectly publish, circulate, display or mail any
8 written communication which the communicator knows is to the effect that any of
9 the facilities of any public place of accommodation or amusement will be denied to
10 any person by reason of sex, race, color, creed, disability, sexual orientation, national
11 origin, or ancestry or because a person holds or does not hold a license under s. 343.03
12 (3r) or that the patronage of a person is unwelcome, objectionable or unacceptable
13 for any of those reasons.

14 **SECTION 664.** 106.52 (3) (a) 4. of the statutes is amended to read:

15 106.52 **(3)** (a) 4. Refuse to furnish or charge another a higher rate for any
16 automobile insurance because of race, color, creed, disability, national origin, or
17 ancestry or because a person holds or does not hold a license under s. 343.03 (3r).

18 **SECTION 665.** 106.52 (3) (a) 5. of the statutes is amended to read:

19 106.52 **(3)** (a) 5. Refuse to rent, charge a higher price than the regular rate or
20 give preferential treatment, because of sex, race, color, creed, sexual orientation,
21 national origin, or ancestry or because a person holds or does not hold a license under
22 s. 343.03 (3r), regarding the use of any private facilities commonly rented to the
23 public.

24 **SECTION 666.** 111.31 (1) of the statutes is amended to read:

1 111.31 (1) The legislature finds that the practice of unfair discrimination in
2 employment against properly qualified individuals by reason of their age, race,
3 creed, color, disability, marital status, sex, national origin, ancestry, sexual
4 orientation, arrest record, conviction record, military service, use or nonuse of lawful
5 products off the employer's premises during nonworking hours, or declining to
6 attend a meeting or to participate in any communication about religious matters or
7 political matters, substantially and adversely affects the general welfare of the state.
8 Employers, labor organizations, employment agencies, and licensing agencies that
9 deny employment opportunities and discriminate in employment against properly
10 qualified individuals solely because of their age, race, creed, color, disability, marital
11 status, sex, national origin, ancestry, sexual orientation, arrest record, conviction
12 record, military service, status as a holder or nonholder of a license under s. 343.03
13 (3r), use or nonuse of lawful products off the employer's premises during nonworking
14 hours, or declining to attend a meeting or to participate in any communication about
15 religious matters or political matters, deprive those individuals of the earnings that
16 are necessary to maintain a just and decent standard of living.

17 **SECTION 667.** 111.31 (2) of the statutes is amended to read:

18 111.31 (2) It is the intent of the legislature to protect by law the rights of all
19 individuals to obtain gainful employment and to enjoy privileges free from
20 employment discrimination because of age, race, creed, color, disability, marital
21 status, sex, national origin, ancestry, sexual orientation, arrest record, conviction
22 record, military service, status as a holder or nonholder of a license under s. 343.03
23 (3r), use or nonuse of lawful products off the employer's premises during nonworking
24 hours, or declining to attend a meeting or to participate in any communication about
25 religious matters or political matters, and to encourage the full, nondiscriminatory

1 utilization of the productive resources of the state to the benefit of the state, the
2 family, and all the people of the state. It is the intent of the legislature in
3 promulgating this subchapter to encourage employers to evaluate an employee or
4 applicant for employment based upon the individual qualifications of the employee
5 or applicant rather than upon a particular class to which the individual may belong.

6 **SECTION 668.** 111.31 (3) of the statutes is amended to read:

7 111.31 (3) In the interpretation and application of this subchapter, and
8 otherwise, it is declared to be the public policy of the state to encourage and foster
9 to the fullest extent practicable the employment of all properly qualified individuals
10 regardless of age, race, creed, color, disability, marital status, sex, national origin,
11 ancestry, sexual orientation, arrest record, conviction record, military service, status
12 as a holder or nonholder of a license under s. 343.03 (3r), use or nonuse of lawful
13 products off the employer's premises during nonworking hours, or declining to
14 attend a meeting or to participate in any communication about religious matters or
15 political matters. Nothing in this subsection requires an affirmative action program
16 to correct an imbalance in the work force. This subchapter shall be liberally
17 construed for the accomplishment of this purpose.

18 **SECTION 669.** 111.321 of the statutes is amended to read:

19 **111.321 Prohibited bases of discrimination.** Subject to ss. 111.33 to
20 111.365, no employer, labor organization, employment agency, licensing agency, or
21 other person may engage in any act of employment discrimination as specified in s.
22 111.322 against any individual on the basis of age, race, creed, color, disability,
23 marital status, sex, national origin, ancestry, arrest record, conviction record,
24 military service, status as a holder or nonholder of a license under s. 343.03 (3r), use
25 or nonuse of lawful products off the employer's premises during nonworking hours,

1 or declining to attend a meeting or to participate in any communication about
2 religious matters or political matters.

3 **SECTION 670.** 194.025 of the statutes is amended to read:

4 **194.025 Discrimination prohibited.** No motor carrier may engage in any
5 practice, act or omission which results in discrimination on the basis of race, creed,
6 sex ~~or~~, national origin, or status as a holder or nonholder of a license under s. 343.03
7 (3r).

8 **SECTION 671.** 224.77 (1) (o) of the statutes is amended to read:

9 224.77 (1) (o) In the course of practice as a mortgage banker, mortgage loan
10 originator, or mortgage broker, except in relation to housing designed to meet the
11 needs of elderly individuals, treat a person unequally solely because of sex, race,
12 color, handicap, sexual orientation, as defined in s. 111.32 (13m), religion, national
13 origin, age, or ancestry, the person's lawful source of income, or the sex, marital
14 status, status as a holder or nonholder of a license under s. 343.03 (3r), or status as
15 a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m)
16 (u), of the person maintaining a household.

17 **SECTION 672.** 230.01 (2) (b) of the statutes is amended to read:

18 230.01 (2) (b) It is the policy of this state to provide for equal employment
19 opportunity by ensuring that all personnel actions including hire, tenure or term,
20 and condition or privilege of employment be based on the ability to perform the duties
21 and responsibilities assigned to the particular position without regard to age, race,
22 creed or religion, color, disability, sex, national origin, ancestry, sexual orientation,
23 ~~or~~ political affiliation, or status as a holder or nonholder of a license under s. 343.03
24 (3r).

25 **SECTION 673.** 230.18 of the statutes is amended to read:

1 **230.18 Discrimination prohibited.** No question in any form of application
2 or in any evaluation used in the hiring process may be so framed as to elicit
3 information concerning the partisan political or religious opinions or affiliations of
4 any applicant nor may any inquiry be made concerning such opinions or affiliations
5 and all disclosures thereof shall be discountenanced except that the director may
6 evaluate the competence and impartiality of applicants for positions such as clinical
7 chaplain in a state institutional program. No discriminations may be exercised in
8 the recruitment, application, or hiring process against or in favor of any person
9 because of the person's political or religious opinions or affiliations or because of age,
10 sex, disability, race, color, sexual orientation, national origin, ~~or ancestry, or status~~
11 as a holder or nonholder of a license under s. 343.03 (3r) except as otherwise provided.

12 **SECTION 674.** 234.29 of the statutes is amended to read:

13 **234.29 Equality of occupancy and employment.** The authority shall
14 require that occupancy of housing projects assisted under this chapter be open to all
15 regardless of sex, race, religion, sexual orientation, status as a holder or nonholder
16 of a license under s. 343.03 (3r), status as a victim of domestic abuse, sexual assault,
17 or stalking, as defined in s. 106.50 (1m) (u), or creed, and that contractors and
18 subcontractors engaged in the construction of economic development or housing
19 projects, shall provide an equal opportunity for employment, without discrimination
20 as to sex, race, religion, sexual orientation, or creed.

21 **SECTION 675.** 343.03 (3m) of the statutes is amended to read:

22 **343.03 (3m) NONCITIZEN LIMITED-TERM LICENSE.** If the issuance of any license
23 described under sub. (3) requires the license applicant to present any documentary
24 proof specified in s. 343.14 (2) (es) ~~2. to 7.~~ 1m. b. to g. or (im) 2m. b., the license shall
25 display on the front side of the license, in addition to any legend or label described

1 in sub. (3), a legend identifying the license as limited term or, if the license authorizes
2 the operation of a commercial motor vehicle, as a nondomiciled license. This
3 noncitizen limited-term license may not be renewed except as provided in s. 343.165
4 (4) (c). A nondomiciled license may not be issued to a resident of Canada or Mexico.

5 **SECTION 676.** 343.03 (3r) of the statutes is amended to read:

6 343.03 (3r) REAL ID NONCOMPLIANT LICENSE. If any license described under sub.
7 (3) is issued based upon the exception specified in s. 343.165 (7), the license shall, in
8 addition to any legend or label described in sub. (3), be marked in a manner
9 consistent with requirements under applicable federal law and regulations to
10 indicate that the license is issued in accordance with P.L. 109-13, section 202 (d) (11),
11 and is not intended to be accepted by any federal agency for federal identification or
12 any other official purpose. Section 344.62 applies to a person operating a motor
13 vehicle under the authorization of a license issued under this subsection.

14 **SECTION 677.** 343.14 (2) (br) of the statutes is renumbered 343.14 (2) (br) 1. and
15 amended to read:

16 343.14 (2) (br) 1. If Except as provided in subd. 2., if the applicant does not have
17 a social security number, a statement made or subscribed under oath or affirmation
18 that the applicant does not have a social security number and is not eligible for a
19 social security number. The statement shall provide the basis or reason that the
20 applicant is not eligible for a social security number, as well as any information
21 requested by the department that may be needed by the department for purposes of
22 verification under s. 343.165 (1) (c). The form of the statement shall be prescribed
23 by the department, with the assistance of the department of children and families.
24 A license that is issued or renewed under s. 343.17 in reliance on a statement
25 submitted under this ~~paragraph~~ subdivision is invalid if the statement is false.

1 **SECTION 678.** 343.14 (2) (br) 2. of the statutes is created to read:

2 343.14 (2) (br) 2. If the applicant does not have a social security number and
3 the application is for an operator's license that contains the marking specified in s.
4 343.03 (3r) or an identification card that contains the marking specified in s. 343.50
5 (3) (b), a statement made or subscribed under oath or affirmation that the applicant
6 does not have a social security number. The form of the statement shall be prescribed
7 by the department, with the assistance of the department of children and families.
8 A license that is issued or renewed under s. 343.17 in reliance on a statement
9 submitted under this subdivision is invalid if the statement is false.

10 **SECTION 679.** 343.14 (2) (es) of the statutes is renumbered 343.14 (2) (es) 1m.,
11 and 343.14 (2) (es) 1m. (intro.), as renumbered, is amended to read:

12 343.14 (2) (es) 1m. (intro.) Subject to sub. (2g) (a) 2. d. and s. 343.125 (2) (a) and
13 (b), and except as provided in subd. 2m., valid documentary proof that the individual
14 is a citizen or national of the United States or an alien lawfully admitted for
15 permanent or temporary residence in the United States or has any of the following:

16 **SECTION 680.** 343.14 (2) (es) 2m. of the statutes is created to read:

17 343.14 (2) (es) 2m. Valid documentary proof under subd. 1m. is not required if
18 the application is for an operator's license that contains the marking specified in s.
19 343.03 (3r) or an identification card that contains the marking specified in s. 343.50
20 (3) (b).

21 **SECTION 681.** 343.14 (2j) of the statutes is amended to read:

22 343.14 (2j) Except as otherwise required to administer and enforce this
23 chapter, the department of transportation may not disclose a social security number
24 obtained from an applicant for a license under sub. (2) (bm) to any person except to
25 the department of children and families for the sole purpose of administering s.

1 49.22, to the department of workforce development for the sole purpose of enforcing
2 or administering s. 108.22, to the department of revenue for the purposes of
3 administering state taxes and collecting debt, to the driver licensing agency of
4 another jurisdiction, or to the elections commission for the sole purpose of allowing
5 the chief election officer to comply with the terms of the agreement under s. 6.36 (1)
6 (ae). The department of transportation may not disclose to any person the fact that
7 an applicant has provided verification under s. 343.165 (7) (c) 2. that the applicant
8 does not have a social security number, except to the elections commission for
9 purposes of administering the agreement described in s. 5.056.

10 **SECTION 682.** 343.165 (1) (c) of the statutes is amended to read:

11 343.165 (1) (c) Proof of the applicant's social security number or, except as
12 provided in sub. (7) (c) 2. and s. 343.14 (2g) (a) 4., verification that the applicant is
13 not eligible for a social security number.

14 **SECTION 683.** 343.165 (1) (e) of the statutes is amended to read:

15 343.165 (1) (e) Subject to ss. 343.125 (2) (a) and (b) and 343.14 (2g) (a) 2. d., and
16 except as provided in sub. (7) (c) 1. and s. 343.14 (2) (es) 2m., the documentary proof
17 described in s. 343.14 (2) (es) 1m.

18 **SECTION 684.** 343.165 (3) (b) of the statutes is amended to read:

19 343.165 (3) (b) The department may not accept any foreign document, other
20 than an official passport, to satisfy a requirement under sub. (1). This paragraph
21 does not apply to an application processed under sub. (7) (c).

22 **SECTION 685.** 343.165 (3) (c) of the statutes is amended to read:

23 343.165 (3) (c) For purposes of par. (a) and sub. (1) (c), if an applicant presents
24 a social security number that is already registered to or associated with another
25 person, the department shall direct the applicant to investigate and take appropriate

1 action to resolve the discrepancy and shall not issue any operator's license or
2 identification card until the discrepancy is resolved. The department shall adopt
3 procedures for purposes of verifying that an applicant is not eligible for a social
4 security number, except with respect to applications processed under sub. (7) (c).

5 **SECTION 686.** 343.165 (4) (b) of the statutes is amended to read:

6 343.165 (4) (b) The department shall establish an effective procedure to
7 confirm or verify an applicant's information for purposes of any application described
8 in par. (a). The procedure shall include verification of the applicant's social security
9 number or, except with respect to applications processed under sub. (7) (c),
10 ineligibility for a social security number.

11 **SECTION 687.** 343.165 (4) (d) of the statutes is amended to read:

12 343.165 (4) (d) With any license or identification card renewal following a
13 license or identification card expiration established under s. 343.20 (1m) or 343.50
14 (5) (bm) or (c) at other than an 8-year interval, the department may determine
15 whether the applicant's photograph is to be taken, or if the renewal is for a license
16 the applicant is to be examined, or both, at the time of such renewal, so long as the
17 applicant's photograph is taken, and if the renewal is for a license the applicant is
18 examined, with a license or card renewal at least once every 8 years and the
19 applicant's license or identification card at all times includes a photograph unless an
20 exception under s. 343.14 (3m) or 343.50 (4g) applies.

21 **SECTION 688.** 343.165 (7) (a) (intro.) of the statutes is amended to read:

22 343.165 (7) (a) (intro.) The Subject to par. (c), the department may process an
23 application for, and issue or renew, an operator's license or identification card
24 without meeting the requirements under subs. (2) and (3) if all of the following apply:

25 **SECTION 689.** 343.165 (7) (c) of the statutes is created to read:

1 343.165 (7) (c) 1. Notwithstanding s. 343.14 (2) (f), in processing an application
2 for, and issuing or renewing, an operator's license that contains the marking
3 specified in s. 343.03 (3r) or an identification card that contains the marking
4 specified in s. 343.50 (3) (b), the department may not include any question or require
5 any proof or documentation as to whether the applicant is a citizen or national of the
6 United States or lawfully present in the United States.

7 2. For an application processed under this paragraph, if the applicant does not
8 provide proof of the applicant's social security number, the applicant shall provide
9 verification, in the manner described in s. 343.14 (2) (br) 2., that the applicant does
10 not have a social security number.

11 3. Notwithstanding sub. (1) (a), for an application processed under this
12 paragraph, an applicant may provide an individual taxpayer identification number,
13 a foreign passport, or any other documentation deemed acceptable to the
14 department, in lieu of the documentation required under sub. (1) (a).

15 4. Notwithstanding sub. (1) (b) and (d), for an application processed under this
16 paragraph, an applicant may provide any documentation deemed acceptable to the
17 department, in lieu of the documentation required under sub. (1) (b) or (d).

18 **SECTION 690.** 343.17 (3) (a) 16. of the statutes is created to read:

19 343.17 (3) (a) 16. If the license is marked as provided in s. 343.03 (3r) and the
20 license applicant did not provide a verified social security number with the license
21 application, the words "Not valid for voting purposes. Not evidence of citizenship or
22 immigration status."

23 **SECTION 691.** 343.20 (1) (f) of the statutes is amended to read:

24 343.20 (1) (f) The department shall cancel an operator's license, regardless of
25 the license expiration date, if the department receives information from a local, state,

1 or federal government agency that the licensee no longer satisfies the requirements
2 for issuance of a license under ss. 343.14 (2) (es) and 343.165 (1) (e). This paragraph
3 does not apply to an operator's license if the license application was processed under
4 s. 343.165 (7) (c).

5 **SECTION 692.** 343.20 (1m) of the statutes is amended to read:

6 343.20 (1m) Notwithstanding sub. (1) (a), and except as provided in s. 343.165
7 (4) (c) and as otherwise provided in this subsection, a license that is issued to a person
8 who is not a United States citizen or permanent resident and who provides
9 documentary proof of legal status as provided under s. 343.14 (2) (es) ~~2., 4., 5., 6., or~~
10 ~~7. 1m. b., d., e., f., or g.~~ shall expire on the date that the person's legal presence in the
11 United States is no longer authorized or on the expiration date determined under
12 sub. (1), whichever date is earlier. If the documentary proof as provided under s.
13 343.14 (2) (es) 1m. does not state the date that the person's legal presence in the
14 United States is no longer authorized, sub. (1) shall apply except that, if the license
15 was issued or renewed based upon the person's presenting of any documentary proof
16 specified in s. 343.14 (2) (es) ~~4. to 7. 1m. d. to g.~~, the license shall, subject to s. 343.165
17 (4) (c), expire one year after the date of issuance or renewal. This subsection does not
18 apply to a license that contains the marking specified in s. 343.03 (3r).

19 **SECTION 693.** 343.20 (2) (a) of the statutes is amended to read:

20 343.20 (2) (a) At least 30 days prior to the expiration of an operator's license,
21 the department shall provide to the licensee notice of renewal of the license either
22 by mail at the licensee's last-known address or, if desired by the licensee, by any
23 electronic means offered by the department. If the license was issued or last renewed
24 based upon the person's presenting of any documentary proof specified in s. 343.14

1 (2) (es) ~~4. to 7. 1m. d. to g.~~, the notice shall inform the licensee of the requirement
2 under s. 343.165 (4) (c).

3 **SECTION 694.** 343.50 (3) (a) and (b) of the statutes are amended to read:

4 343.50 (3) (a) The card shall be the same size as an operator's license but shall
5 be of a design which is readily distinguishable from the design of an operator's license
6 and bear upon it the words "IDENTIFICATION CARD ONLY." The information on
7 the card shall be the same as specified under s. 343.17 (3). If the issuance of the card
8 requires the applicant to present any documentary proof specified in s. 343.14 (2) (es)
9 ~~4. to 7. 1m. d. to g.~~, the card shall display, on the front side of the card, a legend
10 identifying the card as temporary. The card shall contain physical security features
11 consistent with any requirement under federal law. The card may serve as a record
12 of gift under s. 157.06 (2) (t) and the holder may affix a sticker thereto as provided
13 in s. 343.175 (3). The card may also serve as a record of refusal under s. 157.06 (2)
14 (u). Except as provided in sub. (4g), the card shall contain the holder's photograph
15 and, if applicable, shall be of the design specified under s. 343.17 (3) (a) 12.

16 (b) If an identification card is issued based upon the exception specified in s.
17 343.165 (7) or (8), the card shall, in addition to any other required legend or design,
18 be of the design specified under s. 343.17 (3) (a) 14. and include a marking similar
19 or identical to the marking described in s. 343.03 (3r) and, if applicable, the words
20 specified in s. 343.17 (3) (a) 16.

21 **SECTION 695.** 343.50 (5) (b) of the statutes is amended to read:

22 343.50 (5) (b) Except as provided in pars. (bm), (c), and (d) and s. 343.165 (4)
23 (c), an original or reinstated card shall be valid for the succeeding period of 8 years
24 from the applicant's next birthday after the date of issuance, and a renewed card
25 shall be valid for the succeeding period of 8 years from the card's last expiration date.

1 **SECTION 696.** 343.50 (5) (bm) of the statutes is created to read:

2 343.50 (5) (bm) Notwithstanding par. (d), if the identification card application
3 was processed under s. 343.165 (7) (c) and the applicant did not provide a verified
4 social security number, an original or reinstated card shall be valid for the succeeding
5 period of 2 years from the applicant's next birthday after the date of issuance, and
6 a renewed card shall be valid for the succeeding period of 2 years from the card's last
7 expiration date.

8 **SECTION 697.** 343.50 (5) (c) of the statutes is amended to read:

9 343.50 (5) (c) Except as provided in s. 343.165 (4) (c) and as otherwise provided
10 in this paragraph, an identification card that is issued to a person who is not a United
11 States citizen and who provides documentary proof of legal status as provided under
12 s. 343.14 (2) (es) 1m. shall expire on the date that the person's legal presence in the
13 United States is no longer authorized or on the expiration date determined under
14 par. (b), whichever date is earlier. If the documentary proof as provided under s.
15 343.14 (2) (es) 1m. does not state the date that the person's legal presence in the
16 United States is no longer authorized, then the card shall be valid for the period
17 specified in par. (b) except that, if the card was issued or renewed based upon the
18 person's presenting of any documentary proof specified in s. 343.14 (2) (es) ~~4. to 7.~~
19 1m. d. to g., the card shall, subject to s. 343.165 (4) (c), expire one year after the date
20 of issuance or renewal. This paragraph does not apply to an identification card that
21 contains the marking specified in sub. (3) (b).

22 **SECTION 698.** 343.50 (6) of the statutes is amended to read:

23 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an
24 identification card, the department shall provide to the card holder notice of renewal
25 of the card either by mail at the card holder's last-known address or, if desired by

1 the card holder, by any electronic means offered by the department. If the card was
2 issued or last renewed based upon the person's presenting of any documentary proof
3 specified in s. 343.14 (2) (es) ~~4. to 7.~~ 1m. d. to g., the notice shall inform the card holder
4 of the requirement under s. 343.165 (4) (c). The department shall include with the
5 notice information, as developed by all organ procurement organizations in
6 cooperation with the department, that promotes anatomical donations and which
7 relates to the anatomical donation opportunity available under s. 343.175. The
8 department may renew an identification card by mail or by any electronic means
9 available to the department, but the department may not make consecutive renewals
10 by mail or electronic means.

11 **SECTION 699.** 343.50 (8) (c) 6. of the statutes is created to read:

12 343.50 (8) (c) 6. Notwithstanding any other provision of par. (b) and this
13 paragraph, the department may not disclose to any person the fact that an applicant
14 has provided verification under s. 343.165 (7) (c) 2. that the applicant does not have
15 a social security number, except to the elections commission for purposes of
16 administering the agreement described in s. 5.056.

17 **SECTION 700.** 343.50 (10) (c) of the statutes is amended to read:

18 343.50 (10) (c) Whenever the department receives information from a local,
19 state, or federal government agency that the card holder no longer satisfies the
20 requirements for issuance of a card under ss. 343.14 (2) (es) and 343.165 (1) (e). A
21 card cancelled under this paragraph may not be reinstated under sub. (5) until these
22 requirements are again satisfied. This paragraph does not apply to a card if the card
23 application was processed under s. 343.165 (7) (c).

24 **SECTION 701.** 452.14 (3) (n) of the statutes is amended to read:

1 452.14 (3) (n) Treated any person unequally solely because of sex, race, color,
2 handicap, national origin, ancestry, marital status, lawful source of income, status
3 as a holder or nonholder of a license under s. 343.03 (3r), or status as a victim of
4 domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u).

5 **SECTION 702.** 632.35 of the statutes is amended to read:

6 **632.35 Prohibited rejection, cancellation and nonrenewal.** No insurer
7 may cancel or refuse to issue or renew an automobile insurance policy wholly or
8 partially because of one or more of the following characteristics of any person: age,
9 sex, residence, race, color, creed, religion, national origin, ancestry, marital status ~~or~~,
10 occupation, or status as a holder or nonholder of a license under s. 343.03 (3r).

11 **SECTION 9344. Initial applicability; Transportation.**

12 (1e) DRIVER'S CARDS. The treatment of ss. 66.1011 (1), 66.1201 (2m), 66.1213 (3),
13 66.1301 (2m), 66.1333 (3) (e) 2., 86.195 (5) (c), 106.50 (1), (1m) (h) and (nm), and (5m)
14 (f) 1., 106.52 (3) (a) 1., 2., 3., 4., and 5., 111.31 (1), (2), and (3), 111.321, 194.025, 224.77
15 (1) (o), 230.01 (2) (b), 230.18, 234.29, 343.03 (3m) and (3r), 343.14 (2j), 343.165 (1) (c)
16 and (e), (3) (b) and (c), (4) (b) and (d), and (7) (a) (intro.) and (c), 343.17 (3) (a) 16.,
17 343.20 (1) (f), (1m), and (2) (a), 343.50 (3) (a) and (b), (5) (b), (bm), and (c), (6), (8) (c)
18 6., and (10) (c), 452.14 (3) (n), and 632.35, the renumbering and amendment of s.
19 343.14 (2) (br) and (es), and the creation of s. 343.14 (2) (br) 2. and (es) 2m. first apply
20 to applications received by the department of transportation on the effective date of
21 this subsection.

22 **SECTION 9444. Effective dates; Transportation.**

23 (1) DRIVER'S CARDS. The treatment of ss. 66.1011 (1), 66.1201 (2m), 66.1213 (3),
24 66.1301 (2m), 66.1333 (3) (e) 2., 86.195 (5) (c), 106.50 (1), (1m) (h) and (nm), and (5m)
25 (f) 1., 106.52 (3) (a) 1., 2., 3., 4., and 5., 111.31 (1), (2), and (3), 111.321, 194.025, 224.77

1 (1) (o), 230.01 (2) (b), 230.18, 234.29, 343.03 (3m) and (3r), 343.14 (2j), 343.165 (1) (c)
2 and (e), (3) (b) and (c), (4) (b) and (d), and (7) (a) (intro.) and (c), 343.17 (3) (a) 16.,
3 343.20 (1) (f), (1m), and (2) (a), 343.50 (3) (a) and (b), (5) (b), (bm), and (c), (6), (8) (c)
4 6., and (10) (c), 452.14 (3) (n), and 632.35, the renumbering and amendment of s.
5 343.14 (2) (br) and (es), the creation of s. 343.14 (2) (br) 2. and (es) 2m., and SECTION
6 9344 (1e) of this act take effect on the first day of the 4th month beginning after
7 publication.”.

8 **292.** Page 374, line 11: after that line insert:

9 “SECTION 703. 86.51 of the statutes is repealed.”.

10 **293.** Page 374, line 11: after that line insert:

11 “SECTION 704. 84.59 (2) (c) of the statutes is created to read:

12 84.59 (2) (c) The department may, under s. 18.561 or 18.562, deposit in a
13 separate and distinct fund outside the state treasury, in an account maintained by
14 a trustee, the revenues derived under 2023 Wisconsin Act (this act), section 9244
15 (1). The revenues deposited are the trustee’s revenues in accordance with the
16 agreement between this state and the trustee or in accordance with the resolution
17 pledging the revenues to the repayment of revenue obligations issued under this
18 section. Revenue obligations issued for the purposes specified in sub. (1) and for the
19 repayment of which revenues are deposited under this paragraph are special fund
20 obligations, as defined in s. 18.52 (7), issued for special fund programs, as defined in
21 s. 18.52 (8).

22 **SECTION 9244. Fiscal changes; Transportation.**

1 (1) TRANSPORTATION FACILITIES REVENUE OBLIGATION REPAYMENT FUND. There is
2 transferred from the general fund to the trust fund created under s. 84.59 (2) (c)
3 \$379,369,800 during the 2023-25 fiscal biennium.”.

4 **294.** Page 374, line 11: after that line insert:

5 “SECTION 705. 20.005 (3) (schedule) of the statutes: at the appropriate place,
6 insert the following amounts for the purposes indicated:

2023-24 2024-25

7 **20.395 Transportation, department of**

8 (1) AIDS

9 (bt) Transit capital assistance grants SEG C 10,000,000 10,000,000

10 **SECTION 706.** 20.395 (1) (bt) of the statutes is created to read:

11 20.395 (1) (bt) *Transit capital assistance grants.* As a continuing
12 appropriation, the amounts in the schedule for transit capital assistance grants
13 under s. 85.203.

14 **SECTION 707.** 85.203 of the statutes is created to read:

15 **85.203 Transit capital assistance grants. (1)** In this section:

16 (a) “Eligible applicant” has the meaning given in s. 85.20 (1) (b).

17 (b) “Public transit vehicle” means any vehicle used for providing transportation
18 service to the general public that is eligible for replacement under settlement
19 guidelines, as defined in s. 16.047 (1) (b).

20 (2) The department shall administer a transit capital assistance grant
21 program. From the appropriation under s. 20.395 (1) (bt), the department shall
22 award grants to eligible applicants for the replacement of public transit vehicles.
23 The department shall establish criteria for awarding grants under this section.”.

1 **295.** Page 374, line 11: after that line insert:

2 “**SECTION 708.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
3 insert the following amounts for the purposes indicated:

2023-24 2024-25

4 **20.395 Transportation, department of**

5 (2) LOCAL TRANSPORTATION ASSISTANCE

6 (ja) Local traffic calming grants GPR C 60,000,000 -0-

7 **SECTION 709.** 20.395 (2) (ja) of the statutes is created to read:

8 20.395 (2) (ja) *Local traffic calming grants.* From the general fund, as a
9 continuing appropriation, the amounts in the schedule for the local traffic calming
10 grant program under s. 85.024.

11 **SECTION 710.** 85.024 of the statutes is created to read:

12 **85.024 Local traffic calming grants.** The department shall develop and
13 administer a local traffic calming grant program. From the appropriation under s.
14 20.395 (2) (ja), the department shall award grants to counties, cities, villages, and
15 towns for infrastructure projects that are eligible for funding under the federal
16 transportation alternatives program and that are designed to reduce the speed of
17 vehicular traffic. The department shall prescribe the form, nature, and extent of
18 information that shall be contained in applications for grants under this section and
19 shall establish criteria for evaluating applications and for awarding grants under
20 this section.”.

21 **296.** Page 374, line 11: after that line insert:

22 “**SECTION 711.** 110.07 (1) (a) (intro.) of the statutes is amended to read:

1 110.07 (1) (a) (intro.) The secretary shall employ not more than ~~399~~ 434 traffic
2 officers. The state traffic patrol consists of the traffic officers, the person designated
3 to head them whose position shall be in the classified service and, if certified under
4 s. 165.85 (4) (a) 1. as qualified to be a law enforcement officer, the division
5 administrator who is counted under s. 230.08 (2) (e) 12. and whose duties include
6 supervising the state traffic patrol. The division administrator may not be counted
7 under this paragraph. Members of the state traffic patrol shall:”.

8 **297.** Page 374, line 11: after that line insert:

9 “**SECTION 712.** 86.19 (1) of the statutes is amended to read:

10 86.19 (1) Except as provided in sub. (1m), (1n), ~~or (1o),~~ or (1p) or s. 84.01 (30)
11 (g), no sign shall be placed within the limits of any street or highway except such as
12 are necessary for the guidance or warning of traffic or as provided by ss. 60.23 (17m)
13 and 66.0429. The authorities charged with the maintenance of streets or highways
14 shall cause the removal therefrom and the disposal of all other signs.

15 **SECTION 713.** 86.19 (1p) of the statutes is created to read:

16 86.19 (1p) (a) In this subsection, “tribal nation welcome sign” means an official
17 sign erected and maintained by a federally recognized American Indian tribe or band
18 in this state that the tribe or band determines is necessary to inform motorists of the
19 territorial boundaries of the Indian reservation or other land held in trust for the
20 tribe or band.

21 (b) A federally recognized American Indian tribe or band in this state may erect
22 and maintain within the right-of-way of any highway within the boundaries of an
23 Indian reservation or other land held in trust for the tribe or band a tribal nation
24 welcome sign. No sign under this subsection may be placed within the right-of-way

1 of a highway designated as part of the national system of interstate and defense
2 highways. A sign placed under this subsection is not a traffic control device and is
3 not subject to the provisions of the Wisconsin manual on traffic control devices
4 adopted by the department under s. 84.02 (4) (e).”.

5 **298.** Page 374, line 11: after that line insert:

6 “**SECTION 714.** 84.01 (35) (b) of the statutes is amended to read:

7 84.01 **(35)** (b) Except as provided in par. ~~(d)~~ (c), and notwithstanding any other
8 provision of this chapter or ch. 82, 83, or 85, the department shall ~~give due~~
9 ~~consideration to establishing~~ ensure that bikeways and pedestrian ways are
10 established in all new highway construction and reconstruction projects funded in
11 whole or in part from state funds or federal funds appropriated under s. 20.395 or
12 20.866.

13 **SECTION 715.** 84.01 (35) (c) of the statutes is created to read:

14 84.01 **(35)** (c) The department shall promulgate rules identifying exceptions to
15 the requirement under par. (b), but these rules may provide for an exception only if
16 any of the following applies:

17 2. The cost of establishing bikeways or pedestrian ways would be excessively
18 disproportionate to the need or probable use of the bikeways or pedestrian ways. For
19 purposes of this subdivision, cost is excessively disproportionate if it exceeds 20
20 percent of the total project cost. The rules may not allow an exception under this
21 subdivision to be applied unless the secretary of transportation, or a designee of the
22 secretary who has knowledge of the purpose and value of bicycle and pedestrian
23 accommodations, reviews the applicability of the exception under this subdivision to
24 the particular project at issue.

1 3. Establishing bikeways or pedestrian ways would have excessive negative
2 impacts in a constrained environment.

3 4. There is an absence of need for the bikeways or pedestrian ways, as indicated
4 by sparsity of population, traffic volume, or other factors.

5 5. The community where pedestrian ways are to be located refuses to accept an
6 agreement to maintain them.

7 **SECTION 716.** 84.01 (35) (d) (intro.) and 2. of the statutes are repealed.

8 **SECTION 717.** 84.01 (35) (d) 1. of the statutes is renumbered 84.01 (35) (c) 1.”.

9 **299.** Page 374, line 11: after that line insert:

10 “**SECTION 718.** 84.59 (6) of the statutes is amended to read:

11 84.59 (6) The building commission may contract revenue obligations when it
12 reasonably appears to the building commission that all obligations incurred under
13 this section can be fully paid from moneys received or anticipated and pledged to be
14 received on a timely basis. Except as provided in this subsection, the principal
15 amount of revenue obligations issued under this section may not exceed
16 ~~\$4,055,372,900~~ \$4,493,600,000, excluding any obligations that have been defeased
17 under a cash optimization program administered by the building commission, to be
18 used for transportation facilities under s. 84.01 (28) and major highway projects for
19 the purposes under ss. 84.06 and 84.09. ~~In addition to the foregoing limit on principal
20 amount, the building commission may contract revenue obligations under this
21 section up to \$142,254,600, excluding any obligations that have been defeased under
22 a cash optimization program administered by the building commission, to be used
23 for transportation facilities under s. 84.01 (28) and major highway projects for the
24 purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal~~

1 ~~amount, the building commission may contract revenue obligations under this~~
2 ~~section up to \$128,258,200, excluding any obligations that have been defeased under~~
3 ~~a cash optimization program administered by the building commission, to be used~~
4 ~~for transportation facilities under s. 84.01 (28) and major highway projects for the~~
5 ~~purposes under ss. 84.06 and 84.09. In addition to the foregoing limits on principal~~
6 amount, the building commission may contract revenue obligations under this
7 section as the building commission determines is desirable to refund outstanding
8 revenue obligations contracted under this section, to make payments under
9 agreements or ancillary arrangements entered into under s. 18.55 (6) with respect
10 to revenue obligations issued under this section, and to pay expenses associated with
11 revenue obligations contracted under this section.”.

12 **300.** Page 374, line 11: after that line insert:

13 “**SECTION 719.** 84.54 of the statutes is repealed.”.

14 **301.** Page 374, line 11: after that line insert:

15 “**SECTION 720.** 20.866 (2) (uup) 1. of the statutes is amended to read:

16 20.866 (2) (uup) 1. From the capital improvement fund, a sum sufficient for the
17 department of transportation to fund the Marquette interchange reconstruction
18 project under s. 84.014, as provided under s. 84.555, the reconstruction of the I 94
19 north-south corridor and the zoo interchange, as provided under s. 84.555 (1m), the
20 reconstruction of the I 94 east-west corridor, as provided under s. 84.555 (1m),
21 southeast Wisconsin freeway megaprojects under s. 84.0145, as provided under s.
22 84.555 (1m), and high-cost state highway bridge projects under s. 84.017, as
23 provided under s. 84.555 (1m). The state may contract public debt in an amount not
24 to exceed \$704,750,000 for these purposes. In addition, the state may contract public

1 debt in an amount not to exceed \$107,000,000 for the reconstruction of the Zoo
2 interchange and I 94 north-south corridor, as provided under s. 84.555 (1m), as
3 southeast Wisconsin freeway megaprojects under s. 84.0145, in an amount not to
4 exceed \$216,800,000 for high-cost state highway bridge projects under s. 84.017, as
5 provided under s. 84.555 (1m), in an amount not to exceed \$300,000,000 for southeast
6 Wisconsin freeway megaprojects under s. 84.0145, as provided under s. 84.555 (1m),
7 in an amount not to exceed \$95,000,000 for the reconstruction of the Zoo interchange,
8 as provided under s. 84.555 (1m), as a southeast Wisconsin freeway megaproject
9 under s. 84.0145, and in an amount up to \$40,000,000 \$180,873,000 for the
10 reconstruction of the I 94 east-west corridor, as provided under s. 84.555 (1m), as a
11 southeast Wisconsin freeway megaproject under s. 84.0145.”.

12 **302.** Page 374, line 11: after that line insert:

13 “SECTION 721. 5.053 of the statutes is created to read:

14 **5.053 Office of election transparency and compliance. (1) DEFINITION.**

15 In this section, “office” means the office of election transparency and compliance.

16 **(2) DUTIES.** The office shall do all of the following:

17 (a) As directed by the commission by resolution, provide assistance and
18 research to the commission concerning a sworn complaint filed under s. 5.05 (2m) or
19 5.06.

20 (b) As directed by the administrator, provide assistance and research to the
21 commission concerning the following:

22 1. Procedures at polling places.

23 2. Election processes.

1 3. Audits of election systems and equipment, including with respect to
2 accessibility requirements for individuals with disabilities.

3 4. Responding to public records requests submitted under s. 19.35.

4 5. Responding to inquiries and requests for assistance made by a member,
5 committee, or house of the state legislature.

6 6. Responding to inquiries from the public.

7 **SECTION 722.** 15.615 of the statutes is created to read:

8 **15.615 Same; attached office. (1) OFFICE OF ELECTION TRANSPARENCY AND**
9 **COMPLIANCE.** There is created an office of election transparency and compliance,
10 which is attached to the elections commission under s. 15.03. The office shall be
11 under the direction and supervision of a director who shall be appointed in the
12 classified service by the administrator or interim administrator of the elections
13 commission.”.

14 **303.** Page 374, line 11: after that line insert:

15 “**SECTION 723.** 5.05 (11r) of the statutes is created to read:

16 **5.05 (11r) AIDS TO COUNTIES AND MUNICIPALITIES FOR THE PURCHASE OF ELECTION**
17 **SUPPLIES AND EQUIPMENT.** From the appropriation under s. 20.510 (1) (ff), the
18 commission may award grants to counties and municipalities for the purchase of
19 election supplies and equipment, including electronic poll books.

20 **SECTION 724.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
21 insert the following amounts for the purposes indicated:

2023-24 2024-25

22 **20.510 Elections commission**

23 (1) ADMINISTRATION OF ELECTIONS

1 (ff) Local aids for the purchase of
2 election supplies and equipment GPR A 400,000 -0-

3 **SECTION 725.** 20.510 (1) (ff) of the statutes is created to read:

4 20.510 (1) (ff) *Local aids for the purchase of election supplies and equipment.*

5 The amounts in the schedule to award grants to counties and municipalities for the
6 purchase of election supplies or equipment under s. 5.05 (11r).”.

7 **304.** Page 374, line 11: after that line insert:

8 “**SECTION 726.** 20.510 (1) (c) of the statutes is amended to read:

9 20.510 (1) (c) *~~Voter identification~~ County and municipal clerk training.* The
10 amounts in the schedule for training of county and municipal clerks concerning the
11 administration of elections as provided in chs. 5 to 10 and 12, including voter
12 identification requirements provided in 2011 Wisconsin Act 23.”.

13 **305.** Page 374, line 11: after that line insert:

14 “**SECTION 727.** 5.05 (11m) of the statutes is created to read:

15 5.05 (11m) AIDS TO COUNTIES AND MUNICIPALITIES FOR CERTAIN SPECIAL ELECTION
16 COSTS. (a) From the appropriation under s. 20.510 (1) (f), the commission shall
17 reimburse counties and municipalities for costs incurred in the administration of
18 special primaries for state or national office and special elections for state or national
19 office.

20 (b) A cost is eligible for reimbursement under par. (a) only if all of the following
21 apply:

22 1. The commission determines that the cost is reasonable.

23 2. The cost is specified under par. (c).

1 3. If applicable, the commission determines that the rate paid by the county or
2 municipality for the cost does not exceed the rate customarily paid for similar costs
3 at a primary or election that is not a special primary or election.

4 4. If the special primary or election coincides with a primary or election that
5 is not a special primary or election, the commission determines that the cost does not
6 exceed the amount that would be incurred if the primaries or elections did not
7 coincide.

8 (c) Only the following costs are eligible for reimbursement under par. (a):

9 1. Rental payments for polling places.

10 2. Election day wages paid under s. 7.03 to election officials working at the
11 polls.

12 3. Costs for the publication of required election notices.

13 4. Printing and postage costs for absentee ballots and envelopes.

14 5. Costs for the design and printing of ballots and poll books.

15 6. Purchase of ballot bags or containers, including ties or seals for chain of
16 custody purposes.

17 7. Costs to program electronic voting machines.

18 8. Purchase of memory devices for electronic voting machines.

19 9. Wages paid to conduct a county canvass.

20 10. Data entry costs for the statewide voter registration system.

21 **SECTION 728.** 20.510 (1) (f) of the statutes is created to read:

22 20.510 (1) (f) *Local aids for special elections.* A sum sufficient to reimburse
23 counties and municipalities for certain special primary or election costs under s. 5.05
24 (11m).”.

1 **306.** Page 374, line 11: after that line insert:

2 “**SECTION 729.** 5.02 (20) of the statutes is amended to read:

3 5.02 (20) “Special primary” means the primary held 4 weeks before the special
4 election, except as provided in s. 8.50 (4m) and except when the special election is
5 held on the same day as the general election the special primary shall be held on the
6 same day as the general primary or if the special election is held concurrently with
7 the spring election, the primary shall be held concurrently with the spring primary.

8 **SECTION 730.** 5.02 (22) of the statutes is amended to read:

9 5.02 (22) “Spring primary” means the ~~nonpartisan~~ primary held on the 3rd
10 Tuesday in February to nominate nonpartisan candidates to be voted for at the
11 spring election and partisan candidates to be voted for at a special election under s.
12 8.50 (4m).

13 **SECTION 731.** 8.50 (intro.) of the statutes is amended to read:

14 **8.50 Special elections.** (intro.) Unless otherwise provided, this section
15 applies to filling vacancies in the U.S. senate and house of representatives, executive
16 state offices except the offices of governor, lieutenant governor, and district attorney,
17 judicial and legislative state offices, county, city, village, and town offices, and the
18 offices of municipal judge and member of the board of school directors in school
19 districts organized under ch. 119. State legislative offices may be filled in
20 anticipation of the occurrence of a vacancy whenever authorized in sub. (4) (e). ~~No~~
21 Except as provided in sub. (4m), no special election may be held after February 1
22 preceding the spring election unless it is held on the same day as the spring election,
23 nor after August 1 preceding the general election unless it is held on the same day
24 as the general election, until the day after that election. If the special election is held

1 on the day of the general election, the primary for the special election, if any, shall
2 be held on the day of the partisan primary. If the special election is held on the day
3 of the spring election, the primary for the special election, if any, shall be held on the
4 day of the spring primary.

5 **SECTION 732.** 8.50 (2) (a) and (b) of the statutes are amended to read:

6 8.50 (2) (a) ~~The Except as provided in sub. (4m), the~~ date for the special election
7 shall be not less than 62 nor more than 77 days from the date of the order except when
8 ~~the special election is held to fill a vacancy in a national office or the special election~~
9 is held on the day of the general election or spring election. If a special election is held
10 concurrently with the spring election, the special election may be ordered not earlier
11 than 92 days prior to the spring primary and not later than 49 days prior to that
12 primary. If a special election is held concurrently with the general election ~~or a~~
13 ~~special election is held to fill a national office~~, the special election may be ordered not
14 earlier than 122 days prior to the partisan primary or special primary, respectively,
15 and not later than 92 days prior to that primary.

16 (b) ~~If Except as provided in sub. (4m), if~~ a primary is required, the primary shall
17 be on the day 4 weeks before the day of the special election except when the special
18 election is held on the same day as the general election the special primary shall be
19 held on the same day as the partisan primary or if the special election is held
20 concurrently with the spring election, the primary shall be held concurrently with
21 the spring primary, and except when the special election is held on the Tuesday after
22 the first Monday in November of an odd-numbered year, the primary shall be held
23 on the 2nd Tuesday of August in that year.

24 **SECTION 733.** 8.50 (3) (a) of the statutes is amended to read:

1 8.50 (3) (a) ~~Nomination~~ Except as provided in sub. (4m), nomination papers
2 may be circulated no sooner than the day the order for the special election is filed and
3 shall be filed not later than 5 p.m. 28 days before the day that the special primary
4 will or would be held, if required, except when a special election is held concurrently
5 with the spring election or general election, the deadline for filing nomination papers
6 shall be specified in the order and the date shall be no earlier than the date provided
7 in s. 8.10 (2) (a) or 8.15 (1), respectively, and no later than 35 days prior to the date
8 of the spring primary or no later than June 1 preceding the partisan primary.
9 Nomination papers may be filed in the manner specified in s. 8.10, 8.15, or 8.20. Each
10 candidate shall file a declaration of candidacy in the manner provided in s. 8.21 no
11 later than the latest time provided in the order for filing nomination papers. If a
12 candidate for state or local office has not filed a registration statement under s.
13 11.0202 (1) (a) at the time he or she files nomination papers, the candidate shall file
14 the statement with the papers. A candidate for state office shall also file a statement
15 of economic interests with the ethics commission no later than the end of the 3rd day
16 following the last day for filing nomination papers specified in the order.

17 **SECTION 734.** 8.50 (4) (b) of the statutes is repealed.

18 **SECTION 735.** 8.50 (4m) of the statutes is created to read:

19 8.50 (4m) SPECIAL ELECTIONS FOR NATIONAL OFFICE. (a) Except as provided in
20 par. (b), a vacancy in the office of U.S. senator or representative in congress shall be
21 filled as soon as practicable in the following manner:

22 1. At a special election to be held on the 3rd Tuesday in May following the first
23 day of the vacancy. The special primary shall be held concurrently with the spring
24 primary on the 3rd Tuesday in February. The first day for circulating nomination

1 papers shall be November 1 and the papers shall be filed no later 5 p.m. on the first
2 Tuesday in December preceding the primary.

3 2. At a special election to be held on the 2nd Tuesday in August following the
4 first day of the vacancy. The special primary shall be held on the 3rd Tuesday in May
5 in that year. The first day for circulating nomination papers shall be February 1 and
6 the papers shall be filed no later than 5 p.m. on the first Tuesday in March.

7 3. At a special election to be held on the Tuesday after the first Monday in
8 November following the first day of the vacancy. The special primary shall be held
9 on the 2nd Tuesday in August in that year. Nomination papers shall be circulated
10 and filed as provided under s. 8.15.

11 (b) A special election shall not be held under par. (a) 3. in any year in which the
12 general election is held for that office, but, instead, the vacancy shall be filled at the
13 partisan primary and general election.

14 (c) A vacancy filled under par. (a) shall be for the residue of the unexpired term.

15 **SECTION 736.** 17.18 of the statutes is amended to read:

16 **17.18 Vacancies, U.S. senator and representative in congress; how**
17 **filled.** Vacancies in the office of U.S. senator or representative in congress from this
18 state shall be filled by election, as provided in s. 8.50 (4) (b), ~~for the residue of the~~
19 ~~unexpired term (4m).~~”.

20 **307.** Page 374, line 11: after that line insert:

21 “**SECTION 737.** 20.510 (1) (g) of the statutes is amended to read:

22 20.510 (1) (g) *Recount fees.* ~~The amounts in the schedule~~ All moneys received
23 on account of recount petitions filed with the commission, to be apportioned to the
24 commission and the county clerks or county board of election commissioners as

1 prescribed in s. 9.01 (1) (ag). ~~All moneys received on account of recount petitions filed~~
2 ~~with the commission shall be credited to this appropriation account.”.~~

3 **308.** Page 374, line 11: after that line insert:

4 “**SECTION 738.** 13.09 (7) of the statutes is created to read:

5 13.09 (7) If a member of the committee objects to a proposed action or item
6 during a period of passive review required by law for the purpose of reviewing the
7 proposed action or item, the name of each objecting member, as well as the reason
8 for each objection, shall be recorded and made publicly available.”.

9 **309.** Page 374, line 11: after that line insert:

10 “**SECTION 47m.** 17.03 (10m) of the statutes is created to read:

11 17.03 (10m) If the office is filled by appointment of the governor for a fixed term
12 by and with the advice and consent of the senate, the incumbent’s term expires or,
13 if later, the governor submits his or her nomination for the office to the senate.”.

14 **310.** Page 374, line 11: after that line insert:

15 “**SECTION 1e.** 13.127 of the statutes is repealed.”.

16 **311.** Page 374, line 11: after that line insert:

17 “**SECTION 739.** 13.365 of the statutes is repealed.

18 **SECTION 740.** 13.56 (2) of the statutes is amended to read:

19 13.56 (2) PARTICIPATION IN CERTAIN PROCEEDINGS. The cochairpersons of the joint
20 committee for review of administrative rules or their designated agents shall accept
21 service made under ss. 227.40 (5) and 806.04 (11). If the committee determines that
22 the legislature should be represented in the proceeding, it shall request the joint
23 committee on legislative organization to intervene in designate the legislature’s
24 representative for the proceeding ~~as provided under s. 806.04 (11).~~ The costs of

1 participation in the proceeding shall be paid equally from the appropriations under
2 s. 20.765 (1) (a) and (b), except that such costs incurred by the department of justice
3 shall be paid from the appropriation under s. 20.455 (1) (d).

4 **SECTION 741.** 13.90 (2) of the statutes is amended to read:

5 13.90 (2) The cochairpersons of the joint committee on legislative organization
6 or their designated agent shall accept service made under ~~ss. s.~~ s. 806.04 (11) and
7 ~~893.825 (2)~~. If the committee, the senate organization committee, or the assembly
8 organization committee determines that the legislature should ~~intervene~~ be
9 represented in the proceeding as provided under s. 803.09 (2m), the assembly shall
10 ~~represent the assembly, the senate shall represent the senate, and the joint~~
11 ~~committee on legislative organization shall represent the legislature, that~~
12 committee shall designate the legislature's representative for the proceeding. The
13 costs of participation in the proceeding shall be paid equally from the appropriations
14 under s. 20.765 (1) (a) and (b), except that such costs incurred by the department of
15 justice shall be paid from the appropriation under s. 20.455 (1) (d).

16 **SECTION 742.** 165.25 (1) of the statutes is amended to read:

17 165.25 (1) REPRESENT STATE IN APPEALS AND ON REMAND. Except as provided in
18 ss. 5.05 (2m) (a), 19.49 (2) (a), and 978.05 (5), appear for the state and prosecute or
19 defend all actions and proceedings, civil or criminal, in the court of appeals and the
20 supreme court, in which the state is interested or a party, and attend to and prosecute
21 or defend all civil cases sent or remanded to any circuit court in which the state is
22 a party. ~~The joint committee on legislative organization may intervene as permitted~~
23 ~~under s. 803.09 (2m) at any time~~. Nothing in this subsection deprives or relieves the
24 attorney general or the department of justice of any authority or duty under this
25 chapter.

1 **SECTION 743.** 165.25 (1m) of the statutes is amended to read:

2 165.25 **(1m)** REPRESENT STATE IN OTHER MATTERS. If requested by the governor
3 or either house of the legislature, appear for and represent the state, any state
4 department, agency, official, employee or agent, whether required to appear as a
5 party or witness in any civil or criminal matter, and prosecute or defend in any court
6 or before any officer, any cause or matter, civil or criminal, in which the state or the
7 people of this state may be interested. ~~The joint committee on legislative~~
8 ~~organization may intervene as permitted under s. 803.09 (2m) at any time.~~ The
9 public service commission may request under s. 196.497 (7) that the attorney general
10 intervene in federal proceedings. All expenses of the proceedings shall be paid from
11 the appropriation under s. 20.455 (1) (d).

12 **SECTION 744.** 803.09 (2m) of the statutes is repealed.

13 **SECTION 745.** 806.04 (11) of the statutes is amended to read:

14 806.04 **(11)** PARTIES. When declaratory relief is sought, all persons shall be
15 made parties who have or claim any interest which would be affected by the
16 declaration, and no declaration may prejudice the right of persons not parties to the
17 proceeding. In any proceeding which involves the validity of a municipal ordinance
18 or franchise, the municipality shall be made a party, and shall be entitled to be heard.
19 If a statute, ordinance, or franchise is alleged to be unconstitutional, ~~or to be in~~
20 ~~violation of or preempted by federal law, or if the construction or validity of a statute~~
21 ~~is otherwise challenged,~~ the attorney general shall also be served with a copy of the
22 proceeding and be entitled to be heard. ~~If a statute is alleged to be unconstitutional,~~
23 ~~or to be in violation of or preempted by federal law, or if the construction or validity~~
24 ~~of a statute is otherwise challenged,~~ the speaker of the assembly, the president of the
25 senate, ~~and the senate majority leader shall also be served with a copy of the~~

1 proceeding, and the assembly, the senate, and the state legislature are entitled to be
2 heard. If the assembly, the senate, or the joint committee on legislative organization
3 intervenes as provided under s. 803.09 (2m), the assembly shall represent the
4 assembly, the senate shall represent the senate, and the joint committee on
5 legislative organization shall represent the legislature. In any proceeding under this
6 section in which the constitutionality, construction, or application of any provision
7 of ch. 227, or of any statute allowing a legislative committee to suspend, or to delay
8 or prevent the adoption of, a rule as defined in s. 227.01 (13) is placed in issue by the
9 parties, the joint committee for review of administrative rules shall be served with
10 a copy of the petition and, with the approval of the joint committee on legislative
11 organization, shall be made a party and be entitled to be heard. In any proceeding
12 under this section in which the constitutionality, construction, or application of any
13 provision of ch. 13, 20, 111, 227, or 230 or subch. I, III, or IV of ch. 16 or s. 753.075,
14 or of any statute allowing a legislative committee to suspend, or to delay or prevent
15 the adoption of, a rule, as defined in s. 227.01 (13), is placed in issue by the parties,
16 the joint committee on legislative organization shall be served with a copy of the
17 petition and the joint committee on legislative organization, the senate committee
18 on organization, or the assembly committee on organization may intervene as a party
19 to the proceedings and be heard.

20 **SECTION 746.** 809.13 of the statutes is amended to read:

21 **809.13 Rule (Intervention).** A person who is not a party to an appeal may
22 file in the court of appeals a petition to intervene in the appeal. A party may file a
23 response to the petition within 11 days after service of the petition. The court may
24 grant the petition upon a showing that the petitioner's interest meets the
25 requirements of s. 803.09 (1), or (2), or (2m).

1 ~~this section, the agency shall submit a list of the members of the committee to the~~
2 ~~joint committee for review of administrative rules.~~

3 **SECTION 754.** 227.26 (2) (im) of the statutes is repealed.

4 **SECTION 755.** 227.57 (11) of the statutes is amended to read:

5 227.57 (11) Upon review of an agency action or decision affecting a property
6 owner's use of the property owner's property, the court shall accord no deference to
7 the agency's interpretation of law if the agency action or decision restricts the
8 property owner's free use of the property owner's property."

9 **314.** Page 374, line 11: after that line insert:

10 "SECTION 756. 5.056 of the statutes is amended to read:

11 **5.056 Matching program with secretary of transportation.** The
12 commission administrator shall enter into the agreement with the secretary of
13 transportation specified under s. 85.61 (1) to match personally identifiable
14 information on the official registration list maintained by the commission under s.
15 6.36 (1) and the information specified in ~~s.~~ ss. 6.256 (2) and 6.34 (2m) with personally
16 identifiable information maintained by the department of transportation. Subject
17 to s. 343.14 (2p) (b), the agreement shall provide for the electronic transfer of
18 information under s. 6.256 (2) to the commission on a continuous basis, no less often
19 than weekly.

20 **SECTION 757.** 6.256 of the statutes is created to read:

21 **6.256 Facilitating registration of electors.** (1) The commission shall use
22 all feasible means to facilitate the registration of all eligible electors of this state and
23 the maintenance of the registration of all eligible electors for so long as they remain
24 eligible.

1 **(2)** Subject to s. 343.14 (2p) (b), for the purpose of carrying out its functions
2 under sub. (1), the commission shall obtain the following information from the
3 department of transportation, to the extent that the department has the
4 information:

5 (a) The full name of each individual who holds a current operator's license
6 issued to the individual under ch. 343 or a current identification card issued to the
7 individual under s. 343.50, together with the following information pertaining to
8 that individual:

9 1. The current address of the individual together with any address history and
10 any name history maintained by the department of transportation.

11 2. The date of birth of the individual.

12 3. The number of the license or identification card issued to the individual.

13 4. A copy of each document that the applicant provided as proof of citizenship
14 and a statement from the department of transportation indicating that the
15 department verified the applicant's citizenship.

16 (b) For each item of information specified in par. (a), the most recent date that
17 the item of information was provided to or obtained by the department of
18 transportation.

19 **(3)** The commission shall compare the information obtained under sub. (2) with
20 the information in the registration list under s. 6.36 (1) (a). If the commission finds
21 any discrepancy between the information obtained under sub. (2) regarding an
22 elector and the information in the registration list under s. 6.36 (1) (a) regarding that
23 elector, the commission shall attempt to contact the elector to resolve the discrepancy
24 and update the registration list accordingly. If the commission is unable to resolve
25 the discrepancy, the information in the registration list shall control.

1 **(4)** If the commission concludes that an individual appears eligible to vote in
2 this state but is not registered and the commission has obtained from reliable sources
3 all the information required under s. 6.33 (1) to complete the individual's
4 registration, the commission shall enter the individual's name on the registration list
5 maintained under s. 6.36 (1) (a). If the commission has not obtained from reliable
6 sources all the information pertaining to an individual that is required under s. 6.33
7 (1), the commission shall attempt to obtain from reliable sources the necessary
8 information under s. 6.33 (1) that is required to complete the individual's
9 registration. If an elector's status has been changed from eligible to ineligible under
10 s. 6.50 and the elector's eligibility, name, or residence has not changed, the
11 commission may not change the individual's name to eligible status unless the
12 commission first verifies that the individual is eligible and wishes to change his or
13 her status to eligible.

14 **(5)** The commission shall attempt to contact an individual described in sub. (4)
15 if necessary to obtain all the information specified in s. 6.33 (1) pertaining to the
16 individual that is required to complete the individual's registration.

17 **(6)** The commission shall mail a notice to each individual whose name the
18 commission enters under sub. (4) on the registration list maintained under s. 6.36
19 (1) (a). The notice shall be printed in English, Spanish, and other languages spoken
20 by a significant number of state residents, as determined by the commission, and
21 shall include all of the following:

22 (a) A statement informing the individual that his or her name has been entered
23 on the registration list and showing the current address for the individual based on
24 the commission's records.

1 (b) A statement informing the individual that he or she may request to have
2 his or her name deleted from the registration list and instructions for doing so.

3 (c) Instructions for notifying the commission of a change in name or address.

4 (d) Instructions for obtaining a confidential listing under s. 6.47 (2) and a
5 description of how an individual qualifies for a confidential listing.

6 **(7)** Any individual may file a request with the commission to exclude his or her
7 name from the registration list maintained under s. 6.36 (1) (a). Any individual
8 whose name is added to the registration list by the commission may file a request
9 with the commission or a municipal clerk to have his or her name deleted from the
10 list. A request for exclusion or deletion shall be filed in the manner prescribed by the
11 commission. An individual who files an exclusion or deletion request under this
12 subsection may revoke his or her request by the same means that an individual may
13 request an exclusion or deletion. The commission shall ensure that the name of any
14 individual who has filed an exclusion or deletion request under this subsection is
15 excluded from the registration list or, if the individual's name appears on the list, is
16 removed from the registration list and is not added to the list at any subsequent time
17 unless the individual files a revocation of his or her request under this subsection.

18 **(8)** If the commission removes from the registration list maintained under s.
19 6.36 (1) (a) the name of an elector who does not request that his or her name be
20 deleted, or changes the elector's status from eligible to ineligible, other than to
21 correct an entry that the commission determines to be a duplication or to change the
22 name of an individual who is verified to be deceased to ineligible status, the
23 commission shall mail the individual a notice of the removal or change in status by
24 1st class postcard at the individual's last-known address. The notice shall provide

1 that the individual may apply to have his or her status changed to eligible if he or
2 she is a qualified elector.

3 (9) The commission shall attempt to facilitate the initial registration of all
4 eligible electors as soon as practicable.

5 (10) The commission shall maintain the confidentiality of all information
6 obtained from the department of transportation under sub. (2) and may use this
7 information only for the purpose of carrying out its functions under sub. (1) and s.
8 6.34 (2m) and in accordance with the agreement under s. 85.61 (1).

9 **SECTION 758.** 16.971 (2) (o) of the statutes is created to read:

10 16.971 (2) (o) Assist the elections commission with information technology
11 systems development for purposes of facilitating the registration of eligible electors
12 under s. 6.256.

13 **SECTION 759.** 85.61 (1) of the statutes is amended to read:

14 85.61 (1) The secretary of transportation and the administrator of the elections
15 commission shall enter into an agreement to match personally identifiable
16 information on the official registration list maintained by the commission under s.
17 6.36 (1) and the information specified in ~~s. ss. 6.256 (2) and~~ 6.34 (2m) with personally
18 identifiable information in the operating record file database under ch. 343 and
19 vehicle registration records under ch. 341 to the extent required to enable the
20 secretary of transportation and the administrator of the elections commission to
21 verify the accuracy of the information provided for the purpose of voter registration.
22 Notwithstanding ss. 110.09 (2), 342.06 (1) (eg), and 343.14 (2j), but subject to s.
23 343.14 (2p) (b), the agreement shall provide for the transfer of electronic information
24 under s. 6.256 (2) to the commission on a continuous basis, no less often than weekly.

25 **SECTION 760.** 343.14 (2p) of the statutes is created to read:

1 343.14 **(2p)** (a) The forms for application for a license or identification card or
2 for renewal thereof shall inform the applicant of the department's duty to make
3 available to the elections commission the information described in s. 6.256 (2) for the
4 purposes specified in s. 6.256 (1) and (3) and shall provide the applicant an
5 opportunity to elect not to have this information made available for these purposes.

6 (b) If the applicant elects not to have the information described in s. 6.256 (2)
7 made available for the purposes specified in s. 6.256 (1) and (3), the department may
8 not make this information available for these purposes. This paragraph does not
9 preclude the department from making available to the elections commission
10 information for the purposes specified in s. 6.34 (2m) or for any purpose other than
11 those specified in s. 6.256 (1) and (3).

12 **SECTION 9112. Nonstatutory provisions; Elections Commission.**

13 (1) INITIAL SHARING OF REGISTRATION INFORMATION. Notwithstanding ss. 85.61
14 (1), 110.09 (2), 342.06 (1) (eg), and 343.14 (2j), the department of transportation shall
15 enter into and begin transferring information under a revised agreement with the
16 elections commission administrator pursuant to s. 85.61 (1) no later than the first
17 day of the 9th month beginning after the effective date of this subsection.

18 (2) REPORT ON VOTER REGISTRATION INFORMATION INTEGRATION. No later than July
19 1, 2025, the elections commission shall report to the appropriate standing
20 committees of the legislature, in the manner specified in s. 13.172 (3), and to the
21 governor its progress in initially implementing a system to ensure the complete and
22 continuous registration of all eligible electors in this state, specifically including the
23 operability and utility of information integration with the department of
24 transportation and the feasibility and desirability of integrating public information
25 maintained by other state agencies and by technical colleges with the commission's

1 registration information to enhance the completeness and accuracy of the
2 information. At a minimum, the report shall contain an assessment of the feasibility
3 and desirability of the integration of registration information with information
4 maintained by the departments of health services, children and families, workforce
5 development, revenue, safety and professional services, and natural resources; the
6 University of Wisconsin System; and the technical college system board, as well as
7 the technical colleges within each technical college district.”

8 **315.** Page 374, line 11: after that line insert:

9 “**SECTION 761.** 6.29 (2) (e) of the statutes is created to read:

10 6.29 (2) (e) The municipal clerk or clerk’s agent shall promptly add the names
11 of qualified electors who register and vote under this section to the registration list
12 maintained under s. 6.36 (1) (a). The clerk or clerk’s agent shall add the names of
13 qualified electors who vote at their polling places in the manner prescribed in s. 6.33
14 (5) (a).

15 **SECTION 762.** 6.33 (2) (a) of the statutes is amended to read:

16 6.33 (2) (a) All information may be recorded by any person, except that the clerk
17 shall record the ward and aldermanic district, if any, other geographic information
18 under sub. (1), the indication of whether the registration is received by mail, and the
19 type of identifying document submitted by the elector as proof of residence under s.
20 6.34 or the indication of verification of information in lieu of proof of residence under
21 s. 6.34 (2m). Except as provided in s. 6.30 (5), each elector shall sign his or her own
22 name unless the elector is unable to sign his or her name due to physical disability.
23 In such case, the elector may authorize another elector to sign the form on his or her
24 behalf. If the elector so authorizes, the elector signing the form shall attest to a

1 statement that the application is made upon request and by authorization of a named
2 elector who is unable to sign the form due to physical disability.

3 **SECTION 763.** 6.35 (3) of the statutes is amended to read:

4 6.35 (3) ~~Original~~ Except for electronic registrations, original registration forms
5 shall be maintained in the office of the municipal clerk or board of election
6 commissioners at all times. The commission shall maintain records of registrations
7 that are entered electronically under s. 6.30 (5) and make such records available for
8 inspection by the municipal clerk, the clerk's designated agent, or the board of
9 election commissioners.

10 **SECTION 764.** 6.86 (3) (c) of the statutes is amended to read:

11 6.86 (3) (c) An application under par. (a) 1. may be made and a registration form
12 under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier
13 than 7 days before an election and not later than 5 p.m. on the day of the election.
14 A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by
15 the municipal clerk and used to check that the electors vote only once, and by
16 absentee ballot. ~~If~~ Except as provided in s. 6.34 (2m), if the elector is registering for
17 the election after the close of registration or if the elector registered by mail and has
18 not voted in an election in this state, the municipal clerk shall inform the agent that
19 proof of residence under s. 6.34 is required and the elector shall enclose proof of
20 residence under s. 6.34 in the envelope with the ballot. The clerk shall verify that
21 the name on any required proof of identification presented by the agent conforms to
22 the name on the elector's application. The clerk shall then enter his or her initials
23 on the carrier envelope indicating that the agent presented proof of identification to
24 the clerk. The agent is not required to enter a signature on the registration list. The
25 ballot shall be sealed by the elector and returned to the municipal clerk either by mail

1 or by personal delivery of the agent; but if the ballot is returned on the day of the
2 election, the agent shall make personal delivery to the polling place serving the
3 hospitalized elector's residence before the closing hour or, in municipalities where
4 absentee ballots are canvassed under s. 7.52, to the municipal clerk no later than 8
5 p.m. on election day.”.

6 **316.** Page 374, line 11: after that line insert:

7 “**SECTION 765.** 5.02 (6m) (f) of the statutes is amended to read:

8 5.02 **(6m)** (f) An ~~unexpired~~ identification card issued by a university or college
9 in this state that is accredited, as defined in s. 39.30 (1) (d), or by a technical college
10 in this state that is a member of and governed by the technical college system under
11 ch. 38, that contains the date of issuance and signature of the individual to whom it
12 is issued and that contains an expiration date indicating that the card expires no
13 later than 2 years after the date of issuance ~~if the individual establishes, except that~~
14 if the identification card is expired the individual shall establish that he or she is
15 enrolled as a student at the university or college on the date that the card is
16 presented.

17 **SECTION 9142. Nonstatutory provisions; Technical College System.**

18 (1) VOTER IDENTIFICATION. No later than August 1, 2023, each technical college
19 in this state that is a member of and governed by the technical college system under
20 ch. 38 shall issue student identification cards that qualify as identification under s.
21 5.02 (6m) (f).

22 **SECTION 9147. Nonstatutory provisions; University of Wisconsin**
23 **System.**

1 (1) VOTER IDENTIFICATION. No later than August 1, 2023, each University of
2 Wisconsin System institution shall issue student identification cards that qualify as
3 identification under s. 5.02 (6m) (f).”.

4 **317.** Page 374, line 11: after that line insert:

5 “SECTION 1. 343.50 (1) (c) 1. of the statutes is amended to read:

6 343.50 (1) (c) 1. The department may issue a receipt to any applicant for an
7 identification card, and shall issue a receipt to an applicant requesting an
8 identification card under sub. (5) (a) 3., which receipt shall constitute a temporary
9 identification card while the application is being processed and shall be valid for a
10 period not to exceed ~~60~~ 180 days. If the application for an identification card is
11 processed under the exception specified in s. 343.165 (7) or (8), the receipt shall
12 include the marking specified in sub. (3) (b).”.

13 **318.** Page 374, line 11: after that line insert:

14 “SECTION 766. 6.28 (1) (b) of the statutes is amended to read:

15 6.28 (1) (b) All applications for registration corrections and additions may be
16 made throughout the year at the office of the city board of election commissioners,
17 at the office of the municipal clerk, at the office of the county clerk, or at other
18 locations provided by the board of election commissioners or the common council in
19 cities over 500,000 population or by either or both the municipal clerk, or the common
20 council, village or town board in all other municipalities and may also be made
21 during the school year at any high school by qualified persons under sub. (2m) (a).
22 An elector who wishes to obtain a confidential listing under s. 6.47 (2) shall register
23 at the office of the municipal clerk of the municipality where the elector resides.

24 SECTION 767. 6.28 (2m) of the statutes is created to read:

1 6.28 **(2m)** AT HIGH SCHOOLS. (a) Public high schools shall be used for
2 registration for enrolled students and members of the high school staff.

3 (b) The municipal clerk of each municipality shall notify the school board of
4 each school district in which the municipality is located that high schools shall be
5 used for registration pursuant to par. (a). The school board and the municipal clerk
6 shall agree upon the appointment of at least one qualified elector at each high school
7 as a special school registration deputy. The municipal clerk shall appoint such
8 person as a school registration deputy and explain the person's duties and
9 responsibilities. Students and staff may register at the high school on any day that
10 classes are regularly held. The school registration deputies shall promptly forward
11 properly completed registration forms to the municipal clerk of the municipality in
12 which the registering student or staff member resides. The municipal clerk, upon
13 receiving such registration forms, shall add all those registering electors who have
14 met the registration requirements to the registration list. The municipal clerk may
15 reject any registration form and shall promptly notify the person whose registration
16 is rejected of the rejection and the reason therefor. A person whose registration is
17 rejected may reapply for registration if he or she is qualified. The form of each high
18 school student who is qualified and will be eligible to vote at the next election shall
19 be filed in such a way that when a student attains the age of 18 years the student is
20 registered to vote automatically. Each school board shall assure that the principal
21 of every high school communicates elector registration information to students.

22 (c) The principal of any private high school or of any tribal school, as defined
23 in s. 115.001 (15m), that operates high school grades that has a substantial number
24 of students residing in a municipality may request the municipal clerk to appoint a
25 special school registration deputy in accordance with par. (b). Students and staff

1 may register at the high school on any day that classes are regularly held. The clerk
2 shall appoint a special school registration deputy in the high school if the clerk
3 determines the school to have a substantial number of students residing in the
4 municipality.”.

5 **319.** Page 374, line 11: after that line insert:

6 “**SECTION 768.** 5.84 (1) of the statutes is amended to read:

7 5.84 (1) Where any municipality employs an electronic voting system which
8 utilizes automatic tabulating equipment, ~~either at the polling place or at a central~~
9 ~~counting location,~~ the municipal clerk shall, on any day not more than 10 days prior
10 to the election day on which the equipment is to be utilized in an election, have the
11 equipment tested to ascertain that it will correctly count the votes cast for all offices
12 and on all measures. Public notice of the time and place of the test shall be given by
13 the clerk at least 48 hours prior to the test by publication of a class 1 notice under
14 ch. 985 in one or more newspapers published within the municipality if a newspaper
15 is published therein, otherwise in a newspaper of general circulation therein. The
16 test shall be open to the public. The test shall be conducted by processing a
17 preaudited group of ballots so marked as to record a predetermined number of valid
18 votes for each candidate and on each referendum. The test shall include for each
19 office one or more ballots which have votes in excess of the number allowed by law
20 and, for a partisan primary election, one or more ballots which have votes cast for
21 candidates of more than one recognized political party, in order to test the ability of
22 the automatic tabulating equipment to reject such votes. If any error is detected, the
23 municipal clerk shall ascertain the cause and correct the error. The clerk shall make

1 an errorless count before the automatic tabulating equipment is approved by the
2 clerk for use in the election.

3 **SECTION 769.** 5.86 (1) of the statutes is amended to read:

4 5.86 (1) All proceedings at each central counting location shall be under the
5 direction of the municipal clerk or an election official designated by the clerk unless
6 the central counting location is at the county seat ~~and the municipal clerk delegates~~
7 ~~the responsibility to supervise the location to the county clerk~~, in which case the
8 proceedings shall be under the direction of the county clerk or an election official
9 designated by the county clerk. If for any municipality the central counting location
10 is at the county seat and the municipal clerk authorizes the early canvassing of
11 absentee ballots under s. 7.525, the county clerk or the county clerk's designee shall
12 begin the proceedings for that municipality on the day before the election consistent
13 with that section. Unless election officials are selected under s. 7.30 (4) (c) without
14 regard to party affiliation, the employees at each central counting location, other
15 than any specially trained technicians who are required for the operation of the
16 automatic tabulating equipment, shall be equally divided between members of the
17 2 major political parties under s. 7.30 (2) (a) and all duties performed by the
18 employees shall be by teams consisting of an equal number of members of each
19 political party whenever sufficient persons from each party are available.

20 **SECTION 770.** 6.15 (4) (b) of the statutes is amended to read:

21 6.15 (4) (b) During polling hours, or between 7 a.m. and 8 p.m. on the day before
22 the election if authorized for that election under s. 7.525, the inspectors shall open
23 each carrier envelope, announce the elector's name, check the affidavit for proper
24 execution, and check the voting qualifications for the ward, if any. In municipalities
25 where absentee ballots are canvassed under s. 7.52, the municipal board of absentee

1 ballot canvassers shall perform this function at a meeting of the board of absentee
2 ballot canvassers.

3 **SECTION 771.** 6.86 (1) (b) of the statutes is amended to read:

4 6.86 (1) (b) Except as provided in this section, if application is made by mail,
5 the application shall be received no later than 5 p.m. on the 5th day immediately
6 preceding the election. If application is made in person, the application shall be
7 made ~~no earlier than 14 days preceding the election and~~ no later than the Sunday
8 preceding the election. No application may be received on a legal holiday. A
9 municipality shall specify the hours in the notice under s. 10.01 (2) (e). The
10 municipal clerk or an election official shall witness the certificate for any in-person
11 absentee ballot cast. Except as provided in par. (c), if the elector is making written
12 application for an absentee ballot at the partisan primary, the general election, the
13 presidential preference primary, or a special election for national office, and the
14 application indicates that the elector is a military elector, as defined in s. 6.34 (1), the
15 application shall be received by the municipal clerk no later than 5 p.m. on election
16 day. If the application indicates that the reason for requesting an absentee ballot is
17 that the elector is a sequestered juror, the application shall be received no later than
18 5 p.m. on election day. If the application is received after 5 p.m. on the Friday
19 immediately preceding the election, the municipal clerk or the clerk's agent shall
20 immediately take the ballot to the court in which the elector is serving as a juror and
21 deposit it with the judge. The judge shall recess court, as soon as convenient, and
22 give the elector the ballot. The judge shall then witness the voting procedure as
23 provided in s. 6.87 and shall deliver the ballot to the clerk or agent of the clerk who
24 shall deliver it to the polling place election inspectors of the proper ward or election
25 district or, in municipalities where absentee ballots are canvassed under s. 7.52, to

1 the municipal clerk as required in s. 6.88. If application is made under sub. (2) or
2 (2m), the application may be received no later than 5 p.m. on the Friday immediately
3 preceding the election.

4 **SECTION 772.** 6.87 (6) of the statutes is amended to read:

5 6.87 (6) The ballot shall be returned so it is delivered to the ~~polling place~~
6 election inspectors of the proper ward or election district no later than 8 p.m. on
7 election day. Except in municipalities where absentee ballots are canvassed under
8 s. 7.52, if the municipal clerk receives an absentee ballot on election day, the clerk
9 shall secure the ballot and cause the ballot to be delivered to the polling place serving
10 the elector's residence before 8 p.m. Any ballot not mailed or delivered as provided
11 in this subsection may not be counted.

12 **SECTION 773.** 6.88 (1) of the statutes is amended to read:

13 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,
14 or at an alternate site under s. 6.855, if applicable, the clerk shall enclose it,
15 unopened, in a carrier envelope which shall be securely sealed and endorsed with the
16 name and official title of the clerk, and the words "This envelope contains the ballot
17 of an absent elector and must be opened ~~in the same room where votes are being cast~~
18 ~~at the polls during polling hours on election day or, in municipalities where absentee~~
19 ~~ballots are canvassed under s. 7.52, stats., at a meeting of the municipal board of~~
20 ~~absentee ballot canvassers under s. 7.52, stats~~ only as provided by law." If the elector
21 is a military elector, as defined in s. 6.34 (1), or an overseas elector, regardless of
22 whether the elector qualifies as a resident of this state under s. 6.10, and the ballot
23 was received by the elector by facsimile transmission or electronic mail and is
24 accompanied by a separate certificate, the clerk shall enclose the ballot in a
25 certificate envelope and securely append the completed certificate to the outside of

1 the envelope before enclosing the ballot in the carrier envelope. The clerk shall keep
2 the ballot in the clerk's office or at the alternate site, if applicable until delivered, as
3 required in sub. (2).

4 **SECTION 774.** 6.88 (3) (a) of the statutes is amended to read:

5 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed
6 under s. 7.52, at any time between the opening and closing of the polls on election day,
7 or between 7 a.m. and 8 p.m. on the day before the election if authorized for that
8 election under s. 7.525, the inspectors shall, in the same room where votes are being
9 cast, or in the place where absentee ballots begin being canvassed early under s.
10 7.525, in such a manner that members of the public can hear and see the procedures,
11 open the carrier envelope only, and announce the name of the absent elector or the
12 identification serial number of the absent elector if the elector has a confidential
13 listing under s. 6.47 (2). When the inspectors find that the certification has been
14 properly executed, the applicant is a qualified elector of the ward or election district,
15 and the applicant has not voted in the election, they shall enter an indication on the
16 poll list next to the applicant's name indicating an absentee ballot is cast by the
17 elector. They shall then open the envelope containing the ballot in a manner so as
18 not to deface or destroy the certification thereon. The inspectors shall take out the
19 ballot without unfolding it or permitting it to be unfolded or examined. Unless the
20 ballot is cast under s. 6.95, the inspectors shall verify that the ballot has been
21 endorsed by the issuing clerk. If the poll list indicates that proof of residence under
22 s. 6.34 is required and proof of residence is enclosed, the inspectors shall enter both
23 the type of identifying document submitted by the absent elector and the name of the
24 entity or institution that issued the identifying document on the poll list in the space
25 provided. If the poll list indicates that proof of residence under s. 6.34 is required and

1 no proof of residence is enclosed or the name or address on the document that is
2 provided is not the same as the name and address shown on the poll list, the
3 inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall then
4 deposit the ballot into the proper ballot box and enter the absent elector's name or
5 voting number after his or her name on the poll list in the same manner as if the
6 elector had been present and voted in person.

7 **SECTION 775.** 7.52 (1) (a) of the statutes is amended to read:

8 7.52 (1) (a) The governing body of any municipality may provide by ordinance
9 that, in lieu of canvassing absentee ballots at polling places under s. 6.88, the
10 municipal board of absentee ballot canvassers designated under s. 7.53 (2m) shall,
11 at each election held in the municipality, canvass all absentee ballots received by the
12 municipal clerk by 8 p.m. on election day. Prior to enacting an ordinance under this
13 subsection, the municipal clerk or board of election commissioners of the
14 municipality shall notify the elections commission in writing of the proposed
15 enactment and shall consult with the elections commission concerning
16 administration of this section. At every election held in the municipality following
17 enactment of an ordinance under this subsection, the board of absentee ballot
18 canvassers shall, between 7 a.m. and 8 p.m. on the day before the election if
19 authorized for that election under s. 7.525 or any time after the opening of the polls
20 and before 10 p.m. on election day, publicly convene to count the absentee ballots for
21 the municipality. The municipal clerk shall give at least 48 hours' notice of any
22 meeting under this subsection. Any member of the public has the same right of
23 access to a meeting of the municipal board of absentee ballot canvassers under this
24 subsection that the individual would have under s. 7.41 to observe the proceedings
25 at a polling place. The board of absentee ballot canvassers may order the removal

1 of any individual exercising the right to observe the proceedings if the individual
2 disrupts the meeting.

3 **SECTION 776.** 7.52 (10) of the statutes is created to read:

4 7.52 (10) If, subject to s. 7.525, absentee ballots begin being canvassed under
5 this section on the day before the election, no action under subs. (4) to (8) may be
6 performed before election day.

7 **SECTION 777.** 7.525 of the statutes is created to read:

8 **7.525 Early canvassing of absentee ballots. (1) AUTHORIZING EARLY**
9 **CANVASSING; REQUIREMENTS.** (a) 1. The municipal clerk or municipal board of election
10 commissioners may elect to begin the canvassing of absentee ballots received by the
11 municipal clerk on the day before any election.

12 2. Prior to the canvass under subd. 1., the municipal clerk or municipal board
13 of election commissioners shall notify the elections commission in writing and shall
14 consult with the elections commission concerning administration of this section.

15 (b) Ballots may be canvassed early under this section only between 7 a.m. and
16 8 p.m. on the day before the election and may not be tallied until after the polls close
17 on election day.

18 (c) Any member of the public has the same right of access to a place where
19 absentee ballots are being canvassed early under this section that the individual
20 would have under s. 7.41 to observe the proceedings at a polling place.

21 (d) When not in use, automatic tabulating equipment used for purposes of this
22 section and the areas where the programmed media, memory devices, and ballots are
23 housed shall be secured with tamper-evident security seals in a double-lock location
24 such as a locked cabinet inside a locked office.

1 (e) No person may act in any manner that would give him or her the ability to
2 know or to provide information on the accumulating or final results from the ballots
3 canvassed early under this section before the close of the polls on election day. A
4 person who violates this paragraph is guilty of a Class I felony.

5 (2) NOTICE REQUIREMENTS. Absentee ballots may not begin being canvassed
6 early under this section for any election unless all of the following apply:

7 (a) At least 70 days before the election the municipal clerk or executive director
8 of the municipal board of election commissioners notifies in writing the county clerk
9 or executive director of the county board of election commissioners that early
10 canvassing of absentee ballots will take place in the election.

11 (b) The notice under s. 10.01 (2) (e) specifies the date and time during which,
12 and each location where, the early canvassing of absentee ballots will be conducted.”.

13 **320.** Page 374, line 11: after that line insert:

14 “**SECTION 778.** 5.86 (1) of the statutes is amended to read:

15 5.86 (1) All proceedings at each central counting location shall be under the
16 direction of the municipal clerk or an election official designated by the clerk unless
17 the central counting location is at the county seat ~~and the municipal clerk delegates~~
18 ~~the responsibility to supervise the location to the county clerk~~, in which case the
19 proceedings shall be under the direction of the county clerk or an election official
20 designated by the county clerk. If for any municipality the central counting location
21 is at the county seat and the municipal clerk authorizes the early canvassing of
22 absentee ballots under s. 7.525, the county clerk or the county clerk’s designee shall
23 begin the proceedings for that municipality on the day before the election consistent
24 with that section. Unless election officials are selected under s. 7.30 (4) (c) without

1 regard to party affiliation, the employees at each central counting location, other
2 than any specially trained technicians who are required for the operation of the
3 automatic tabulating equipment, shall be equally divided between members of the
4 2 major political parties under s. 7.30 (2) (a) and all duties performed by the
5 employees shall be by teams consisting of an equal number of members of each
6 political party whenever sufficient persons from each party are available.”.

7 **321.** Page 374, line 11: after that line insert:

8 “**SECTION 779.** 6.86 (1) (b) of the statutes is amended to read:

9 6.86 (1) (b) Except as provided in this section, if application is made by mail,
10 the application shall be received no later than 5 p.m. on the 5th day immediately
11 preceding the election. If application is made in person, the application shall be
12 made ~~no earlier than 14 days preceding the election and~~ no later than the Sunday
13 preceding the election. No application may be received on a legal holiday. A
14 municipality shall specify the hours in the notice under s. 10.01 (2) (e). The
15 municipal clerk or an election official shall witness the certificate for any in-person
16 absentee ballot cast. Except as provided in par. (c), if the elector is making written
17 application for an absentee ballot at the partisan primary, the general election, the
18 presidential preference primary, or a special election for national office, and the
19 application indicates that the elector is a military elector, as defined in s. 6.34 (1), the
20 application shall be received by the municipal clerk no later than 5 p.m. on election
21 day. If the application indicates that the reason for requesting an absentee ballot is
22 that the elector is a sequestered juror, the application shall be received no later than
23 5 p.m. on election day. If the application is received after 5 p.m. on the Friday
24 immediately preceding the election, the municipal clerk or the clerk’s agent shall

1 immediately take the ballot to the court in which the elector is serving as a juror and
2 deposit it with the judge. The judge shall recess court, as soon as convenient, and
3 give the elector the ballot. The judge shall then witness the voting procedure as
4 provided in s. 6.87 and shall deliver the ballot to the clerk or agent of the clerk who
5 shall deliver it to the ~~polling place~~ election inspectors of the proper ward or election
6 district or, in municipalities where absentee ballots are canvassed under s. 7.52, to
7 the municipal clerk as required in s. 6.88. If application is made under sub. (2) or
8 (2m), the application may be received no later than 5 p.m. on the Friday immediately
9 preceding the election.”.

10 **322.** Page 374, line 11: after that line insert:

11 “**SECTION 780.** 6.02 (1) of the statutes is amended to read:

12 6.02 (1) Every U.S. citizen age 18 or older who has resided in an election district
13 or ward for ~~28~~ 10 consecutive days before any election where the citizen offers to vote
14 is an eligible elector.

15 **SECTION 781.** 6.02 (2) of the statutes is amended to read:

16 6.02 (2) Any U.S. citizen age 18 or older who moves within this state later than
17 ~~28~~ 10 days before an election shall vote at his or her previous ward or election district
18 if the person is otherwise qualified. If the elector can comply with the ~~28-day~~ 10-day
19 residence requirement at the new address and is otherwise qualified, he or she may
20 vote in the new ward or election district.

21 **SECTION 782.** 6.10 (3) of the statutes is amended to read:

22 6.10 (3) When an elector moves his or her residence from one ward or
23 municipality to another ward or municipality within the state at least ~~28~~ 10 days
24 before the election, the elector may vote in and be considered a resident of the new

1 ward or municipality where residing upon registering at the proper polling place or
2 other registration location in the new ward or municipality under s. 6.55 (2) or 6.86
3 (3) (a) 2. If the elector moves his or her residence later than ~~28~~ 10 days before an
4 election, the elector shall vote in the elector's former ward or municipality if
5 otherwise qualified to vote there.

6 **SECTION 783.** 6.10 (4) of the statutes is amended to read:

7 6.10 (4) The residence of an unmarried person sleeping in one ward and
8 boarding in another is the place where the person sleeps. The residence of an
9 unmarried person in a transient vocation, a teacher or a student who boards at
10 different places for part of the week, month, or year, if one of the places is the
11 residence of the person's parents, is the place of the parents' residence unless through
12 registration or similar act the person elects to establish a residence elsewhere. If the
13 person has no parents and if the person has not registered elsewhere, the person's
14 residence shall be at the place that the person considered his or her residence in
15 preference to any other for at least ~~28~~ 10 consecutive days before an election. If this
16 place is within the municipality, the person is entitled to all the privileges and subject
17 to all the duties of other citizens having their residence there, including voting.

18 **SECTION 784.** 6.15 (1) of the statutes is amended to read:

19 6.15 (1) QUALIFICATIONS. Any person who was or who is an eligible elector under
20 ss. 6.02 and 6.03, except that he or she has been a resident of this state for less than
21 ~~28~~ 10 consecutive days prior to the date of the presidential election, is entitled to vote
22 for the president and vice president but for no other offices. The fact that the person
23 was not registered to vote in the state from which he or she moved does not prevent
24 voting in this state if the elector is otherwise qualified.

25 **SECTION 785.** 6.15 (2) (a) of the statutes is amended to read:

1 6.15 (2) (a) The elector's request for the application form may be made in person
2 to the municipal clerk of the municipality where the person resides. Application may
3 be made not sooner than 27 9 days nor later than 5 p.m. on the day before the election,
4 or may be made at the proper polling place in the ward or election district in which
5 the elector resides. If an elector makes application before election day, the
6 application form shall be returned to the municipal clerk after the affidavit has been
7 signed in the presence of the clerk or any officer authorized by law to administer
8 oaths. The affidavit shall be in substantially the following form:

9 STATE OF WISCONSIN

10 County of

11 I,, do solemnly swear that I am a citizen of the United States; that prior to
12 establishing Wisconsin residence, my legal residence was in the (town) (village)
13 (city) of, state of, residing at (street address); that on the day of the next
14 presidential election, I shall be at least 18 years of age and that I have been a legal
15 resident of the state of Wisconsin since, (year), residing at (street address),
16 in the [... ward of the ... aldermanic district of] the (town) (village) (city) of, county
17 of; that I have resided in the state less than 28 10 consecutive days, that I am
18 qualified to vote for president and vice president at the election to be held November
19, (year), that I am not voting at any other place in this election and that I hereby
20 make application for an official presidential ballot, in accordance with section 6.15
21 of the Wisconsin statutes.

22 Signed

23 P.O. Address

24 Subscribed and sworn to before me this day of, (year)

25 (Name)

1 (Title)

2 **SECTION 786.** 6.18 (form) of the statutes is amended to read:

3 **6.18** (form) This form shall be returned to the municipal clerk's office.
4 Application must be received in sufficient time for ballots to be mailed and returned
5 prior to any presidential election at which applicant wishes to vote. Complete all
6 statements in full.

7 APPLICATION FOR PRESIDENTIAL

8 ELECTOR'S ABSENTEE BALLOT

9 (To be voted at the Presidential Election
10 on November, (year)

11 I, hereby swear or affirm that I am a citizen of the United States, formerly
12 residing at in the ward aldermanic district (city, town, village) of, County
13 of for ~~28~~ 10 consecutive days prior to leaving the State of Wisconsin. I, do
14 solemnly swear or affirm that I do not qualify to register or vote under the laws of
15 the State of(State you now reside in) where I am presently residing. A citizen must
16 be a resident of: State(Insert time) County(Insert time) City, Town or Village
17(Insert time), in order to be eligible to register or vote therein. I further swear or
18 affirm that my legal residence was established in the State of(the State where you
19 now reside) on Month Day Year.

20 Signed

21 Address(Present address)

22 (City)(State)

23 Subscribed and sworn to before me this day of (year)

24 (Notary Public, or other officer authorized to administer oaths.)

25 (County)

1 My Commission expires

2 MAIL BALLOT TO:

3 NAME

4 ADDRESS

5 CITY STATE ZIP CODE

6 *Penalties for Violations.* Whoever swears falsely to any absent elector affidavit
7 under this section may be fined not more than \$1,000 or imprisoned for not more than
8 6 months or both. Whoever intentionally votes more than once in an election may
9 be fined not more than \$10,000 or imprisoned for not more than 3 years and 6 months
10 or both.

11(Municipal Clerk)

12(Municipality)

13 **SECTION 787.** 6.22 (7) of the statutes is amended to read:

14 6.22 (7) EXTENSION OF PRIVILEGE. This section applies to all military electors for
15 ~~28~~ 10 days after the date of discharge from a uniformed service or termination of
16 services or employment of individuals specified in sub. (1) (b) 1. to 4.

17 **SECTION 788.** 6.29 (2) (a) of the statutes is amended to read:

18 6.29 (2) (a) Any qualified elector of a municipality who has not previously filed
19 a registration form or whose name does not appear on the registration list of the
20 municipality may register after the close of registration but not later than 5 p.m. or
21 the close of business, whichever is later, on the Friday before an election at the office
22 of the municipal clerk and at the office of the clerk's agent if the clerk delegates
23 responsibility for electronic maintenance of the registration list to an agent under
24 s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2),
25 a registration form containing all information required under s. 6.33 (1). The

1 registration form shall also contain the following certification: “I,, hereby certify
2 that, to the best of my knowledge, I am a qualified elector, having resided at ... for
3 at least ~~28~~ 10 consecutive days immediately preceding this election, and I have not
4 voted at this election”. The elector shall also provide proof of residence under s. 6.34.

5 **SECTION 789.** 6.55 (2) (a) (form) of the statutes is amended to read:

6 6.55 (2) (a) (form) “I,, hereby certify that, to the best of my knowledge, I am
7 a qualified elector, having resided at for at least ~~28~~ 10 consecutive days
8 immediately preceding this election, and I have not voted at this election.”

9 **SECTION 790.** 6.85 (2) of the statutes is amended to read:

10 6.85 (2) Any otherwise qualified elector who changes residence within this
11 state by moving to a different ward or municipality later than ~~28~~ 10 days prior to an
12 election may vote an absentee ballot in the ward or municipality where he or she was
13 qualified to vote before moving.

14 **SECTION 791.** 6.87 (2) (form) of the statutes is amended to read:

15 6.87 (2) (form)

16 [STATE OF

17 County of]

18 or

19 [(name of foreign country and city or other jurisdictional unit)]

20 I,, certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false
21 statements, that I am a resident of the [... ward of the] (town) (village) of, or of
22 the aldermanic district in the city of, residing at* in said city, the county
23 of, state of Wisconsin, and am entitled to vote in the (ward) (election district) at
24 the election to be held on; that I am not voting at any other location in this election;
25 that I am unable or unwilling to appear at the polling place in the (ward) (election

1 district) on election day or have changed my residence within the state from one ward
2 or election district to another later than 28 10 days before the election. I certify that
3 I exhibited the enclosed ballot unmarked to the witness, that I then in (his) (her)
4 presence and in the presence of no other person marked the ballot and enclosed and
5 sealed the same in this envelope in such a manner that no one but myself and any
6 person rendering assistance under s. 6.87 (5), Wis. Stats., if I requested assistance,
7 could know how I voted.

8 Signed

9 Identification serial number, if any:

10 The witness shall execute the following:

11 I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis.
12 Stats., for false statements, certify that I am an adult U.S. citizen** and that the
13 above statements are true and the voting procedure was executed as there stated.
14 I am not a candidate for any office on the enclosed ballot (except in the case of an
15 incumbent municipal clerk). I did not solicit or advise the elector to vote for or against
16 any candidate or measure.

17(Printed name)

18(Address)***

19 Signed

20 * — An elector who provides an identification serial number issued under s.
21 6.47 (3), Wis. Stats., need not provide a street address.

22 ** — An individual who serves as a witness for a military elector or an overseas
23 elector voting absentee, regardless of whether the elector qualifies as a resident of
24 Wisconsin under s. 6.10, Wis. Stats., need not be a U.S. citizen but must be 18 years
25 of age or older.

1 *** — If this form is executed before 2 special voting deputies under s. 6.875 (6),
2 Wis. Stats., both deputies shall witness and sign.

3 **SECTION 792.** 6.94 of the statutes is amended to read:

4 **6.94 Challenged elector oath.** If the person challenged refuses to answer
5 fully any relevant questions put to him or her by the inspector under s. 6.92, the
6 inspectors shall reject the elector's vote. If the challenge is not withdrawn after the
7 person offering to vote has answered the questions, one of the inspectors shall
8 administer to the person the following oath or affirmation: "You do solemnly swear
9 (or affirm) that: you are 18 years of age; you are a citizen of the United States; you
10 are now and for ~~28~~ 10 consecutive days have been a resident of this ward except under
11 s. 6.02 (2); you have not voted at this election; you have not made any bet or wager
12 or become directly or indirectly interested in any bet or wager depending upon the
13 result of this election; you are not on any other ground disqualified to vote at this
14 election". If the person challenged refuses to take the oath or affirmation, the
15 person's vote shall be rejected. If the person challenged answers fully all relevant
16 questions put to the elector by the inspector under s. 6.92, takes the oath or
17 affirmation, and fulfills the applicable registration requirements, and if the answers
18 to the questions given by the person indicate that the person meets the voting
19 qualification requirements, the person's vote shall be received.

20 **SECTION 793.** 7.52 (5) (b) of the statutes is amended to read:

21 **7.52 (5) (b)** For the purpose of deciding upon ballots that are challenged for any
22 reason, the board of absentee ballot canvassers may call before it any person whose
23 absentee ballot is challenged if the person is available to be called. If the person
24 challenged refuses to answer fully any relevant questions put to him or her by the
25 board of absentee ballot canvassers under s. 6.92, the board of absentee ballot

1 canvassers shall reject the person's vote. If the challenge is not withdrawn after the
2 person offering to vote has answered the questions, one of the members of the board
3 of absentee ballot canvassers shall administer to the person the following oath or
4 affirmation: "You do solemnly swear (or affirm) that: you are 18 years of age; you are
5 a citizen of the United States; you are now and for ~~28~~ 10 consecutive days have been
6 a resident of this ward except under s. 6.02 (2), stats.; you have not voted at this
7 election; you have not made any bet or wager or become directly or indirectly
8 interested in any bet or wager depending upon the result of this election; you are not
9 on any other ground disqualified to vote at this election." If the person challenged
10 refuses to take the oath or affirmation, the person's vote shall be rejected. If the
11 person challenged answers fully all relevant questions put to the elector by the board
12 of absentee ballot canvassers under s. 6.92, takes the oath or affirmation, and fulfills
13 the applicable registration requirements, and if the answers to the questions given
14 by the person indicate that the person meets the voting qualification requirements,
15 the person's vote shall be received."

16 **323.** Page 374, line 11: after that line insert:

17 **"SECTION 794.** 5.35 (6) (a) 4c. of the statutes is created to read:

18 5.35 (6) (a) 4c. A voter bill of rights in substantially the following form:

19 **VOTER BILL OF RIGHTS**

20 **You have the following rights:**

21 • **The right to vote if you are registered and eligible to vote.** You are
22 eligible to vote if you (1) are a U.S. citizen, (2) are at least 18 years old, (3) are
23 registered where you currently live, (4) are not currently serving any portion of a
24 felony sentence, including probation or supervision, (5) are not currently found

1 mentally incompetent to vote by a court, and (6) have not placed a bet or a wager on
2 the outcome of the election.

3 • **The right to inspect a sample ballot before voting.**

4 • **The right to cast a ballot if you are in line when your polling place**
5 **closes** or when your municipal clerk's office closes if you are voting by in-person
6 absentee ballot on the last day for which such voting is allowed.

7 • **The right to cast a secret ballot**, without anyone bothering you or telling
8 you how to vote.

9 • **If you have a disability, the right to get help casting your ballot** from
10 anyone you choose, except from your employer or union representative.

11 • **The right to get help voting in a language other than English** if enough
12 voters where you live speak your language.

13 • **The right to get a new ballot if you made a mistake.** You can get up to
14 3 ballots in all if you make a mistake and have not already cast your ballot.

15 • **The right to cast a provisional ballot.** You can cast a provisional ballot
16 if you are unable or unwilling to provide required proof of identification for voting or
17 a valid driver license or identification card number for registering to vote on election
18 day. Your provisional ballot will not be counted unless you provide the required
19 information to the poll workers by 8:00 p.m. on election day or to the municipal clerk
20 by 4:00 p.m. of the Friday following the election.

21 • **The right to have your ballot counted accurately.**

22 • **The right to vote free from coercion or intimidation by any election**
23 **official or other person.**

24 • **The right to report any illegal or fraudulent election activity** to an
25 elections official or the State of Wisconsin Elections Commission.”.

1 **324.** Page 374, line 12: before that line insert:

2 “**SECTION 795.** 5.056 of the statutes is amended to read:

3 **5.056 Matching program with secretary of transportation.** The
4 commission administrator shall enter into the agreement with the secretary of
5 transportation specified under s. 85.61 (1) to match personally identifiable
6 information on the official registration list maintained by the commission under s.
7 6.36 (1) and the information specified in s. ss. 6.256 (2) and 6.34 (2m) with personally
8 identifiable information maintained by the department of transportation. Subject
9 to s. 343.14 (2p) (b), the agreement shall provide for the electronic transfer of
10 information under s. 6.256 (2) to the commission on a continuous basis, no less often
11 than weekly.

12 **SECTION 796.** 6.256 of the statutes is created to read:

13 **6.256 Facilitating registration of electors. (1)** The commission shall use
14 all feasible means to facilitate the registration of all eligible electors of this state and
15 the maintenance of the registration of all eligible electors for so long as they remain
16 eligible.

17 **(2)** Subject to s. 343.14 (2p) (b), for the purpose of carrying out its functions
18 under sub. (1), the commission shall obtain the following information from the
19 department of transportation, to the extent that the department has the
20 information:

21 (a) The full name of each individual who holds a current operator’s license
22 issued to the individual under ch. 343 or a current identification card issued to the
23 individual under s. 343.50, together with the following information pertaining to
24 that individual:

1 1. The current address of the individual together with any address history and
2 any name history maintained by the department of transportation.

3 2. The date of birth of the individual.

4 3. The number of the license or identification card issued to the individual.

5 4. A copy of each document that the applicant provided as proof of citizenship
6 and a statement from the department of transportation indicating that the
7 department verified the applicant's citizenship.

8 (b) For each item of information specified in par. (a), the most recent date that
9 the item of information was provided to or obtained by the department of
10 transportation.

11 **(3)** The commission shall compare the information obtained under sub. (2) with
12 the information in the registration list under s. 6.36 (1) (a). If the commission finds
13 any discrepancy between the information obtained under sub. (2) regarding an
14 elector and the information in the registration list under s. 6.36 (1) (a) regarding that
15 elector, the commission shall attempt to contact the elector to resolve the discrepancy
16 and update the registration list accordingly. If the commission is unable to resolve
17 the discrepancy, the information in the registration list shall control.

18 **(4)** If the commission concludes that an individual appears eligible to vote in
19 this state but is not registered and the commission has obtained from reliable sources
20 all the information required under s. 6.33 (1) to complete the individual's
21 registration, the commission shall enter the individual's name on the registration list
22 maintained under s. 6.36 (1) (a). If the commission has not obtained from reliable
23 sources all the information pertaining to an individual that is required under s. 6.33
24 (1), the commission shall attempt to obtain from reliable sources the necessary
25 information under s. 6.33 (1) that is required to complete the individual's

1 registration. If an elector's status has been changed from eligible to ineligible under
2 s. 6.50 and the elector's eligibility, name, or residence has not changed, the
3 commission may not change the individual's name to eligible status unless the
4 commission first verifies that the individual is eligible and wishes to change his or
5 her status to eligible.

6 (5) The commission shall attempt to contact an individual described in sub. (4)
7 if necessary to obtain all the information specified in s. 6.33 (1) pertaining to the
8 individual that is required to complete the individual's registration.

9 (6) The commission shall mail a notice to each individual whose name the
10 commission enters under sub. (4) on the registration list maintained under s. 6.36
11 (1) (a). The notice shall be printed in English, Spanish, and other languages spoken
12 by a significant number of state residents, as determined by the commission, and
13 shall include all of the following:

14 (a) A statement informing the individual that his or her name has been entered
15 on the registration list and showing the current address for the individual based on
16 the commission's records.

17 (b) A statement informing the individual that he or she may request to have
18 his or her name deleted from the registration list and instructions for doing so.

19 (c) Instructions for notifying the commission of a change in name or address.

20 (d) Instructions for obtaining a confidential listing under s. 6.47 (2) and a
21 description of how an individual qualifies for a confidential listing.

22 (7) Any individual may file a request with the commission to exclude his or her
23 name from the registration list maintained under s. 6.36 (1) (a). Any individual
24 whose name is added to the registration list by the commission may file a request
25 with the commission or a municipal clerk to have his or her name deleted from the

1 list. A request for exclusion or deletion shall be filed in the manner prescribed by the
2 commission. An individual who files an exclusion or deletion request under this
3 subsection may revoke his or her request by the same means that an individual may
4 request an exclusion or deletion. The commission shall ensure that the name of any
5 individual who has filed an exclusion or deletion request under this subsection is
6 excluded from the registration list or, if the individual's name appears on the list, is
7 removed from the registration list and is not added to the list at any subsequent time
8 unless the individual files a revocation of his or her request under this subsection.

9 (8) If the commission removes from the registration list maintained under s.
10 6.36 (1) (a) the name of an elector who does not request that his or her name be
11 deleted, or changes the elector's status from eligible to ineligible, other than to
12 correct an entry that the commission determines to be a duplication or to change the
13 name of an individual who is verified to be deceased to ineligible status, the
14 commission shall mail the individual a notice of the removal or change in status by
15 1st class postcard at the individual's last-known address. The notice shall provide
16 that the individual may apply to have his or her status changed to eligible if he or
17 she is a qualified elector.

18 (9) The commission shall attempt to facilitate the initial registration of all
19 eligible electors as soon as practicable.

20 (10) The commission shall maintain the confidentiality of all information
21 obtained from the department of transportation under sub. (2) and may use this
22 information only for the purpose of carrying out its functions under sub. (1) and s.
23 6.34 (2m) and in accordance with the agreement under s. 85.61 (1).

24 **SECTION 797.** 16.971 (2) (o) of the statutes is created to read:

