



State of Wisconsin
2023 - 2024 LEGISLATURE

LRBb0606/1
ALL:all

**SENATE AMENDMENT 1,
TO SENATE SUBSTITUTE AMENDMENT 2,
TO SENATE BILL 70**

June 28, 2023 - Offered by Senators AGARD, CARPENTER, HESSELBEIN, L. JOHNSON,
LARSON, PFAFF, ROYS, SMITH, SPREITZER, TAYLOR and WIRCH.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 22, line 15: under compensation reserves on page 23, delete the dollar
3 amount under fiscal year 2023-24 and substitute “365,260,700” and delete the dollar
4 amount under fiscal year 2024-25 and substitute “581,614,700”.

5 **2.** Page 24, line 1: delete that line and substitute:

6 **“SUMMARY OF COMPENSATION RESERVES — ALL FUNDS**

	2023-24		2024-25
General Purpose Revenue	\$ 365,260,700	\$	581,614,700
Federal Revenue	80,773,600		112,308,700
Program Revenue	141,762,100		197,108,000
Segregated Revenue	<u>79,684,500</u>		<u>110,794,400</u>
TOTAL	\$ 667,480,900	\$	1,001,825,800”.

1 **3.** Page 45, line 13: increase the dollar amount for fiscal year 2023-24 by
2 \$36,700 and increase the dollar amount for fiscal year 2024-25 by \$47,100 to
3 increase the authorized FTE positions by 0.5 PR position to establish an agency
4 equity officer responsible for collaborating with the chief equity officer in the
5 department of administration and with other agency equity officers to identify
6 opportunities to advance equity in government operations.

7 **4.** Page 45, line 13: increase the dollar amount for fiscal year 2023-24 by
8 \$247,500 and increase the dollar amount for fiscal year 2024-25 by \$275,000 to
9 implement and administer the ABLE program under s. 224.55 and to increase the
10 authorized FTE positions by 1.0 PR position for this purpose.

11 **5.** Page 45, line 13: increase the dollar amount for fiscal year 2023-24 by
12 \$3,393,100 and increase the dollar amount for fiscal year 2024-25 by \$3,393,100 to
13 provide operational funding including for the maintenance and upgrade of critical
14 information technology infrastructure, financial examiner travel and training costs,
15 and accreditation costs, along with limited-term-employee salary and fringe costs.

16 **6.** Page 45, line 13: increase the dollar amount for fiscal year 2024-25 by
17 \$1,115,900 for onetime funding to modernize the department of financial
18 institutions' charitable and professional organizations technology system.

19 **7.** Page 45, line 13: increase the dollar amount for fiscal year 2023-24 by
20 \$724,500 for modernization of the department of financial institutions' Uniform
21 Commercial Code and trademark processing and filing technology systems.

22 **8.** Page 45, line 13: increase the dollar amount for fiscal year 2024-25 by
23 \$1,038,900 in onetime funding to update and enhance the department of financial
24 institutions' securities filing technology systems.

1 **9.** Page 47, line 14: after that line insert:

2 “**SECTION 1.** 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 **20.144 Financial Institutions, Department of**

5 (4) SMALL BUSINESS RETIREMENT SAVINGS PROGRAM

6 (a) General program operations GPR A 2,000,000 -0-

7 (g) Program operations; other funds PR C 63,200 81,000”.

8 **10.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
9 \$84,650 and increase the dollar amount for fiscal year 2024-25 by \$84,650 to
10 increase the authorized FTE positions by 1.0 PR position in the division of legal
11 services and compliance in the department of safety and professional services for an
12 attorney for business and trades complaints and other compliance.

13 **11.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
14 \$169,250 and increase the dollar amount for fiscal year 2024-25 by \$169,500 to
15 increase the authorized FTE positions by 2.0 PR positions in the division of legal
16 services and compliance in the department of safety and professional services for
17 attorneys for the prescription drug monitoring program.

18 **12.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
19 \$146,000 and increase the dollar amount for fiscal year 2024-25 by \$146,000 to
20 increase the authorized FTE positions by 1.0 PR position in the division of legal
21 services and compliance in the department of safety and professional services for a

1 pharmacy practices consultant for inspections of primarily nonretail pharmacy
2 locations.

3 **13.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
4 \$78,550 and increase the dollar amount for fiscal year 2024-25 by \$78,550 to
5 increase the authorized FTE positions by 1.0 PR position in the division of legal
6 services and compliance in the department of safety and professional services for a
7 real estate specialist for appraisals attorneys for the prescription drug monitoring
8 program.

9 **14.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
10 \$151,200 and increase the dollar amount for fiscal year 2024-25 by \$151,200 to
11 increase the authorized FTE positions by 2.0 PR positions in the division of legal
12 services and compliance in the department of safety and professional services for a
13 consumer protection investigator and a consumer protection investigator-senior for
14 investigations related to the prescription drug monitoring program.

15 **15.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
16 \$78,550 and increase the dollar amount for fiscal year 2024-25 by \$78,550 to
17 increase the authorized FTE positions by 1.0 PR project position in the division of
18 legal services and compliance in the department of safety and professional services
19 for a 2-year project program and policy analyst for credential board data analysis
20 and informational responses to internal and external parties.

21 **16.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
22 \$78,550 and increase the dollar amount for fiscal year 2024-25 by \$78,550 to
23 increase the authorized FTE positions by 1.0 PR position in the division of policy
24 development in the department of safety and professional services for an

1 administrative policy advisor for facilitating operations of credentialing and
2 examining boards.

3 **17.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
4 \$78,550 and increase the dollar amount for fiscal year 2024-25 by \$78,550 to
5 increase the authorized FTE positions by 1.0 PR position in the division of policy
6 development in the department of safety and professional services for an
7 administrative rules coordinator for facilitating operations of credentialing and
8 examining boards.

9 **18.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
10 \$1,771,800 and increase the dollar amount for fiscal year 2024-25 by \$1,771,800 for
11 the purpose for which the appropriation is made.

12 **19.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
13 \$479,600 and increase the dollar amount for fiscal year 2024-25 by \$617,300 to
14 increase the authorized FTE positions by 8.0 PR license and permit program
15 associate positions.

16 **20.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
17 \$113,200 and increase the dollar amount for fiscal year 2024-25 by \$292,000 to
18 support information technology function costs charged by the division of enterprise
19 technology in the department of administration.

20 **21.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
21 \$113,200 and increase the dollar amount for fiscal year 2024-25 by \$143,000 to
22 provide funding to help individuals navigate the credentialing process and to
23 increase the authorized FTE positions by 2.0 PR positions for this purpose.

1 **22.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
2 \$121,400 and increase the dollar amount for fiscal year 2024-25 by \$154,800 to
3 provide funding to increase the authorized FTE positions by 2.0 PR positions for
4 interstate compact development and licensure research.

5 **23.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
6 \$219,800 and increase the dollar amount for fiscal year 2024-25 by \$280,100 to
7 provide funding to increase the authorized FTE positions by 3.0 PR positions to
8 expedite licensing for applicants with out-of-state credentials.

9 **24.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
10 \$37,600 and increase the dollar amount for fiscal year 2024-25 by \$48,300 to
11 increase the authorized FTE positions by 0.5 PR position to establish an agency
12 equity officer responsible for collaborating with the chief equity officer in the
13 department of administration and with other agency equity officers to identify
14 opportunities to advance equity in government operations.

15 **25.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
16 \$72,200 and increase the dollar amount for fiscal year 2024-25 by \$93,600 to
17 increase the authorized FTE positions by 1.0 PR records management supervisor
18 position.

19 **26.** Page 51, line 15: increase the dollar amount for fiscal year 2023-24 by
20 \$465,600 and increase the dollar amount for fiscal year 2024-25 by \$581,800 to
21 increase the authorized FTE positions by 8.0 PR customer service call center
22 positions.

23 **27.** Page 55, line 14: decrease the dollar amount for fiscal year 2023-24 by
24 \$4,550,700 and decrease the dollar amount for fiscal year 2024-25 by \$4,550,700 for

1 the purpose of restructuring the Wisconsin Economic Development Corporation's
2 funding structure.

3 **28.** Page 55, line 16: increase the dollar amount for fiscal year 2023-24 by
4 \$5,000,000 and increase the dollar amount for fiscal year 2024-25 by \$5,000,000 for
5 the purpose of talent attraction and retention initiatives.

6 **29.** Page 56, line 4: increase the dollar amount for fiscal year 2023-24 by
7 \$10,000,000 and increase the dollar amount for fiscal year 2024-25 by \$9,000,000 for
8 the purpose of restructuring the Wisconsin Economic Development Corporation's
9 funding structure.

10 **30.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by
11 \$1,400 and increase the dollar amount for fiscal year 2024-25 by \$1,400 to increase
12 agency supplies and services funding. The proposed increases would be provided to
13 appropriations that meet the following criteria: in 2021-22, the agency expended 95
14 percent or more of the amount budgeted for supplies and services; and, for the
15 2023-25 biennium, no other additional supplies and services funding is being
16 proposed for a similar purpose.

17 **31.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by
18 \$64,600 and increase the dollar amount for fiscal year 2024-25 by \$86,200 to
19 increase the authorized FTE positions by 1.0 position to create an agency tribal
20 liaison position. The agency tribal liaison would be responsible for working with
21 Native American tribes and bands on behalf of the agency, as well as coordinating
22 with the Director of Native American Affairs in Department of Administration.

23 **32.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by
24 \$38,100 and increase the dollar amount for fiscal year 2024-25 by \$48,900 to

1 increase the authorized FTE positions by 0.5 position to create an agency equity
2 officer position. The agency equity officer would be responsible for collaborating with
3 the chief equity officer in the Department of Administration and with other agency
4 equity officers to identify opportunities to advance equity in government operations.

5 **33.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by
6 \$1,498,200 and increase the dollar amount for fiscal year 2024-25 by \$1,445,000 for
7 additional operations funding for supplies or contracted services.

8 **34.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by
9 \$46,100 and increase the dollar amount for fiscal year 2024-25 by \$58,000 to
10 increase the authorized FTE positions by 1.0 position to create a social media
11 assistant position.

12 **35.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by
13 \$46,100 and increase the dollar amount for fiscal year 2024-25 by \$58,000 to
14 increase the authorized FTE positions by 1.0 position to create a consumer
15 communications specialist position.

16 **36.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by
17 \$54,800 and increase the dollar amount for fiscal year 2024-25 by \$69,500 to
18 increase the authorized FTE positions by 1.0 position to create a content marketing
19 writer position.

20 **37.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by
21 \$54,800 and increase the dollar amount for fiscal year 2024-25 by \$69,500 to
22 increase the authorized FTE positions by 1.0 position to create a marketing
23 coordinator position.

1 **38.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by
2 \$54,800 and increase the dollar amount for fiscal year 2024-25 by \$69,500 for the
3 purpose of increasing the authorized FTE positions by 1.0 position to create a
4 permanent position.

5 **39.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by
6 \$149,800 and increase the dollar amount for fiscal year 2024-25 by \$149,800 and
7 increase the authorized FTE positions by 1.0 position to transfer the position and
8 related salary, fringe, and supplies funding from the Office of Marketing Services to
9 the general program operations appropriation.

10 **40.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by
11 \$1,314,300 and increase the dollar amount for fiscal year 2024-25 by \$1,352,500 to
12 create a Meetings, Conventions, and Sports Bureau and increase the authorized FTE
13 positions by 3.0 positions.

14 **41.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by
15 \$282,500 and increase the dollar amount for fiscal year 2024-25 by \$282,500 for
16 additional supplies and services for the Office of Outdoor Recreation.

17 **42.** Page 114, line 8: increase the dollar amount for fiscal year 2023-24 by
18 \$237,000 and increase the dollar amount for fiscal year 2024-25 by \$290,200 to
19 increase the authorized FTE positions by 3.0 permanent positions for the Office of
20 Outdoor Recreation.

21 **43.** Page 114, line 10: increase the dollar amount for fiscal year 2023-24 by
22 \$33,600,000 to expand marketing and advertising initiatives.

1 **44.** Page 115, line 17: increase the dollar amount for fiscal year 2023-24 by
2 \$600 and increase the dollar amount for fiscal year 2024-25 by \$600 to increase
3 agency supplies and services funding. The proposed increases would be provided to
4 appropriations that meet the following criteria: in 2021-22, the agency expended 95
5 percent or more of the amount budgeted for supplies and services; and, for the
6 2023-25 biennium, no other additional supplies and services funding is being
7 proposed for a similar purpose.

8 **45.** Page 116, line 3: increase the dollar amount for fiscal year 2023-24 by
9 \$407,200 and increase the dollar amount for fiscal year 2024-25 by \$366,900 for state
10 aid for the arts.

11 **46.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by
12 \$391,200 and increase the dollar amount for fiscal year 2024-25 by \$391,200 for the
13 purpose of contracting for access to a national database to identify relatives of a child.

14 **47.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by
15 \$740,900 and increase the dollar amount for fiscal year 2024-25 by \$740,900 to
16 increase the authorized FTE positions by 3.2 GPR contracted positions to develop a
17 youth justice case management and reporting system.

18 **48.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by
19 \$2,687,700 and increase the dollar amount for fiscal year 2024-25 by \$2,687,700 for
20 the purpose of funding statewide automated child welfare information system
21 enhancements.

22 **49.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by
23 \$195,800 and increase the dollar amount for fiscal year 2024-25 by \$204,600 for the

1 purpose of funding licensing fees and costs for a youth assessment and screening
2 instrument.

3 **50.** Page 165, line 3: decrease the dollar amount for fiscal year 2023-24 by
4 \$2,000 and decrease the dollar amount for fiscal year 2024-25 by \$2,000 for the
5 purpose of more accurately reflecting the current needs and organizational structure
6 of the agency.

7 **51.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by
8 \$600,000 and increase the dollar amount for fiscal year 2024-25 by \$600,000 to
9 support the estimated costs of disregarding up to \$10,000 of income of direct care
10 workers when applying for and calculating Wisconsin Shares subsidies.

11 **52.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by
12 \$3,852,500 and increase the dollar amount for fiscal year 2024-25 by \$3,852,500 to
13 maintain and enhance services provided to assist youth age 18 to 23 who were
14 formerly in out-of-home care, such as foster care, transition to independent living.

15 **53.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by
16 \$2,020,000 and increase the dollar amount for fiscal year 2024-25 by \$2,020,000 for
17 programs that provide services to runaway and homeless youth.

18 **54.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by
19 \$1,185,800 and increase the dollar amount for fiscal year 2024-25 by \$1,185,800 for
20 the department of children and families to develop and implement a comprehensive
21 cybersecurity plan for critical infrastructure, data, systems, and user accounts
22 across all of its information technology systems.

23 **55.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by
24 \$4,865,600 and increase the dollar amount for fiscal year 2024-25 by \$11,849,900 to

1 increase the authorized FTE positions by 4.6 positions and to fund agency services
2 and staff.

3 **56.** Page 165, line 5: increase the dollar amount for fiscal year 2023-24 by
4 \$1,200,000 and increase the dollar amount for fiscal year 2024-25 by \$3,896,000 for
5 the purpose of expanding the home visitation program under s. 48.983.

6 **57.** Page 165, line 10: increase the dollar amount for fiscal year 2023-24 by
7 \$4,264,900 and increase the dollar amount for fiscal year 2024-25 by \$4,264,900 for
8 the purpose of funding grants for youth services under s. 48.481.

9 **58.** Page 165, line 15: increase the dollar amount for fiscal year 2023-24 by
10 \$6,217,300 and increase the dollar amount for fiscal year 2024-25 by \$6,217,300 for
11 the purpose of increasing funding under the domestic abuse shelter and services
12 program.

13 **59.** Page 165, line 20: increase the dollar amount for fiscal year 2023-24 by
14 \$124,000 and increase the dollar amount for fiscal year 2024-25 by \$166,100 for the
15 purpose of providing funding for the office of legal counsel to address increased
16 workloads.

17 **60.** Page 166, line 3: increase the dollar amount for fiscal year 2023-24 by
18 \$366,100 and increase the dollar amount for fiscal year 2024-25 by \$732,200 for the
19 purpose of offering short-term respite child care and shelter for families in
20 emergencies.

21 **61.** Page 166, line 7: increase the dollar amount for fiscal year 2023-24 by
22 \$256,600 and increase the dollar amount for fiscal year 2024-25 by \$282,600 for the
23 purpose of reimbursing tribes and bands for the cost of subsidized guardianships.

24 **62.** Page 166, line 11: delete lines 11 to 13.

1 **63.** Page 166, line 13: delete that line.

2 **64.** Page 166, line 15: delete lines 15 and 16.

3 **65.** Page 168, line 6: increase the dollar amount for fiscal year 2023-24 by
4 \$435,100 and increase the dollar amount for fiscal year 2024-25 by \$435,100 to
5 increase the authorized FTE positions by 1.8 FED contracted positions to develop a
6 youth justice case management and reporting system.

7 **66.** Page 168, line 12: increase the dollar amount for fiscal year 2023-24 by
8 \$10,900 and increase the dollar amount for fiscal year 2024-25 by \$14,500 for the
9 purpose of providing funding for the office of legal counsel to address increased
10 workloads.

11 **67.** Page 168, line 15: increase the dollar amount for fiscal year 2023-24 by
12 \$26,300 and increase the dollar amount for fiscal year 2024-25 by \$35,000 to
13 increase the authorized FTE positions by 0.4 positions and to fund agency services
14 and staff.

15 **68.** Page 168, line 22: increase the dollar amount for fiscal year 2023-24 by
16 \$139,000 and increase the dollar amount for fiscal year 2024-25 by \$153,000 for the
17 purpose of reimbursing tribes and bands for the cost of subsidized guardianships.

18 **69.** Page 169, line 5: increase the dollar amount for fiscal year 2023-24 by
19 \$2,435,600 and increase the dollar amount for fiscal year 2024-25 by \$6,975,900 for
20 the KIDS IT modernization project.

21 **70.** Page 169, line 6: increase the dollar amount for fiscal year 2023-24 by
22 \$5,000,000 and increase the dollar amount for fiscal year 2024-25 by \$5,000,000 for
23 local child support enforcement.

1 **71.** Page 169, line 10: increase the dollar amount for fiscal year 2023-24 by
2 \$6,100 and increase the dollar amount for fiscal year 2024-25 by \$6,700 for the
3 purpose of kinship care exceptional payments due to the inclusion of like-kin as
4 eligible.

5 **72.** Page 169, line 10: increase the dollar amount for fiscal year 2023-24 by
6 \$13,200 and increase the dollar amount for fiscal year 2024-25 by \$26,400 for the
7 purpose of kinship care payment increases due to the inclusion of like-kin as eligible.

8 **73.** Page 170, line 9: increase the dollar amount for fiscal year 2023-24 by
9 \$111,900 and increase the dollar amount for fiscal year 2024-25 by \$111,900 to
10 increase the authorized FTE positions by 1.0 PR position to more accurately reflect
11 the current needs and organizational structure of the agency.

12 **74.** Page 170, line 18: increase the dollar amount for fiscal year 2023-24 by
13 \$700 and increase the dollar amount for fiscal year 2024-25 by \$700 for the purpose
14 of more accurately reflecting the current needs and organizational structure of the
15 agency.

16 **75.** Page 170, line 19: decrease the dollar amount for fiscal year 2023-24 by
17 \$15,440,600 and increase the dollar amount for fiscal year 2024-25 by \$17,379,300
18 for the purpose for which the appropriation is made.

19 **76.** Page 170, line 19: increase the dollar amount for fiscal year 2023-24 by
20 \$13,155,900 and increase the dollar amount for fiscal year 2024-25 by \$24,050,000
21 for the purpose of kinship care payment increases due to the inclusion of like-kin as
22 eligible.

1 **77.** Page 170, line 19: increase the dollar amount for fiscal year 2023-24 by
2 \$2,077,200 and increase the dollar amount for fiscal year 2024-25 by \$4,203,900 for
3 the purpose of kinship care exceptional payments due to the inclusion of like-kin as
4 eligible.

5 **78.** Page 170, line 19: increase the dollar amount for fiscal year 2024-25 by
6 \$104,000 for the purpose of expanding the home visitation program under s. 48.983.

7 **79.** Page 170, line 19: increase the dollar amount for fiscal year 2023-24 by
8 \$1,182,600 and increase the dollar amount for fiscal year 2024-25 by \$1,182,600 for
9 the purpose of funding statewide automated child welfare information system
10 enhancements.

11 **80.** Page 170, line 19: increase the dollar amount for fiscal year 2023-24 by
12 \$250,000 and increase the dollar amount for fiscal year 2024-25 by \$250,000 for the
13 purpose of increasing the funding allocated for the FAST program.

14 **81.** Page 170, line 19: increase the dollar amount for fiscal year 2023-24 by
15 \$500,000 and increase the dollar amount for fiscal year 2024-25 by \$500,000 to
16 expand legal services grants to include cases involving evictions.

17 **82.** Page 170, line 19: decrease the dollar amount for fiscal year 2023-24 by
18 \$250,000 and decrease the dollar amount for fiscal year 2024-25 by \$250,000 for the
19 purpose of establishing the skills enhancement program.

20 **83.** Page 170, line 19: increase the dollar amount for fiscal year 2023-24 by
21 \$500,000 and increase the dollar amount for fiscal year 2024-25 by \$500,000 for the
22 purpose of increasing the grant the Department of Children and Families provides
23 to the Boys and Girls Clubs of Wisconsin in s. 49.175 (1) (z).

1 **84.** Page 170, line 19: decrease the dollar amount for fiscal year 2023–24 by
2 \$6,611,200 and decrease the dollar amount for fiscal year 2024–25 by \$5,339,000 to
3 account for the increase in caretaker supplement benefit payments.

4 **85.** Page 171, line 4: increase the dollar amount for fiscal year 2023–24 by
5 \$4,728,100 and increase the dollar amount for fiscal year 2024–25 by \$13,541,300 for
6 the KIDS IT modernization project.

7 **86.** Page 171, line 6: increase the dollar amount for fiscal year 2023–24 by
8 \$9,705,900 and increase the dollar amount for fiscal year 2024–25 by \$9,705,900 for
9 local child support enforcement.

10 **87.** Page 171, line 18: increase the dollar amount for fiscal year 2023–24 by
11 \$75,100 and increase the dollar amount for fiscal year 2024–25 by \$96,400 to
12 increase the authorized FTE positions by 1.0 GPR position to establish an agency
13 equity officer responsible for collaborating with the chief equity officer in the
14 department of administration and with other agency equity officers to identify
15 opportunities to advance equity in government operations.

16 **88.** Page 172, line 2: increase the dollar amount for fiscal year 2023–24 by
17 \$110,600 and increase the dollar amount for fiscal year 2024–25 by \$147,500 for the
18 purpose of providing funding for the office of legal counsel to address increased
19 workloads.

20 **89.** Page 174, line 6: increase the dollar amount for fiscal year 2023–24 by
21 \$119,300 and increase the dollar amount for fiscal year 2024–25 by \$405,600 for the
22 administration and enforcement of a substance abuse prevention program and to
23 increase the authorized FTE positions by 3.0 GPR positions for that purpose.

1 **90.** Page 174, line 6: increase the dollar amount for fiscal year 2023–24 by
2 \$304,200 and increase the dollar amount for fiscal year 2024–25 by \$405,600 to
3 increase job center staffing and to increase the authorized FTE positions by 3.0 GPR
4 positions for that purpose.

5 **91.** Page 174, line 6: increase the dollar amount for fiscal year 2023–24 by
6 \$379,800 and increase the dollar amount for fiscal year 2024–25 by \$506,400 to
7 increase correctional institution job center staffing and to increase the authorized
8 FTE positions by 6.0 GPR positions for that purpose.

9 **92.** Page 174, line 6: increase the dollar amount for fiscal year 2023–24 by
10 \$801,400 and increase the dollar amount for fiscal year 2024–25 by \$936,600 to
11 expand registered apprenticeship to the health care sector and to increase the
12 authorized FTE positions by 1.0 GPR position for that purpose.

13 **93.** Page 174, line 6: increase the dollar amount for fiscal year 2023–24 by
14 \$9,000,000 to expand registered apprenticeship within the information technology
15 sector.

16 **94.** Page 174, line 6: increase the dollar amount for fiscal year 2023–24 by
17 \$64,700 and increase the dollar amount for fiscal year 2024–25 by \$86,300 to
18 increase the authorized FTE positions by 1.0 GPR position, for working with Native
19 American tribes and bands and coordinating with the director of Native American
20 affairs in the department of administration.

21 **95.** Page 174, line 6: increase the dollar amount for fiscal year 2023–24 by
22 \$450,000 and increase the dollar amount for fiscal year 2024–25 by \$450,000 to
23 expand training and technical assistance support for employers by promoting
24 outreach services and on-the-job learning services for veterans.

1 **96.** Page 174, line 12: decrease the dollar amount for fiscal year 2023-24 by
2 \$1,000,000 and decrease the dollar amount for fiscal year 2024-25 by \$1,000,000 to
3 decrease funding for the purposes for which the appropriation is made.

4 **97.** Page 176, line 17: increase the dollar amount for fiscal year 2023-24 by
5 \$76,100 and increase the dollar amount for fiscal year 2024-25 by \$97,800 to
6 increase the authorized FTE positions by 1.0 PR position to establish an agency
7 equity officer responsible for collaborating with the chief equity officer in the
8 department of administration and with other agency equity officers to identify
9 opportunities to advance equity in government operations.

10 **98.** Page 209, line 16: increase the dollar amount for fiscal year 2023-24 by
11 \$2,000,000 and increase the dollar amount for fiscal year 2024-25 by \$2,000,000 for
12 the purpose of funding the homelessness prevention program and a diversion
13 program, as recommended by the Interagency Council on Homelessness in its
14 February, 2022, statewide action plan.

15 **99.** Page 313, line 13: delete lines 13 to 17.

16 **100.** Page 314, line 9: delete lines 9 to 11.

17 **101.** Page 315, line 21: delete the material beginning with that line and
18 ending with page 316, line 16.

19 **102.** Page 316, line 17: delete lines 17 to 23.

20 **103.** Page 319, line 13: delete lines 13 to 18.

21 **104.** Page 322, line 15: delete the material beginning with that line and
22 ending with page 324, line 16.

23 **105.** Page 325, line 17: after that line insert:

1 **“SECTION 2.** 71.07 (8s) of the statutes is created to read:

2 71.07 **(8s)** FLOOD INSURANCE PREMIUMS CREDIT. (a) *Definitions.* In this
3 subsection:

4 1. “Claimant” means an individual who files a claim under this subsection.

5 2. “Flood insurance” means a flood insurance policy that covers the principal
6 dwelling of the claimant.

7 (b) *Filing claims.* Subject to the limitations provided in this subsection, for
8 taxable years beginning after December 31, 2022, a claimant may claim as a credit
9 against the tax imposed under s. 71.02, up to the amount of those taxes, an amount
10 equal to 10 percent of the amount of the premiums the claimant paid in the taxable
11 year for flood insurance, but the amount of the credit may not exceed \$60 in any
12 taxable year.

13 (c) *Limitations.* 1. No credit may be claimed under this subsection by a
14 part-year resident or a nonresident of this state.

15 2. No credit may be allowed under this subsection unless it is claimed within
16 the period specified in s. 71.75 (2).

17 3. No credit may be allowed under this subsection for a taxable year covering
18 a period of less than 12 months, except for a taxable year closed by reason of the death
19 of the taxpayer.

20 (d) *Administration.* Subsection (9e) (d), to the extent that it applies to the credit
21 under that subsection, applies to the credit under this subsection.

22 **SECTION 3.** 71.10 (4) (hg) of the statutes is created to read:

23 71.10 **(4)** (hg) Flood insurance premiums credit under s. 71.07 (8s).”.

24 **106.** Page 327, line 13: after that line insert:

1 **“SECTION 4.** 77.52 (2) (a) 21. of the statutes is created to read:

2 77.52 (2) (a) 21. The sale of the right to access and use prewritten computer
3 software, as defined in s. 77.51 (10r), if possession of the prewritten computer
4 software is maintained by the seller or a 3rd party, including sales made on a per use,
5 per user, per license, or subscription basis, or some other basis. This subdivision
6 includes the sale of the right to access and use prewritten computer software to
7 perform data processing and information services, regardless of whether the
8 primary purpose of the transaction is the processed data, including check processing,
9 image processing, form processing, survey processing, payroll processing, claim
10 processing, and similar activities.”.

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

12 **“SECTION 1.** 49.775 (4) of the statutes is amended to read:

13 49.775 (4) PAYMENT AMOUNT. The payment under sub. (2) is \$250 per month for
14 one dependent child and \$150 per month for each additional dependent child, except
15 that beginning in the 2023-24 fiscal year, the payment under sub. (2) is \$300 per
16 month for one dependent child and \$180 per month for each additional dependent
17 child.”.

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

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

20 (7e) HOMELESS CASE MANAGEMENT GRANT PROGRAM. The authorized FTE
21 positions for the department of administration are increased by 3.0 GPR positions
22 to administer affordable workforce housing grants, municipal home rehabilitation
23 grants, whole-home upgrade grants, and rental housing safety grants and by 2.0

1 GPR positions to administer, all to be funded from the appropriation under s. 20.505
2 (7) (a).

3 **SECTION 9201. Fiscal changes; Administration.**

4 (7e) HOMELESS CASE MANAGEMENT GRANT PROGRAM. In the schedule under s.
5 20.005 (3) for the appropriation to the department of administration under s. 20.505
6 (7) (a), the dollar amount for fiscal year 2023-24 is increased by \$363,100 and the
7 dollar amount for fiscal year 2024-25 is increased by \$484,100.”.

8 **109.** Page 374, line 11: after that line insert:

9 “**SECTION 5.** 71.07 (6e) (a) 2. b. of the statutes is amended to read:

10 71.07 **(6e)** (a) 2. b. An individual who had served on active duty under
11 honorable conditions in the U.S. armed forces or in forces incorporated as part of the
12 U.S. armed forces; who was a resident of this state at the time of entry into that active
13 service or who had been a resident of this state for any consecutive 5-year period
14 after entry into that active duty service; who was a resident of this state at the time
15 of his or her death; and who had either a service-connected disability rating of 100
16 at least 70 percent under 38 USC 1114 or 1134 or a 100 percent disability rating based
17 on individual unemployability.

18 **SECTION 6.** 71.07 (6e) (a) 3. d. of the statutes is amended to read:

19 71.07 **(6e)** (a) 3. d. Has either a service-connected disability rating of 100 at
20 least 70 percent under 38 USC 1114 or 1134 or a 100 percent disability rating based
21 on individual unemployability.

22 **SECTION 7.** 71.07 (6e) (c) 4. of the statutes is created to read:

1 71.07 (6e) (c) 4. If a service-connected disability rating is less than 100 percent,
2 the amount that the claimant may claim under this subsection shall be multiplied
3 by a percentage that equals that service-connected disability rating.

4 **SECTION 9337. Initial applicability; Revenue.**

5 (1s) VETERANS PROPERTY TAX CREDIT EXPANSION. The treatment of s. 71.07 (6e)
6 (a) 2. b. and 3. d. and (c) 4. first applies to taxable years beginning after December
7 31, 2022.”.

8 **110.** Page 374, line 11: after that line insert:

9 “**SECTION 8.** 15.185 (6) of the statutes is created to read:

10 15.185 (6) SMALL BUSINESS RETIREMENT SAVINGS BOARD. (a) There is created a
11 small business retirement savings board that is attached to the department of
12 financial institutions under s. 15.03. The board shall consist of the following
13 members:

14 1. The secretary of financial institutions or his or her designee.

15 2. One member who has a favorable reputation for skill, knowledge, and
16 experience in the field of retirement saving and investments, appointed by the
17 governor.

18 3. One member who has a favorable reputation for skill, knowledge, and
19 experience relating to small business, appointed by the governor.

20 4. One member who is a representative of an association representing
21 employees or who has a favorable reputation for skill, knowledge, and experience in
22 the interests of employees in retirement saving, appointed by the speaker of the
23 assembly.

1 5. One member who has a favorable reputation for skill, knowledge, and
2 experience in the interests of employers in retirement saving, appointed by the
3 president of the senate.

4 6. One member who has a favorable reputation for skill, knowledge, and
5 experience in retirement investment products or retirement plan designs, appointed
6 by the secretary of financial institutions.

7 7. One member appointed by the investment board.

8 (b) The members under par. (a) 2. to 7. shall be appointed for 4-year terms.

9 **SECTION 9.** 16.705 (1b) (d) of the statutes is amended to read:

10 16.705 **(1b)** (d) The department of financial institutions under s. 224.51 or the
11 small business retirement savings board under s. 224.56.

12 **SECTION 10.** 16.71 (5r) of the statutes is amended to read:

13 16.71 **(5r)** The department shall delegate authority to the department of
14 financial institutions to enter into vendor contracts under s. 224.51 and to the small
15 business retirement savings board to enter into vendor contracts under s. 224.56.

16 **SECTION 11.** 20.144 (4) (title) of the statutes is created to read:

17 20.144 **(4)** (title) SMALL BUSINESS RETIREMENT SAVINGS PROGRAM.

18 **SECTION 12.** 20.144 (4) (a) of the statutes is created to read:

19 20.144 **(4)** (a) *General program operations.* The amounts in the schedule for
20 the small business retirement savings program under s. 224.56.

21 **SECTION 13.** 20.144 (4) (g) of the statutes is created to read:

22 20.144 **(4)** (g) *Program operations; other funds.* All moneys received for the
23 small business retirement savings program under s. 224.56, for the purposes for
24 which received.

25 **SECTION 14.** 224.56 of the statutes is created to read:

1 **224.56 Small business retirement savings program. (1) DEFINITIONS.** In
2 this section:

3 (a) “Account” means a retirement savings account established for an eligible
4 employee under the program under this section.

5 (b) “Board” means the small business retirement savings board.

6 (c) “Eligible employee” means an individual who resides in this state and who
7 is any of the following:

8 1. Employed by a private employer that does not offer a retirement savings
9 plan.

10 2. Employed by a private employer and not eligible to participate in a
11 retirement savings plan offered by the private employer.

12 (d) “Investment administrator” means the vendor with which the board has
13 contracted under sub. (2) (b).

14 (e) “Participating employer” means a private employer that qualifies for and
15 has elected to participate in the program as provided in sub. (4) (a).

16 (f) “Roth IRA” has the meaning given in 26 USC 408A (b).

17 (g) “Traditional IRA” means an individual retirement account under 26 USC
18 408.

19 **(2) ESTABLISHMENT OF PROGRAM.** (a) Subject to par. (b), the board shall establish
20 and oversee a small business retirement savings program that meets the
21 requirements specified in this section.

22 (b) After soliciting competitive sealed proposals under s. 16.75 (2m), the board
23 shall select and contract with a vendor to provide the following services in
24 administering the small business retirement savings program:

25 1. Investment services.

1 2. Accounting and record-keeping services.

2 3. Any other professional services considered necessary by the board.

3 **(3) GENERAL PROGRAM REQUIREMENTS.** The board shall design the program
4 under this section so that it meets all of the following requirements:

5 (a) The program allows eligible employees to contribute to their accounts
6 through payroll deductions and requires participating employers to withhold from
7 employees' wages, through payroll deductions, employees' account contributions and
8 remit those contributions directly to the investment administrator.

9 (b) Subject to the record-keeping requirement under sub. (6) (b), the program
10 allows the investment administrator to pool accounts for investment purposes and
11 designates the investment administrator as the trustee of account contributions and
12 earnings.

13 (c) The administrative costs of the program are low, and the fee that the
14 investment administrator may charge an eligible employee is limited to a fixed
15 monthly fee in an amount approved by the board.

16 (d) The program does not require an eligible employee to maintain a minimum
17 account balance if the employee makes contributions to the account each pay period.

18 (e) The program allows account consolidation and roll over, including roll over
19 to a retirement savings option not part of the program to the extent allowed under
20 the Internal Revenue Code.

21 (f) The program allows an eligible employee who has established an account to
22 continue the account after separating from employment with a participating
23 employer if the account is maintained with a positive balance.

24 (g) The program incorporates maximum contribution limits established by the
25 board in accordance with the Internal Revenue Code contribution limits for Roth

1 IRAs, separately and in combination with traditional IRAs, as well as any similar
2 contribution limit for account types other than a Roth IRA if the account type is
3 offered under sub. (5) (a) 2.

4 **(4) PARTICIPATING EMPLOYERS; ELIGIBLE EMPLOYEES.** (a) A private employer may
5 participate in the program under this section if all of the following apply:

6 1. The employer does not offer a retirement savings plan to all employees.

7 2. The employer provides notice to the board, in the form and manner
8 prescribed by the board, of the employer's election to participate in the program and
9 the employer certifies that, on the date of this notice, the employer had 50 or fewer
10 employees.

11 3. The employer has at least one employee who is a resident of this state.

12 (b) After a private employer has elected under par. (a) to participate in the
13 program, the employer shall provide notice to each of its eligible employees of the
14 eligible employee's right to decline participation in the program. After providing this
15 notice, the employer shall enroll the eligible employee in the program unless the
16 eligible employee informs the employer of the eligible employee's decision not to
17 participate in the program.

18 **(5) SPECIFIC PROGRAM REQUIREMENTS.** (a) 1. Except as provided in subd. 2., the
19 program under this section shall provide for an eligible employee who has enrolled
20 in the program to make contributions to a Roth IRA account.

21 2. The program may also offer options for account types other than a Roth IRA,
22 and if other options are offered, the program shall allow an enrolled eligible employee
23 to select any of these other account types for investing contributions under the
24 program.

1 (b) 1. The program under this section shall provide an eligible employee who
2 has enrolled in the program with at least 5 investment options within each account
3 type, including all of the following investment options:

4 a. A stable value or capital preservation fund.

5 b. A target date index fund or age-based fund that automatically rebalances
6 asset allocations based on the eligible employee's age.

7 c. A low-cost fund focused on income generation.

8 d. A low-cost fund focused on asset growth.

9 e. A low-cost fund focused on balancing risk and return.

10 2. The program under this section shall require the investment administrator
11 to offer to each enrolled eligible employee, before the employee makes his or her
12 investment selections, a tool allowing the employee to identify the employee's risk
13 tolerance and projected retirement date as an aid to the employee in selecting
14 suitable investments under the program.

15 3. The program under this section shall require that the first \$1,000 of an
16 enrolled eligible employee's contributions be deposited in a fund described in subd.

17 1. a. and thereafter, unless the employee selects a different investment option, the
18 employee's contributions be deposited in a fund described in subd. 1. b.

19 (c) 1. Except as provided in subds. 3. and 4., during an eligible employee's first
20 year of enrollment in the program, the participating employer's payroll deduction
21 each pay period shall be at a rate of 5 percent of the employee's gross wages, and this
22 deducted amount shall be remitted to the investment administrator as the
23 employee's account contribution.

1 2. Except as provided in subds. 3. and 4., a participating employer shall
2 increase the payroll deduction rate under subd. 1. by 1 percent per year until a
3 maximum payroll deduction rate of 10 percent is reached.

4 3. An enrolled eligible employee may elect a different payroll deduction rate
5 than that provided for in subds. 1. and 2., except the rate may not be less than 1
6 percent nor more than 10 percent.

7 4. A participating employer shall make a good faith effort to establish an
8 employee's payroll deduction at a rate that will not result in the employee's total
9 annual contributions exceeding the contribution limits established under sub. (3) (g),
10 but the participating employer is not responsible if excess contributions occur.

11 **(6) RECORD-KEEPING REQUIREMENTS.** (a) Subject to par. (b), the board shall
12 establish the record-keeping requirements for the investment administrator,
13 including the nature and extent of the record-keeping services and performance
14 metrics for measuring compliance with these requirements.

15 (b) The program shall require the maintenance of separate records and
16 accounting for each account.

17 **(7) ABANDONED ACCOUNTS.** (a) An account is considered abandoned if any of the
18 following applies:

19 1. There has been no account activity for at least 6 months and the account
20 balance is less than \$250.

21 2. There has been no account activity for at least 2 years.

22 (b) If an account is considered abandoned under par. (a), the investment
23 administrator shall close the account and disburse the account balance to the
24 individual who established the account.

1 **(8) POWERS OF BOARD; DEPARTMENTAL ASSISTANCE; RULES.** (a) The board may do
2 any of the following:

3 1. In establishing the program under this section, create or impose any
4 requirement or condition not inconsistent with this section that the board considers
5 necessary for the effective functioning and widespread utilization of the program.

6 2. Enter into contracts or other arrangements for any services necessary for
7 establishing and overseeing the program under this section or for otherwise carrying
8 out the purposes of this section, including the services of financial institutions,
9 attorneys, investment advisers, accountants, consultants, and other professionals.

10 3. Exercise any other powers necessary to establish and oversee the program
11 under this section or otherwise carry out the purposes of this section.

12 4. Promulgate rules to carry out the purposes of this section.

13 (b) The department shall provide the board with any assistance necessary to
14 carry out the purposes of this section, including staff, equipment, and office space.
15 The board may delegate to the department responsibility for carrying out any
16 day-to-day board function related to the program under this section.

17 **SECTION 9116. Nonstatutory provisions; Financial Institutions.**

18 (1) **SMALL BUSINESS RETIREMENT SAVINGS BOARD; STAGGERED TERMS.**
19 Notwithstanding the length of terms specified for the members of the small business
20 retirement savings board under s. 15.185 (6) (b), the members appointed under s.
21 15.185 (6) (a) 2., 4., and 6. shall be appointed for initial terms expiring on May 1, 2025.

22 (2) **SMALL BUSINESS RETIREMENT SAVINGS PROGRAM POSITION.** The authorized FTE
23 positions for the department of financial institutions are increased by 1.0 PR
24 position, to be funded from the appropriation under s. 20.144 (4) (g), to establish and
25 administer the small business retirement savings program under s. 224.56.”.

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

2 “**SECTION 15.** 16.3069 of the statutes is created to read:

3 **16.3069 Whole-home upgrade grants.** (1) GRANTS. (a) From the
4 appropriation under s. 20.505 (7) (fr), the department shall award one or more grants
5 to the Walnut Way Conservation Corporation and Elevate, Inc., for the purpose of
6 funding home improvements in low-income households in a 1st class city that have
7 one or more of the following goals:

- 8 1. Reducing carbon emissions.
- 9 2. Reducing energy burdens.
- 10 3. Creating cost savings.
- 11 4. Creating healthier living environments.

12 (b) The department may establish eligibility requirements and other program
13 guidelines for the grant program under this subsection.

14 **(2) SUNSET.** No grants may be awarded under sub. (1) after June 30, 2025.

15 **SECTION 16.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
16 insert the following amounts for the purposes indicated:

	2023-24	2024-25
17 20.505 Administration, department of		
18 (7) HOUSING AND COMMUNITY DEVELOPMENT		
19 (fr) Whole-home upgrade grants GPR B 7,250,000		-0-

20 **SECTION 17.** 20.505 (7) (fr) of the statutes is created to read:

21 20.505 (7) (fr) *Whole-home upgrade grants.* Biennially, the amounts in the
22 schedule for grants under s. 16.3069.”.

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

1 “**SECTION 18.** 20.144 (1) (g) of the statutes is amended to read:

2 20.144 (1) (g) *General program operations.* The amounts in the schedule for
3 the general program operations of the department of financial institutions. Except
4 as provided in pars. (a), (h), (i), (j), and (u) and sub. (3), all moneys received by the
5 department, other than by the office of credit unions and the division of banking, and
6 88 percent of all moneys received by the office of credit unions and the department’s
7 division of banking shall be credited to this appropriation, but any balance at the
8 close of a fiscal year under this appropriation shall lapse to the general fund.
9 Annually, ~~\$150,000~~ \$260,000 of the amounts received under this appropriation
10 account shall be transferred to the appropriation account under s. 20.575 (1) (g).”.

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

12 “**SECTION 19.** 71.05 (6) (a) 28. of the statutes is amended to read:

13 71.05 (6) (a) 28. Upon the termination of an account as described under s.
14 16.643 or 224.55, any amount in the account that is returned to an account owner’s
15 estate.

16 **SECTION 20.** 224.55 of the statutes is created to read:

17 **224.55 Support accounts for individuals with disabilities. (1)**

18 DEFINITIONS. In this section:

19 (a) “ABLE account” means an account established under an ABLE program.

20 (b) “ABLE program” means a qualified ABLE program under section 529A of
21 the Internal Revenue Code.

22 **(2) DEPARTMENT TO ESTABLISH ABLE PROGRAM.** (a) *Implementation directly or*
23 *by agreement.* The department shall implement and administer an ABLE program,
24 either directly or by entering into a formal or informal agreement with another state,

1 or with an entity representing an alliance of states, to establish an ABLE program
2 or otherwise administer ABLE program services for the residents of this state.

3 (b) *Review of other states' partnership programs.* The department shall review
4 section 529A ABLE state partnership programs offered by other states and, no later
5 than the first day of the 10th month beginning after the effective date of this
6 paragraph [LRB inserts date], determine whether, as the best option for
7 Wisconsin residents, the department will implement the ABLE program under par.
8 (a) directly or by entering into an agreement.

9 (c) *Agreement terms.* An agreement under par. (a) may require the party
10 contracting with the department, in addition to providing any other services, to do
11 any of the following:

12 1. Develop and implement an ABLE program in accordance with all
13 requirements under section 529A of the Internal Revenue Code, and modify this
14 ABLE program as necessary for participants in the ABLE program to qualify for the
15 federal income tax benefits or treatment provided under section 529A of the Internal
16 Revenue Code and rules adopted under section 529A.

17 2. Engage the services of vendors on a contractual basis for rendering
18 professional and technical assistance and advice in developing marketing plans and
19 promotional materials to publicize the ABLE program.

20 3. Work with organizations with expertise in supporting people with
21 disabilities and their families in administering the agreement and ensuring
22 accessibility of the ABLE program for people with disabilities.

23 4. Take any other action necessary to implement and administer the ABLE
24 program.

1 (d) *Information about ABLE accounts.* The department shall include on its
2 website information concerning ABLE accounts.

3 (3) CONFIDENTIALITY. The department shall keep confidential any personal and
4 financial information maintained by the department relating to an ABLE account.

5 (4) FUNDING; RULES. (a) All expenses incurred by the department under this
6 section shall be paid from the appropriation under s. 20.144 (1) (g).

7 (b) The department may promulgate rules to implement and administer this
8 section.”.

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

10 “SECTION 21. 16.3078 of the statutes is created to read:

11 **16.3078 Rental assistance grants for homeless veterans.** From the
12 appropriation under s. 20.505 (7) (bq), the department shall award grants to each
13 continuum of care organization in this state designated by the federal department
14 of housing and urban development. All grant funds shall be used to provide
15 tenant-based rental assistance to homeless veterans in this state.

16 **SECTION 22.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
17 insert the following amounts for the purposes indicated:

2023-24 2024-25

18 **20.505 Administration, department of**

19 (7) HOUSING AND COMMUNITY DEVELOPMENT

20 (bq) Rental assistance for homeless

21 veterans GPR A 1,000,000 1,000,000

22 **SECTION 23.** 20.505 (7) (bq) of the statutes is created to read:

1 20.505 (7) (bq) *Rental assistance for homeless veterans.* The amounts in the
2 schedule for the rental assistance grants awarded under s. 16.3078.”.

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

4 “**SECTION 24.** 13.121 (4) of the statutes is amended to read:

5 13.121 (4) INSURANCE. For the purpose of premium determinations under s.
6 40.05 (4) and (5) each member of the legislature shall accrue sick leave at a rate
7 equivalent to a percentage of time worked recommended for such positions by the
8 administrator of the division of personnel management in the department of
9 administration and approved by the joint committee on employment relations in the
10 same manner as compensation for such positions is determined under s. 20.923. This
11 percentage of time worked shall be applied to the sick leave accrual rate established
12 under s. 230.35 (2). The approved percentage shall be incorporated into the
13 compensation plan under s. 230.12 (1).

14 **SECTION 25.** 40.03 (1) (i) of the statutes is amended to read:

15 40.03 (1) (i) May determine that some or all of the disability annuities and
16 death benefits provided from the Wisconsin retirement system shall instead be
17 provided through group insurance plans ~~to be established by the group insurance~~
18 ~~board~~ either as separate plans or as integral parts of the group life and income
19 continuation insurance plans established under this chapter.

20 **SECTION 26.** 40.03 (1) (p) of the statutes is amended to read:

21 40.03 (1) (p) May, upon the recommendation of the actuary, transfer in whole
22 or in part the assets and reserves held in any account described in s. 40.04 (9) to a
23 different account described in s. 40.04 (9), for the purpose of providing any group
24 insurance benefit ~~offered by the group insurance board.~~

1 **SECTION 27.** 40.03 (1) (q) of the statutes is created to read:

2 40.03 (1) (q) For the purposes of the group income continuation insurance plan
3 established under ss. 40.61 and 40.62 and the group long-term disability insurance
4 plan established under s. 40.64:

5 1. May, on behalf of the state, enter into a contract or contracts with one or more
6 insurers authorized to transact insurance business in this state for the purpose of
7 providing the plans.

8 2. May, wholly or partially in lieu of subd. 1., on behalf of the state, provide the
9 plans on a self-insured basis.

10 3. May take any action as trustees that is considered advisable and not
11 specifically prohibited or delegated to some other governmental agency to carry out
12 the purpose and intent of the plans.

13 4. May apportion all excess moneys becoming available to the board through
14 operation of the plans to reduce premium payments in following contract years or to
15 establish reserves to stabilize costs in subsequent years. If the board determines
16 that the excess became available due to favorable experience of specific groups of
17 employers or specific employee groups, the board may make the apportionment in
18 a manner designated to benefit the specific employers or employee groups only or to
19 a greater extent than other employers and employee groups.

20 5. Shall take prompt action to liquidate any actuarial or cash deficit that occurs
21 in the accounts and reserves maintained in the fund for the plans.

22 6. Shall accept timely appeals of determinations made by the department
23 affecting any right or benefit under the plans.

24 **SECTION 28.** 40.03 (2) (i) of the statutes is amended to read:

1 40.03 (2) (i) ~~Shall~~ Except as provided under pars. (ig) and (ir), shall promulgate,
2 with the approval of the board, all rules, except rules promulgated under par. (ig) or
3 (ir), that are required for the efficient administration of the fund or of any of the
4 benefit plans established by this chapter. In addition to being approved by the board,
5 and shall promulgate rules as necessary for a group long-term disability insurance
6 plan established under s. 40.64. All rules promulgated under this paragraph are
7 subject to board approval under sub. (1) (m). Except for rules promulgated under s.
8 40.30 (6), the rules promulgated under this paragraph relating to teachers must be
9 approved are subject to approval by the teachers retirement board and under sub.
10 (7) (d). Except for rules promulgated under s. 40.30 (6), the rules promulgated under
11 this paragraph relating to participants other than teachers must be approved are
12 subject to approval by the Wisconsin retirement board, except rules promulgated
13 under s. 40.30 sub. (8) (d).

14 **SECTION 29.** 40.03 (2) (ig) of the statutes is amended to read:

15 40.03 (2) (ig) Shall promulgate, with the approval of the group insurance board,
16 all rules required for the administration of the group health, long-term care, ~~income~~
17 ~~continuation~~ or life insurance plans established under subchs. IV to and VI and
18 health savings accounts under subch. IV.

19 **SECTION 30.** 40.03 (6) (intro.) of the statutes is amended to read:

20 40.03 (6) GROUP INSURANCE BOARD. (intro.) ~~The~~ With respect to the group
21 insurance plans provided for by this chapter other than the group income
22 continuation insurance plan established under ss. 40.61 and 40.62 and the group
23 long-term disability insurance plan established under s. 40.64, the group insurance
24 board:

25 **SECTION 31.** 40.03 (6) (a) 1. of the statutes is amended to read:

1 40.03 (6) (a) 1. Except as provided in par. (m), shall, on behalf of the state, enter
2 into a contract or contracts with one or more insurers authorized to transact
3 insurance business in this state for the purpose of providing the group insurance
4 plans ~~provided for by this chapter~~; or

5 **SECTION 32.** 40.03 (6) (d) (intro.) of the statutes is amended to read:

6 40.03 (6) (d) (intro.) May take any action as trustees ~~which~~ that is deemed
7 advisable and not specifically prohibited or delegated to some other governmental
8 agency, to carry out the purpose and intent of the group insurance plans ~~provided~~
9 ~~under this chapter~~, including, but not limited to, provisions in the appropriate
10 contracts relating to:

11 **SECTION 33.** 40.03 (6) (i) of the statutes is amended to read:

12 40.03 (6) (i) Shall accept timely appeals of determinations made by the
13 department affecting any right or benefit under any group insurance plan ~~provided~~
14 ~~for under this chapter~~ that is overseen by the group insurance board.

15 **SECTION 34.** 40.05 (5) (intro.) of the statutes is renumbered 40.05 (5) and
16 amended to read:

17 40.05 (5) INCOME CONTINUATION INSURANCE PREMIUMS. For the group income
18 continuation insurance provided under ~~subch. V ss. 40.61 and 40.62~~, the employee
19 shall pay the amount remaining after the employer has contributed ~~the following~~ an
20 amount equal to the gross premium payable for insurance coverage that includes the
21 longest waiting period available to the employee under the insurance contract by
22 rule or, if different, the amount determined under a collective bargaining agreement
23 under subch. V of ch. 111 or s. 230.12 or 233.10;

24 **SECTION 35.** 40.05 (5) (a) of the statutes is repealed.

25 **SECTION 36.** 40.05 (5) (b) of the statutes is repealed.

1 **SECTION 37.** 40.23 (1) (bm) of the statutes is renumbered 40.23 (1) (bm) 1. and
2 amended to read:

3 40.23 (1) (bm) 1. If an application by a participant age 55 or over, or by a
4 protective occupation participant age 50 or over, for group long-term disability
5 insurance benefits under s. 40.64 is disapproved under rules promulgated by the
6 department, the date which would have been the effective date for the insurance
7 benefits ~~shall be~~ is the retirement annuity effective date if requested by the applicant
8 within 60 days of the disapproval or, if the disapproval is appealed, within 60 days
9 of the final disposition of the appeal.

10 **SECTION 38.** 40.61 (1) of the statutes is amended to read:

11 40.61 (1) The procedures and provisions pertaining to enrollment, premium
12 transmitted and coverage of eligible employees for group income continuation
13 benefits shall be established by contract or rule except as otherwise specifically
14 provided by this chapter.

15 **SECTION 39.** 40.61 (2) of the statutes is amended to read:

16 40.61 (2) Except as provided in sub. (4), ~~any~~ an eligible employee may become
17 covered by group income continuation insurance by electing coverage within 30 days
18 of initial eligibility, to be effective as of the first day of the month that first occurs
19 during the 30-day period, or by electing coverage within 60 days of initially becoming
20 eligible for a higher level of employer contribution towards the premium cost to be
21 effective as of the first day of the month following the date of eligibility for teachers
22 employed by the university and effective as of the following April 1 for all other
23 employees. ~~Any~~ An employee who does not so elect at one of these times, or who
24 subsequently cancels the insurance, may not thereafter become insured unless the
25 employee furnishes evidence of insurability under the terms of the contract, or as

1 otherwise provided by rule for employees under sub. (3), at the employee's own
2 expense or obtains coverage subject to contractual waiting periods if contractual
3 waiting periods are provided for by the contract or by rule for employees under sub.
4 (3). An employee who furnishes satisfactory evidence of insurability under the terms
5 of the contract shall become insured as of the first day of the month following the date
6 of approval of evidence. The method to be used shall be determined by the group
7 insurance board under sub. (1).

8 **SECTION 40.** 40.61 (2) of the statutes, as affected by 2023 Wisconsin Act (this
9 act), is amended to read:

10 40.61 (2) Except as provided in sub. (4), an eligible employee may become
11 covered by group income continuation insurance by electing coverage within 30 days
12 of initial eligibility, to be effective as of the first day of the month that first occurs
13 during the 30-day period, ~~or by electing coverage within 60 days of initially becoming~~
14 ~~eligible for a higher level of employer contribution towards the premium cost to be~~
15 ~~effective as of the first day of the month following the date of eligibility for teachers~~
16 ~~employed by the university and effective as of the following April 1 for all other~~
17 ~~employees. An employee who does not so elect at one of these times, or who~~
18 ~~subsequently cancels the insurance, may not thereafter become insured unless the~~
19 ~~employee furnishes evidence of insurability under the terms of the contract, or as~~
20 ~~otherwise provided by rule for employees under sub. (3), at the employee's own~~
21 ~~expense or obtains coverage subject to contractual waiting periods if contractual~~
22 ~~waiting periods are provided for by the contract or by rule for employees under sub.~~
23 (3). An employee who furnishes satisfactory evidence of insurability under the terms
24 of the contract shall become insured as of the first day of the month following the date

1 of approval of evidence. The method to be used shall be determined by the board
2 under sub. (1).

3 **SECTION 41.** 40.61 (3) of the statutes is amended to read:

4 40.61 (3) ~~Any~~ An employer under s. 40.02 (28), other than the state, may offer
5 to all of its employees an a group income continuation insurance plan through a
6 program offered by the ~~group insurance~~ board. Notwithstanding sub. (2) and ss.
7 40.05 (5) and 40.62, the department may by rule establish different eligibility
8 standards or contribution requirements for ~~such~~ those employees and employers and
9 may by rule limit the categories of employers ~~which~~ that may be included as
10 participating employers under this subchapter.

11 **SECTION 42.** 40.62 (1) of the statutes is amended to read:

12 40.62 (1) The ~~group insurance~~ board shall establish an a group income
13 continuation insurance plan providing for full or partial payment of the financial loss
14 of earnings incurred as a result of injury or illness with separate provisions for
15 short-term insurance with a benefit duration of no more than one year and
16 long-term insurance covering injury or illness of indefinite duration. ~~Employees~~ An
17 employee insured under the plan ~~shall be~~ is eligible for benefits upon exhaustion of
18 accumulated sick leave and completion of the ~~elimination~~ waiting period established
19 by the ~~group insurance~~ board.

20 **SECTION 43.** 40.62 (1) of the statutes, as affected by 2023 Wisconsin Act ... (this
21 act), is renumbered 40.62 and amended to read:

22 **40.62 Income continuation insurance benefits.** The board shall establish
23 a group income continuation insurance plan providing for full or partial payment of
24 the financial loss of earnings incurred as a result of injury or illness ~~with separate~~
25 ~~provisions for short-term insurance with a benefit duration of no more than one year~~

1 ~~and long-term insurance covering injury or illness of indefinite duration.~~ An
2 employee insured under the plan is eligible for benefits upon ~~exhaustion of~~
3 ~~accumulated sick leave and completion of the~~ a waiting period selected by the
4 employee from the available options established by the board.

5 **SECTION 44.** 40.62 (1m) of the statutes is repealed.

6 **SECTION 45.** 40.62 (2) of the statutes is repealed.

7 **SECTION 46.** 40.63 (7) of the statutes is renumbered 40.23 (1) (bm) 2.

8 **SECTION 47.** 40.64 of the statutes is created to read:

9 **40.64 Long-term disability insurance coverage.** The board may establish
10 a group long-term disability insurance plan.

11 **SECTION 48.** 757.02 (5) of the statutes is amended to read:

12 757.02 (5) Except for retired judges appointed under s. 753.075, each supreme
13 court justice, court of appeals judge and circuit court judge included under ch. 40
14 shall accrue sick leave at the rate established under s. 230.35 (2) for the purpose of
15 credits under s. 40.05 (4) (b) and for premium payment determinations under s. 40.05
16 (4) ~~and (5).~~

17 **SECTION 9113. Nonstatutory provisions; Employee Trust Funds.**

18 (1k) TRANSFER OF OVERSIGHT OF GROUP DISABILITY BENEFIT INSURANCE PLANS.

19 (a) *Tangible personal property.* On the effective date of this paragraph, all
20 tangible personal property, including records, of the group insurance board that is
21 primarily related to the group income continuation insurance plan or long-term
22 disability insurance plan, as determined by the secretary of employee trust funds,
23 is transferred to the employee trust funds board.

24 (b) *Contracts.* All contracts entered into by the group insurance board in effect
25 on the effective date of this paragraph that are primarily related to the group income

1 continuation insurance plan or long-term disability insurance plan, as determined
2 by the secretary of employee trust funds, remain in effect and are transferred to the
3 employee trust funds board. The employee trust funds board shall carry out any
4 obligations under those contracts unless modified or rescinded by the employee trust
5 funds board to the extent allowed under the contract.

6 (c) *Rules.* All rules promulgated by the secretary of employee trust funds and
7 approved by the group insurance board in effect on the effective date of this
8 paragraph that are primarily related to the group income continuation insurance
9 plan or long-term disability insurance plan remain in effect until their specified
10 expiration dates or until amended or repealed by the employee trust funds board.

11 (d) *Pending matters.* Any matter pending with the group insurance board on
12 the effective date of this paragraph that is primarily related to the group income
13 continuation insurance plan or long-term disability insurance plan, as determined
14 by the secretary of employee trust funds, is transferred to the employee trust funds
15 board. All materials submitted to or actions taken by the group insurance board with
16 respect to the pending matter are considered as having been submitted to or taken
17 by the employee trust funds board.

18 **SECTION 9313. Initial applicability; Employee Trust Funds.**

19 (1k) INCOME CONTINUATION INSURANCE PREMIUMS. The treatment of ss. 13.121 (4),
20 40.05 (5) (intro.), (a), and (b), and 757.02 (5) first applies to premiums paid on the
21 effective date of this subsection.

22 **SECTION 9413. Effective dates; Employee Trust Funds.**

23 (1k) INCOME CONTINUATION INSURANCE PREMIUMS; ELECTION OF INCOME
24 CONTINUATION INSURANCE COVERAGE; ELIGIBILITY FOR INCOME CONTINUATION INSURANCE
25 BENEFITS. The treatment of ss. 13.121 (4), 40.05 (5) (intro.), (a), and (b), 40.61 (2) (by

1 SECTION 40), 40.62 (1m) and (2), and 757.02 (5), the renumbering and amendment of
2 s. 40.62 (1), and SECTION 9313 (1k) of this act take effect on January 1, 2025.”.

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

4 “SECTION 49. 40.03 (1) (i) of the statutes is amended to read:

5 40.03 (1) (i) May determine that some or all of the disability annuities and
6 death benefits provided from the Wisconsin retirement system shall instead be
7 provided through group insurance plans to be established by the group insurance
8 board either as separate plans or as integral parts of the group life and income
9 continuation insurance plans established under this chapter.

10 **SECTION 50.** 40.03 (1) (p) of the statutes is amended to read:

11 40.03 (1) (p) May, upon the recommendation of the actuary, transfer in whole
12 or in part the assets and reserves held in any account described in s. 40.04 (9) to a
13 different account described in s. 40.04 (9), for the purpose of providing any group
14 insurance benefit offered by the group insurance board.

15 **SECTION 51.** 40.03 (1) (q) of the statutes is created to read:

16 40.03 (1) (q) For the purposes of the group income continuation insurance plan
17 established under ss. 40.61 and 40.62 and the group long-term disability insurance
18 plan established under s. 40.64:

19 1. May, on behalf of the state, enter into a contract or contracts with one or more
20 insurers authorized to transact insurance business in this state for the purpose of
21 providing the plans.

22 2. May, wholly or partially in lieu of subd. 1., on behalf of the state, provide the
23 plans on a self-insured basis.

1 3. May take any action as trustees that is considered advisable and not
2 specifically prohibited or delegated to some other governmental agency to carry out
3 the purpose and intent of the plans.

4 4. May apportion all excess moneys becoming available to the board through
5 operation of the plans to reduce premium payments in following contract years or to
6 establish reserves to stabilize costs in subsequent years. If the board determines
7 that the excess became available due to favorable experience of specific groups of
8 employers or specific employee groups, the board may make the apportionment in
9 a manner designated to benefit the specific employers or employee groups only or to
10 a greater extent than other employers and employee groups.

11 5. Shall take prompt action to liquidate any actuarial or cash deficit that occurs
12 in the accounts and reserves maintained in the fund for the plans.

13 6. Shall accept timely appeals of determinations made by the department
14 affecting any right or benefit under the plans.

15 **SECTION 52.** 40.03 (2) (i) of the statutes is amended to read:

16 40.03 (2) (i) ~~Shall Except as provided under pars. (ig) and (ir), shall promulgate,~~
17 ~~with the approval of the board, all rules, except rules promulgated under par. (ig) or~~
18 ~~(ir), that are required for the efficient administration of the fund or of any of the~~
19 ~~benefit plans established by this chapter. In addition to being approved by the board,~~
20 ~~rules promulgated under this paragraph relating to teachers must be approved by~~
21 ~~the teachers retirement board and rules promulgated under this paragraph relating~~
22 ~~to participants other than teachers must be approved by the Wisconsin retirement~~
23 ~~board, except rules promulgated under s. 40.30 and shall promulgate rules as~~
24 necessary for a group long-term disability insurance plan established under s. 40.64.

1 All rules promulgated under this paragraph are subject to board approval under sub.
2 (1) (m).

3 **SECTION 53.** 40.03 (2) (ig) of the statutes is amended to read:

4 40.03 (2) (ig) Shall promulgate, with the approval of the group insurance board,
5 all rules required for the administration of the group health, long-term care, income
6 continuation or life insurance plans established under subchs. IV to and VI and
7 health savings accounts under subch. IV.

8 **SECTION 54.** 40.03 (6) (intro.) of the statutes is amended to read:

9 40.03 (6) GROUP INSURANCE BOARD. (intro.) The With respect to the group
10 insurance plans provided for by this chapter other than the group income
11 continuation insurance plan established under ss. 40.61 and 40.62 and the group
12 long-term disability insurance plan established under s. 40.64, the group insurance
13 board:

14 **SECTION 55.** 40.03 (6) (a) 1. of the statutes is amended to read:

15 40.03 (6) (a) 1. Except as provided in par. (m), shall, on behalf of the state, enter
16 into a contract or contracts with one or more insurers authorized to transact
17 insurance business in this state for the purpose of providing the group insurance
18 plans ~~provided for by this chapter~~; or

19 **SECTION 56.** 40.03 (6) (d) (intro.) of the statutes is amended to read:

20 40.03 (6) (d) (intro.) May take any action as trustees ~~which~~ that is deemed
21 advisable and not specifically prohibited or delegated to some other governmental
22 agency, to carry out the purpose and intent of the group insurance plans ~~provided~~
23 ~~under this chapter~~, including, but not limited to, provisions in the appropriate
24 contracts relating to:

25 **SECTION 57.** 40.03 (6) (i) of the statutes is amended to read:

1 40.03 (6) (i) Shall accept timely appeals of determinations made by the
2 department affecting any right or benefit under any group insurance plan provided
3 ~~for under this chapter~~ that the group insurance board oversees.

4 **SECTION 58.** 40.23 (1) (bm) of the statutes is amended to read:

5 40.23 (1) (bm) If an application by a participant age 55 or over, or by a protective
6 occupation participant age 50 or over, for group long-term disability insurance
7 benefits under s. 40.64 is disapproved under rules promulgated by the department,
8 the date which would have been the effective date for the insurance benefits ~~shall be~~
9 is the retirement annuity effective date if requested by the applicant within 60 days
10 of the disapproval or, if the disapproval is appealed, within 60 days of the final
11 disposition of the appeal.

12 **SECTION 59.** 40.61 (2) of the statutes is amended to read:

13 40.61 (2) Except as provided in sub. (4), ~~any~~ an eligible employee may become
14 covered by group income continuation insurance by electing coverage within 30 days
15 of initial eligibility, to be effective as of the first day of the month that first occurs
16 during the 30-day period, or by electing coverage within 60 days of initially becoming
17 eligible for a higher level of employer contribution towards the premium cost to be
18 effective as of the first day of the month following the date of eligibility for teachers
19 employed by the university and effective as of the following April 1 for all other
20 employees. ~~Any~~ An employee who does not so elect at one of these times, or who
21 subsequently cancels the insurance, may not thereafter become insured unless the
22 employee furnishes evidence of insurability under the terms of the contract, or as
23 otherwise provided by rule for employees under sub. (3), at the employee's own
24 expense or obtains coverage subject to contractual waiting periods if contractual
25 waiting periods are provided for by the contract or by rule for employees under sub.

1 (3). An employee who furnishes satisfactory evidence of insurability under the terms
2 of the contract shall become insured as of the first day of the month following the date
3 of approval of evidence. The method to be used shall be determined by the ~~group~~
4 ~~insurance~~ board under sub. (1).

5 **SECTION 60.** 40.61 (3) of the statutes is amended to read:

6 40.61 (3) ~~Any~~ An employer under s. 40.02 (28), other than the state, may offer
7 to all of its employees ~~an~~ a group income continuation insurance plan through a
8 program offered by the ~~group insurance~~ board. Notwithstanding sub. (2) and ss.
9 40.05 (5) and 40.62, the department may by rule establish different eligibility
10 standards or contribution requirements for ~~such~~ those employees and employers and
11 may by rule limit the categories of employers ~~which~~ that may be included as
12 participating employers under this subchapter.

13 **SECTION 61.** 40.62 (1) of the statutes is amended to read:

14 40.62 (1) The ~~group insurance~~ board shall establish ~~an~~ a group income
15 continuation insurance plan providing for full or partial payment of the financial loss
16 of earnings incurred as a result of injury or illness with separate provisions for
17 short-term insurance with a benefit duration of no more than one year and
18 long-term insurance covering injury or illness of indefinite duration. ~~Employees~~ An
19 employee insured under the plan ~~shall be~~ is eligible for benefits upon exhaustion of
20 accumulated sick leave and completion of the ~~elimination~~ waiting period established
21 by the ~~group insurance~~ board.

22 **SECTION 62.** 40.64 of the statutes is created to read:

23 **40.64 Long-term disability insurance coverage.** The board may establish
24 a group long-term disability insurance plan.

25 **SECTION 9113. Nonstatutory provisions; Employee Trust Funds.**

1 (1) TRANSFER OF OVERSIGHT OF GROUP DISABILITY BENEFIT INSURANCE PLANS.

2 (a) *Tangible personal property.* On the effective date of this paragraph, all
3 tangible personal property, including records, of the group insurance board that is
4 primarily related to the group income continuation insurance plan or long-term
5 disability insurance plan, as determined by the secretary of employee trust funds,
6 is transferred to the employee trust funds board.

7 (b) *Contracts.* All contracts entered into by the group insurance board in effect
8 on the effective date of this paragraph that are primarily related to the group income
9 continuation insurance plan or long-term disability insurance plan, as determined
10 by the secretary of employee trust funds, remain in effect and are transferred to the
11 employee trust funds board. The employee trust funds board shall carry out any
12 obligations under those contracts unless modified or rescinded by the employee trust
13 funds board to the extent allowed under the contract.

14 (c) *Rules.* All rules promulgated by the secretary of employee trust funds and
15 approved by the group insurance board in effect on the effective date of this
16 paragraph that are primarily related to the group income continuation insurance
17 plan or long-term disability insurance plan remain in effect until their specified
18 expiration dates or until amended or repealed by the employee trust funds board.

19 (d) *Pending matters.* Any matter pending with the group insurance board on
20 the effective date of this paragraph that is primarily related to the group income
21 continuation insurance plan or long-term disability insurance plan, as determined
22 by the secretary of employee trust funds, is transferred to the employee trust funds
23 board. All materials submitted to or actions taken by the group insurance board with
24 respect to the pending matter are considered as having been submitted to or taken
25 by the employee trust funds board.”.

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

2 “**SECTION 63.** 15.165 (title) of the statutes is amended to read:

3 **15.165** (title) **Same; attached boards and offices.**

4 **SECTION 64.** 15.165 (5) of the statutes is created to read:

5 15.165 **(5)** OFFICE OF INTERNAL AUDIT. There is created an office of internal audit
6 that is attached to the department of employee trust funds under s. 15.03. The office
7 shall be under the direction and supervision of an internal auditor who shall be
8 appointed by the employee trust funds board in the classified service. The internal
9 auditor shall report directly to the employee trust funds board.

10 **SECTION 65.** 40.03 (1) (dm) of the statutes is created to read:

11 40.03 **(1)** (dm) Shall develop and implement policies, principles, and directives
12 for the office of internal audit and determine the qualifications of and appoint, in the
13 classified service, staff for the office of internal audit. Staff appointed under this
14 paragraph shall report directly to the board.

15 **SECTION 66.** 40.03 (4m) of the statutes is created to read:

16 40.03 **(4m)** OFFICE OF INTERNAL AUDIT. (a) The office of internal audit shall
17 provide independent assurance that the public employee trust fund assets under the
18 control of the department are safeguarded for the purpose of ensuring the fulfillment
19 of the benefit commitments to individuals under this chapter.

20 (b) The internal auditor may review any activity, information, or record of the
21 department that relates to the administration of the fund.

22 (c) The internal auditor shall plan and conduct audit activities, including
23 external audits, risk assessments, research projects, and management reviews,

1 under the direction of the board and in accordance with policies, principles, and
2 directives determined by the board.

3 (d) The internal auditor shall monitor the department's compliance with
4 applicable legal requirements and contracts entered into by the department and the
5 board.

6 **SECTION 9113. Nonstatutory provisions; Employee Trust Funds.**

7 (1) INCUMBENT INTERNAL AUDITOR. The individual holding the position of
8 internal auditor in the department of employee trust funds on the day before the
9 effective date of this subsection shall continue to serve in that position until an
10 internal auditor is appointed under s. 15.165 (5).

11 (2) INCUMBENT STAFF. Individuals holding positions as staff internal auditors
12 in the department of employee trust funds on the day before the effective date of this
13 subsection shall continue to serve in those positions until staff are appointed under
14 s. 40.03 (1) (dm).”.

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

16 “**SECTION 67.** 40.04 (3) (a) of the statutes is amended to read:

17 40.04 (3) (a) The net gain or loss of the variable retirement investment trust
18 shall be distributed annually on December 31 to each participating account in the
19 same ratio as each account's average daily balance within the respective trust bears
20 to the total average daily balance of all participating accounts in the trust. The
21 amount to be distributed shall be the excess of the increase within the period in the
22 value of the assets of the trust resulting from income from the investments of the
23 trust and from the sale or appreciation in value of any investment of the trust, over

1 the decrease within the period in the value of the assets resulting from the sale or
2 the depreciation in value of any investments of the trust.

3 **SECTION 68.** 40.04 (3) (am) 3. (intro.) of the statutes is amended to read:

4 40.04 (3) (am) 3. (intro.) Annually, on December 31, the sum of all of the
5 following shall be distributed from the market recognition account to each
6 participating account in the core retirement investment trust in the same ratio as
7 each account's average daily balance bears to the total average daily balance of all
8 participating accounts in the trust.”.

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

10 “**SECTION 69.** 40.02 (8) (b) 3. of the statutes is repealed.

11 **SECTION 70.** 40.02 (21d) (intro.) of the statutes is amended to read:

12 40.02 (21d) (intro.) “Domestic partnership” means a relationship between 2
13 individuals, ~~who submitted an affidavit of domestic partnership to the department~~
14 ~~before September 23, 2017,~~ that satisfies all of the following:

15 **SECTION 71.** 40.51 (2m) (a) of the statutes is repealed.

16 **SECTION 72.** 40.51 (2m) (b) of the statutes is renumbered 40.51 (2m) and
17 amended to read:

18 40.51 (2m) If an eligible employee is divorced or was a domestic partner in a
19 dissolved domestic partnership, the eligible employee may not enroll a new spouse
20 or domestic partner in a group health insurance plan under this subchapter until 6
21 months have elapsed since the date of the divorce or dissolved domestic partnership.

22 **SECTION 73.** 40.513 (3) (b) of the statutes is amended to read:

23 40.513 (3) (b) The employee's spouse or domestic partner is receiving health
24 care coverage under s. 40.51 (6).

1 **SECTION 74.** 40.52 (2) of the statutes is amended to read:

2 40.52 (2) Health insurance benefits under this subchapter shall be integrated,
3 with exceptions determined appropriate by the group insurance board, with benefits
4 under federal plans for hospital and health care for the aged and disabled.
5 Exclusions and limitations with respect to benefits and different rates may be
6 established for persons eligible under federal plans for hospital and health care for
7 the aged and disabled in recognition of the utilization by persons within the age
8 limits eligible under the federal program. The plan may include special provisions
9 for spouses, domestic partners, and other dependents covered under a plan
10 established under this subchapter where one spouse or domestic partner is eligible
11 under federal plans for hospital and health care for the aged but the others are not
12 eligible because of age or other reasons. As part of the integration, the department
13 may, out of premiums collected under s. 40.05 (4), pay premiums for the federal
14 health insurance.

15 **SECTION 75.** 40.55 (1) of the statutes is amended to read:

16 40.55 (1) Except as provided in sub. (5), the state shall offer, through the group
17 insurance board, to eligible employees under s. 40.02 (25) (bm) and to state
18 annuitants long-term care insurance policies which have been filed with the office
19 of the commissioner of insurance and which have been approved for offering under
20 contracts established by the group insurance board. The state shall also allow an
21 eligible employee or a state annuitant to purchase those policies for his or her spouse,
22 domestic partner, or parent.

23 **SECTION 76.** 40.65 (7) (am) 1. of the statutes is amended to read:

24 40.65 (7) (am) 1. To the surviving spouse or surviving domestic partner until
25 the surviving spouse remarries, or the surviving domestic partner enters into a new

1 domestic partnership or marries, if the surviving spouse was married to the
2 participant on the date that the participant was disabled under sub. (4), or the
3 surviving domestic partner was in a domestic partnership on the date that the
4 participant was disabled under sub. (4), 50 percent of the participant's monthly
5 salary at the time of death, but reduced by any amount payable under sub. (5) (b) 1.
6 to 6.

7 **SECTION 77.** 40.65 (7) (am) 1g. of the statutes is repealed.

8 **SECTION 78.** 40.65 (7) (am) 1m. of the statutes is repealed.

9 **SECTION 79.** 40.65 (7) (am) 3. of the statutes is amended to read:

10 40.65 (7) (am) 3. The total monthly amount paid under subds. 1., ~~1g., 1m.,~~ and
11 2. may not exceed 70 percent of the participant's monthly salary at the time of death
12 reduced by any amounts under sub. (5) (b) 1. to 6. that relate to the participant's work
13 record.

14 **SECTION 80.** 40.65 (7) (ar) 1. a. of the statutes is amended to read:

15 40.65 (7) (ar) 1. a. To the surviving spouse or the surviving domestic partner
16 until the surviving spouse remarries, or the surviving domestic partner enters into
17 a new domestic partnership or marries, if the surviving spouse was married to the
18 participant on the date that the participant was disabled under sub. (4), or the
19 surviving domestic partner was in a domestic partnership with the participant on
20 the date that the participant was disabled under sub. (4), 70 percent of the
21 participant's monthly salary at the time of death, but reduced by any amount payable
22 under sub. (5) (b) 1. to 6.

23 **SECTION 81.** 40.65 (7) (ar) 1. ag. of the statutes is repealed.

24 **SECTION 82.** 40.65 (7) (ar) 1. am. of the statutes is repealed.

25 **SECTION 83.** 40.80 (2r) (a) 1. of the statutes is amended to read:

1 40.80 (2r) (a) 1. Relates to a marriage or domestic partnership that terminated
2 after December 1, 2001.

3 **SECTION 84.** 40.80 (2r) (a) 2. of the statutes is amended to read:

4 40.80 (2r) (a) 2. Assigns all or part of a participant's accumulated assets held
5 in a deferred compensation plan under this subchapter to a spouse, former spouse,
6 domestic partner, former domestic partner, child, or other dependent to satisfy a
7 family support or marital property obligation.

8 **SECTION 9313. Initial applicability; Employee Trust Funds.**

9 (1) DEFERRED COMPENSATION; DOMESTIC PARTNERS. The treatment of s. 40.02 (8)
10 (b) 3. first applies to benefits paid to a surviving domestic partner of a participant
11 who dies on the effective date of this subsection.

12 (2) DUTY DISABILITY DEATH BENEFITS; DOMESTIC PARTNERS. The treatment of s.
13 40.65 (7) (am) 1. and (ar) 1. a. first applies to a surviving domestic partner of a
14 participant who dies on the effective date of this subsection.”.

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

16 “**SECTION 85.** 40.22 (1) of the statutes is amended to read:

17 40.22 (1) Except as otherwise provided in sub. (2) and s. 40.26 (6) (1), each
18 employee currently in the service of, and receiving earnings from, a state agency or
19 other participating employer shall be included within the provisions of the Wisconsin
20 retirement system as a participating employee of that state agency or participating
21 employer.

22 **SECTION 86.** 40.22 (2) (L) of the statutes is amended to read:

1 40.22 (2) (L) The employee is employed by a participating employer after the
2 person becomes an annuitant, unless the service is after the annuity is suspended
3 by the election of the employee under s. 40.26.

4 **SECTION 87.** 40.22 (2m) (intro.) of the statutes is amended to read:

5 40.22 (2m) (intro.) Except as otherwise provided in s. 40.26 ~~(6)~~ (1), an employee
6 who was a participating employee before July 1, 2011, who is not expected to work
7 at least one-third of what is considered full-time employment by the department,
8 as determined by rule, and who is not otherwise excluded under sub. (2) from
9 becoming a participating employee shall become a participating employee if he or she
10 is subsequently employed by the state agency or other participating employer for
11 either of the following periods:

12 **SECTION 88.** 40.22 (2r) (intro.) of the statutes is amended to read:

13 40.22 (2r) (intro.) Except as otherwise provided in s. 40.26 ~~(6)~~ (1), an employee
14 who was not a participating employee before July 1, 2011, who is not expected to work
15 at least two-thirds of what is considered full-time employment by the department,
16 as determined by rule, and who is not otherwise excluded under sub. (2) from
17 becoming a participating employee shall become a participating employee if he or she
18 is subsequently employed by the state agency or other participating employer for
19 either of the following periods:

20 **SECTION 89.** 40.22 (3) (intro.) of the statutes is amended to read:

21 40.22 (3) (intro.) Except as otherwise provided in s. 40.26 ~~(6)~~ (1), a person who
22 qualifies as a participating employee shall be included within, and shall be subject
23 to, the Wisconsin retirement system effective on one of the following dates:

24 **SECTION 90.** 40.26 (1) of the statutes is amended to read:

1 40.26 (1) Except as provided in ~~sub. (1m)~~ and ss. 40.05 (2) (g) 2. and 40.23 (1)
2 (am), if a participant receiving a retirement annuity, or a disability annuitant who
3 has attained his or her normal retirement date, receives earnings that are subject
4 to s. 40.05 (1) or that would be subject to s. 40.05 (1) except for the exclusion specified
5 in s. 40.22 (2) (L), the annuity shall be suspended, including any amount provided
6 by additional contributions, and no annuity payment shall be payable after the
7 month in which the participant files with the department a written election to be
8 included within the provisions of the Wisconsin retirement system as a participating
9 employee.

10 **SECTION 91.** 40.26 (1m) of the statutes is repealed.

11 **SECTION 92.** 40.26 (2) (intro.) of the statutes is amended to read:

12 40.26 (2) (intro.) Upon suspension of an annuity under sub. (1) ~~or (1m)~~, the
13 retirement account of the participant whose annuity is so suspended shall be
14 established on the following basis:

15 **SECTION 93.** 40.26 (5) (intro.) of the statutes is amended to read:

16 40.26 (5) (intro.) ~~Except as otherwise provided in sub. (5m), if~~ If a participant
17 applies for an annuity or lump sum payment during the period in which less than ~~75~~
18 30 days have elapsed between the termination of employment with a participating
19 employer and becoming a participating employee with any participating employer,
20 all of the following shall apply:

21 **SECTION 94.** 40.26 (5m) of the statutes is repealed.

22 **SECTION 95.** 40.26 (6) of the statutes is repealed.

23 **SECTION 96.** 323.19 (3) and (4) of the statutes are repealed.

24 **SECTION 9113. Nonstatutory provisions; Employee Trust Funds.**

1 (1) ELECTION TO CONTINUE ANNUITY SUSPENSION. No later than 60 days after the
2 effective date of this subsection, if an individual who is employed by a covered
3 employer under the Wisconsin Retirement System has his or her annuity suspended
4 under s. 40.26 (1m), 2021 stats., on the effective date of this subsection and wants
5 to continue the suspension, the individual shall notify the department of employee
6 trust funds on a form provided by the department. An election to continue the
7 suspension is irrevocable.”

8 **121.** Page 374, line 11: after that line insert:

9 **“SECTION 9113. Nonstatutory provisions; Employee Trust Funds.**

10 (1) 2025-27 BIENNIAL BUDGET REQUEST. In submitting information under s. 16.42
11 for purposes of the 2025-27 biennial budget bill, the department of employee trust
12 funds shall include a request for funding for the modernization of the department’s
13 pension administration system.”

14 **122.** Page 374, line 11: after that line insert:

15 **“SECTION 97.** 230.12 (9m) of the statutes is created to read:

16 230.12 (9m) PAID FAMILY AND MEDICAL LEAVE. (a) *Definitions.* In this subsection:

17 1. “Family leave” means leave from employment for a reason specified in s.
18 103.10 (3) (b) 1. to 3.

19 2. “Medical leave” means leave from employment when an employee has a
20 serious health condition that makes the employee unable to perform his or her
21 employment duties, or makes the employee unable to perform the duties of any
22 suitable employment.

23 3. “Serious health condition” has the meaning given in s. 103.10 (1) (g).

1 (b) *Program.* The administrator shall develop and recommend to the joint
2 committee on employment relations a program, administered by the division, that
3 provides paid family and medical leave for 12 weeks per year to employees whose
4 compensation is established under this section or s. 20.923 (2) or (3) but does not
5 include employees of the Board of Regents of the University of Wisconsin System.
6 The approval process for the program is the same as that provided under sub. (3) (b),
7 and, if approved, the program shall be incorporated into the compensation plan
8 under sub. (1).

9 (c) *Rules.* The administrator may promulgate rules to implement the family
10 and medical leave program under par. (b).

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

12 (1k) PAID FAMILY AND MEDICAL LEAVE. If the paid family and medical leave
13 program under s. 230.12 (9m) is approved by the joint committee on employment
14 relations, it shall go into effect immediately upon approval by the joint committee on
15 employment relations.

16 **SECTION 9147. Nonstatutory provisions; University of Wisconsin**
17 **System.**

18 (1k) PAID FAMILY AND MEDICAL LEAVE.

19 (a) *Definitions.* In this subsection:

20 1. “Family leave” means leave from employment for a reason specified in s.
21 103.10 (3) (b) 1. to 3.

22 2. “Medical leave” means leave from employment when an employee has a
23 serious health condition that makes the employee unable to perform his or her
24 employment duties, or makes the employee unable to perform the duties of any
25 suitable employment.

1 3. “Serious health condition” has the meaning given in s. 103.10 (1) (g).

2 (b) *Program plan.* The Board of Regents of the University of Wisconsin System
3 shall submit to the administrator of the division of personnel management in the
4 department of administration, with its recommendations for adjustments to
5 compensation and employee benefits for employees of the system under s. 230.12 (3)
6 (e) 1. for 2023-25, a plan for a program to provide paid family and medical leave for
7 12 weeks annually to employees of the system.”

8 **123.** Page 374, line 11: after that line insert:

9 “**SECTION 98.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
10 insert the following amounts for the purposes indicated:

				2023-24	2024-25
11	20.445	Workforce development, department of			
12	(1)	WORKFORCE DEVELOPMENT			
13	(bj)	Local workforce development			
14		boards; grants for youth services			
15		and training	GPR C	4,400,000	4,400,000
16	(bp)	Wisconsin green jobs training			
17		program; grants	GPR C	2,000,000	-0-
18	(bq)	Clean energy training and reem-			
19		ployment program	GPR C	5,000,000	5,000,000
20	(bw)	Workforce innovation grants	GPR C	200,000,000	-0-
21	(cm)	Worker advancement initiative	GPR C	15,500,000	11,000,000

				2023-24	2024-25
1	(fd)	Enforcement of laws related to			
2		migrant workers	GPR A	451,600	282,000
3	(rr)	Worker's compensation opera-			
4		tions fund; special assessment			
5		insurer reimbursements	SEG A	5,000,000	5,000,000
6	(6)	FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM			
7	(q)	Payment of benefits; family and			
8		medical leave benefits insurance			
9		trust fund	SEG S	-0-	158,866,600
10	(r)	Administrative expenses; family			
11		and medical leave insurance			
12		trust fund	SEG B	65,767,800	18,779,000

13 **SECTION 99.** 16.75 (1p) of the statutes is repealed.

14 **SECTION 100.** 16.765 (1) of the statutes is amended to read:

15 16.765 (1) Contracting agencies, the University of Wisconsin Hospitals and
16 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
17 Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin
18 Economic Development Corporation, and the Bradley Center Sports and
19 Entertainment Corporation shall include in all contracts executed by them a
20 provision obligating the contractor not to discriminate against any employee or
21 applicant for employment because of age, race, religion, color, handicap, sex, physical
22 condition, developmental disability, as defined in s. 51.01 (5), sexual orientation, as
23 defined in s. 111.32 (13m), gender expression, as defined in s. 111.32 (7j), gender

1 identity, as defined in s. 111.32 (7k), or national origin and, except with respect to
2 sexual orientation, gender expression, and gender identity, obligating the contractor
3 to take affirmative action to ensure equal employment opportunities.

4 **SECTION 101.** 16.765 (2) of the statutes is amended to read:

5 16.765 (2) Contracting agencies, the University of Wisconsin Hospitals and
6 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
7 Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin
8 Economic Development Corporation, and the Bradley Center Sports and
9 Entertainment Corporation shall include the following provision in every contract
10 executed by them: “In connection with the performance of work under this contract,
11 the contractor agrees not to discriminate against any employee or applicant for
12 employment because of age, race, religion, color, handicap, sex, physical condition,
13 developmental disability, as defined in s. 51.01 (5), sexual orientation, gender
14 expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k),
15 or national origin. This provision shall include, but not be limited to, the following:
16 employment, upgrading, demotion, or transfer; recruitment or recruitment
17 advertising; layoff or termination; rates of pay or other forms of compensation; and
18 selection for training, including apprenticeship. Except with respect to sexual
19 orientation, gender expression, and gender identity, the contractor further agrees to
20 take affirmative action to ensure equal employment opportunities. The contractor
21 agrees to post in conspicuous places, available for employees and applicants for
22 employment, notices to be provided by the contracting officer setting forth the
23 provisions of the nondiscrimination-~~clause~~”. clause.”

24 **SECTION 102.** 16.855 (1p) of the statutes is repealed.

25 **SECTION 103.** 19.36 (12) of the statutes is created to read:

1 19.36 (12) INFORMATION RELATING TO CERTAIN EMPLOYEES. Unless access is
2 specifically authorized or required by statute, an authority may not provide access
3 to a record prepared or provided by an employer performing work on a project to
4 which s. 66.0903, 103.49, or 103.50 applies, or on which the employer is otherwise
5 required to pay prevailing wages, if that record contains the name or other personally
6 identifiable information relating to an employee of that employer, unless the
7 employee authorizes the authority to provide access to that information. In this
8 subsection, “personally identifiable information” does not include an employee’s
9 work classification, hours of work, or wage or benefit payments received for work on
10 such a project.

11 **SECTION 104.** 20.445 (1) (bj) of the statutes is created to read:

12 20.445 (1) (bj) *Local workforce development boards; grants for youth services*
13 *and training.* As a continuing appropriation, the amounts in the schedule for grants
14 to local workforce development boards under s. 106.112.

15 **SECTION 105.** 20.445 (1) (bm) of the statutes is amended to read:

16 20.445 (1) (bm) *Workforce training; administration.* Biennially, the amounts
17 in the schedule for the administration of the local youth apprenticeship grant
18 program under s. 106.13 (3m), the youth summer jobs program under s. 106.18, the
19 employment transit assistance grant program under s. 106.26, the workforce
20 training ~~program~~ programs under s. 106.27, the teacher development program
21 grants under s. 106.272, the career and technical education incentive grant program
22 under s. 106.273, the technical education equipment grant program under s.
23 106.275, and the apprentice programs under subch. I of ch. 106.

24 **SECTION 106.** 20.445 (1) (bp) of the statutes is created to read:

1 20.445 (1) (bp) *Wisconsin green jobs training program; grants*. As a continuing
2 appropriation, the amounts in the schedule for green jobs training program grants
3 under s. 106.27 (1p).

4 **SECTION 107.** 20.445 (1) (bq) of the statutes is created to read:

5 20.445 (1) (bq) *Clean energy training and reemployment program*. As a
6 continuing appropriation, the amounts in the schedule for program administration
7 and associated costs under s. 106.28.

8 **SECTION 108.** 20.445 (1) (bw) of the statutes is created to read:

9 20.445 (1) (bw) *Workforce innovation grants*. As a continuing appropriation,
10 the amounts in the schedule for workforce innovation grants under s. 106.29.

11 **SECTION 109.** 20.445 (1) (cm) of the statutes is created to read:

12 20.445 (1) (cm) *Worker advancement initiative*. As a continuing appropriation,
13 the amounts in the schedule for the worker advancement initiative under s. 106.145.

14 **SECTION 110.** 20.445 (1) (fd) of the statutes is created to read:

15 20.445 (1) (fd) *Enforcement of laws related to migrant workers*. The amounts
16 in the schedule for enforcement activities related to wages, hours, and working
17 conditions of migrant workers, the certification, maintenance, and inspection of
18 migrant labor camps, and the recruitment and hiring of migrant workers under ss.
19 103.905 to 103.97.

20 **SECTION 111.** 20.445 (1) (ga) of the statutes is amended to read:

21 20.445 (1) (ga) *Auxiliary services*. All moneys received from fees collected
22 under ss. 102.16 (2m) (d), 103.005 (15), 103.91 (3), 103.92 (1) (a), and 106.09 (7) for
23 the delivery of services under ss. 102.16 (2m) (f), 103.005 (15), and 106.09 and ch. 108,
24 and for administrative services under ss. 103.905 to 103.97.

25 **SECTION 112.** 20.445 (1) (ra) of the statutes is amended to read:

1 20.445 (1) (ra) *Worker's compensation operations fund; administration.* From
2 the worker's compensation operations fund, the amounts in the schedule for the
3 administration of the worker's compensation program by the department, for
4 assistance to the department of justice in investigating and prosecuting fraudulent
5 activity related to worker's compensation, for transfer to the uninsured employers
6 fund under s. 102.81 (1) (c), and for transfer to the appropriation accounts under par.
7 (rp) and s. 20.427 (1) (ra). All moneys received under ss. 102.28 (2) (b) and 102.75
8 (1) shall be credited to this appropriation account. From this appropriation, an
9 amount not to exceed \$5,000 may be expended each fiscal year for payment of
10 expenses for travel and research by the council on worker's compensation, an amount
11 not to exceed \$500,000 may be transferred in each fiscal year to the uninsured
12 employers fund under s. 102.81 (1) (c), the amount in the schedule under par. (rp)
13 shall be transferred to the appropriation account under par. (rp), and the amount in
14 the schedule under s. 20.427 (1) (ra) shall be transferred to the appropriation account
15 under s. 20.427 (1) (ra).

16 **SECTION 113.** 20.445 (1) (rr) of the statutes is created to read:

17 20.445 (1) (rr) *Worker's compensation operations fund; special assessment*
18 *insurer reimbursements.* From the worker's compensation operations fund, the
19 amounts in the schedule for providing reimbursement to insurance carriers paying
20 supplemental benefits under s. 102.44 (1) (c). All moneys received under s. 102.75
21 (1g) shall be credited to this appropriation account.

22 **SECTION 114.** 20.445 (1) (sm) of the statutes is amended to read:

23 20.445 (1) (sm) *Uninsured employers fund; payments.* From the uninsured
24 employers fund, ~~a sum sufficient to make~~ all moneys received from sources identified
25 under s. 102.80 (1m) for the purpose of making the payments under s. 102.81 (1) and

1 to obtain reinsurance under s. 102.81 (2). No moneys may be expended or
2 encumbered under this paragraph until the first day of the first July beginning after
3 the day that the secretary of workforce development files the certificate under s.
4 102.80 (3) (a).

5 **SECTION 115.** 20.445 (6) (q) of the statutes is created to read:

6 20.445 (6) (q) *Payment of benefits; family and medical leave benefits insurance*
7 *trust fund.* From the family and medical leave benefits insurance trust fund, a sum
8 sufficient to pay for the payment of benefits under s. 103.105 (3) and to refund
9 moneys erroneously paid into the fund.

10 **SECTION 116.** 20.445 (6) (r) of the statutes is created to read:

11 20.445 (6) (r) *Administrative expenses; family and medical leave benefits*
12 *insurance trust fund.* Biennially, from the family and medical leave benefits
13 insurance trust fund, the amounts in the schedule for the administrative expenses
14 of the family and medical leave benefits insurance program.

15 **SECTION 117.** 25.17 (1) (er) of the statutes is created to read:

16 25.17 (1) (er) Family and medical leave benefits insurance trust fund (s. 25.52);

17 **SECTION 118.** 25.52 of the statutes is created to read:

18 **25.52 Family and medical leave benefits insurance trust fund.** There
19 is created a separate nonlapsible trust fund designated as the family and medical
20 leave benefits insurance trust fund, to consist of all moneys deposited in that fund
21 under s. 103.105 (8).

22 **SECTION 119.** 36.09 (1) (e) of the statutes is amended to read:

23 36.09 (1) (e) Subject to par. (em), the board shall appoint a president of the
24 system; a chancellor for each institution; a dean for each college campus; the state
25 geologist; the director of the laboratory of hygiene; the director of the psychiatric

1 institute; the state cartographer; and the requisite number of officers, other than the
2 vice presidents, associate vice presidents, and assistant vice presidents of the
3 system; faculty; academic staff; and other employees and fix the salaries, subject to
4 the limitations under par. (j) and s. 230.12 (3) (e), the duties and the term of office
5 for each. The board shall fix the salaries, subject to the limitations under par. (j) and
6 s. 230.12 (3) (e), and the duties for each chancellor, vice president, associate vice
7 president, and assistant vice president of the system. No sectarian or partisan tests
8 or any tests based upon race, religion, national origin, ~~or sex, sexual orientation, as~~
9 defined in s. 111.32 (13m), gender expression, as defined in s. 111.32 (7j), or gender
10 identity, as defined in s. 111.32 (7k), shall ever be allowed or exercised in the
11 appointment of the employees of the system.

12 **SECTION 120.** 47.02 (3m) (f) of the statutes is amended to read:

13 47.02 (3m) (f) Assure that eligibility for vocational rehabilitation services
14 under this chapter is determined without regard to the sex, race, age, creed, color,
15 or national origin, sexual orientation, as defined in s. 111.32 (13m), gender
16 expression, as defined in s. 111.32 (7j), or gender identity, as defined in s. 111.32 (7k),
17 of the individual applying for services, that no class of individuals is found ineligible
18 solely on the basis of type of disability, and that no age limitations for eligibility exist
19 ~~which that,~~ by themselves, would result in ineligibility for vocational rehabilitation
20 services.

21 **SECTION 121.** 66.0129 (5) of the statutes is amended to read:

22 66.0129 (5) BIDS FOR CONSTRUCTION. The nonprofit corporation shall let all
23 contracts exceeding \$1,000 for the construction, maintenance or repair of hospital
24 facilities to the lowest responsible bidder after advertising for bids by the publication

1 of a class 2 notice under ch. 985. ~~Section~~ Sections 66.0901 ~~applies~~ and 66.0903 apply
2 to bids and contracts under this subsection.

3 **SECTION 122.** 66.0134 of the statutes is repealed.

4 **SECTION 123.** 66.0408 (2) (d) of the statutes is repealed.

5 **SECTION 124.** 66.0901 (1) (ae) of the statutes is repealed.

6 **SECTION 125.** 66.0901 (1) (am) of the statutes is repealed.

7 **SECTION 126.** 66.0901 (6) of the statutes is amended to read:

8 66.0901 (6) SEPARATION OF CONTRACTS; CLASSIFICATION OF CONTRACTORS. In public
9 contracts for the construction, repair, remodeling or improvement of a public
10 building or structure, other than highway structures and facilities, a municipality
11 may bid projects based on a single or multiple division of the work. Public contracts
12 shall be awarded according to the division of work selected for bidding. ~~Except as~~
13 ~~provided in sub. (6m), the~~ The municipality may set out in any public contract
14 reasonable and lawful conditions as to the hours of labor, wages, residence, character
15 and classification of workers to be employed by any contractor, classify contractors
16 as to their financial responsibility, competency and ability to perform work and set
17 up a classified list of contractors. The municipality may reject the bid of any person,
18 if the person has not been classified for the kind or amount of work in the bid.

19 **SECTION 127.** 66.0901 (6m) of the statutes is repealed.

20 **SECTION 128.** 66.0901 (6s) of the statutes is repealed.

21 **SECTION 129.** 66.0903 (1) (a), (am), (b), (cm), (dr), (em), (hm) and (im) of the
22 statutes are created to read:

23 66.0903 (1) (a) "Area" means the county in which a proposed project of public
24 works that is subject to this section is located or, if the department determines that
25 there is insufficient wage data in that county, "area" means those counties that are

1 contiguous to that county or, if the department determines that there is insufficient
2 wage data in those counties, “area” means those counties that are contiguous to those
3 counties or, if the department determines that there is insufficient wage data in those
4 counties, “area” means the entire state or, if the department is requested to review
5 a determination under sub. (3) (br), “area” means the city, village, or town in which
6 a proposed project of public works that is subject to this section is located.

7 (am) “Bona fide economic benefit” has the meaning given in s. 103.49 (1) (am).

8 (b) “Department” means the department of workforce development.

9 (cm) “Insufficient wage data” has the meaning given in s. 103.49 (1) (bg).

10 (dr) “Minor service or maintenance work” means a project of public works that
11 is limited to minor crack filling, chip or slurry sealing, or other minor pavement
12 patching, not including overlays, that has a projected life span of no longer than 5
13 years or that is performed for a town and is not funded under s. 86.31, regardless of
14 projected life span; the depositing of gravel on an existing gravel road applied solely
15 to maintain the road; road shoulder maintenance; cleaning of drainage or sewer
16 ditches or structures; or any other limited, minor work on public facilities or
17 equipment that is routinely performed to prevent breakdown or deterioration.

18 (em) “Multiple-trade project of public works” has the meaning given in s.
19 103.49 (1) (br).

20 (hm) “Single-trade project of public works” has the meaning given in s. 103.49
21 (1) (em).

22 (im) “Supply and installation contract” has the meaning given in s. 103.49 (1)
23 (fm).

24 **SECTION 130.** 66.0903 (1) (c) of the statutes is amended to read:

1 66.0903 (1) (c) “Hourly basic rate of pay” has the meaning given in s. ~~16.856~~
2 103.49 (1) (b), ~~2015 stats.~~

3 **SECTION 131.** 66.0903 (1) (f) of the statutes is amended to read:

4 66.0903 (1) (f) “Prevailing hours of labor” has the meaning given in s. ~~16.856~~
5 103.49 (1) (e), ~~2015 stats. (c).~~

6 **SECTION 132.** 66.0903 (1) (g) of the statutes is repealed and recreated to read:

7 66.0903 (1) (g) “Prevailing wage rate” has the meaning given in s. 103.49 (1)
8 (d).

9 **SECTION 133.** 66.0903 (1) (j) of the statutes is amended to read:

10 66.0903 (1) (j) “Truck driver” ~~includes an owner-operator of a truck~~ has the
11 meaning given in s. 103.49 (1) (g).

12 **SECTION 134.** 66.0903 (1m) (b) of the statutes is amended to read:

13 66.0903 (1m) (b) The legislature finds that the enactment of ordinances or
14 other enactments by local governmental units requiring laborers, workers,
15 mechanics, and truck drivers employed on projects of public works or on publicly
16 funded private construction projects to be paid the prevailing wage rate and to be
17 paid at least 1.5 times their hourly basic rate of pay for hours worked in excess of the
18 prevailing hours of labor would be logically inconsistent with, would defeat the
19 purpose of, and would go against the ~~repeals~~ spirit of this section and the repeal of
20 s. 66.0904, 2009 stats., and s. ~~66.0903 (2) to (12), 2013 stats.~~ Therefore, this section
21 shall be construed as an enactment of statewide concern for the ~~purposes of~~
22 ~~facilitating broader participation with respect to bidding on projects of public works,~~
23 ~~ensuring that wages accurately reflect market conditions, providing local~~
24 ~~governments with the flexibility to reduce costs on capital projects, and reducing~~
25 ~~spending at all levels of government in this state~~ purpose of providing uniform

1 prevailing wage rate and prevailing hours of labor requirements throughout the
2 state.

3 **SECTION 135.** 66.0903 (2) to (12) of the statutes are created to read:

4 66.0903 (2) APPLICABILITY. Subject to sub. (5), this section applies to any project
5 of public works erected, constructed, repaired, remodeled, or demolished for a local
6 governmental unit, including all of the following:

7 (a) A highway, street, bridge, building, or other infrastructure project.

8 (b) A project erected, constructed, repaired, remodeled, or demolished by one
9 local governmental unit for another local governmental unit under a contract under
10 s. 66.0301 (2), 83.03, 83.035, or 86.31 (2) (b) or under any other statute specifically
11 authorizing cooperation between local governmental units.

12 (c) A project in which the completed facility is leased, purchased, lease
13 purchased, or otherwise acquired by, or dedicated to, a local governmental unit in lieu
14 of the local governmental unit contracting for the erection, construction, repair,
15 remodeling, or demolition of the facility.

16 (d) A road, street, bridge, sanitary sewer, or water main project in which the
17 completed road, street, bridge, sanitary sewer, or water main is acquired by, or
18 dedicated to, a local governmental unit, including under s. 236.13 (2), for ownership
19 or maintenance by the local governmental unit.

20 (3) PREVAILING WAGE RATES AND HOURS OF LABOR. (am) A local governmental unit,
21 before making a contract by direct negotiation or soliciting bids on a contract for the
22 erection, construction, remodeling, repairing, or demolition of any project of public
23 works, shall apply to the department to determine the prevailing wage rate for each
24 trade or occupation required in the work contemplated. The department shall
25 conduct investigations and hold public hearings as necessary to define the trades or

1 occupations that are commonly employed on projects of public works that are subject
2 to this section and to inform itself of the prevailing wage rates in all areas of the state
3 for those trades or occupations, in order to determine the prevailing wage rate for
4 each trade or occupation. The department shall issue its determination within 30
5 days after receiving the request and shall file the determination with the requesting
6 local governmental unit.

7 (ar) The department shall, by January 1 of each year, compile the prevailing
8 wage rates for each trade or occupation in each area. The compilation shall, in
9 addition to the current prevailing wage rates, include future prevailing wage rates
10 when those prevailing wage rates can be determined for any trade or occupation in
11 any area and shall specify the effective date of those future prevailing wage rates.
12 If a project of public works extends into more than one area, the department shall
13 determine only one standard of prevailing wage rates for the entire project.

14 (av) In determining prevailing wage rates under par. (am) or (ar), the
15 department may not use data from projects that are subject to this section, s. 103.49
16 or 103.50, or 40 USC 3142 unless the department determines that there is
17 insufficient wage data in the area to determine those prevailing wage rates, in which
18 case the department may use data from projects that are subject to this section, s.
19 103.49 or 103.50, or 40 USC 3142. In determining prevailing wage rates under par.
20 (am) or (ar), the department may not use data from any construction work that is
21 performed by a local governmental unit or a state agency.

22 (bm) Any person may request a recalculation of any portion of an initial
23 determination within 30 days after the initial determination date if the person
24 submits evidence with the request showing that the prevailing wage rate for any
25 given trade or occupation included in the initial determination does not represent the

1 prevailing wage rate for that trade or occupation in the area. The evidence shall
2 include wage rate information reflecting work performed by individuals working in
3 the contested trade or occupation in the area during the current survey period. The
4 department shall affirm or modify the initial determination within 15 days after the
5 date on which the department receives the request for recalculation.

6 (br) In addition to the recalculation under par. (bm), the local governmental
7 unit that requested the determination under this subsection may request a review
8 of any portion of a determination within 30 days after the date of issuance of the
9 determination if the local governmental unit submits evidence with the request
10 showing that the prevailing wage rate for any given trade or occupation included in
11 the determination does not represent the prevailing wage rate for that trade or
12 occupation in the city, village, or town in which the proposed project of public works
13 is located. That evidence shall include wage rate information for the contested trade
14 or occupation on at least 3 similar projects located in the city, village, or town where
15 the proposed project of public works is located and on which some work has been
16 performed during the current survey period and which were considered by the
17 department in issuing its most recent compilation under par. (ar). The department
18 shall affirm or modify the determination within 15 days after the date on which the
19 department receives the request for review.

20 (dm) A local governmental unit that is subject to this section shall include a
21 reference to the prevailing wage rates determined by the department and to the
22 prevailing hours of labor in the notice published for the purpose of securing bids for
23 the project of public works. Except as otherwise provided in this paragraph, if any
24 contract or subcontract for a project of public works is entered into, the prevailing
25 wage rates determined by the department and the prevailing hours of labor shall be

1 physically incorporated into and made a part of the contract or subcontract. For a
2 minor subcontract, as determined by the department, the department shall
3 prescribe by rule the method of notifying the minor subcontractor of the prevailing
4 wage rates and prevailing hours of labor applicable to the minor subcontract. The
5 prevailing wage rates and prevailing hours of labor applicable to a contract or
6 subcontract may not be changed during the time that the contract or subcontract is
7 in force.

8 (e) No contractor, subcontractor, or contractor's or subcontractor's agent that
9 is subject to this section may do any of the following:

10 1. Pay an individual performing the work described in sub. (4) less than the
11 prevailing wage rate in the same or most similar trade or occupation determined
12 under this subsection.

13 2. Allow an individual performing the work described in sub. (4) to work a
14 greater number of hours per day or per week than the prevailing hours of labor,
15 unless the contractor, subcontractor, or contractor's or subcontractor's agent pays
16 the individual for all hours worked in excess of the prevailing hours of labor at a rate
17 of at least 1.5 times the individual's hourly basic rate of pay.

18 **(4) COVERED EMPLOYEES.** (a) Subject to par. (b), any person subject to this
19 section shall pay all of the following employees the prevailing wage rate determined
20 under sub. (3) and may not allow such employees to work a greater number of hours
21 per day or per week than the prevailing hours of labor, unless the person pays the
22 employee for all hours worked in excess of the prevailing hours of labor at a rate of
23 at least 1.5 times the employee's hourly basic rate of pay:

24 1. All laborers, workers, mechanics, and truck drivers employed on the site of
25 a project of public works that is subject to this section.

1 2. All laborers, workers, mechanics, and truck drivers employed in the
2 manufacturing or furnishing of materials, articles, supplies, or equipment on the site
3 of a project of public works that is subject to this section or from a facility dedicated
4 exclusively, or nearly so, to a project of public works that is subject to this section by
5 a contractor, subcontractor, agent, or other person performing any work on the site
6 of the project.

7 (b) A laborer, worker, mechanic, or truck driver who is employed to process,
8 manufacture, pick up, or deliver materials or products from a commercial
9 establishment that has a fixed place of business from which the establishment
10 supplies processed or manufactured materials or products or from a facility that is
11 not dedicated exclusively, or nearly so, to a project of public works that is subject to
12 this section is not entitled to receive the prevailing wage rate determined under sub.
13 (3) or to receive at least 1.5 times his or her hourly basic rate of pay for all hours
14 worked in excess of the prevailing hours of labor unless any of the following applies:

15 1. The laborer, worker, mechanic, or truck driver is employed to go to the source
16 of mineral aggregate such as sand, gravel, or stone and deliver that mineral
17 aggregate to the site of a project of public works that is subject to this section by
18 depositing the material directly in final place, from the transporting vehicle or
19 through spreaders from the transporting vehicle.

20 2. The laborer, worker, mechanic, or truck driver is employed to go to the site
21 of a project of public works that is subject to this section, pick up excavated material
22 or spoil from the site of the project, and transport that excavated material or spoil
23 away from the site of the project.

1 (c) A person subject to this section shall pay a truck driver who is an
2 owner-operator of a truck separately for his or her work and for the use of his or her
3 truck.

4 **(5) NONAPPLICABILITY.** This section does not apply to any of the following:

5 (a) A single-trade project of public works for which the estimated project cost
6 of completion is less than \$48,000, a multiple-trade project of public works for which
7 the estimated project cost of completion is less than \$100,000, or, in the case of a
8 multiple-trade project of public works erected, constructed, repaired, remodeled, or
9 demolished by a private contractor for a city or village having a population of less
10 than 2,500 or for a town, a multiple-trade project of public works for which the
11 estimated project cost of completion is less than \$234,000.

12 (b) Work performed on a project of public works for which the local
13 governmental unit contracting for the project is not required to compensate any
14 contractor, subcontractor, contractor's or subcontractor's agent, or individual for
15 performing the work.

16 (c) Minor service or maintenance work, warranty work, or work under a supply
17 and installation contract.

18 (f) A project of public works involving the erection, construction, repair,
19 remodeling, or demolition of a residential property containing 2 dwelling units or
20 less.

21 (g) A road, street, bridge, sanitary sewer, or water main project that is a part
22 of a development in which not less than 90 percent of the lots contain or will contain
23 2 dwelling units or less, as determined by the local governmental unit at the time of
24 approval of the development, and that, on completion, is acquired by, or dedicated to,

1 a local governmental unit, including under s. 236.13 (2), for ownership or
2 maintenance by the local governmental unit.

3 (8) POSTING. A local governmental unit that has contracted for a project of
4 public works shall post the prevailing wage rates determined by the department, the
5 prevailing hours of labor, and the provisions of subs. (10) (a) and (11) (a) in at least
6 one conspicuous place on the site of the project that is easily accessible by employees
7 working on the project, or, if there is no common site on the project, at the place
8 normally used by the local governmental unit to post public notices.

9 (9) COMPLIANCE. (a) When the department finds that a local governmental unit
10 has not requested a determination under sub. (3) (am) or that a local governmental
11 unit, contractor, or subcontractor has not physically incorporated a determination
12 into a contract or subcontract as required under this section or has not notified a
13 minor subcontractor of a determination in the manner prescribed by the department
14 by rule promulgated under sub. (3) (dm), the department shall notify the local
15 governmental unit, contractor, or subcontractor of the noncompliance and shall file
16 the determination with the local governmental unit, contractor, or subcontractor
17 within 30 days after the notice.

18 (b) Upon completion of a project of public works and before receiving final
19 payment for his or her work on the project, each agent or subcontractor shall furnish
20 the contractor with an affidavit stating that the agent or subcontractor has complied
21 fully with the requirements of this section. A contractor may not authorize final
22 payment until the affidavit is filed in proper form and order.

23 (c) Upon completion of a project of public works and before receiving final
24 payment for his or her work on the project, each contractor shall file with the local
25 governmental unit authorizing the work an affidavit stating that the contractor has

1 complied fully with the requirements of this section and that the contractor has
2 received an affidavit under par. (b) from each of the contractor's agents and
3 subcontractors. A local governmental unit may not authorize a final payment until
4 the affidavit is filed in proper form and order. If a local governmental unit authorizes
5 a final payment before an affidavit is filed in proper form and order or if the
6 department determines, based on the greater weight of the credible evidence, that
7 any person performing the work specified in sub. (4) has been or may have been paid
8 less than the prevailing wage rate or less than 1.5 times the hourly basic rate of pay
9 for all hours worked in excess of the prevailing hours of labor and requests that the
10 local governmental unit withhold all or part of the final payment, but the local
11 governmental unit fails to do so, the local governmental unit is liable for all back
12 wages payable up to the amount of the final payment.

13 **(10) RECORDS; INSPECTION; ENFORCEMENT.** (a) Each contractor, subcontractor, or
14 contractor's or subcontractor's agent that performs work on a project of public works
15 that is subject to this section shall keep full and accurate records clearly indicating
16 the name and trade or occupation of every individual performing the work described
17 in sub. (4) and an accurate record of the number of hours worked by each of those
18 individuals and the actual wages paid for the hours worked.

19 (b) The department or the contracting local governmental unit may demand
20 and examine, and every contractor, subcontractor, and contractor's or
21 subcontractor's agent shall keep, and furnish upon request by the department or
22 local governmental unit, copies of payrolls and other records and information
23 relating to the wages paid to individuals performing the work described in sub. (4)
24 for work to which this section applies. The department may inspect records in the
25 manner provided in ch. 103. Every contractor, subcontractor, or agent performing

1 work on a project of public works that is subject to this section is subject to the
2 requirements of ch. 103 relating to the examination of records.

3 (c) If requested by any person, the department shall inspect the payroll records
4 of any contractor, subcontractor, or agent performing work on a project of public
5 works that is subject to this section as provided in this paragraph to ensure
6 compliance with this section. On receipt of such a request, the department shall
7 request that the contractor, subcontractor, or agent submit to the department a
8 certified record of the information specified in par. (a), other than personally
9 identifiable information relating to an employee of the contractor, subcontractor, or
10 agent, for no longer than a 4-week period. The department may request that a
11 contractor, subcontractor, or agent submit those records no more than once per
12 calendar quarter for each project of public works on which the contractor,
13 subcontractor, or agent is performing work. The department may not charge a
14 requester a fee for obtaining that information. Certified records submitted to the
15 department under this paragraph are open for public inspection and copying under
16 s. 19.35 (1).

17 (d) Section 103.005 (5) (f), (11), (12), and (13) applies to this section, except that
18 s. 103.005 (12) (a) does not apply to a person who fails to provide any information to
19 the department to assist the department in determining prevailing wage rates under
20 sub. (3) (am) or (ar). Section 111.322 (2m) applies to discharge and other
21 discriminatory acts arising in connection with any proceeding under this section,
22 including proceedings under sub. (11) (a).

23 **(11) LIABILITY AND PENALTIES.** (a) 1. A contractor, subcontractor, or contractor's
24 or subcontractor's agent who fails to pay the prevailing wage rate determined by the
25 department under sub. (3) or who pays less than 1.5 times the hourly basic rate of

1 pay for all hours worked in excess of the prevailing hours of labor is liable to any
2 affected employee in the amount of his or her unpaid wages or his or her unpaid
3 overtime compensation and in an additional amount as liquidated damages as
4 provided under subd. 2. or 3., whichever is applicable.

5 2. If the department determines upon inspection under sub. (10) (b) or (c) that
6 a contractor, subcontractor, or contractor's or subcontractor's agent has failed to pay
7 the prevailing wage rate determined by the department under sub. (3) or has paid
8 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
9 prevailing hours of labor, the department shall order the contractor to pay to any
10 affected employee the amount of his or her unpaid wages or his or her unpaid
11 overtime compensation and an additional amount equal to 100 percent of the amount
12 of those unpaid wages or that unpaid overtime compensation as liquidated damages
13 within a period specified by the department in the order.

14 3. In addition to or in lieu of recovering the liability specified in subd. 1. as
15 provided in subd. 2., any employee for and on behalf of that employee and other
16 employees similarly situated may commence an action to recover that liability in any
17 court of competent jurisdiction. If the court finds that a contractor, subcontractor,
18 or contractor's or subcontractor's agent has failed to pay the prevailing wage rate
19 determined by the department under sub. (3) or has paid less than 1.5 times the
20 hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor,
21 the court shall order the contractor, subcontractor, or agent to pay to any affected
22 employee the amount of his or her unpaid wages or his or her unpaid overtime
23 compensation and an additional amount equal to 100 percent of the amount of those
24 unpaid wages or that unpaid overtime compensation as liquidated damages.

1 5. No employee may be a party plaintiff to an action under subd. 3. unless the
2 employee consents in writing to become a party and the consent is filed in the court
3 in which the action is brought. Notwithstanding s. 814.04 (1), the court shall, in
4 addition to any judgment awarded to the plaintiff, allow reasonable attorney fees
5 and costs to be paid by the defendant.

6 (b) 1. Except as provided in subds. 2., 4., and 6., any contractor, subcontractor,
7 or contractor's or subcontractor's agent who violates this section may be fined not
8 more than \$200 or imprisoned for not more than 6 months or both. Each day that
9 any violation continues is a separate offense.

10 2. Whoever induces any individual who seeks to be or is employed on any
11 project of public works that is subject to this section to give up, waive, or return any
12 part of the wages to which the individual is entitled under the contract governing the
13 project, or who reduces the hourly basic rate of pay normally paid to an individual
14 for work on a project that is not subject to this section during a week in which the
15 individual works both on a project of public works that is subject to this section and
16 on a project that is not subject to this section, by threat not to employ, by threat of
17 dismissal from employment, or by any other means is guilty of an offense under s.
18 946.15 (1).

19 3. Any individual employed on a project of public works that is subject to this
20 section who knowingly allows a contractor, subcontractor, or contractor's or
21 subcontractor's agent to pay him or her less than the prevailing wage rate set forth
22 in the contract governing the project, who gives up, waives, or returns any part of the
23 compensation to which he or she is entitled under the contract, or who gives up,
24 waives, or returns any part of the compensation to which he or she is normally
25 entitled for work on a project that is not subject to this section during a week in which

1 the individual works both on a project of public works that is subject to this section
2 and on a project that is not subject to this section, is guilty of an offense under s.
3 946.15 (2).

4 4. Whoever induces any individual who seeks to be or is employed on any
5 project of public works that is subject to this section to allow any part of the wages
6 to which the individual is entitled under the contract governing the project to be
7 deducted from the individual's pay is guilty of an offense under s. 946.15 (3), unless
8 the deduction would be allowed under 29 CFR 3.5 or 3.6 from an individual who is
9 working on a project that is subject to 40 USC 3142.

10 5. Any individual who is employed on a project of public works that is subject
11 to this section who knowingly allows any part of the wages to which he or she is
12 entitled under the contract governing the project to be deducted from his or her pay
13 is guilty of an offense under s. 946.15 (4), unless the deduction would be allowed
14 under 29 CFR 3.5 or 3.6 from an individual who is working on a project that is subject
15 to 40 USC 3142.

16 6. Subdivision 1. does not apply to any person who fails to provide any
17 information to the department to assist the department in determining prevailing
18 wage rates under sub. (3) (am) or (ar).

19 **(12) DEPARTMENT.** (a) Except as provided under pars. (b) and (c), the department
20 shall notify any local governmental unit applying for a determination under sub. (3)
21 of the names of all persons that the department has found to have failed to pay the
22 prevailing wage rate determined under sub. (3) or has found to have paid less than
23 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing
24 hours of labor at any time in the preceding 3 years. The department shall include
25 with each name the address of the person and shall specify when the person failed

1 to pay the prevailing wage rate and when the person paid less than 1.5 times the
2 hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor.
3 A local governmental unit may not award any contract to the person unless otherwise
4 recommended by the department or unless 3 years have elapsed from the date the
5 department issued its findings or the date of final determination by a court of
6 competent jurisdiction, whichever is later.

7 (b) The department may not include in a notification under par. (a) the name
8 of any person on the basis of having subcontracted a contract for a project of public
9 works to a person that the department has found to have failed to pay the prevailing
10 wage rate determined under sub. (3) or has found to have paid less than 1.5 times
11 the hourly basic rate of pay for all hours worked in excess of the prevailing hours of
12 labor.

13 (c) This subsection does not apply to any contractor, subcontractor, or agent
14 who in good faith commits a minor violation of this section, as determined on a
15 case-by-case basis through administrative hearings with all rights to due process
16 afforded to all parties or who has not exhausted or waived all appeals.

17 (d) Any person submitting a bid or negotiating a contract on a project of public
18 works that is subject to this section shall, on the date the person submits the bid or
19 negotiates the contract, identify any construction business in which the person, or
20 a shareholder, officer, or partner of the person, if the person is a business, owns, or
21 has owned at least a 25 percent interest on the date the person submits the bid or
22 negotiates the contract or at any other time within 3 years preceding the date the
23 person submits the bid or negotiates the contract, if the business has been found to
24 have failed to pay the prevailing wage rate determined under sub. (3) or to have paid

1 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
2 prevailing hours of labor.

3 (e) The department shall promulgate rules to administer this subsection.

4 **SECTION 136.** 84.41 (3) of the statutes is created to read:

5 84.41 (3) EMPLOYMENT REGULATIONS. Employment regulations set forth in s.
6 103.50 pertaining to wages and hours shall apply to all projects constructed under
7 s. 84.40 in the same manner as such laws apply to projects on other state highways.
8 Where applicable, the federal wages and hours law known as the Davis-Bacon act
9 shall apply.

10 **SECTION 137.** 84.54 of the statutes is repealed.

11 **SECTION 138.** 86.51 of the statutes is repealed.

12 **SECTION 139.** 102.125 (1m) of the statutes is created to read:

13 102.125 (1m) APPLICATION AND PREMIUM FRAUD. If an insurer has evidence that
14 an application for worker's compensation insurance coverage is fraudulent or that
15 an employer has committed fraud by misclassifying employees to lower the
16 employer's worker's compensation insurance premiums in violation of s. 943.395, the
17 insurer shall report the claim to the department. The department may require an
18 insurer to investigate an allegedly fraudulent application or alleged fraud by
19 misclassification of employees and may provide the insurer with any records of the
20 department relating to that alleged fraud. An insurer that investigates alleged fraud
21 under this subsection shall report the results of that investigation to the department.

22 **SECTION 140.** 102.125 (2) of the statutes is amended to read:

23 102.125 (2) ASSISTANCE BY DEPARTMENT OF JUSTICE. The department of workforce
24 development may request the department of justice to assist the department of
25 workforce development in an investigation under sub. (1) or (1m) or in the

1 investigation of any other suspected fraudulent activity on the part of an employer,
2 employee, insurer, health care provider, or other person related to worker's
3 compensation.

4 **SECTION 141.** 102.125 (3) of the statutes is amended to read:

5 102.125 (3) PROSECUTION. If based on an investigation under sub. (1), (1m), or
6 (2) the department has a reasonable basis to believe that a violation of s. 943.20,
7 943.38, 943.39, 943.392, 943.395, 943.40, or any other criminal law has occurred, the
8 department shall refer the results of the investigation to the department of justice
9 or to the district attorney of the county in which the alleged violation occurred for
10 prosecution.

11 **SECTION 142.** 102.16 (4) of the statutes is amended to read:

12 102.16 (4) The department and the division have jurisdiction to pass on any
13 question arising out of sub. (3) and to order the employer to reimburse an employee
14 or other person for any sum deducted from wages or paid by him or her in violation
15 of that subsection. In addition to the any penalty provided in s. 102.85 (1), any
16 employer violating sub. (3) shall be liable to an injured employee for the reasonable
17 value of the necessary services rendered to that employee under any arrangement
18 made in violation of sub. (3) without regard to that employee's actual disbursements
19 for those services.

20 **SECTION 143.** 102.17 (9) (a) 1. of the statutes is renumbered 102.17 (9) (a) 1m.
21 and amended to read:

22 102.17 (9) (a) 1m. "Fire fighter" means any person employed on a full-time
23 basis by the state or any political subdivision as a member or officer of a fire
24 department, including the 1st class cities and state fire marshal and deputies or an
25 individual who volunteers as a member or officer of such a department.

1 **SECTION 144.** 102.17 (9) (a) 1c. of the statutes is created to read:
2 102.17 (9) (a) 1c. “Correctional officer” has the meaning given in s. 102.475 (8)
3 (a).

4 **SECTION 145.** 102.17 (9) (a) 1e. of the statutes is created to read:
5 102.17 (9) (a) 1e. “Emergency medical responder” has the meaning given in s.
6 256.01 (4p).

7 **SECTION 146.** 102.17 (9) (a) 1g. of the statutes is created to read:
8 102.17 (9) (a) 1g. “Emergency medical services practitioner” has the meaning
9 given in s. 256.01 (5).

10 **SECTION 147.** 102.17 (9) (a) 1p. of the statutes is created to read:
11 102.17 (9) (a) 1p. “Medicolegal investigation staff member” includes a chief
12 deputy coroner, a deputy coroner, a deputy medical examiner, and any individual
13 who assists the office of a coroner or medical examiner with an investigation of a
14 death. “Medicolegal investigation staff member” does not include an individual
15 performing solely administrative functions in the office of a coroner or medical
16 examiner.

17 **SECTION 148.** 102.17 (9) (b) (intro.) of the statutes is amended to read:
18 102.17 (9) (b) (intro.) Subject to par. (c), in the case of a mental injury that is
19 not accompanied by a physical injury and that results in a diagnosis of
20 post-traumatic stress disorder in a law enforcement officer, as defined in s. 23.33 (1)
21 (ig), an emergency medical responder, an emergency services practitioner, a
22 correctional officer, a public safety answering point dispatcher, a coroner, a medical
23 examiner, a medicolegal investigation staff member, or a fire fighter, the claim for
24 compensation for the mental injury, in order to be compensable under this chapter,
25 is subject to all of the following:

1 **SECTION 149.** 102.75 (1m) of the statutes is amended to read:

2 102.75 **(1m)** The moneys collected under subs. (1) and (1g) and under ss. 102.28
3 (2) and 102.31 (7), together with all accrued interest, shall constitute a separate
4 nonlapsible fund designated as the worker's compensation operations fund. Moneys
5 in the fund may be expended only as provided in ss. 20.427 (1) (ra) and 20.445 (1) (ra),
6 (rb), ~~and (rp), and (rr)~~ and may not be used for any other purpose of the state.

7 **SECTION 150.** 102.82 (2) (a) (intro.) of the statutes is amended to read:

8 102.82 **(2)** (a) (intro.) Except as provided in pars. (ag), (am), and (ar), all for a
9 1st or 2nd determination by the department that an employer was uninsured, an
10 uninsured employers employer shall pay to the department the greater of the
11 following:

12 **SECTION 151.** 102.82 (2) (ab) of the statutes is created to read:

13 102.82 **(2)** (ab) Except as provided in pars. (ag), (am), and (ar), for a 3rd
14 determination by the department that an employer was uninsured, an uninsured
15 employer shall pay to the department the greater of the following:

16 1. Three times the amount determined by the department to equal what the
17 uninsured employer would have paid during periods of illegal nonpayment for
18 worker's compensation in the preceding 3-year period, based on the employer's
19 payroll in the preceding 3 years.

20 2. Three thousand dollars.

21 **SECTION 152.** 102.82 (2) (ad) of the statutes is created to read:

22 102.82 **(2)** (ad) Except as provided in pars. (ag), (am), and (ar), for a 4th or
23 subsequent determination by the department that an employer was uninsured, an
24 uninsured employer shall pay to the department the greater of the following:

1 1. Four times the amount determined by the department to equal what the
2 uninsured employer would have paid during periods of illegal nonpayment for
3 worker's compensation in the preceding 3-year period, based on the employer's
4 payroll in the preceding 3 years.

5 2. Four thousand dollars.

6 **SECTION 153.** 102.82 (2) (am) of the statutes is amended to read:

7 102.82 (2) (am) The department may waive any payment owed under par. (a),
8 (ab), or (ad) by an uninsured employer if the department determines that the
9 uninsured employer is subject to this chapter only because the uninsured employer
10 has elected to become subject to this chapter under s. 102.05 (2) or 102.28 (2).

11 **SECTION 154.** 102.82 (2) (ar) of the statutes is amended to read:

12 102.82 (2) (ar) The department may waive any payment owed under par. (a),
13 (ab), (ad), or (ag) or sub. (1) if the department determines that the sole reason for the
14 uninsured employer's failure to comply with s. 102.28 (2) is that the uninsured
15 employer was a victim of fraud, misrepresentation or gross negligence by an
16 insurance agent or insurance broker or by a person whom a reasonable person would
17 believe is an insurance agent or insurance broker.

18 **SECTION 155.** 102.85 (1) of the statutes is repealed and recreated to read:

19 102.85 (1) (a) If an employer has failed to comply with s. 102.16 (3) or 102.28
20 (2), the employer shall, for a first violation, forfeit the greater of \$1,000 or the amount
21 of the premium that would have been payable for each time the employer failed to
22 comply with s. 102.16 (3) or 102.28 (3).

23 (b) If an employer has failed to comply with s. 102.16 (3) or 102.28 (2), the
24 employer shall, for a 2nd violation, forfeit the greater of \$2,000 or 2 times the amount

1 of the premium that would have been payable for each time the employer failed to
2 comply with s. 102.16 (3) or 102.28 (3).

3 (c) If an employer has failed to comply with s. 102.16 (3) or 102.28 (2), the
4 employer shall, for a 3rd violation, forfeit the greater of \$3,000 or 3 times the amount
5 of the premium that would have been payable for each time the employer failed to
6 comply with s. 102.16 (3) or 102.28 (3).

7 (d) If an employer has failed to comply with s. 102.16 (3) or 102.28 (2), the
8 employer shall, for a 4th or subsequent violation, forfeit the greater of \$4,000 or 4
9 times the amount of the premium that would have been payable for each time the
10 employer failed to comply with s. 102.16 (3) or 102.28 (3).

11 **SECTION 156.** 102.85 (2) of the statutes is repealed and recreated to read:

12 102.85 (2) (a) No employer who is required to provide worker's compensation
13 insurance coverage under this chapter may give false information about the coverage
14 to his or her employees, the department, or any other person who contracts with the
15 employer and who requests evidence of worker's compensation in relation to that
16 contract.

17 (b) No employer who is required to provide worker's compensation insurance
18 coverage under this chapter may fail to notify a person who contracts with the
19 employer that the coverage has been canceled in relation to that contract.

20 (c) 1. An employer who violates par. (a) or (b) shall, except as provided in subds.
21 2. and 3., forfeit not less than \$100 and not more than \$1,000.

22 2. An employer who violates par. (a) or (b) shall forfeit \$3,000 for a 3rd violation
23 of par. (a) or (b).

24 3. An employer who violates par. (a) or (b) shall forfeit \$4,000 for a 4th violation
25 of par. (a) or (b).

1 **SECTION 157.** 103.005 (12) (a) of the statutes is amended to read:

2 103.005 (12) (a) If any employer, employee, owner, or other person violates chs.
3 103 to 106, or fails or refuses to perform any duty required under chs. 103 to 106,
4 within the time prescribed by the department, for which no penalty has been
5 specifically provided, or fails, neglects or refuses to obey any lawful order given or
6 made by the department or any judgment or decree made by any court in connection
7 with chs. 103 to 106, for each such violation, failure or refusal, the employer,
8 employee, owner or other person shall forfeit not less than \$10 nor more than \$100
9 for each offense. This paragraph does not apply to any person that fails to provide
10 any information to the department to assist the department in determining
11 prevailing wage rates or prevailing hours of labor under s. 103.49 (3) (a) or (am) or
12 103.50 (3) or (4).

13 **SECTION 158.** 103.007 of the statutes is repealed.

14 **SECTION 159.** 103.06 (1) (b) (intro.) of the statutes is amended to read:

15 103.06 (1) (b) (intro.) “Employee” means, for purposes of compliance with the
16 requirements specified in sub. (3) (a), any of the following who is employed by an
17 employer:

18 **SECTION 160.** 103.06 (1) (c) (intro.) of the statutes is amended to read:

19 103.06 (1) (c) (intro.) “Employer” means, for purposes of compliance with the
20 requirements specified in sub. (3) (a), any of the following that is engaged in the work
21 described in s. 108.18 (2) (c):

22 **SECTION 161.** 103.06 (2) of the statutes is renumbered 103.06 (10), and 103.06
23 (10) (intro.) and (a), as renumbered, are amended to read:

24 103.06 (10) **WORKER CLASSIFICATION COMPLIANCE; DUTIES OF DEPARTMENT.** (intro.)
25 ~~For purposes of promoting and achieving compliance by employers with the laws~~

1 ~~specified in sub. (3) (a) through the proper classification of persons performing~~
2 ~~services for an employer as employees and nonemployees, the~~ The department shall
3 do all of the following:

4 (a) Educate employers, employees, nonemployees, and the public about the
5 proper classification of persons performing services for an employer as employees
6 and nonemployees. The department shall establish and maintain on the
7 department's website information regarding worker classification laws,
8 requirements for employers and employees, penalties for noncompliance, and
9 contact information at each state agency that administers worker classification laws.

10 **SECTION 162.** 103.06 (10) (f) of the statutes is created to read:

11 103.06 (10) (f) Design and make available to employers a notice regarding
12 worker classification laws, requirements for employers and employees, and
13 penalties for noncompliance. The department shall promulgate rules to implement
14 this paragraph.

15 **SECTION 163.** 103.06 (11) of the statutes is created to read:

16 103.06 (11) NOTICE. All employers shall post, in one or more conspicuous places
17 where notices to employees are customarily posted, the notice designed by the
18 department under sub. (10) (f). Any employer who violates this subsection shall
19 forfeit not more than \$100 for each offense.

20 **SECTION 164.** 103.10 (1) (a) (intro.) of the statutes is renumbered 103.10 (1) (a)
21 and amended to read:

22 103.10 (1) (a) "Child" means a natural, adopted, or foster child, a stepchild, or
23 a legal ward ~~to whom any of the following applies:~~

24 **SECTION 165.** 103.10 (1) (a) 1. of the statutes is repealed.

25 **SECTION 166.** 103.10 (1) (a) 2. of the statutes is repealed.

1 **SECTION 167.** 103.10 (1) (ap) of the statutes is created to read:

2 103.10 (1) (ap) “Covered active duty” means any of the following:

3 1. For a member of a regular component of the U.S. armed forces, duty during
4 the deployment of the member with the U.S. armed forces to a foreign country.

5 2. For a member of a reserve component of the U.S. armed forces, duty during
6 the deployment of the member with the U.S. armed forces to a foreign country under
7 a call or order to active duty under a provision of law specified in 10 USC 101 (a) (13)
8 (B).

9 **SECTION 168.** 103.10 (1) (b) of the statutes is amended to read:

10 103.10 (1) (b) Except as provided in sub. (1m) (b) 2. and s. 452.38, “employee”
11 means an individual employed in this state by an employer, except the employer’s
12 parent, child, spouse, domestic partner, ~~or child~~ parent, grandparent, grandchild, or
13 sibling.

14 **SECTION 169.** 103.10 (1) (dm) of the statutes is created to read:

15 103.10 (1) (dm) “Grandchild” means the child of a child.

16 **SECTION 170.** 103.10 (1) (dp) of the statutes is created to read:

17 103.10 (1) (dp) “Grandparent” means the parent of a parent.

18 **SECTION 171.** 103.10 (1) (em) of the statutes is created to read:

19 103.10 (1) (em) “Medical isolation” means any of the following:

20 1. When a health care professional, a local health officer, or the department of
21 health services advises that an individual seclude herself or himself from others
22 when the individual is awaiting the result of a diagnostic test for a communicable
23 disease or when the individual is infected with a communicable disease.

24 2. When a local health officer or the department of health services advises that
25 an individual isolate or quarantine under s. 252.06.

1 3. When an individual's employer advises that the individual not come to the
2 workplace due to a concern that the individual may have been exposed to or infected
3 with a communicable disease.

4 **SECTION 172.** 103.10 (1) (gm) of the statutes is created to read:

5 103.10 (1) (gm) "Sibling" means a brother, sister, half brother, half sister,
6 stepbrother, or stepsister, whether by blood, marriage, or adoption.

7 **SECTION 173.** 103.10 (1m) (b) 1. of the statutes is renumbered 103.10 (1) (an).

8 **SECTION 174.** 103.10 (1m) (b) 6. of the statutes is renumbered 103.10 (1) (gd).

9 **SECTION 175.** 103.10 (1m) (b) 7. of the statutes is renumbered 103.10 (1) (m).

10 **SECTION 176.** 103.10 (2) (c) of the statutes is amended to read:

11 103.10 (2) (c) This section only applies to an employee who has been employed
12 by the same employer for more than 52 consecutive weeks and who worked for the
13 employer for at least ~~1,000~~ 680 hours during the preceding 52-week period.

14 **SECTION 177.** 103.10 (3) (a) of the statutes is repealed.

15 **SECTION 178.** 103.10 (3) (b) 3. of the statutes is amended to read:

16 103.10 (3) (b) 3. To care for the employee's child, spouse, domestic partner, ~~or~~
17 parent, grandparent, grandchild, or sibling, if the child, spouse, domestic partner, ~~or~~
18 parent, grandparent, grandchild, or sibling has a serious health condition.

19 **SECTION 179.** 103.10 (3) (b) 4. of the statutes is created to read:

20 103.10 (3) (b) 4. Because of any qualifying exigency, as determined by the
21 department by rule, arising out of the fact that the spouse, child, domestic partner,
22 parent, grandparent, grandchild, or sibling of the employee is on covered active duty
23 or has been notified of an impending call or order to covered active duty.

24 **SECTION 180.** 103.10 (3) (b) 5. of the statutes is created to read:

1 103.10 (3) (b) 5. Because there is an unforeseen or unexpected short-term gap
2 in childcare for the employee’s child, grandchild, or sibling that the employee must
3 fill. The department may define by rule “unforeseen or unexpected short-term gap
4 in childcare.”

5 **SECTION 181.** 103.10 (3) (b) 6. of the statutes is created to read:

6 103.10 (3) (b) 6. To care for the employee’s child, spouse, domestic partner,
7 parent, grandparent, grandchild, or sibling, if the child, spouse, domestic partner,
8 parent, grandparent, grandchild, or sibling is in medical isolation.

9 **SECTION 182.** 103.10 (3) (b) 7. of the statutes is created to read:

10 103.10 (3) (b) 7. To address issues of the employee or the employee’s child,
11 spouse, domestic partner, parent, grandparent, grandchild, or sibling related to
12 being the victim of domestic abuse, sexual abuse, or stalking.

13 **SECTION 183.** 103.10 (4) (a) of the statutes is amended to read:

14 103.10 (4) (a) Subject to ~~pars. (b) and par. (c) and sub. (4m)~~, an employee who
15 is in medical isolation or has a serious health condition which makes the employee
16 unable to perform his or her employment duties may take medical leave for the
17 period during which he or she is unable to perform those duties.

18 **SECTION 184.** 103.10 (4) (b) of the statutes is repealed.

19 **SECTION 185.** 103.10 (4m) of the statutes is created to read:

20 103.10 (4m) DURATION OF LEAVE. In a 12-month period, no employee may take
21 more than 12 weeks of family leave for any combination of reasons specified under
22 sub. (3) or (4).

23 **SECTION 186.** 103.10 (6) (b) (intro.) of the statutes is amended to read:

24 103.10 (6) (b) (intro.) If an employee intends to take family leave because of the
25 planned medical treatment or supervision of a child, spouse, domestic partner, or

1 parent, grandparent, grandchild, or sibling or intends to take medical leave because
2 of the planned medical treatment or supervision of the employee, the employee shall
3 do all of the following:

4 **SECTION 187.** 103.10 (6) (b) 1. of the statutes is amended to read:

5 103.10 (6) (b) 1. Make a reasonable effort to schedule the medical treatment
6 or supervision so that it does not unduly disrupt the employer's operations, subject
7 to the approval of the health care provider of the child, spouse, domestic partner,
8 parent, grandparent, grandchild, sibling, or employee.

9 **SECTION 188.** 103.10 (6) (c) of the statutes is created to read:

10 103.10 (6) (c) If the employee intends to take family leave under sub. (3) (b) 4.
11 that is foreseeable because the spouse, child, domestic partner, parent, grandparent,
12 grandchild, or sibling of the employee is on covered active duty or has been notified
13 of an impending call or order to covered active duty, the employee shall provide notice
14 of that intention to the employer in a reasonable and practicable manner.

15 **SECTION 189.** 103.10 (7) (a) of the statutes is amended to read:

16 103.10 (7) (a) If an employee requests family leave for a reason described in sub.
17 (3) (b) 3. or requests medical leave due to a serious health condition, the employer
18 may require the employee to provide certification, as described in par. (b), issued by
19 the health care provider or Christian Science practitioner of the child, spouse,
20 domestic partner, parent, grandparent, grandchild, sibling, or employee, whichever
21 is appropriate.

22 **SECTION 190.** 103.10 (7) (b) (intro.) of the statutes is amended to read:

23 103.10 (7) (b) (intro.) No employer may require certification under par. (a)
24 stating more than the following:

25 **SECTION 191.** 103.10 (7) (b) 1. of the statutes is amended to read:

1 103.10 (7) (b) 1. That the child, spouse, domestic partner, parent, grandparent,
2 grandchild, sibling, or employee has a serious health condition.

3 **SECTION 192.** 103.10 (7) (cm) of the statutes is created to read:

4 103.10 (7) (cm) If an employee requests family leave for a reason described in
5 sub. (3) (b) 3., the employer may require the employee to provide certification that
6 the employee is responsible for the care of a child, spouse, domestic partner, parent,
7 grandparent, grandchild, or sibling with a serious health condition.

8 **SECTION 193.** 103.10 (7) (d) of the statutes is created to read:

9 103.10 (7) (d) If an employee requests family leave under sub. (3) (b) 4., the
10 employer may require the employee to provide certification that the spouse, child,
11 domestic partner, parent, grandparent, grandchild, or sibling of the employee is on
12 covered active duty or has been notified of an impending call or order to covered
13 active duty. The certification under this paragraph shall be issued at such time and
14 in such manner as the department may prescribe by rule, and the employee shall
15 provide a copy of that certification to the employer in a timely manner.

16 **SECTION 194.** 103.10 (7) (e) of the statutes is created to read:

17 103.10 (7) (e) If an employee requests family leave under sub. (3) (b) 5., the
18 employer may require the employee to provide certification that there is an
19 unforeseen or unexpected short-term gap in childcare, as defined in rule by the
20 department, for the employee's child, grandchild, or sibling that the employee must
21 fill. The department may prescribe by rule the form and content of the certification.

22 **SECTION 195.** 103.10 (7) (f) of the statutes is created to read:

23 103.10 (7) (f) 1. If an employee requests family leave under sub. (3) (b) 6., or
24 medical leave due to medical isolation, the employer may require the employee to
25 provide certification issued by a local public health official, the department of health

1 services, or a health care provider or Christian Science practitioner of the child,
2 spouse, domestic partner, parent, grandparent, grandchild, sibling, or employee,
3 whichever is appropriate, except that no employer may require certification under
4 this paragraph if the sole reason for the medical isolation is due to the employer's
5 request under sub. (1) (em) 3. No employer may require certification under this
6 subdivision stating more than that the child, spouse, domestic partner, parent,
7 grandparent, grandchild, sibling, or employee is in medical isolation.

8 2. If an employee requests family leave under sub. (3) (b) 6., the employer may
9 require the employee to provide certification that the employee is responsible for the
10 care of a child, spouse, domestic partner, parent, grandparent, grandchild, sibling,
11 or employee who is in medical isolation.

12 **SECTION 196.** 103.10 (7) (g) of the statutes is created to read:

13 103.10 (7) (g) If an employee requests family leave under sub. (3) (b) 7., the
14 employer may require the employee to provide certification that the employee is
15 addressing issues of the employee or the employee's child, spouse, domestic partner,
16 parent, grandparent, grandchild, or sibling related to being the victim of domestic
17 abuse, sexual abuse, or stalking.

18 **SECTION 197.** 103.10 (10) of the statutes is amended to read:

19 103.10 (10) ALTERNATIVE EMPLOYMENT. Nothing in this section prohibits an
20 employer and an employee with a serious health condition or in medical isolation
21 from mutually agreeing to alternative employment for the employee while the
22 serious health condition or medical isolation lasts. No period of alternative
23 employment, with the same employer, reduces the employee's right to family leave
24 or medical leave.

25 **SECTION 198.** 103.10 (12) (b) of the statutes is amended to read:

1 103.10 (12) (b) An employee who believes his or her employer has violated sub.
2 (11) (a) or (b) may, within ~~30~~ 300 days after the violation occurs or the employee
3 should reasonably have known that the violation occurred, whichever is later, file a
4 complaint with the department alleging the violation. Except as provided in s.
5 230.45 (1m), the department shall investigate the complaint and shall attempt to
6 resolve the complaint by conference, conciliation or persuasion. If the complaint is
7 not resolved and the department finds probable cause to believe a violation has
8 occurred, the department shall proceed with notice and a hearing on the complaint
9 as provided in ch. 227. The hearing shall be held within 60 days after the department
10 receives the complaint.

11 **SECTION 199.** 103.10 (12) (c) of the statutes is amended to read:

12 103.10 (12) (c) If 2 or more health care providers disagree about any of the
13 information required to be certified under sub. (7) (b), the department may appoint
14 another health care provider to examine the child, spouse, domestic partner, parent,
15 grandparent, grandchild, sibling, or employee and render an opinion as soon as
16 possible. The department shall promptly notify the employee and the employer of
17 the appointment. The employer and the employee shall each pay 50 percent of the
18 cost of the examination and opinion.

19 **SECTION 200.** 103.10 (14) (a) of the statutes is renumbered 103.10 (14).

20 **SECTION 201.** 103.10 (14) (b) of the statutes is repealed.

21 **SECTION 202.** 103.105 of the statutes is created to read:

22 **103.105 Family and medical leave benefits insurance program. (1)**

23 DEFINITIONS. In this section:

1 (a) “Application year” means the 12-month period beginning on the first day
2 of the first calendar week for which family or medical leave insurance benefits are
3 claimed by a covered individual.

4 (b) “Average weekly earnings” means one-thirteenth of the wages paid to an
5 employee during the last completed calendar quarter prior to the covered
6 individual’s date of eligibility for benefits under this section and includes all sick,
7 holiday, vacation, and termination pay that is paid directly by an employer to an
8 employee at the employee’s usual rate of pay during his or her last completed
9 calendar quarter as a result of employment for an employer and any total or partial
10 disability payments under ch. 102 or a federal law that provides for payments on
11 account of a work-related injury or illness. For self-employed individuals, “average
12 weekly earnings” means one fifty-second of the gross income reported as income to
13 the federal internal revenue service in the most recent tax year in which the
14 individual filed taxes prior to the individual’s date of eligibility for benefits under this
15 section.

16 (c) “Covered individual” means an employee who satisfies s. 103.10 (2) (c), or
17 a self-employed individual who elects coverage under sub. (2), regardless of whether
18 the individual is employed or unemployed at the time the individual files an
19 application for family or medical leave insurance benefits.

20 (d) “Employee” has the meaning given in s. 103.10 (1) (b).

21 (e) “Employer” has the meaning given in s. 103.10 (1) (c).

22 (f) “Family leave” means an individual’s leave from employment,
23 self-employment, or availability for employment for a reason specified in s. 103.10
24 (3) (b) 1. to 7. or 103.11 (4).

1 (g) “Family or medical leave insurance benefits” means benefits payable under
2 this section from the family and medical leave benefits insurance trust fund.

3 (h) “Medical leave” means leave from employment, self-employment, or
4 availability for employment for any of the reasons in s. 103.10 (4).

5 (i) “Self-employed individual” means a sole proprietor, partner of a
6 partnership, member of a limited liability company, or other individual engaged in
7 a vocation, profession, or business for himself or herself and not for an employer.

8 (j) “State annual median wage” means the median hourly wage for all
9 occupations in this state in a calendar year, as determined by the bureau of labor
10 statistics of the U.S. department of labor, multiplied by 2,080.

11 **(2) ELECTION BY SELF-EMPLOYED INDIVIDUAL.** A self-employed individual may
12 elect to be covered under this section by filing a written notice of election with the
13 department in a form and manner prescribed by the department by rule. An initial
14 election under this subsection becomes effective on the date on which the notice of
15 election is filed, shall be for a period of not less than 3 years, and may be renewed for
16 subsequent one-year periods by the filing of a written notice with the department
17 that the self-employed individual intends to continue his or her coverage under this
18 section. A self-employed individual who elects coverage under this section may
19 withdraw that election no earlier than 3 years after the date of the initial election or
20 at such other times as the department may prescribe by rule by providing notice of
21 that withdrawal to the department not less than 30 days before the expiration date
22 of the election.

23 **(3) ELIGIBILITY FOR BENEFITS.** (a) Except as otherwise provided in sub. (6), a
24 covered individual who is on family leave or medical leave is eligible to receive family

1 or medical leave insurance benefits in the amount specified in sub. (4) and for the
2 duration specified in sub. (5).

3 (b) To receive family or medical leave insurance benefits, a covered individual
4 shall file a claim for those benefits within the time and in the manner that the
5 department prescribes by rule. On receipt of a claim for family or medical leave
6 insurance benefits, the department may request from the individual's employer or
7 from the self-employed individual any information necessary for the department to
8 determine the individual's eligibility for those benefits and the amount and duration
9 of those benefits. The employer or self-employed individual shall provide that
10 information to the department within the time and in the manner that the
11 department prescribes by rule. If the department determines that a covered
12 individual is eligible to receive family or medical leave insurance benefits, the
13 department shall provide those benefits to the individual as provided in subs. (4) and
14 (5).

15 (4) AMOUNT OF BENEFITS. Except as provided in sub. (6), the amount of family
16 or medical leave insurance benefits payable for a week shall be based upon the
17 covered individual's average weekly earnings, as follows:

18 (a) For the amount of the covered individual's average weekly earnings that are
19 less than 50 percent of the state annual median wage in the calendar year before the
20 covered individual's application year, 90 percent of the covered individual's average
21 weekly earnings.

22 (b) For the amount of the covered individual's average weekly earnings that are
23 more than or equal to 50 percent of the state annual median wage in the calendar
24 year before the covered individual's application year, 50 percent of the covered
25 individual's average weekly earnings.

1 **(5) DURATION OF BENEFITS.** The maximum number of weeks for which family or
2 medical leave insurance benefits are payable in an application year is 12 weeks. A
3 covered individual may be paid family or medical leave insurance benefits
4 continuously, or at the option of the covered individual, intermittently.

5 **(6) EMPLOYER EXEMPTION FROM PARTICIPATION IN PAID FAMILY AND MEDICAL LEAVE**
6 **BENEFITS INSURANCE PROGRAM.** (a) If an employer provides family and medical leave
7 benefits that are identical to or more generous than benefits provided under this
8 section, the employer may elect to not participate in the paid family and medical
9 leave benefits insurance program under this section. If the department grants an
10 exemption under this subsection, the employer shall pay benefits that are at least
11 identical to benefits under this section, and an employee is entitled to be paid those
12 benefits.

13 (b) An employer that elects to not participate in the paid family and medical
14 leave benefits insurance program under this section shall request an exemption from
15 the department in writing, in the manner prescribed by the department. An
16 exemption from participation is not effective until approved by the department in
17 writing.

18 (c) The department may grant a written exemption from participation to an
19 employer who complies with this subsection and all rules promulgated by the
20 department under par. (g).

21 (d) The department may withdraw its written exemption order granted under
22 par. (c) if the department determines that an employer is not providing paid family
23 and medical leave benefits to employees that are at least identical to those provided
24 under this section.

1 (e) If an employee believes that his or her employer that has an exemption
2 under this subsection has violated the employee's right to paid family and medical
3 leave benefits identical to those provided under this section, the employee may file
4 a complaint with the department alleging the violation, and the department shall
5 process the complaint in the same manner as complaints filed under s. 103.10 (12)
6 (b) are processed. If the department finds that an employer has violated this
7 subsection, the department may order the employer to take action to remedy the
8 violation, including providing the paid family and medical leave benefits, and,
9 notwithstanding s. 814.04 (1), paying reasonable actual attorney fees to the
10 employee.

11 (f) After the completion of an administrative proceeding under par. (e),
12 including judicial review, an employee or the department may bring an action in
13 circuit court against an employer to recover damages caused by a violation of this
14 subsection. Section 103.10 (13) (b) applies to the commencement of an action under
15 this paragraph.

16 (g) The department shall promulgate rules to implement this subsection.

17 **(7) FEDERAL TAX TREATMENT OF BENEFITS.** With respect to the federal income
18 taxation of family or medical leave insurance benefits, the department shall do all
19 of the following:

20 (a) At the time an individual files a claim for those benefits, advise the
21 individual that those benefits may be subject to federal income taxation, that
22 requirements exist under federal law pertaining to estimated tax payments, and
23 that the individual may elect to have federal income taxes withheld from the
24 individual's benefit payments and may change that election not more than one time
25 in an application year.

1 (b) Allow the individual to elect to have federal income tax deducted and
2 withheld from the individual's benefit payments, allow the individual to change that
3 election not more than one time in an application year, and deduct and withhold that
4 tax in accordance with the individual's election as provided under 26 USC 3402.

5 (c) Upon making a deduction under par. (b), transfer the amount deducted from
6 the family and medical leave insurance trust fund to the federal internal revenue
7 service.

8 (d) In deducting and withholding federal income taxes from an individual's
9 benefit payments, follow all procedures specified by the federal internal revenue
10 service pertaining to the deducting and withholding of federal income tax.

11 **(8) FAMILY AND MEDICAL LEAVE INSURANCE TRUST FUND.** (a) The department shall
12 determine the amount of the required contribution by each employee, self-employed
13 individual who elects coverage under sub. (2), and each employer. The required
14 contribution shall be based on the employee's wages or the self-employed
15 individual's earnings. The required contribution for an employee shall be equally
16 shared between each employee and the employee's employer.

17 (b) Each employer shall withhold from the wages of its employees the amount
18 determined by the department under this subsection.

19 (c) The department shall promulgate rules to establish procedures for filing
20 wage reports and collecting the contributions withheld by employers and
21 employer-required contributions under par. (a). The department may utilize the
22 quarterly wage reports submitted under s. 108.205 in lieu of separate contribution
23 reports and may utilize the procedures for collecting contributions that apply to the
24 collection of contributions to the unemployment reserve fund under s. 108.17.

1 (cm) The department shall promulgate rules providing for a right to a hearing
2 in cases involving the liability of employers for contributions under this subsection.
3 The department's decisions shall be subject to the rights and procedures for
4 contested cases under ch. 227.

5 (d) The department shall collect contributions from self-employed individuals
6 pursuant to procedures established by the department under sub. (12) (b).

7 (e) The department shall deposit contributions received under this subsection
8 in the family and medical leave benefits insurance trust fund.

9 (f) The department shall use moneys deposited in the family and medical leave
10 benefits insurance trust fund to pay benefits under sub. (3), to refund amounts
11 erroneously paid by employers, and to pay for the administration of the family and
12 medical leave benefits insurance program under this section and for no other
13 purpose.

14 **(9) DENIAL OF CLAIMS; OVERPAYMENTS.** (a) The department shall promulgate
15 rules providing for a right to a hearing in cases of disputes involving an individual's
16 eligibility for benefits or status as a covered individual under this section. The
17 department's decisions shall be subject to the rights and procedures for contested
18 cases under ch. 227. To the extent necessary and practical, the department may
19 prescribe procedures in conjunction with any rules promulgated for administrative
20 proceedings under ss. 103.10 (12) and 103.11 (12).

21 (b) 1. If the department pays family or medical leave insurance benefits to an
22 individual erroneously or as a result of willful misrepresentation, the individual's
23 liability to reimburse the fund for the overpayment may be set forth in a
24 determination that is subject to review under par. (a). The department may prescribe
25 procedures for waiver of overpayments.

1 2. To recover any overpayment to a covered individual that is not otherwise
2 repaid or the recovery of which has not been waived, the department may recoup the
3 amount of the overpayment by, in addition to its other remedies, deducting the
4 amount of the overpayment from benefits the individual would otherwise be eligible
5 to receive.

6 3. The department may establish other procedures for recovering
7 overpayments and may utilize procedures under ch. 108, including the department's
8 remedies for collecting overpayments under ss. 108.22 and 108.225, subject to rules
9 promulgated by the department.

10 4. The department may not collect any interest on any benefit overpayment.

11 **(10) PROHIBITED ACTS.** (a) No person may interfere with, restrain, or deny the
12 exercise of any right provided under this section.

13 (b) No person may discharge or otherwise discriminate against any person for
14 exercising any right provided under this section, opposing a practice prohibited
15 under this section, filing a complaint or attempting to enforce any right provided
16 under this section, or testifying or assisting in any action or proceeding to enforce any
17 right provided under this section.

18 (c) No collective bargaining agreement or employer policy may diminish or
19 abridge an employee's rights under this section. Any agreement purporting to waive
20 or modify an employee's rights under this section is void as against public policy and
21 unenforceable.

22 **(11) ENFORCEMENT.** (a) Any person who believes that his or her rights under
23 this section have been interfered with, restrained, or denied in violation of sub. (10)
24 (a) or that he or she has been discharged or otherwise discriminated against in
25 violation of sub. (10) (b) may, within 30 days after the violation occurs or the person

1 should reasonably have known that the violation occurred, whichever is later, file a
2 complaint with the department alleging the violation, and the department shall
3 process the complaint in the same manner as complaints filed under s. 103.10 (12)
4 (b) are processed. If the department finds that an employer has violated sub. (10) (a)
5 to (c), the department may order the employer to take action to remedy the violation,
6 including providing the requested family leave or medical leave, reinstating an
7 employee, providing back pay accrued not more than 2 years before the complaint
8 was filed, and, notwithstanding s. 814.04 (1), paying reasonable actual attorney fees
9 to the complainant.

10 (b) After the completion of an administrative proceeding under par. (a),
11 including judicial review, an employee or the department may bring an action in
12 circuit court against an employer to recover damages caused by a violation of sub.
13 (10) (a) to (c). Section 103.10 (13) (b) applies to the commencement of an action under
14 this paragraph.

15 **(12) ADMINISTRATION.** The department shall administer the family and medical
16 leave benefits insurance program under this section. In administering the program,
17 the department shall do all of the following:

18 (a) Establish procedures and forms for the filing of claims for benefits under
19 this section.

20 (b) Establish procedures and forms for collecting contributions from
21 self-employed individuals.

22 (c) Promulgate rules to implement this section.

23 (d) Use information sharing and integration technology to facilitate the
24 exchange of information as necessary for the department to perform its duties under
25 this section.

1 (e) By September 1 of each year, submit a report to the governor, the joint
2 committee on finance, and the appropriate standing committees of the legislature
3 under s. 13.172 (3) on the family and medical leave benefits insurance program under
4 this section. The report shall include the projected and actual rates of participation
5 in the program, the premium rates for coverage under the program, and the balance
6 in the family and medical leave benefits insurance trust fund under s. 25.52.

7 **(13) RECORDS.** (a) The records made or maintained by the department in
8 connection with the administration of this section are confidential and shall be open
9 to public inspection or disclosure only to the extent that the department allows in the
10 interest of the family and medical leave benefits insurance program. No person may
11 allow inspection or disclosure of any record provided by the department unless the
12 department authorizes the inspection or disclosure.

13 (b) The department may provide records made or maintained by the
14 department in connection with the administration of this section to any
15 governmental unit, corresponding unit in the government of another state, or any
16 unit of the federal government. No such unit may allow inspection or disclosure of
17 any record provided by the department unless the department authorizes the
18 inspection or disclosure.

19 (c) Upon request of the department of revenue, the department may provide
20 information, including social security numbers, concerning covered individuals to
21 the department of revenue for the purpose of administering state taxes, identifying
22 fraudulent tax returns, providing information for tax-related prosecutions, or
23 locating persons or the assets of persons who have failed to file tax returns, who have
24 underreported their taxable income, or who are delinquent debtors. The department

1 of revenue shall adhere to the limitation on inspection and disclosure of the
2 information under par. (b).

3 (14) BENEFIT AMOUNT ADJUSTMENT. On April 1 of each year, the department may
4 adjust the maximum weekly benefit payment to 90 percent of the state average
5 weekly earnings, which becomes effective on October 1 of that year. The department
6 shall annually have the adjusted amount of the maximum weekly benefit payment
7 published in the Wisconsin Administrative Register.

8 (15) NOTICE POSTED. Each employer shall post, on its website and in one or more
9 conspicuous places where notices to employees are customarily posted, a notice in a
10 form approved by the department setting forth employees' rights under this section
11 and any adjustment to benefits as provided in sub. (14). Any employer that violates
12 this subsection shall forfeit not more than \$100 for each violation.

13 SECTION 203. 103.12 of the statutes is repealed.

14 SECTION 204. 103.135 of the statutes is created to read:

15 **103.135 Compensation information of employees and prospective**
16 **employees. (1) UNLAWFUL EMPLOYER CONDUCT RELATED TO PROSPECTIVE EMPLOYEE**
17 **COMPENSATION INFORMATION.** (a) No employer may directly or indirectly do any of the
18 following:

19 1. Rely on or, subject to par. (b), solicit from a prospective employee or a
20 prospective employee's current or former employer information about the
21 prospective employee's current or prior compensation.

22 2. Require that a prospective employee's current or prior compensation meet
23 certain criteria in order for the prospective employee to be considered for
24 employment.

1 3. Refuse to hire or employ or otherwise discriminate against a prospective
2 employee in compensation or in the terms, conditions, or privileges of employment
3 for opposing a practice prohibited under this paragraph, filing or indicating an intent
4 to file a complaint or otherwise attempting to enforce any right under this paragraph,
5 or testifying, assisting, or participating in any manner in any investigation, action,
6 or proceeding to enforce any right under this paragraph.

7 (b) After an employer has offered employment to a prospective employee and
8 the details of compensation have been agreed upon, the employer may obtain the
9 prospective employee's written consent for the employer to solicit information about,
10 or take action to confirm, the prospective employee's current or prior compensation.

11 **(2) DISCLOSURE OF COMPENSATION INFORMATION BY EMPLOYEES.** (a) An employee
12 may disclose the details of the employee's compensation to anyone and, subject to par.
13 (d), may discuss the compensation of other employees of the same employer and may
14 ask other employees of the same employer for details regarding their compensation.

15 (b) Except as provided in par. (d), no employer may interfere with, restrain, or
16 deny the exercise of the right of an employee to disclose, discuss, or inquire about
17 compensation as provided in par. (a).

18 (c) An employer may not discharge or discriminate against an employee in
19 promotion, in compensation, or in the terms, conditions, or privileges of employment
20 for disclosing, discussing, or inquiring about compensation as provided in par. (a),
21 opposing a practice prohibited under par. (b), filing or indicating an intent to file a
22 complaint or otherwise attempting to enforce any right under par. (a), or testifying,
23 assisting, or participating in any manner in any investigation, action, or proceeding
24 to enforce any right under par. (a).

1 (d) Subject to s. 19.35, an employer may prohibit a human resources or payroll
2 employee, a supervisor, or any other employee whose job responsibilities require or
3 allow the employee access to other employees' compensation information from
4 disclosing information about any other employee's compensation without that
5 employee's prior written consent.

6 (3) ENFORCEMENT. Any employee or prospective employee who is refused
7 employment, terminated, discharged, or otherwise discriminated against in
8 violation of sub. (1) (a) or (2) (a) to (c) may file a complaint with the department, and
9 the department shall process the complaint in the same manner that employment
10 discrimination complaints are processed under s. 111.39. If the department finds
11 that a violation has occurred, the department may order the employer to take action
12 to remedy the violation, including reinstating the employee, providing compensation
13 in lieu of reinstatement, providing back pay accrued not more than 2 years before the
14 complaint was filed, and paying reasonable actual costs and, notwithstanding s.
15 814.04 (1), reasonable attorney fees to the complainant.

16 (4) NOTICE POSTED. (a) Each employer shall provide notice to employees and
17 prospective employees of their rights under this section by doing all of the following:

18 1. Posting, in one or more conspicuous places where notices to employees are
19 customarily posted, a notice in a form approved by the department setting forth
20 employees' and prospective employees' rights under this section.

21 2. Including, on each listing for a job vacancy or other employment opportunity
22 that is advertised by email, posting on a website, or other electronic means, a notice
23 that includes all of the following information:

24 a. A statement that the employer is prohibited from relying on a prospective
25 employee's current or former compensation when determining whether to make an

1 offer of employment or setting compensation or when making an offer of
2 employment.

3 b. A statement that the employer is prohibited from asking about a prospective
4 employee's compensation until after the employer has offered the prospective
5 employee employment and they have agreed upon the details of compensation.

6 c. A statement that the employer is prohibited from requiring that a
7 prospective employee's current or prior compensation meet certain criteria in order
8 for the prospective employee to be considered for employment.

9 d. Information, or a hyperlink to information, regarding prohibited bases of
10 discrimination under subch. II of ch. 111.

11 (b) Any employer that violates par. (a) shall forfeit not more than \$100 for each
12 offense.

13 **SECTION 205.** 103.36 of the statutes is repealed.

14 **SECTION 206.** 103.49 of the statutes is created to read:

15 **103.49 Wage rate on state work. (1) DEFINITIONS.** In this section:

16 (a) "Area" means the county in which a proposed project of public works that
17 is subject to this section is located or, if the department determines that there is
18 insufficient wage data in that county, "area" means those counties that are
19 contiguous to that county or, if the department determines that there is insufficient
20 wage data in those counties, "area" means those counties that are contiguous to those
21 counties or, if the department determines that there is insufficient wage data in those
22 counties, "area" means the entire state or, if the department is requested to review
23 a determination under sub. (3) (c), "area" means the city, village, or town in which
24 a proposed project of public works that is subject to this section is located.

1 (am) “Bona fide economic benefit” means an economic benefit for which an
2 employer makes irrevocable contributions to a trust or fund created under 29 USC
3 186 (c) or to any other bona fide plan, trust, program, or fund no less often than
4 quarterly or, if an employer makes annual contributions to such a bona fide plan,
5 trust, program, or fund, for which the employer irrevocably escrows moneys at least
6 quarterly based on the employer’s expected annual contribution.

7 (b) “Hourly basic rate of pay” means the hourly wage paid to any employee,
8 excluding any contributions or payments for health insurance benefits, vacation
9 benefits, pension benefits, and any other bona fide economic benefits, whether paid
10 directly or indirectly.

11 (bg) “Insufficient wage data” means less than 500 hours of work performed in
12 a particular trade or occupation on projects that are similar to a proposed project of
13 public works that is subject to this section.

14 (bj) “Minor service or maintenance work” means a project of public works that
15 is limited to minor crack filling, chip or slurry sealing, or other minor pavement
16 patching, not including overlays, that has a projected life span of no longer than 5
17 years; cleaning of drainage or sewer ditches or structures; or any other limited, minor
18 work on public facilities or equipment that is routinely performed to prevent
19 breakdown or deterioration.

20 (br) “Multiple-trade project of public works” means a project of public works
21 in which no single trade accounts for 85 percent or more of the total labor cost of the
22 project.

23 (c) “Prevailing hours of labor” for any trade or occupation in any area means
24 10 hours per day and 40 hours per week and may not include any hours worked on
25 a Saturday or Sunday or on any of the following holidays:

- 1 1. January 1.
- 2 2. The last Monday in May.
- 3 3. July 4.
- 4 4. The first Monday in September.
- 5 5. The 4th Thursday in November.
- 6 6. December 25.
- 7 7. The day before if January 1, July 4, or December 25 falls on a Saturday.
- 8 8. The day following if January 1, July 4, or December 25 falls on a Sunday.
- 9 (d) 1. Except as provided in subd. 2., “prevailing wage rate” for any trade or
10 occupation engaged in the erection, construction, remodeling, repairing, or
11 demolition of any project of public works in any area means the hourly basic rate of
12 pay, plus the hourly contribution for health insurance benefits, vacation benefits,
13 pension benefits, and any other bona fide economic benefit, paid directly or indirectly
14 for a majority of the hours worked in the trade or occupation on projects in the area.
- 15 2. If there is no rate at which a majority of the hours worked in the trade or
16 occupation on projects in the area is paid, “prevailing wage rate” for any trade or
17 occupation engaged in the erection, construction, remodeling, repairing, or
18 demolition of any project of public works in any area means the average hourly basic
19 rate of pay, weighted by the number of hours worked, plus the average hourly
20 contribution, weighted by the number of hours worked, for health insurance benefits,
21 vacation benefits, pension benefits, and any other bona fide economic benefit, paid
22 directly or indirectly for all hours worked at the hourly basic rate of pay of the
23 highest-paid 51 percent of hours worked in that trade or occupation on projects in
24 that area.

1 (em) “Single-trade project of public works” means a project of public works in
2 which a single trade accounts for 85 percent or more of the total labor cost of the
3 project.

4 (f) “State agency” means any office, department, independent agency,
5 institution of higher education, association, society, or other body in state
6 government created or authorized to be created by the constitution or any law,
7 including the legislature and the courts. “State agency” also includes the University
8 of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System
9 Authority, and the Wisconsin Aerospace Authority.

10 (fm) “Supply and installation contract” means a contract under which the
11 material is installed by the supplier, the material is installed by means of simple
12 fasteners or connectors such as screws or nuts and bolts, and no other work is
13 performed on the site of the project of public works, and the total labor cost to install
14 the material does not exceed 20 percent of the total cost of the contract.

15 (g) “Truck driver” includes an owner-operator of a truck.

16 **(1m)** APPLICABILITY. Subject to sub. (3g), this section applies to any project of
17 public works erected, constructed, repaired, remodeled, or demolished for the state
18 or a state agency, including all of the following:

19 (a) A project erected, constructed, repaired, remodeled, or demolished by one
20 state agency for another state agency under any contract or under any statute
21 specifically authorizing cooperation between state agencies.

22 (b) A project in which the completed facility is leased, purchased, lease
23 purchased, or otherwise acquired by, or dedicated to, the state in lieu of the state or
24 a state agency contracting for the erection, construction, repair, remodeling, or
25 demolition of the facility.

1 (c) A sanitary sewer or water main project in which the completed sanitary
2 sewer or water main is acquired by, or dedicated to, the state for ownership or
3 maintenance by the state.

4 (2) PREVAILING WAGE RATES AND HOURS OF LABOR. Any contract made for the
5 erection, construction, remodeling, repairing, or demolition of any project of public
6 works to which the state or any state agency is a party shall contain a stipulation that
7 no individual performing the work described in sub. (2m) may be allowed to work a
8 greater number of hours per day or per week than the prevailing hours of labor,
9 except that any such individual may be allowed or required to work more than such
10 prevailing hours of labor per day and per week if he or she is paid for all hours worked
11 in excess of the prevailing hours of labor at a rate of at least 1.5 times his or her hourly
12 basic rate of pay; nor may he or she be paid less than the prevailing wage rate
13 determined under sub. (3) in the same or most similar trade or occupation in the area
14 in which the project of public works is situated. The notice published for the purpose
15 of securing bids for the project must contain a reference to the prevailing wage rates
16 determined under sub. (3) and the prevailing hours of labor. Except as otherwise
17 provided in this subsection, if any contract or subcontract for a project of public works
18 that is subject to this section is entered into, the prevailing wage rates determined
19 under sub. (3) and the prevailing hours of labor shall be physically incorporated into
20 and made a part of the contract or subcontract. For a minor subcontract, as
21 determined by the department, the department shall prescribe by rule the method
22 of notifying the minor subcontractor of the prevailing wage rates and prevailing
23 hours of labor applicable to the minor subcontract. The prevailing wage rates and
24 prevailing hours of labor applicable to a contract or subcontract may not be changed
25 during the time that the contract or subcontract is in force.

1 **(2m)** COVERED EMPLOYEES. (a) Subject to par. (b), any person subject to this
2 section shall pay all of the following employees the prevailing wage rate determined
3 under sub. (3) and may not allow such employees to work a greater number of hours
4 per day or per week than the prevailing hours of labor, unless the person pays for all
5 hours worked in excess of the prevailing hours of labor at a rate of at least 1.5 times
6 the employees' hourly basic rate of pay:

7 1. All laborers, workers, mechanics, and truck drivers employed on the site of
8 a project of public works that is subject to this section.

9 2. All laborers, workers, mechanics, and truck drivers employed in the
10 manufacturing or furnishing of materials, articles, supplies, or equipment on the site
11 of a project of public works that is subject to this section or from a facility dedicated
12 exclusively, or nearly so, to a project of public works that is subject to this section by
13 a contractor, subcontractor, agent, or other person performing any work on the site
14 of the project.

15 (b) A laborer, worker, mechanic, or truck driver who is employed to process,
16 manufacture, pick up, or deliver materials or products from a commercial
17 establishment that has a fixed place of business from which the establishment
18 supplies processed or manufactured materials or products or from a facility that is
19 not dedicated exclusively, or nearly so, to a project of public works that is subject to
20 this section is not entitled to receive the prevailing wage rate determined under sub.
21 (3) or to receive at least 1.5 times his or her hourly basic rate of pay for all hours
22 worked in excess of the prevailing hours of labor unless any of the following applies:

23 1. The laborer, worker, mechanic, or truck driver is employed to go to the source
24 of mineral aggregate such as sand, gravel, or stone and deliver that mineral
25 aggregate to the site of a project of public works that is subject to this section by

1 depositing the material directly in final place, from the transporting vehicle or
2 through spreaders from the transporting vehicle.

3 2. The laborer, worker, mechanic, or truck driver is employed to go to the site
4 of a project that is subject to this section, pick up excavated material or spoil from
5 the site of the project of public works, and transport that excavated material or spoil
6 away from the site of the project.

7 (c) A person that is subject to this section shall pay a truck driver who is an
8 owner-operator of a truck separately for his or her work and for the use of his or her
9 truck.

10 **(3) INVESTIGATION; DETERMINATION.** (a) Before a state agency issues a request
11 for bids for any work to which this section applies, the state agency having the
12 authority to prescribe the specifications shall apply to the department to determine
13 the prevailing wage rate for each trade or occupation required in the work under
14 contemplation in the area in which the work is to be done. The department shall
15 conduct investigations and hold public hearings as necessary to define the trades or
16 occupations that are commonly employed on projects that are subject to this section
17 and to inform itself of the prevailing wage rates in all areas of the state for those
18 trades or occupations, in order to determine the prevailing wage rate for each trade
19 or occupation. The department shall issue its determination within 30 days after
20 receiving the request and shall file the determination with the requesting state
21 agency. A state agency that has contracted for a project of public works subject to this
22 section shall post the prevailing wage rates determined by the department, the
23 prevailing hours of labor, and the provisions of subs. (2) and (6m) in at least one
24 conspicuous place on the site of the project that is easily accessible by employees
25 working on the project.

1 (am) The department shall, by January 1 of each year, compile the prevailing
2 wage rates for each trade or occupation in each area. The compilation shall, in
3 addition to the current prevailing wage rates, include future prevailing wage rates
4 when those prevailing wage rates can be determined for any trade or occupation in
5 any area and shall specify the effective date of those future prevailing wage rates.
6 If a project of public works extends into more than one area, the department shall
7 determine only one standard of prevailing wage rates for the entire project.

8 (ar) In determining prevailing wage rates under par. (a) or (am), the
9 department may not use data from projects that are subject to this section, s. 66.0903,
10 103.50, or 229.8275, or 40 USC 3142 unless the department determines that there
11 is insufficient wage data in the area to determine those prevailing wage rates, in
12 which case the department may use data from projects that are subject to this
13 section, s. 66.0903, 103.50, or 229.8275, or 40 USC 3142. In determining prevailing
14 wage rates under par. (a) or (am), the department may not use data from any
15 construction work performed by a state agency or a local governmental unit, as
16 defined in s. 66.0903 (1) (d).

17 (b) Any person may request a recalculation of any portion of an initial
18 determination within 30 days after the initial determination date if the person
19 submits evidence with the request showing that the prevailing wage rate for any
20 given trade or occupation included in the initial determination does not represent the
21 prevailing wage rate for that trade or occupation in the area. The evidence shall
22 include wage rate information reflecting work performed by individuals working in
23 the contested trade or occupation in the area during the current survey period. The
24 department shall affirm or modify the initial determination within 15 days after the
25 date on which the department receives the request for recalculation.

1 (c) In addition to the recalculation under par. (b), the state agency that
2 requested the determination under this subsection may request a review of any
3 portion of a determination within 30 days after the date of issuance of the
4 determination if the state agency submits evidence with the request showing that
5 the prevailing wage rate for any given trade or occupation included in the
6 determination does not represent the prevailing wage rate for that trade or
7 occupation in the city, village, or town in which the proposed project of public works
8 is located. That evidence shall include wage rate information for the contested trade
9 or occupation on at least 3 similar projects located in the city, village, or town where
10 the proposed project of public works is located on which some work has been
11 performed during the current survey period and that were considered by the
12 department in issuing its most recent compilation under par. (am). The department
13 shall affirm or modify the determination within 15 days after the date on which the
14 department receives the request for review.

15 **(3g) NONAPPLICABILITY.** This section does not apply to any of the following:

16 (a) A single-trade project of public works for which the estimated project cost
17 of completion is less than \$48,000 or a multiple-trade project of public works for
18 which the estimated project cost of completion is less than \$100,000.

19 (b) Work performed on a project of public works for which the state or the state
20 agency contracting for the project is not required to compensate any contractor,
21 subcontractor, contractor's or subcontractor's agent, or individual for performing the
22 work.

23 (c) Minor service or maintenance work, warranty work, or work under a supply
24 and installation contract.

25 (f) A public highway, street, or bridge project.

1 (g) A project of public works involving the erection, construction, repair,
2 remodeling, or demolition of a residential property containing 2 dwelling units or
3 less.

4 (h) A road, street, bridge, sanitary sewer, or water main project that is a part
5 of a development in which not less than 90 percent of the lots contain or will contain
6 2 dwelling units or less, as determined by the local governmental unit at the time of
7 approval of the development, and that, on completion, is acquired by, or dedicated to,
8 the state for ownership or maintenance by the state.

9 **(4r)** COMPLIANCE. (a) When the department finds that a state agency has not
10 requested a determination under sub. (3) (a) or that a state agency, contractor, or
11 subcontractor has not physically incorporated a determination into a contract or
12 subcontract as required under sub. (2) or has not notified a minor subcontractor of
13 a determination in the manner prescribed by the department by rule promulgated
14 under sub. (2), the department shall notify the state agency, contractor, or
15 subcontractor of the noncompliance and shall file the determination with the state
16 agency, contractor, or subcontractor within 30 days after the notice.

17 (b) Upon completion of a project of public works and before receiving final
18 payment for his or her work on the project, each agent or subcontractor shall furnish
19 the contractor with an affidavit stating that the agent or subcontractor has complied
20 fully with the requirements of this section. A contractor may not authorize final
21 payment until the affidavit is filed in proper form and order.

22 (c) Upon completion of a project of public works and before receiving final
23 payment for his or her work on the project, each contractor shall file with the state
24 agency authorizing the work an affidavit stating that the contractor has complied
25 fully with the requirements of this section and that the contractor has received an

1 affidavit under par. (b) from each of the contractor's agents and subcontractors. A
2 state agency may not authorize a final payment until the affidavit is filed in proper
3 form and order. If a state agency authorizes a final payment before an affidavit is
4 filed in proper form and order or if the department determines, based on the greater
5 weight of the credible evidence, that any person performing the work specified in sub.
6 (2m) has been or may have been paid less than the prevailing wage rate or less than
7 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing
8 hours of labor and requests that the state agency withhold all or part of the final
9 payment, but the state agency fails to do so, the state agency is liable for all back
10 wages payable up to the amount of the final payment.

11 **(5) RECORDS; INSPECTION; ENFORCEMENT.** (a) Each contractor, subcontractor, or
12 contractor's or subcontractor's agent that performs work on a project of public works
13 that is subject to this section shall keep full and accurate records clearly indicating
14 the name and trade or occupation of every individual performing the work described
15 in sub. (2m) and an accurate record of the number of hours worked by each of those
16 individuals and the actual wages paid for the hours worked.

17 (b) The department shall enforce this section. The department may demand
18 and examine, and every contractor, subcontractor, and contractor's and
19 subcontractor's agent shall keep, and furnish upon request by the department,
20 copies of payrolls and other records and information relating to the wages paid to
21 individuals performing the work described in sub. (2m) for work to which this section
22 applies. The department may inspect records in the manner provided in this chapter.
23 Every contractor, subcontractor, or agent performing work on a project of public
24 works that is subject to this section is subject to the requirements of this chapter
25 relating to the examination of records. Section 111.322 (2m) applies to discharge and

1 other discriminatory acts arising in connection with any proceeding under this
2 section.

3 (c) If requested by any person, the department shall inspect the payroll records
4 of any contractor, subcontractor, or agent performing work on a project of public
5 works that is subject to this section as provided in this paragraph to ensure
6 compliance with this section. On receipt of such a request, the department shall
7 request that the contractor, subcontractor, or agent submit to the department a
8 certified record of the information specified in par. (a), other than personally
9 identifiable information relating to an employee of the contractor, subcontractor, or
10 agent, for no longer than a 4-week period. The department may request a contractor,
11 subcontractor, or agent to submit those records no more than once per calendar
12 quarter for each project of public works on which the contractor, subcontractor, or
13 agent is performing work. The department may not charge a requester a fee for
14 obtaining that information. Certified records submitted to the department under
15 this paragraph are open for public inspection and copying under s. 19.35 (1).

16 **(6m)** LIABILITY AND PENALTIES. (ag) 1. A contractor, subcontractor, or
17 contractor's or subcontractor's agent who fails to pay the prevailing wage rate
18 determined by the department under sub. (3) or who pays less than 1.5 times the
19 hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor
20 is liable to any affected employee in the amount of his or her unpaid wages or his or
21 her unpaid overtime compensation and in an additional amount as liquidated
22 damages as provided in subd. 2. or 3., whichever is applicable.

23 2. If the department determines upon inspection under sub. (5) (b) or (c) that
24 a contractor, subcontractor, or contractor's or subcontractor's agent has failed to pay
25 the prevailing wage rate determined by the department under sub. (3) or has paid

1 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
2 prevailing hours of labor, the department shall order the contractor to pay to any
3 affected employee the amount of his or her unpaid wages or his or her unpaid
4 overtime compensation and an additional amount equal to 100 percent of the amount
5 of those unpaid wages or that unpaid overtime compensation as liquidated damages
6 within a period specified by the department in the order.

7 3. In addition to or in lieu of recovering the liability specified in subd. 1. as
8 provided in subd. 2., any employee for and on behalf of that employee and other
9 employees similarly situated may commence an action to recover that liability in any
10 court of competent jurisdiction. If the court finds that a contractor, subcontractor,
11 or contractor's or subcontractor's agent has failed to pay the prevailing wage rate
12 determined by the department under sub. (3) or has paid less than 1.5 times the
13 hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor,
14 the court shall order the contractor, subcontractor, or agent to pay to any affected
15 employee the amount of his or her unpaid wages or his or her unpaid overtime
16 compensation and an additional amount equal to 100 percent of the amount of those
17 unpaid wages or that unpaid overtime compensation as liquidated damages.

18 5. No employee may be a party plaintiff to an action under subd. 3. unless the
19 employee consents in writing to become a party and the consent is filed in the court
20 in which the action is brought. Notwithstanding s. 814.04 (1), the court shall, in
21 addition to any judgment awarded to the plaintiff, allow reasonable attorney fees
22 and costs to be paid by the defendant.

23 (am) Except as provided in pars. (b), (d), and (f), any contractor, subcontractor,
24 or contractor's or subcontractor's agent who violates this section may be fined not

1 more than \$200 or imprisoned for not more than 6 months or both. Each day that
2 a violation continues is a separate offense.

3 (b) Whoever induces an individual who seeks to be or is employed on any project
4 of public works that is subject to this section to give up, waive, or return any part of
5 the wages to which the individual is entitled under the contract governing the
6 project, or who reduces the hourly basic rate of pay normally paid to an individual
7 for work on a project that is not subject to this section during a week in which the
8 individual works both on a project of public works that is subject to this section and
9 on a project that is not subject to this section, by threat not to employ, by threat of
10 dismissal from employment, or by any other means is guilty of an offense under s.
11 946.15 (1).

12 (c) Any individual who is employed on a project of public works that is subject
13 to this section who knowingly allows a contractor, subcontractor, or contractor's or
14 subcontractor's agent to pay him or her less than the prevailing wage rate set forth
15 in the contract governing the project, who gives up, waives, or returns any part of the
16 compensation to which he or she is entitled under the contract, or who gives up,
17 waives, or returns any part of the compensation to which he or she is normally
18 entitled for work on a project that is not subject to this section during a week in which
19 the individual works both on a project of public works that is subject to this section
20 and on a project that is not subject to this section, is guilty of an offense under s.
21 946.15 (2).

22 (d) Whoever induces any individual who seeks to be or is employed on any
23 project of public works that is subject to this section to allow any part of the wages
24 to which the individual is entitled under the contract governing the project to be
25 deducted from the individual's pay is guilty of an offense under s. 946.15 (3), unless

1 the deduction would be allowed under 29 CFR 3.5 or 3.6 from an individual who is
2 working on a project that is subject to 40 USC 3142.

3 (e) Any individual who is employed on a project of public works that is subject
4 to this section who knowingly allows any part of the wages to which he or she is
5 entitled under the contract governing the project to be deducted from his or her pay
6 is guilty of an offense under s. 946.15 (4), unless the deduction would be allowed
7 under 29 CFR 3.5 or 3.6 from an individual who is working on a project that is subject
8 to 40 USC 3142.

9 (f) Paragraph (am) does not apply to any person who fails to provide any
10 information to the department to assist the department in determining prevailing
11 wage rates under sub. (3) (a) or (am).

12 **(7) DEPARTMENT.** (a) Except as provided under pars. (b) and (c), the department
13 shall distribute to all state agencies a list of all persons that the department has
14 found to have failed to pay the prevailing wage rate determined under sub. (3) or has
15 found to have paid less than 1.5 times the hourly basic rate of pay for all hours worked
16 in excess of the prevailing hours of labor at any time in the preceding 3 years. The
17 department shall include with any name the address of the person and shall specify
18 when the person failed to pay the prevailing wage rate and when the person paid less
19 than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
20 prevailing hours of labor. A state agency may not award any contract to the person
21 unless otherwise recommended by the department or unless 3 years have elapsed
22 from the date the department issued its findings or date of final determination by a
23 court of competent jurisdiction, whichever is later.

24 (b) The department may not include in a notification under par. (a) the name
25 of any person on the basis of having subcontracted a contract for a project of public

1 works to a person that the department has found to have failed to pay the prevailing
2 wage rate determined under sub. (3) or has found to have paid less than 1.5 times
3 the hourly basic rate of pay for all hours worked in excess of the prevailing hours of
4 labor.

5 (c) This subsection does not apply to any contractor, subcontractor, or agent
6 who in good faith commits a minor violation of this section, as determined on a
7 case-by-case basis through administrative hearings with all rights to due process
8 afforded to all parties or who has not exhausted or waived all appeals.

9 (d) Any person submitting a bid on a project of public works that is subject to
10 this section shall, on the date the person submits the bid, identify any construction
11 business in which the person, or a shareholder, officer, or partner of the person if the
12 person is a business, owns or has owned at least a 25 percent interest on the date the
13 person submits the bid or at any other time within 3 years preceding the date the
14 person submits the bid, if the business has been found to have failed to pay the
15 prevailing wage rate determined under sub. (3) or to have paid less than 1.5 times
16 the hourly basic rate of pay for all hours worked in excess of the prevailing hours of
17 labor.

18 (e) The department shall promulgate rules to administer this subsection.

19 **SECTION 207.** 103.50 of the statutes is created to read:

20 **103.50 Highway contracts. (1) DEFINITIONS.** In this section:

21 (a) "Area" means the county in which a proposed project that is subject to this
22 section is located or, if the department determines that there is insufficient wage
23 data in that county, "area" means those counties that are contiguous to that county
24 or, if the department determines that there is insufficient wage data in those
25 counties, "area" means those counties that are contiguous to those counties or, if the

1 department determines that there is insufficient wage data in those counties, “area”
2 means the entire state.

3 (b) “Hourly basic rate of pay” has the meaning given in s. 103.49 (1) (b).

4 (bg) “Insufficient wage data” has the meaning given in s. 103.49 (1) (bg).

5 (c) “Prevailing hours of labor” has the meaning given in s. 103.49 (1) (c).

6 (d) 1. Except as provided in subd. 2., “prevailing wage rate” for any trade or
7 occupation in any area means the hourly basic rate of pay, plus the hourly
8 contribution for health insurance benefits, vacation benefits, pension benefits, and
9 any other bona fide economic benefit, paid directly or indirectly, for a majority of the
10 hours worked in the trade or occupation in the area.

11 2. If there is no rate at which a majority of the hours worked in the trade or
12 occupation in the area is paid, “prevailing wage rate” means the average hourly basic
13 rate of pay, weighted by the number of hours worked, plus the average hourly
14 contribution, weighted by the number of hours worked, for health insurance benefits,
15 vacation benefits, pension benefits, and any other bona fide economic benefit, paid
16 directly or indirectly for all hours worked at the hourly basic rate of pay of the
17 highest-paid 51 percent of hours worked in that trade or occupation in that area.

18 (e) “Truck driver” has the meaning given in s. 103.49 (1) (g).

19 **(2) PREVAILING WAGE RATES AND HOURS OF LABOR.** No contractor, subcontractor,
20 agent, or other person performing any work on a project under a contract based on
21 bids as provided in s. 84.06 (2) to which the state is a party for the construction or
22 improvement of any highway may do any of the following:

23 (a) Pay an individual performing the work described in sub. (2m) less than the
24 prevailing wage rate in the area in which the work is to be done determined under
25 sub. (3).

1 (b) Allow an individual performing the work described in sub. (2m) to work a
2 greater number of hours per day or per week than the prevailing hours of labor,
3 unless the contractor, subcontractor, or contractor's or subcontractor's agent pays
4 the individual for all hours worked in excess of the prevailing hours of labor at a rate
5 of at least 1.5 times the individual's hourly basic rate of pay.

6 **(2g) NONAPPLICABILITY.** This section does not apply to a single-trade project of
7 public works, as defined in s. 103.49 (1) (em), for which the estimated project cost of
8 completion is less than \$48,000 or a multiple-trade project of public works, as
9 defined in s. 103.49 (1) (br), for which the estimated project cost of completion is less
10 than \$100,000.

11 **(2m) COVERED EMPLOYEES.** (a) Subject to par. (b), any person subject to this
12 section shall pay all of the following employees the prevailing wage rate determined
13 under sub. (3) and may not allow such employees to work a greater number of hours
14 per day or per week than the prevailing hours of labor, unless the person pays for all
15 hours worked in excess of the prevailing hours of labor at a rate of at least 1.5 times
16 the employees' hourly basic rate of pay:

17 1. All laborers, workers, mechanics, and truck drivers employed on the site of
18 a project that is subject to this section.

19 2. All laborers, workers, mechanics, and truck drivers employed in the
20 manufacturing or furnishing of materials, articles, supplies, or equipment on the site
21 of a project that is subject to this section or from a facility dedicated exclusively, or
22 nearly so, to a project that is subject to this section by a contractor, subcontractor,
23 agent, or other person performing any work on the site of the project.

24 (b) A laborer, worker, mechanic, or truck driver who is employed to process,
25 manufacture, pick up, or deliver materials or products from a commercial

1 establishment that has a fixed place of business from which the establishment
2 supplies processed or manufactured materials or products or from a facility that is
3 not dedicated exclusively, or nearly so, to a project that is subject to this section is not
4 entitled to receive the prevailing wage rate determined under sub. (3) or to receive
5 at least 1.5 times his or her hourly basic rate of pay for all hours worked in excess
6 of the prevailing hours of labor unless any of the following applies:

7 1. The laborer, worker, mechanic, or truck driver is employed to go to the source
8 of mineral aggregate such as sand, gravel, or stone and deliver that mineral
9 aggregate to the site of a project that is subject to this section by depositing the
10 material directly in final place, from the transporting vehicle or through spreaders
11 from the transporting vehicle.

12 2. The laborer, worker, mechanic, or truck driver is employed to go to the site
13 of a project that is subject to this section, pick up excavated material or spoil from
14 the site of the project, and transport that excavated material or spoil away from the
15 site of the project and return to the site of the project.

16 (c) A contractor, subcontractor, agent, or other person performing work on a
17 project subject to this section shall pay a truck driver who is an owner-operator of
18 a truck separately for his or her work and for the use of his or her truck.

19 **(3) INVESTIGATIONS; DETERMINATIONS.** The department shall conduct
20 investigations and hold public hearings necessary to define the trades or occupations
21 that are commonly employed in the highway construction industry and to inform the
22 department of the prevailing wage rates in all areas of the state for those trades or
23 occupations, in order to ascertain and determine the prevailing wage rates
24 accordingly.

1 **(4) CERTIFICATION OF PREVAILING WAGE RATES.** The department of workforce
2 development shall, by May 1 of each year, certify to the department of transportation
3 the prevailing wage rates in each area for all trades or occupations commonly
4 employed in the highway construction industry. The certification shall, in addition
5 to the current prevailing wage rates, include future prevailing wage rates when such
6 prevailing wage rates can be determined for any such trade or occupation in any area
7 and shall specify the effective date of those future prevailing wage rates. The
8 certification shall also include wage rates for work performed on Sundays or the
9 holidays specified in s. 103.49 (1) (c) and shift differentials based on the time of day
10 or night when work is performed. If a construction project extends into more than
11 one area, the department shall determine only one standard of prevailing wage rates
12 for the entire project.

13 **(4m) WAGE RATE DATA.** In determining prevailing wage rates for projects that
14 are subject to this section, the department shall use data from projects that are
15 subject to this section, s. 66.0903 or 103.49, or 40 USC 3142. In determining
16 prevailing wage rates for those projects, the department may not use data from any
17 construction work that is performed by a state agency or a local governmental unit,
18 as defined in s. 66.0903 (1) (d).

19 **(5) APPEALS TO GOVERNOR.** If the department of transportation considers any
20 determination of the department of workforce development of the prevailing wage
21 rates in an area to be incorrect, it may appeal to the governor, whose determination
22 is final.

23 **(6) CONTENTS OF CONTRACTS.** The department of transportation shall include
24 a reference to the prevailing wage rates determined under sub. (3) and the prevailing
25 hours of labor in the notice published for the purpose of securing bids for a project.

1 Except as otherwise provided in this subsection, if any contract or subcontract for a
2 project that is subject to this section is entered into, the prevailing wage rates
3 determined under sub. (3) and the prevailing hours of labor shall be physically
4 incorporated into and made a part of the contract or subcontract. For a minor
5 subcontract, as determined by the department of workforce development, that
6 department shall prescribe by rule the method of notifying the minor subcontractor
7 of the prevailing wage rates and prevailing hours of labor applicable to the minor
8 subcontract. The prevailing wage rates and prevailing hours of labor applicable to
9 a contract or subcontract may not be changed during the time that the contract or
10 subcontract is in force. The department of transportation shall post the prevailing
11 wage rates determined by the department, the prevailing hours of labor, and the
12 provisions of subs. (2) and (7) in at least one conspicuous place that is easily
13 accessible to the employees on the site of the project.

14 **(7) PENALTIES.** (a) Except as provided in pars. (b), (d), and (f), any contractor,
15 subcontractor, or contractor's or subcontractor's agent who violates this section may
16 be fined not more than \$200 or imprisoned for not more than 6 months or both. Each
17 day that a violation continues is a separate offense.

18 (b) Whoever induces any individual who seeks to be or is employed on any
19 project that is subject to this section to give up, waive, or return any part of the wages
20 to which the individual is entitled under the contract governing the project, or who
21 reduces the hourly basic rate of pay normally paid to an individual for work on a
22 project that is not subject to this section during a week in which the individual works
23 both on a project that is subject to this section and on a project that is not subject to
24 this section, by threat not to employ, by threat of dismissal from employment, or by
25 any other means is guilty of an offense under s. 946.15 (1).

1 (c) Any individual employed on a project that is subject to this section who
2 knowingly allows a contractor, subcontractor, or contractor's or subcontractor's
3 agent to pay him or her less than the prevailing wage rate set forth in the contract
4 governing the project, who gives up, waives, or returns any part of the compensation
5 to which he or she is entitled under the contract, or who gives up, waives, or returns
6 any part of the compensation to which he or she is normally entitled for work on a
7 project that is not subject to this section during a week in which the individual works
8 both on a project that is subject to this section and on a project that is not subject to
9 this section, is guilty of an offense under s. 946.15 (2).

10 (d) Whoever induces any individual who seeks to be or is employed on any
11 project that is subject to this section to allow any part of the wages to which the
12 individual is entitled under the contract governing the project to be deducted from
13 the individual's pay is guilty of an offense under s. 946.15 (3), unless the deduction
14 would be allowed under 29 CFR 3.5 or 3.6 from an individual who is working on a
15 project that is subject to 40 USC 3142.

16 (e) Any individual employed on a project that is subject to this section who
17 knowingly allows any part of the wages to which he or she is entitled under the
18 contract governing the project to be deducted from his or her pay is guilty of an
19 offense under s. 946.15 (4), unless the deduction would be allowed under 29 CFR 3.5
20 or 3.6 from an individual who is working on a project that is subject to 40 USC 3142.

21 (f) Paragraph (a) does not apply to any individual who fails to provide any
22 information to the department to assist the department in determining prevailing
23 wage rates under sub. (3) or (4).

24 **(8) ENFORCEMENT AND PROSECUTION.** The department of transportation shall
25 require adherence to subs. (2), (2m), and (6). The department of transportation may

1 demand and examine, and every contractor, subcontractor, and contractor's or
2 subcontractor's agent shall keep and furnish upon request by the department of
3 transportation, copies of payrolls and other records and information relating to
4 compliance with this section. Upon request of the department of transportation or
5 upon complaint of alleged violation, the district attorney of the county in which the
6 work is located shall investigate as necessary and prosecute violations in a court of
7 competent jurisdiction. Section 111.322 (2m) applies to discharge and other
8 discriminatory acts arising in connection with any proceeding under this section.

9 **SECTION 208.** 103.503 (1) (a) of the statutes is amended to read:

10 103.503 (1) (a) "Accident" means an incident caused, contributed to, or
11 otherwise involving an employee that resulted or could have resulted in death,
12 personal injury, or property damage and that occurred while the employee was
13 performing the work described in s. 66.0903 (4), ~~2013 stats., or s. 16.856~~ 103.49 (2m),
14 ~~2015 stats.,~~ on a project of public works or while the employee was performing work
15 on a public utility project.

16 **SECTION 209.** 103.503 (1) (e) of the statutes is amended to read:

17 103.503 (1) (e) "Employee" means a laborer, worker, mechanic, or truck driver
18 who performs the work described in s. 66.0903 (4), ~~2013 stats., or s. 16.856~~ 103.49
19 (2m), ~~2015 stats.,~~ on a project of public works or on a public utility project.

20 **SECTION 210.** 103.503 (1) (g) of the statutes is repealed and recreated to read:

21 103.503 (1) (g) "Project of public works" means a project of public works that
22 is subject to s. 66.0903 or 103.49.

23 **SECTION 211.** 103.503 (2) of the statutes is amended to read:

24 103.503 (2) SUBSTANCE ABUSE PROHIBITED. No employee may use, possess,
25 attempt to possess, distribute, deliver, or be under the influence of a drug, or use or

1 be under the influence of alcohol, while performing the work described in s. 66.0903
2 (4), ~~2013 stats.,~~ or s. ~~16.856~~ 103.49 (2m), ~~2015 stats.,~~ on a project of public works or
3 while performing work on a public utility project. An employee is considered to be
4 under the influence of alcohol for purposes of this subsection if he or she has an
5 alcohol concentration that is equal to or greater than the amount specified in s.
6 885.235 (1g) (d).

7 **SECTION 212.** 103.503 (3) (a) 2. of the statutes is amended to read:

8 103.503 (3) (a) 2. A requirement that employees performing the work described
9 in s. 66.0903 (4), ~~2013 stats.,~~ or s. ~~16.856~~ 103.49 (2m), ~~2015 stats.,~~ on a project of
10 public works or performing work on a public utility project submit to random,
11 reasonable suspicion, and post-accident drug and alcohol testing and to drug and
12 alcohol testing before commencing work on the project, except that testing of an
13 employee before commencing work on a project is not required if the employee has
14 been participating in a random testing program during the 90 days preceding the
15 date on which the employee commenced work on the project.

16 **SECTION 213.** 104.001 (3) of the statutes is created to read:

17 104.001 (3) This section does not affect an ordinance that, subject to s. 66.0903,
18 requires an employee of a city, village, town, or county, an employee who performs
19 work under a contract for the provision of services to a city, village, town, or county,
20 or an employee who performs work that is funded by financial assistance from a city,
21 village, town, or county to be paid at a minimum wage rate specified in the ordinance.

22 **SECTION 214.** 104.001 (4) of the statutes is created to read:

23 104.001 (4) This section does not affect the requirement that employees
24 employed on a public works project contracted for by a city, village, town, or county

1 be paid at the prevailing wage rate, as defined in s. 66.0903 (1) (g), as required under
2 s. 66.0903.

3 **SECTION 215.** 104.01 (1h) of the statutes is created to read:

4 104.01 (1h) "Consumer price index" means the average of the consumer price
5 index over each 12-month period for all urban consumers, U.S. city average, all
6 items, not seasonally adjusted, as determined by the bureau of labor statistics of the
7 U.S. department of labor.

8 **SECTION 216.** 104.035 (1) (a) of the statutes is renumbered 104.035 (1) (a)
9 (intro.) and amended to read:

10 104.035 (1) (a) *Minimum rates.* (intro.) Except as provided in subs. (2) to (8)
11 (8m), the minimum wage is as follows:

12 1. For wages earned prior to the effective date of this subdivision ... [LRB
13 inserts date], \$7.25 per hour.

14 **SECTION 217.** 104.035 (1) (a) 2. of the statutes is created to read:

15 104.035 (1) (a) 2. For wages earned on or after the effective date of this
16 subdivision ... [LRB inserts date], and prior to January 1, 2025, \$8.25 per hour.

17 **SECTION 218.** 104.035 (1) (a) 3. of the statutes is created to read:

18 104.035 (1) (a) 3. For wages earned on or after January 1, 2025, and prior to
19 January 1, 2026, \$9.25.

20 **SECTION 219.** 104.035 (1) (a) 4. of the statutes is created to read:

21 104.035 (1) (a) 4. For wages earned on or after January 1, 2026, and prior to
22 January 1, 2027, \$10.25.

23 **SECTION 220.** 104.035 (2) (a) of the statutes is renumbered 104.035 (2) (a)
24 (intro.) and amended to read:

1 104.035 (2) (a) *Minimum rates.* (intro.) Except as provided in subs. (2m) to (8)
2 (8m), the minimum wage for a minor employee is as follows:

3 1. For wages earned prior to the effective date of this subdivision [LRB
4 inserts date], \$7.25 per hour.

5 **SECTION 221.** 104.035 (2) (a) 2. of the statutes is created to read:

6 104.035 (2) (a) 2. For wages earned on or after the effective date of this
7 subdivision [LRB inserts date], and prior to January 1, 2025, \$8.25 per hour.

8 **SECTION 222.** 104.035 (2) (a) 3. of the statutes is created to read:

9 104.035 (2) (a) 3. For wages earned on or after January 1, 2025, and prior to
10 January 1, 2026, \$9.25.

11 **SECTION 223.** 104.035 (2) (a) 4. of the statutes is created to read:

12 104.035 (2) (a) 4. For wages earned on or after January 1, 2026, and prior to
13 January 1, 2027, \$10.25.

14 **SECTION 224.** 104.035 (2m) (a) of the statutes is renumbered 104.035 (2m) (a)
15 (intro.) and amended to read:

16 104.035 (2m) (a) *Minimum rates.* (intro.) Except as provided in subs. (3) to (8)
17 (8m), the minimum wage for an opportunity employee is as follows:

18 1. For wages earned prior to the effective date of this subdivision [LRB
19 inserts date], \$5.90 per hour.

20 **SECTION 225.** 104.035 (2m) (a) 2. of the statutes is created to read:

21 104.035 (2m) (a) 2. For wages earned on or after the effective date of this
22 subdivision [LRB inserts date], and prior to January 1, 2025, \$6.71 per hour.

23 **SECTION 226.** 104.035 (2m) (a) 3. of the statutes is created to read:

24 104.035 (2m) (a) 3. For wages earned on or after January 1, 2025, and prior to
25 January 1, 2026, \$7.52.

1 **SECTION 227.** 104.035 (2m) (a) 4. of the statutes is created to read:

2 104.035 **(2m)** (a) 4. For wages earned on or after January 1, 2026, and prior to
3 January 1, 2027, \$8.33.

4 **SECTION 228.** 104.035 (3) (a) (intro.) of the statutes is amended to read:

5 104.035 **(3)** (a) *Minimum rates.* (intro.) Except as provided in subs. (4) to ~~(8)~~
6 ~~(8m)~~, if an employer of a tipped employee establishes by the employer's payroll
7 records that, when adding the tips received by the tipped employee in a week to the
8 wages paid to the tipped employee in that week, the tipped employee receives not less
9 than the applicable minimum wage specified in sub. (1), (2), or (2m), the minimum
10 wage for the tipped employee is as follows:

11 **SECTION 229.** 104.035 (3) (a) 1. of the statutes is amended to read:

12 104.035 **(3)** (a) 1. For wages earned by a tipped employee who is not an
13 opportunity employee prior to the effective date of this subdivision ... [LRB inserts
14 date], \$2.33 per hour.

15 **SECTION 230.** 104.035 (3) (a) 1d. of the statutes is created to read:

16 104.035 **(3)** (a) 1d. For wages earned by a tipped employee who is not an
17 opportunity employee, on or after the effective date of this subdivision ... [LRB
18 inserts date], and prior to January 1, 2025, \$2.65 per hour.

19 **SECTION 231.** 104.035 (3) (a) 1h. of the statutes is created to read:

20 104.035 **(3)** (a) 1h. For wages earned by a tipped employee who is not an
21 opportunity employee, on or after January 1, 2025, and prior to January 1, 2026,
22 \$2.97 per hour.

23 **SECTION 232.** 104.035 (3) (a) 1p. of the statutes is created to read:

1 104.035 (3) (a) 1p. For wages earned by a tipped employee who is not an
2 opportunity employee, on or after January 1, 2026, and prior to January 1, 2027,
3 \$3.29 per hour.

4 **SECTION 233.** 104.035 (3) (a) 2. of the statutes is amended to read:

5 104.035 (3) (a) 2. For wages earned by a tipped employee who is an opportunity
6 employee prior to the effective date of this subdivision ... [LRB inserts date], \$2.13
7 per hour.

8 **SECTION 234.** 104.035 (3) (a) 2d. of the statutes is created to read:

9 104.035 (3) (a) 2d. For wages earned by a tipped employee who is an
10 opportunity employee, on or after the effective date of this subdivision ... [LRB
11 inserts date], and prior to January 1, 2025, \$2.42 per hour.

12 **SECTION 235.** 104.035 (3) (a) 2h. of the statutes is created to read:

13 104.035 (3) (a) 2h. For wages earned by a tipped employee who is an
14 opportunity employee, on or after January 1, 2025, and prior to January 1, 2026,
15 \$2.71 per hour.

16 **SECTION 236.** 104.035 (3) (a) 2p. of the statutes is created to read:

17 104.035 (3) (a) 2p. For wages earned by a tipped employee who is an
18 opportunity employee, on or after January 1, 2026, and prior to January 1, 2027,
19 \$3.00 per hour.

20 **SECTION 237.** 104.035 (4) (a) of the statutes is renumbered 104.035 (4) (a)
21 (intro.) and amended to read:

22 104.035 (4) (a) *Minimum rates.* (intro.) Except as provided in subs. (7) and (8)
23 to (8m), the minimum wage for an agricultural employee is as follows:

24 1. For wages earned prior to the effective date of this subdivision ... [LRB
25 inserts date], \$7.25 per hour.

1 **SECTION 238.** 104.035 (4) (a) 2. of the statutes is created to read:

2 104.035 (4) (a) 2. For wages earned on or after the effective date of this
3 subdivision ... [LRB inserts date], and prior to January 1, 2025, \$8.25 per hour.

4 **SECTION 239.** 104.035 (4) (a) 3. of the statutes is created to read:

5 104.035 (4) (a) 3. For wages earned on or after January 1, 2025, and prior to
6 January 1, 2026, \$9.25 per hour.

7 **SECTION 240.** 104.035 (4) (a) 4. of the statutes is created to read:

8 104.035 (4) (a) 4. For wages earned on or after January 1, 2026, and prior to
9 January 1, 2027, \$10.25 per hour.

10 **SECTION 241.** 104.035 (5) of the statutes is renumbered 104.035 (5) (intro.) and
11 amended to read:

12 104.035 (5) CAMP COUNSELORS. (intro.) The Except as provided in sub. (8m), the
13 minimum wage for a counselor at a seasonal recreational or educational camp,
14 including a day camp, is as follows:

15 (a) Prior to the effective date of this paragraph ... [LRB inserts date], \$350 per
16 week if meals and lodging are not furnished, \$265 per week if only meals are
17 furnished, and \$210 per week if both meals and lodging are furnished.

18 **SECTION 242.** 104.035 (5) (b) of the statutes is created to read:

19 104.035 (5) (b) On or after the effective date of this paragraph ... [LRB inserts
20 date], and prior to January 1, 2025, \$398.28 per week if meals and lodging are not
21 furnished, \$301.55 per week if only meals are furnished, and \$238.97 per week if both
22 meals and lodging are furnished.

23 **SECTION 243.** 104.035 (5) (c) of the statutes is created to read:

1 104.035 (5) (c) On or after January 1, 2025, and prior to January 1, 2026,
2 \$446.56 per week if meals and lodging are not furnished, \$338.50 per week if only
3 meals are furnished, and \$267.94 per week if both meals and lodging are furnished.

4 **SECTION 244.** 104.035 (5) (d) of the statutes is created to read:

5 104.035 (5) (d) On or after January 1, 2026, and prior to January 1, 2027,
6 \$494.84 per week if meals and lodging are not furnished, \$375.09 per week if only
7 meals are furnished, and \$296.91 per week if both meals and lodging are furnished.

8 **SECTION 245.** 104.035 (6) of the statutes is renumbered 104.035 (6) (intro.) and
9 amended to read:

10 104.035 (6) GOLF CADDIES. (intro.) The Except as provided in sub. (8m), the
11 minimum wage for a golf caddy is as follows:

12 (a) Prior to the effective date of this paragraph [LRB inserts date], \$10.50
13 for caddying 18 holes and \$5.90 for caddying 9 holes.

14 **SECTION 246.** 104.035 (6) (b) of the statutes is created to read:

15 104.035 (6) (b) On or after the effective date of this paragraph [LRB inserts
16 date], and prior to January 1, 2025, \$11.95 for caddying 18 holes and \$6.71 for
17 caddying 9 holes.

18 **SECTION 247.** 104.035 (6) (c) of the statutes is created to read:

19 104.035 (6) (c) On or after January 1, 2025, and prior to January 1, 2026, \$13.40
20 for caddying 18 holes and \$7.52 for caddying 9 holes.

21 **SECTION 248.** 104.035 (6) (d) of the statutes is created to read:

22 104.035 (6) (d) On or after January 1, 2026, and prior to January 1, 2027,
23 \$14.85 for caddying 18 holes and \$8.33 for caddying 9 holes.

24 **SECTION 249.** 104.035 (8m) of the statutes is created to read:

1 104.035 **(8m)** MINIMUM WAGE ADJUSTMENTS. Effective on January 1, 2027, and
2 effective on each January 1 thereafter, the department shall revise the minimum
3 wages established under subs. (1) to (6). The department shall determine the revised
4 minimum wage by calculating the percentage difference between the consumer price
5 index for the 12-month period ending on the last day of the last month for which that
6 information is available and the consumer price index for the 12-month period
7 ending on the last day of the month 12 months prior to that month, adjusting the
8 minimum wages then in effect by that percentage difference. The department shall
9 annually have the revised amount published in the Wisconsin Administrative
10 Register and on the department's website.

11 **SECTION 250.** 106.04 of the statutes is created to read:

12 **106.04 Employment of apprentices on state public works projects. (1)**

13 DEFINITION. In this section, "project" means a project of public works that is subject
14 to s. 103.49 or 103.50 in which work is performed by employees employed in trades
15 that are apprenticeable under this subchapter.

16 **(2) WAIVER.** If the department grants an exception or modification to any
17 requirement in any contract for the performance of work on a project relating to the
18 employment and training of apprentices, the department shall post that information
19 on its Internet site, together with a detailed explanation for granting the exception
20 or modification.

21 **SECTION 251.** 106.112 of the statutes is created to read:

22 **106.112 Local workforce development boards youth service and**
23 **training grants. (1) YOUTH SERVICE GRANTS.** From the appropriation under s.
24 20.445 (1) (bj), the department shall award grants to local workforce development
25 boards established under 29 USC 3122 for youth services and training in school and

1 outside school settings. Grants awarded under this section may be used for any of
2 the following purposes:

3 (a) Tutoring, paid and unpaid work experiences, preapprenticeship programs,
4 and internships.

5 (b) On-the-job training, occupational skills training, and education offered
6 concurrently with workforce preparation and training.

7 (c) Leadership development opportunities, supportive services, mentoring,
8 follow-up services, and counseling.

9 (d) Financial literacy education and entrepreneurial skills training.

10 (e) Education related to labor market information and employment
11 information, and postsecondary education and training preparation.

12 **(2) IMPLEMENTATION.** To implement this section, the department shall do all of
13 the following:

14 (a) Promulgate rules prescribing procedures and criteria for awarding grants
15 under sub. (1) and the information with respect to those grants that must be
16 contained in the reports required under sub. (3).

17 (b) Receive and review applications for grants under sub. (1) (a) to (e) and
18 prescribe the form, nature, and extent of the information that must be contained in
19 an application for such a grant.

20 (c) Require annual reports from local workforce development boards that
21 receive grants that describe how the board expended the grant moneys and the
22 outcomes the board achieved, including the number of youth who participated in the
23 programs and services funded in part or wholly by the grant moneys.

24 **(3) ANNUAL REPORT.** Annually, by December 31, the department shall submit
25 a report to the governor and the cochairpersons of the joint committee on finance

1 providing an account of the department's activities and expenditures under this
2 section during the preceding fiscal year and detailing the amounts expended for each
3 of the grants provided under sub. (2) during that fiscal year.

4 **SECTION 252.** 106.145 of the statutes is created to read:

5 **106.145 Worker advancement initiative.** (1) WORKER ADVANCEMENT
6 INITIATIVE. The department shall, from the appropriation under s. 20.445 (1) (cm),
7 establish and administer a worker advancement initiative to offer participants
8 subsidized employment and skills training opportunities with local employers. The
9 department shall target the subsidized employment and skills training
10 opportunities to individuals in sectors of the workforce that have not recovered from
11 the loss of employees due to the COVID-19 pandemic.

12 (2) WORKER ADVANCEMENT INITIATIVE; HEALTH-CARE WORKFORCE OPPORTUNITY
13 GRANTS. (a) The department shall, from the appropriation under s. 20.445 (1) (cm),
14 establish and administer a program to do all of the following:

15 1. Make grants to local workforce development boards established under 29
16 USC 3122 to assist individuals whose employment status was negatively affected by
17 the COVID-19 pandemic and whose employment status has not improved. The
18 department shall prioritize connecting individuals to health-care-related
19 employment opportunities.

20 2. Make grants to technical colleges and nursing schools to implement
21 strategies to increase the number of graduates who go on to work in
22 health-care-related fields.

23 3. Provide solutions to reduce barriers to employment in health-care-related
24 fields and create ways to attract individuals to employment in health-care-related
25 fields. Solutions to reduce barriers to employment may include services to fulfill

1 clinical requirements, career navigation services, transportation services, and the
2 provision of supplies.

3 (b) During the 2023-25 fiscal biennium, of the moneys in the appropriation
4 under s. 20.445 (1) (cm), the department shall allocate \$2,500,000 in each fiscal year
5 of the 2023-25 fiscal biennium for establishing and administering the program
6 under par. (a).

7 (3) WORKER ADVANCEMENT INITIATIVE; LOCAL CDL TRAINING GRANTS. The
8 department shall, from the appropriation under s. 20.445 (1) (cm), make grants to
9 local workforce development boards established under 29 USC 3122 to provide
10 sector-based training programs related to increasing the number of individuals
11 obtaining commercial driver licenses, as defined in s. 340.01 (7m).

12 (4) WORKER ADVANCEMENT INITIATIVE; ROBUST PROGRAM. (a) The department
13 shall, from the appropriation under s. 20.445 (1) (cm), establish and administer a
14 program for reengaging out-of-work, barriered, and underserved individuals
15 through system transformation. Through the program, the department shall find
16 methods to more effectively reach and serve population groups that are underserved
17 and disconnected from the labor force.

18 (b) During the 2023-25 fiscal biennium, of the moneys in the appropriation
19 under s. 20.445 (1) (cm), the department shall allocate \$4,500,000 in fiscal year
20 2023-24 for establishing and administering the program under par. (a).

21 (5) IMPLEMENTATION. (a) *Duties*. To implement this section, the department
22 shall receive and review applications for grants under subs. (2) and (3) and prescribe
23 the form, nature, and extent of the information that must be contained in an
24 application for a grant under sub. (2) or (3).

1 (b) *Powers*. In addition to the duties described in par. (a), the department shall
2 have all other powers necessary and convenient to implement this section, including
3 the power to audit and inspect the records of grant recipients.

4 **SECTION 253.** 106.27 (title) of the statutes is amended to read:

5 **106.27 (title) Workforce training program programs.**

6 **SECTION 254.** 106.27 (1p) of the statutes is created to read:

7 106.27 (1p) WISCONSIN GREEN JOBS TRAINING PROGRAM. (a) In this subsection,
8 “green jobs” means jobs that produce goods or provide services that benefit the
9 environment or conserve natural resources.

10 (b) From the appropriation under s. 20.445 (1) (bp), the department shall award
11 grants to public or private organizations for the development and implementation
12 of green jobs training programs in this state. As a condition of receiving a grant
13 under this subsection, the department may require a public or private organization
14 to provide matching funds at a percentage to be determined by the department.

15 **SECTION 255.** 106.27 (2g) (a) 1. of the statutes is amended to read:

16 106.27 (2g) (a) 1. Promulgate rules prescribing procedures and criteria for
17 awarding grants under ~~sub~~ subs. (1) and (1p) and the information with respect to
18 those grants that must be contained in the reports required under subd. 3.

19 **SECTION 256.** 106.27 (2g) (a) 2. of the statutes is amended to read:

20 106.27 (2g) (a) 2. Receive and review applications for grants under subs. (1),
21 (1g), ~~and (1j) (am),~~ and (1p) and prescribe the form, nature, and extent of the
22 information that must be contained in an application for a grant under ~~sub~~ subs. (1),
23 (1g), ~~or (1j) (am),~~ and (1p).

24 **SECTION 257.** 106.28 of the statutes is created to read:

1 **106.28 Clean energy training and reemployment program.** The
2 department shall, from the appropriation under s. 20.445 (1) (bq), establish and
3 administer a clean energy training and reemployment program to connect workers
4 with employers and use other apprenticeship and technical college programs to
5 deliver training for clean energy jobs.

6 **SECTION 258.** 106.29 of the statutes is created to read:

7 **106.29 Workforce innovation grant program. (1) WORKFORCE INNOVATION**
8 **GRANTS.** The department shall, from the appropriation under s. 20.445 (1) (bw),
9 establish and operate a program to provide grants to regional organizations to design
10 and implement plans to address their region's workforce challenges that arose
11 during or were exacerbated by the COVID-19 pandemic.

12 **(2) IMPLEMENTATION.** (a) *Duties.* To implement this section, the department
13 shall receive and review applications for grants under sub. (1) and prescribe the
14 form, nature, and extent of the information that must be contained in an application
15 for a grant under sub. (1).

16 (b) *Powers.* In addition to the duties described in par. (a), the department shall
17 have all other powers necessary and convenient to implement this section, including
18 the power to audit and inspect the records of grant recipients.

19 **SECTION 259.** 106.54 (11) of the statutes is created to read:

20 **106.54 (11)** The division shall receive complaints under s. 103.135 (1) (a) and
21 (2) (a) to (c) and shall process the complaints in the same manner that employment
22 discrimination complaints are processed under s. 111.39.

23 **SECTION 260.** 108.04 (2) (h) of the statutes is amended to read:

24 **108.04 (2) (h)** A claimant shall, when the claimant first files a claim for benefits
25 under this chapter and during each subsequent week the claimant files for benefits

1 under this chapter, inform the department whether he or she is receiving social
2 security disability insurance payments, as defined in ~~sub. (12) (f) 2m~~ s. 108.05 (7m)
3 (b). If the claimant is receiving social security disability insurance payments, the
4 claimant shall, in the manner prescribed by the department, report to the
5 department the amount of the social security disability insurance payments.

6 **SECTION 261.** 108.04 (12) (f) 1m. and 2m. of the statutes are renumbered 108.05
7 (7m) (a) and (b) and amended to read:

8 108.05 (7m) (a) The intent of the legislature in enacting this ~~paragraph~~
9 subsection is to prevent the payment of duplicative government benefits for the
10 replacement of lost earnings or income, regardless of an individual's ability to work.

11 (b) In this ~~paragraph~~ subsection, "social security disability insurance payment"
12 means a payment of social security disability insurance benefits under 42 USC ch.
13 7 subch. II.

14 **SECTION 262.** 108.04 (12) (f) 3. of the statutes is repealed.

15 **SECTION 263.** 108.04 (12) (f) 4. of the statutes is renumbered 108.05 (7m) (e).

16 **SECTION 264.** 108.05 (7m) (title), (c) and (d) of the statutes are created to read:

17 108.05 (7m) (title) SOCIAL SECURITY DISABILITY INSURANCE PAYMENTS.

18 (c) If a monthly social security disability insurance payment is issued to a
19 claimant, the department shall reduce benefits otherwise payable to the claimant for
20 a given week in accordance with par. (d). This subsection does not apply to a lump
21 sum social security disability insurance payment in the nature of a retroactive
22 payment or back pay.

23 (d) The department shall allocate a monthly social security disability insurance
24 payment by allocating to each week the fraction of the payment attributable to that
25 week.

1 **SECTION 265.** 108.05 (9) of the statutes is amended to read:

2 108.05 **(9)** ROUNDING OF BENEFIT AMOUNTS. Notwithstanding sub. (1), benefits
3 payable for a week of unemployment as a result of applying sub. (1m), (3) ~~or~~, (7), or
4 (7m) or s. 108.04 (11) or (12), 108.06 (1), 108.13 (4) or (5) or 108.135 shall be rounded
5 down to the next lowest dollar.

6 **SECTION 266.** 108.05 (10) (intro.) of the statutes is amended to read:

7 108.05 **(10)** DEDUCTIONS FROM BENEFIT PAYMENTS. (intro.) After calculating the
8 benefit payment due to be paid for a week under subs. (1) to ~~(7)~~ (7m), the department
9 shall make deductions from that payment to the extent that the payment is sufficient
10 to make the following payments in the following order:

11 **SECTION 267.** 108.221 (1) (a) of the statutes is renumbered 108.221 (1) (a)
12 (intro.) and amended to read:

13 108.221 **(1)** (a) (intro.) Any employer ~~described in s. 108.18 (2) (c) or engaged~~
14 ~~in the painting or drywall finishing of buildings or other structures~~ who knowingly
15 and intentionally provides false information to the department for the purpose of
16 misclassifying or attempting to misclassify an individual who is an employee of the
17 employer as a nonemployee shall, for each incident, be assessed a penalty by the
18 department as follows:

19 1. For each act occurring before the date of the first determination of a violation
20 of this subsection, the employer shall be assessed a penalty in the amount of \$500
21 for each employee who is misclassified, but not to exceed \$7,500 per incident.

22 **SECTION 268.** 108.221 (1) (a) 2. of the statutes is created to read:

1 108.221 (1) (a) 2. For each act occurring after the date of the first determination
2 of a violation of this subsection, the employer shall be assessed a penalty in the
3 amount of \$1,000 for each employee who is misclassified.

4 **SECTION 269.** 108.221 (2) of the statutes is renumbered 108.221 (2) (intro.) and
5 amended to read:

6 108.221 (2) (intro.) Any employer ~~described in s. 108.18 (2) (c) or engaged in the~~
7 ~~painting or drywall finishing of buildings or other structures~~ who, through coercion,
8 requires an individual to adopt the status of a nonemployee shall be assessed a
9 penalty by the department as follows:

10 (a) For each act occurring before the date of the first determination of a
11 violation of this subsection, the employer shall be assessed a penalty in the amount
12 of \$1,000 for each individual so coerced, ~~but not to exceed \$10,000 per calendar year.~~

13 **SECTION 270.** 108.221 (2) (b) of the statutes is created to read:

14 108.221 (2) (b) For each act occurring after the date of the first determination
15 of a violation of this subsection, the employer shall be assessed a penalty in the
16 amount of \$2,000 for each individual so coerced.

17 **SECTION 271.** 108.24 (2m) of the statutes is amended to read:

18 108.24 (2m) Any employer ~~described in s. 108.18 (2) (c) or engaged in the~~
19 ~~painting or drywall finishing of buildings or other structures~~ who, after having
20 previously been assessed an administrative penalty by the department under s.
21 108.221 (1), knowingly and intentionally provides false information to the
22 department for the purpose of misclassifying or attempting to misclassify an
23 individual who is an employee of the employer as a nonemployee shall be fined \$1,000
24 for each employee who is misclassified, subject to a maximum fine of \$25,000 for each

1 violation. The department may, regardless of whether an employer has been subject
2 to any administrative assessment under s. 108.221 or any other penalty or
3 assessment under this chapter, refer violations of this subsection for prosecution by
4 the department of justice or the district attorney for the county in which the violation
5 occurred.

6 **SECTION 272.** 109.09 (1) of the statutes is amended to read:

7 109.09 (1) The department shall investigate and attempt equitably to adjust
8 controversies between employers and employees as to regarding alleged wage
9 claims. The department may receive and investigate any wage claim that is filed
10 with the department, or received by the department under s. 109.10 (4), no later than
11 2 years after the date the wages are due. The department may, after receiving a wage
12 claim, investigate any wages due from the employer against whom the claim is filed
13 to any employee during the period commencing 2 years before the date the claim is
14 filed. The department shall enforce this chapter and s. ss. 66.0903, 2013 stats., s.
15 103.49, 2013 stats., s. 229.8275, 2013 stats., and s. 16.856, 2015 stats., and ss. 103.02,
16 103.49, 103.82, and 104.12, and 229.8275. In pursuance of this duty, the department
17 may sue the employer on behalf of the employee to collect any wage claim or wage
18 deficiency and ss. 109.03 (6) and 109.11 (2) and (3) shall apply to such actions. Except
19 for actions under s. 109.10, the department may refer such an action to the district
20 attorney of the county in which the violation occurs for prosecution and collection and
21 the district attorney shall commence an action in the circuit court having appropriate
22 jurisdiction. Any number of wage claims or wage deficiencies against the same
23 employer may be joined in a single proceeding, but the court may order separate
24 trials or hearings. In actions that are referred to a district attorney under this
25 subsection, any taxable costs recovered by the district attorney shall be paid into the

1 general fund of the county in which the violation occurs and used by that county to
2 meet its financial responsibility under s. 978.13 (2) (b) for the operation of the office
3 of the district attorney who prosecuted the action.

4 **SECTION 273.** 109.09 (3) of the statutes is repealed.

5 **SECTION 274.** 111.01 of the statutes is created to read:

6 **111.01 Declaration of policy.** The public policy of the state as to employment
7 relations and collective bargaining, in the furtherance of which this subchapter is
8 enacted, is declared to be as follows:

9 (1) It recognizes that there are 3 major interests involved, namely: the public,
10 the employee, and the employer. These 3 interests are to a considerable extent
11 interrelated. It is the policy of the state to protect and promote each of these interests
12 with due regard to the situation and to the rights of the others.

13 (2) Industrial peace, regular and adequate income for the employee, and
14 uninterrupted production of goods and services are promotive of all of these
15 interests. They are largely dependent upon the maintenance of fair, friendly, and
16 mutually satisfactory employment relations and the availability of suitable
17 machinery for the peaceful adjustment of whatever controversies may arise. It is
18 recognized that certain employers, including farmers, farmer cooperatives, and
19 unincorporated farmer cooperative associations, in addition to their general
20 employer problems, face special problems arising from perishable commodities and
21 seasonal production that require adequate consideration. It is also recognized that
22 whatever may be the rights of disputants with respect to each other in any
23 controversy regarding employment relations, they should not be permitted, in the
24 conduct of their controversy, to intrude directly into the primary rights of 3rd parties

1 to earn a livelihood, transact business, and engage in the ordinary affairs of life by
2 any lawful means and free from molestation, interference, restraint, or coercion.

3 (3) Negotiations of terms and conditions of work should result from voluntary
4 agreement between employer and employee. For the purpose of such negotiation an
5 employee has the right, if the employee desires, to associate with others in organizing
6 and bargaining collectively through representatives of the employee's own choosing,
7 without intimidation or coercion from any source.

8 (4) It is the policy of the state, in order to preserve and promote the interests
9 of the public, the employee, and the employer alike, to establish standards of fair
10 conduct in employment relations and to provide a convenient, expeditious, and
11 impartial tribunal by which these interests may have their respective rights and
12 obligations adjudicated. While limiting individual and group rights of aggression
13 and defense, the state substitutes processes of justice for the more primitive methods
14 of trial by combat.

15 **SECTION 275.** 111.04 (1) and (2) of the statutes are consolidated, renumbered
16 111.04 and amended to read:

17 **111.04 Rights of employees.** Employees shall have the right of
18 self-organization and the right to form, join or assist labor organizations, to bargain
19 collectively through representatives of their own choosing, and to engage in lawful,
20 concerted activities for the purpose of collective bargaining or other mutual aid or
21 protection. ~~(2) Employees shall also have the right to refrain from self-organization;~~
22 ~~forming, joining, or assisting labor organizations; bargaining collectively through~~
23 ~~representatives; or engaging in activities for the purpose of collective bargaining or~~
24 ~~other mutual aid or protection~~ such activities.

25 **SECTION 276.** 111.04 (3) of the statutes is repealed.

1 **SECTION 277.** 111.06 (1) (c) of the statutes is amended to read:

2 111.06 (1) (c) To encourage or discourage membership in any labor
3 organization, employee agency, committee, association, or representation plan by
4 discrimination in regard to hiring, tenure, or other terms or conditions of
5 employment except in a collective bargaining unit where an all-union agreement is
6 in effect. An employer may enter into an all-union agreement with the voluntarily
7 recognized representative of the employees in a collective bargaining unit, where at
8 least a majority of such employees voting have voted affirmatively, by secret ballot,
9 in favor of the all-union agreement in a referendum conducted by the commission,
10 except that where the bargaining representative has been certified by either the
11 commission or the national labor relations board as the result of a representation
12 election, no referendum is required to authorize the entry into an all-union
13 agreement. An authorization of an all-union agreement continues, subject to the
14 right of either party to the all-union agreement to petition the commission to conduct
15 a new referendum on the subject. Upon receipt of the petition, if the commission
16 determines there is reasonable ground to believe that the employees concerned have
17 changed their attitude toward the all-union agreement, the commission shall
18 conduct a referendum. If the continuance of the all-union agreement is supported
19 on a referendum by a vote at least equal to that provided in this paragraph for its
20 initial authorization, it may continue, subject to the right to petition for a further
21 vote by the procedure under this paragraph. If the continuance of the all-union
22 agreement is not supported on a referendum, it terminates at the expiration of the
23 contract of which it is then a part or at the end of one year from the date of the
24 announcement by the commission of the result of the referendum, whichever is
25 earlier. The commission shall declare any all-union agreement terminated

1 whenever it finds that the labor organization involved has unreasonably refused to
2 receive as a member any employee of such employer. An interested person may, as
3 provided in s. 111.07, request the commission to perform this duty.

4 **SECTION 278.** 111.06 (1) (e) of the statutes is amended to read:

5 111.06 (1) (e) To bargain collectively with the representatives of less than a
6 majority of the employer's employees in a collective bargaining unit, or to enter into
7 an all-union agreement except in the manner provided in par. (c).

8 **SECTION 279.** 111.06 (1) (i) of the statutes is amended to read:

9 111.06 (1) (i) To deduct labor organization dues or assessments from an
10 employee's earnings, unless the employer has been presented with an individual
11 order therefor, signed by the employee personally, and terminable at the end of any
12 year of its life by the employee giving to the employer at least 30 days' written notice
13 of the termination. ~~This paragraph applies to the extent permitted under federal law~~
14 unless there is an all-union agreement in effect. The employer shall give notice to
15 the labor organization of receipt of a notice of termination.

16 **SECTION 280.** 111.31 (1) of the statutes is amended to read:

17 111.31 (1) The legislature finds that the practice of unfair discrimination in
18 employment against properly qualified individuals by reason of their age, race,
19 creed, color, disability, marital status, sex, national origin, ancestry, sexual
20 orientation, gender expression, gender identity, arrest record, conviction record,
21 military service, use or nonuse of lawful products off the employer's premises during
22 nonworking hours, or declining to attend a meeting or to participate in any
23 communication about religious matters or political matters, substantially and
24 adversely affects the general welfare of the state. Employers, labor organizations,
25 employment agencies, and licensing agencies that deny employment opportunities

1 and discriminate in employment against properly qualified individuals solely
2 because of their age, race, creed, color, disability, marital status, sex, national origin,
3 ancestry, sexual orientation, gender expression, gender identity, arrest record,
4 conviction record, military service, use or nonuse of lawful products off the
5 employer's premises during nonworking hours, or declining to attend a meeting or
6 to participate in any communication about religious matters or political matters,
7 deprive those individuals of the earnings that are necessary to maintain a just and
8 decent standard of living.

9 **SECTION 281.** 111.31 (2) of the statutes is amended to read:

10 111.31 (2) It is the intent of the legislature to protect by law the rights of all
11 individuals to obtain gainful employment and to enjoy privileges free from
12 employment discrimination because of age, race, creed, color, disability, marital
13 status, sex, national origin, ancestry, sexual orientation, gender expression, gender
14 identity, arrest record, conviction record, military service, use or nonuse of lawful
15 products off the employer's premises during nonworking hours, or declining to
16 attend a meeting or to participate in any communication about religious matters or
17 political matters, and to encourage the full, nondiscriminatory utilization of the
18 productive resources of the state to the benefit of the state, the family, and all the
19 people of the state. It is the intent of the legislature in promulgating this subchapter
20 to encourage employers to evaluate an employee or applicant for employment based
21 upon the individual qualifications of the employee or applicant rather than upon a
22 particular class to which the individual may belong.

23 **SECTION 282.** 111.31 (3) of the statutes is amended to read:

24 111.31 (3) In the interpretation and application of this subchapter, and
25 otherwise, it is declared to be the public policy of the state to encourage and foster

1 to the fullest extent practicable the employment of all properly qualified individuals
2 regardless of age, race, creed, color, disability, marital status, sex, national origin,
3 ancestry, sexual orientation, gender expression, gender identity, arrest record,
4 conviction record, military service, use or nonuse of lawful products off the
5 employer's premises during nonworking hours, or declining to attend a meeting or
6 to participate in any communication about religious matters or political matters.
7 Nothing in this subsection requires an affirmative action program to correct an
8 imbalance in the work force. This subchapter shall be liberally construed for the
9 accomplishment of this purpose.

10 **SECTION 283.** 111.32 (7j) of the statutes is created to read:

11 111.32 (7j) "Gender expression" means an individual's actual or perceived
12 gender-related appearance, behavior, or expression, regardless of whether these
13 traits are stereotypically associated with the individual's assigned sex at birth.

14 **SECTION 284.** 111.32 (7k) of the statutes is created to read:

15 111.32 (7k) "Gender identity" means an individual's internal understanding
16 of the individual's gender, or the individual's perceived gender identity.

17 **SECTION 285.** 111.321 of the statutes is amended to read:

18 **111.321 Prohibited bases of discrimination.** Subject to ss. 111.33 to
19 111.365, no employer, labor organization, employment agency, licensing agency, or
20 other person may engage in any act of employment discrimination as specified in s.
21 111.322 against any individual on the basis of age, race, creed, color, disability,
22 marital status, sex, national origin, ancestry, sexual orientation, gender expression,
23 gender identity, arrest record, conviction record, military service, use or nonuse of
24 lawful products off the employer's premises during nonworking hours, or declining

1 to attend a meeting or to participate in any communication about religious matters
2 or political matters.

3 **SECTION 188r.** 111.322 (2m) (a) of the statutes is amended to read:

4 111.322 (2m) (a) The individual files a complaint or attempts to enforce any
5 right under s. 103.02, 103.10, 103.105, 103.11, 103.13, 103.28, 103.32, 103.34,
6 103.455, 103.50, 104.12, 109.03, 109.07, 109.075, 146.997, or 995.55, or ss. 101.58 to
7 101.599 or 103.64 to 103.82.

8 **SECTION 188s.** 111.322 (2m) (a) of the statutes, as affected by 2023 Wisconsin
9 Act (this act), is amended to read:

10 111.322 (2m) (a) The individual files a complaint or attempts to enforce any
11 right under s. 103.02, 103.10, 103.105, 103.11, 103.13, 103.135, 103.28, 103.32,
12 103.34, 103.455, 103.50, 104.12, 109.03, 109.07, 109.075, 146.997, or 995.55, or ss.
13 101.58 to 101.599 or 103.64 to 103.82.

14 **SECTION 188t.** 111.322 (2m) (b) of the statutes is amended to read:

15 111.322 (2m) (b) The individual testifies or assists in any action or proceeding
16 held under or to enforce any right under s. 103.02, 103.10, 103.105, 103.11, 103.13,
17 103.28, 103.32, 103.34, 103.455, 103.50, 104.12, 109.03, 109.07, 109.075, 146.997, or
18 995.55, or ss. 101.58 to 101.599 or 103.64 to 103.82.

19 **SECTION 188tr.** 111.322 (2m) (b) of the statutes, as affected by 2023 Wisconsin
20 Act (this act), is amended to read:

21 111.322 (2m) (b) The individual testifies or assists in any action or proceeding
22 held under or to enforce any right under s. 103.02, 103.10, 103.105, 103.11, 103.13,
23 103.135, 103.28, 103.32, 103.34, 103.455, 103.50, 104.12, 109.03, 109.07, 109.075,
24 146.997, or 995.55, or ss. 101.58 to 101.599 or 103.64 to 103.82.

25 **SECTION 286.** 111.322 (2m) (c) of the statutes is created to read:

1 111.322 **(2m)** (c) The individual files a complaint or attempts to enforce a right
2 under s. 66.0903, 103.49, or 229.8275 or testifies or assists in any action or
3 proceeding under s. 66.0903, 103.49, or 229.8275.

4 **SECTION 287.** 111.335 (3) (ag) of the statutes is created to read:

5 111.335 **(3)** (ag) 1. Employment discrimination because of conviction record
6 includes a prospective employer requesting an applicant for employment, on an
7 application form or otherwise, to supply information regarding the conviction record
8 of the applicant, or otherwise inquiring into or considering the conviction record of
9 an applicant for employment, before the applicant has been selected for an interview
10 by the prospective employer.

11 2. Subdivision 1. does not prohibit a prospective employer from notifying
12 applicants for employment that, subject to this section and ss. 111.321 and 111.322,
13 an individual with a particular conviction record may be disqualified by law or under
14 the employer's policies from employment in particular positions.

15 **SECTION 288.** 111.36 (title) of the statutes is amended to read:

16 **111.36 (title) Sex, sexual orientation, gender expression, gender**
17 **identity; exceptions and special cases.**

18 **SECTION 289.** 111.36 (1) (br) of the statutes is amended to read:

19 111.36 **(1)** (br) Engaging in harassment that consists of unwelcome verbal or
20 physical conduct directed at another individual because of that individual's gender,
21 gender expression, or gender identity, other than the conduct described in par. (b),
22 and that has the purpose or effect of creating an intimidating, hostile, or offensive
23 work environment or has the purpose or effect of substantially interfering with that
24 individual's work performance. Under this paragraph, substantial interference with
25 an employee's work performance or creation of an intimidating, hostile, or offensive

1 work environment is established when the conduct is such that a reasonable person
2 under the same circumstances as the employee would consider the conduct
3 sufficiently severe or pervasive to interfere substantially with the person's work
4 performance or to create an intimidating, hostile, or offensive work environment.

5 **SECTION 290.** 111.36 (1) (c) of the statutes is amended to read:

6 111.36 (1) (c) Discriminating against any ~~woman~~ individual on the basis of
7 pregnancy, childbirth, ~~maternity~~ parental leave, or related medical conditions by
8 engaging in any of the actions prohibited under s. 111.322, including, but not limited
9 to, actions concerning fringe benefit programs covering illnesses and disability.

10 **SECTION 291.** 111.36 (1) (d) 1. of the statutes is amended to read:

11 111.36 (1) (d) 1. ~~For any employer, labor organization, licensing agency or~~
12 ~~employment agency or other person to refuse~~ Refusing to hire, employ, admit or
13 license, ~~or to bar or terminate~~ any individual; barring or terminating from
14 employment, membership, or licensure any individual,; or ~~to discriminate~~
15 discriminating against an any individual in promotion, in compensation, or in the
16 terms, conditions, or privileges of employment because of the individual's sexual
17 orientation; ~~or, gender expression, or gender identity.~~

18 **SECTION 292.** 111.36 (1) (d) 2. of the statutes is amended to read:

19 111.36 (1) (d) 2. ~~For any employer, labor organization, licensing agency or~~
20 ~~employment agency or other person to discharge~~ Discharging or otherwise
21 discriminate discriminating against any person because ~~he or she~~ the person has
22 opposed any discriminatory practices under this paragraph or because ~~he or she~~ the
23 person has made a complaint, testified or assisted in any proceeding under this
24 paragraph.

25 **SECTION 293.** 111.36 (4) of the statutes is created to read:

1 111.36 (4) Notwithstanding s. 111.322, it is not employment discrimination for
2 an employer to require an employee to adhere to reasonable workplace appearance,
3 grooming, and dress standards not precluded by other provisions of state or federal
4 law, provided that an employer shall allow an employee to appear or dress
5 consistently with the employee's gender identity or gender expression.

6 **SECTION 294.** 111.39 (4) (d) of the statutes is amended to read:

7 111.39 (4) (d) The department shall serve a certified copy of the findings and
8 order on the respondent, the order to have the same force as other orders of the
9 department and be enforced as provided in s. 103.005. The department shall also
10 serve a certified copy of the findings and order on the complainant, together with a
11 notice advising the complainant about the right to seek, and the time for seeking,
12 review by the commission under sub. (5); about the right to bring, and the time for
13 bringing, an action for judicial review under s. 111.395; and about the right to bring,
14 and the time for bringing, an action under s. 111.397 (1) (a). Any person aggrieved
15 by noncompliance with the order may have the order enforced specifically by suit in
16 equity. If the examiner finds that the respondent has not engaged in discrimination,
17 unfair honesty testing, or unfair genetic testing as alleged in the complaint, the
18 department shall serve a certified copy of the examiner's findings on the
19 complainant, together with an order dismissing the complaint.

20 **SECTION 295.** 111.39 (5) (b) of the statutes is amended to read:

21 111.39 (5) (b) ~~If no petition is filed~~ the respondent or complainant does not file
22 a petition under par. (a) within 21 days from the date that a copy of the findings and
23 order of the examiner is mailed to the last-known address of the respondent served
24 on that party, the findings and order shall be considered final for purposes of
25 enforcement under sub. (4) (d). If a timely petition is filed, the commission, on review,

1 may either affirm, reverse, or modify the findings or order in whole or in part, or set
2 aside the findings and order and remand to the department for further proceedings.
3 Such actions shall be based on a review of the evidence submitted. If the commission
4 is satisfied that a respondent or complainant has been prejudiced because of
5 exceptional delay in the receipt of a copy of any findings and order ~~it~~, the commission
6 may extend the time another 21 days for filing the petition with the department.

7 **SECTION 296.** 111.39 (5) (d) of the statutes is created to read:

8 111.39 (5) (d) The commission shall serve a certified copy of the commission's
9 decision on the respondent. The commission shall also serve a certified copy of the
10 commission's decision on the complainant, together with a notice advising the
11 complainant about the right to bring, and the time for bringing, an action for judicial
12 review under s. 111.395 and about the right to bring, and the time for bringing, an
13 action under s. 111.397 (1) (a).

14 **SECTION 297.** 111.397 of the statutes is created to read:

15 **111.397 Civil action.** (1) (a) Except as provided in this paragraph, the
16 department or an individual alleged or found to have been discriminated against or
17 subjected to unfair honesty testing or unfair genetic testing may bring an action in
18 circuit court requesting the relief described in sub. (2) (a) against an employer, labor
19 organization, or employment agency that is alleged or found to have engaged in that
20 discrimination, unfair honesty testing, or unfair genetic testing. The department or
21 an individual alleged or found to have been discriminated against or subjected to
22 unfair honesty testing or unfair genetic testing may not bring an action under this
23 paragraph against a local governmental unit, as defined in s. 19.42 (7u), or against
24 an employer, labor organization, or employment agency that employs fewer than 15

1 individuals for each working day in each of 20 or more calendar weeks in the current
2 or preceding year.

3 (b) If a petition for judicial review of the findings and order of the commission
4 concerning the same violation as the violation giving rise to the action under par. (a)
5 is filed, the circuit court shall consolidate the proceeding for judicial review and the
6 action under par. (a).

7 (c) An individual alleged or found to have been discriminated against or
8 subjected to unfair honesty testing or unfair genetic testing is not required to file a
9 complaint under s. 111.39 or seek review under s. 111.395 in order for the department
10 or the individual to bring an action under par. (a).

11 (d) An action under par. (a) shall be commenced within 300 days after the
12 alleged discrimination, unfair honesty testing, or unfair genetic testing occurred.

13 **(2)** (a) Subject to pars. (b) and (c), in an action under sub. (1) (a), if the circuit
14 court finds that discrimination, unfair honesty testing, or unfair genetic testing has
15 occurred, or if such a finding has been made by an examiner or the commission and
16 not been further appealed, the circuit court may order any relief that an examiner
17 would be empowered to order under s. 111.39 (4) (c) after a hearing on a complaint
18 filed under s. 111.39. In addition, the circuit court shall order the defendant to pay
19 to the individual discriminated against or subjected to unfair honesty testing or
20 unfair genetic testing any other compensatory damages, and punitive damages
21 under s. 895.043 that the circuit court or jury finds appropriate, plus reasonable costs
22 and attorney fees incurred in the action. If any relief was ordered under s. 111.39 or
23 111.395, the circuit court shall specify whether the relief ordered under this
24 paragraph is in addition to or replaces the relief ordered under s. 111.39 or 111.395.
25 The sum of the amount of compensatory damages for future economic losses and for

1 pain and suffering, emotional distress, mental anguish, loss of enjoyment of life, and
2 other noneconomic losses and the amount of punitive damages that a circuit court
3 may order may not exceed the following:

4 1. In the case of a defendant that employs 100 or fewer employees for each
5 working day in each of 20 or more calendar weeks in the current or preceding year,
6 \$50,000.

7 2. In the case of a defendant that employs more than 100 but fewer than 201
8 employees for each working day in each of 20 or more calendar weeks in the current
9 or preceding year, \$100,000.

10 3. In the case of a defendant that employs more than 200 but fewer than 501
11 employees for each working day in each of 20 or more calendar weeks in the current
12 or preceding year, \$200,000.

13 4. In the case of a defendant that employs more than 500 employees for each
14 working day in each of 20 or more calendar weeks in the current or preceding year,
15 \$300,000.

16 (b) If the circuit court orders a payment under par. (a) because of a violation of
17 s. 111.321, 111.37, or 111.372 by an individual employed by an employer, the
18 employer of that individual is liable for the payment.

19 (c) 1. In this paragraph, “consumer price index” means the average of the
20 consumer price index for all urban consumers, U.S. city average, as determined by
21 the bureau of labor statistics of the federal department of labor.

22 2. Except as provided in this subdivision, beginning on July 1, 2024, and on
23 each July 1 after that, the department shall adjust the amounts specified in par. (a)
24 1., 2., 3., and 4. by calculating the percentage difference between the consumer price
25 index for the 12-month period ending on December 31 of the preceding year and the

1 consumer price index for the 12-month period ending on December 31 of the year
2 before the preceding year and adjusting those amounts by that percentage
3 difference. The department shall publish the adjusted amounts calculated under
4 this subdivision in the Wisconsin Administrative Register, and the adjusted amounts
5 shall apply to actions commenced under sub. (1) (a) beginning on July 1 of the year
6 of publication. This subdivision does not apply if the consumer price index for the
7 12-month period ending on December 31 of the preceding year did not increase over
8 the consumer price index for the 12-month period ending on December 31 of the year
9 before the preceding year.

10 **SECTION 298.** 111.81 (12) (b) of the statutes is amended to read:

11 111.81 (12) (b) Which discriminates with regard to the terms or conditions of
12 membership because of race, color, creed, sex, age, sexual orientation, gender
13 expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k),
14 or national origin.

15 **SECTION 299.** 118.20 (1) of the statutes is amended to read:

16 118.20 (1) No discrimination because of sex, except where sex is a bona fide
17 occupational qualification as defined in s. 111.36 (2), sexual orientation, as defined
18 in s. 111.32 (13m), gender expression, as defined in s. 111.32 (7j), gender identity, as
19 defined in s. 111.32 (7k), race, ~~nationality~~ national origin, or political or religious
20 affiliation may be practiced in the employment of teachers or administrative
21 personnel in public schools or in their assignment or reassignment. No questions of
22 any nature or form relative to sex, except where sex is a bona fide occupational
23 qualification as defined in s. 111.36 (2), sexual orientation, as defined in s. 111.32
24 (13m), gender expression, as defined in s. 111.32 (7j), gender identity, as defined in
25 s. 111.32 (7k), race, ~~nationality~~ national origin, or political or religious affiliation may

1 be asked applicants for teaching or administrative positions in the public schools
2 either by public school officials or employees or by teachers agencies or placement
3 bureaus.

4 **SECTION 300.** 165.68 (1) (a) 3. of the statutes is amended to read:

5 165.68 (1) (a) 3. Sexual abuse, as defined in s. 103.10 ~~(1m)~~ ~~(b)~~ 6 (1) (gd).

6 **SECTION 301.** 182.01 (8) of the statutes is created to read:

7 182.01 (8) INFORMATION TO BE PROVIDED WITH BUSINESS FORMATION FILINGS. The
8 department shall provide informational materials and resources on worker
9 misclassification to each person who files with the department any of the following:

10 (a) Articles of incorporation under s. 180.0202 or 181.0202.

11 (b) Articles of organization under s. 183.0201.

12 (c) A statement of qualification under s. 178.0901.

13 (d) A certificate of limited partnership under s. 179.0201.

14 **SECTION 302.** 227.01 (13) (Lw) of the statutes is created to read:

15 227.01 (13) (Lw) Adjusts the minimum wage under s. 104.035 (8m).

16 **SECTION 303.** 227.01 (13) (t) of the statutes is created to read:

17 227.01 (13) (t) Ascertains and determines prevailing wage rates under ss.
18 66.0903, 103.49, 103.50, and 229.8275, except that any action or inaction which
19 ascertains and determines prevailing wage rates under ss. 66.0903, 103.49, 103.50,
20 and 229.8275 is subject to judicial review under s. 227.40.

21 **SECTION 304.** 229.682 (2) of the statutes is created to read:

22 229.682 (2) PREVAILING WAGE. The construction of a baseball park facility that
23 is financed in whole or in part by a district is subject to s. 66.0903.

24 **SECTION 305.** 229.8275 of the statutes is created to read:

1 **229.8275 Prevailing wage.** A district may not enter into a contract under s.
2 229.827 with a professional football team, as described in s. 229.823, or a related
3 party that requires the team or related party to acquire and construct or renovate
4 football stadium facilities that are part of any facilities that are leased by the district
5 to the team or to a related party unless the professional football team or related party
6 agrees to all of the following:

7 **(1)** Not to allow any employee working on the football stadium facilities who
8 would be entitled to receive the prevailing wage rate under s. 66.0903 and who would
9 not be required or allowed to work more than the prevailing hours of labor, if the
10 football stadium facilities were a project of public works subject to s. 66.0903, to be
11 paid less than the prevailing wage rate or to be required or allowed to work more than
12 the prevailing hours of labor, except as allowed under s. 66.0903 (4) (a).

13 **(2)** To require any contractor, subcontractor, or agent of a contractor or
14 subcontractor performing work on the football stadium facilities to keep and allow
15 inspection of records in the same manner as a contractor, subcontractor, or agent of
16 a contractor or subcontractor performing work on a project of public works that is
17 subject to s. 66.0903 is required to keep and allow inspection of records under s.
18 66.0903 (10).

19 **(3)** To comply with s. 66.0903 in the same manner as a local governmental unit
20 contracting for the erection, construction, remodeling, repairing, or demolition of a
21 project of public works is required to comply with s. 66.0903 and to require any
22 contractor, subcontractor, or agent of a contractor or subcontractor performing work
23 on the football stadium facilities to comply with s. 66.0903 in the same manner as
24 a contractor, subcontractor, or agent of a contractor or subcontractor performing

1 work on a project of public works that is subject to s. 66.0903 is required to comply
2 with s. 66.0903.

3 **SECTION 306.** 230.01 (2) (b) of the statutes is amended to read:

4 230.01 (2) (b) It is the policy of this state to provide for equal employment
5 opportunity by ensuring that all personnel actions including hire, tenure or term,
6 and condition or privilege of employment be based on the ability to perform the duties
7 and responsibilities assigned to the particular position without regard to age, race,
8 creed or religion, color, disability, sex, national origin, ancestry, sexual orientation,
9 gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32
10 (7k), or political affiliation.

11 **SECTION 307.** 230.18 of the statutes is amended to read:

12 **230.18 Discrimination prohibited.** No question in any form of application
13 or in any evaluation used in the hiring process may be so framed as to elicit
14 information concerning the partisan political or religious opinions or affiliations of
15 any applicant nor may any inquiry be made concerning such those opinions or
16 affiliations and all disclosures ~~thereof~~ of those opinions or affiliations shall be
17 discountenanced except that the director may evaluate the competence and
18 impartiality of applicants for positions such as clinical chaplain in a state
19 institutional program. No discriminations may be exercised in the recruitment,
20 application, or hiring process against or in favor of any person because of the person's
21 political or religious opinions or affiliations or because of age, sex, disability, race,
22 color, sexual orientation, gender expression, as defined in s. 111.32 (7j), gender
23 identity, as defined in s. 111.32 (7k), national origin, or ancestry except as otherwise
24 provided.

25 **SECTION 308.** 234.29 of the statutes is amended to read:

1 **234.29 Equality of occupancy and employment.** The authority shall
2 require that occupancy of housing projects assisted under this chapter be open to all
3 regardless of sex, race, religion, sexual orientation, status as a victim of domestic
4 abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or creed, and that
5 contractors and subcontractors engaged in the construction of economic
6 development or housing projects, shall provide an equal opportunity for
7 employment, without discrimination as to sex, race, religion, sexual orientation,
8 gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32
9 (7k), or creed.

10 **SECTION 309.** 321.37 of the statutes is amended to read:

11 **321.37 No discrimination.** No person, otherwise qualified, may be denied
12 membership in the national guard or state defense force because of sex, color, race,
13 creed, ~~or sexual orientation,~~ gender expression, as defined in s. 111.32 (7j), or gender
14 identity, as defined in s. 111.32 (7k), and no member of the national guard or state
15 defense force may be segregated within the national guard or state defense force on
16 the basis of sex, color, race, creed, ~~or sexual orientation,~~ gender expression, as defined
17 in s. 111.32 (7j), or gender identity, as defined in s. 111.32 (7k). Nothing in this section
18 prohibits separate facilities for persons of different sexes with regard to dormitory
19 accommodations, toilets, showers, saunas, and dressing rooms, except that no person
20 may be denied equal access to facilities most consistent with the person's gender
21 identity.

22 **SECTION 212r.** 814.04 (intro.) of the statutes is amended to read:

23 **814.04 Items of costs.** (intro.) Except as provided in ss. 93.20, 100.195 (5m)
24 (b), 100.30 (5m), 106.50 (6) (i) and (6m) (a), 111.397 (2) (a), 115.80 (9), 767.553 (4) (d),
25 769.313, 802.05, 814.245, 895.035 (4), 895.044, 895.443 (3), 895.444 (2), 895.445 (3),

1 895.446 (3), 895.506, 943.212 (2) (b), 943.245 (2) (d), 943.51 (2) (b), and 995.10 (3),
2 when allowed costs shall be as follows:

3 **SECTION 212s.** 814.04 (intro.) of the statutes, as affected by 2023 Wisconsin Act
4 (this act), is amended to read:

5 **814.04 Items of costs.** (intro.) Except as provided in ss. 93.20, 100.195 (5m)
6 (b), 100.30 (5m), 103.135 (3), 106.50 (6) (i) and (6m) (a), 111.397 (2) (a), 115.80 (9),
7 767.553 (4) (d), 769.313, 802.05, 814.245, 895.035 (4), 895.044, 895.443 (3), 895.444
8 (2), 895.445 (3), 895.446 (3), 895.506, 943.212 (2) (b), 943.245 (2) (d), 943.51 (2) (b),
9 and 995.10 (3), when allowed costs shall be as follows:

10 **SECTION 310.** 893.995 of the statutes is created to read:

11 **893.995 Employment discrimination; civil remedies.** Any civil action
12 arising under s. 111.397 is subject to the limitations of s. 111.397 (1) (b).

13 **SECTION 311.** 943.395 (1) (e) of the statutes is created to read:

14 943.395 (1) (e) Presents an application for worker's compensation insurance
15 coverage that is false or fraudulent or that falsely or fraudulently misclassifies
16 employees to lower worker's compensation insurance premiums.

17 **SECTION 312.** 946.15 of the statutes is created to read:

18 **946.15 Public construction contracts at less than full rate. (1)** Any
19 employer, or any agent or employee of an employer, who induces any individual who
20 seeks to be or is employed pursuant to a public contract, as defined in s. 66.0901 (1)
21 (c), or who seeks to be or is employed on a project on which a prevailing wage rate
22 determination has been issued by the department of workforce development under
23 s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) to give up, waive, or return any
24 part of the compensation to which that individual is entitled under his or her contract
25 of employment or under the prevailing wage rate determination issued by the

1 department, or who reduces the hourly basic rate of pay normally paid to an
2 employee for work on a project on which a prevailing wage rate determination has
3 not been issued under s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) during a
4 week in which the employee works both on a project on which a prevailing wage rate
5 determination has been issued and on a project on which a prevailing wage rate
6 determination has not been issued, is guilty of a Class I felony.

7 (2) Any individual employed pursuant to a public contract, as defined in s.
8 66.0901 (1) (c), or employed on a project on which a prevailing wage rate
9 determination has been issued by the department of workforce development under
10 s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) who gives up, waives, or returns
11 to the employer or agent of the employer any part of the compensation to which the
12 employee is entitled under his or her contract of employment or under the prevailing
13 wage determination issued by the department, or who gives up any part of the
14 compensation to which he or she is normally entitled for work on a project on which
15 a prevailing wage rate determination has not been issued under s. 66.0903 (3),
16 103.49 (3), 103.50 (3), or 229.8275 (3) during a week in which the individual works
17 part-time on a project on which a prevailing wage rate determination has been
18 issued and part-time on a project on which a prevailing wage rate determination has
19 not been issued, is guilty of a Class C misdemeanor.

20 (3) Any employer or labor organization, or any agent or employee of an
21 employer or labor organization, who induces any individual who seeks to be or is
22 employed on a project on which a prevailing wage rate determination has been issued
23 by the department of workforce development under s. 66.0903 (3), 103.49 (3), 103.50
24 (3), or 229.8275 (3) to allow any part of the wages to which that individual is entitled
25 under the prevailing wage rate determination issued by the department or local

1 governmental unit to be deducted from the individual's pay is guilty of a Class I
2 felony, unless the deduction would be allowed under 29 CFR 3.5 or 3.6 from an
3 individual who is working on a project that is subject to 40 USC 3142.

4 (4) Any individual employed on a project on which a prevailing wage rate
5 determination has been issued by the department of workforce development under
6 s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) who allows any part of the wages
7 to which that individual is entitled under the prevailing wage rate determination
8 issued by the department or local governmental unit to be deducted from his or her
9 pay is guilty of a Class C misdemeanor, unless the deduction would be allowed under
10 29 CFR 3.5 or 3.6 from an individual who is working on a project that is subject to
11 40 USC 3142.

12 **SECTION 313.** 947.20 of the statutes is repealed.

13 **SECTION 314.** 947.21 of the statutes is repealed.

14 **SECTION 315.** 978.05 (6) (a) of the statutes, as affected by 2023 Wisconsin Act
15 12, is amended to read:

16 978.05 (6) (a) Institute, commence, or appear in all civil actions or special
17 proceedings under and perform the duties set forth for the district attorney under ch.
18 980 and ss. 17.14, 30.03 (2), 48.09 (5), 59.55 (1), 59.64 (1), 89.08, 103.50 (8), 103.92
19 (4), 109.09, 343.305 (9) (a), 806.05, 938.09, 938.18, 938.355 (6) (b) and (6g) (a), 946.86,
20 946.87, 961.55 (5), 971.14 and 973.075 to 973.077, perform any duties in connection
21 with court proceedings in a court assigned to exercise jurisdiction under chs. 48 and
22 938 as the judge may request and perform all appropriate duties and appear if the
23 district attorney is designated in specific statutes, including matters within chs. 782,
24 976 and 979 and ss. 51.81 to 51.85. Nothing in this paragraph limits the authority
25 of the county board to designate, under s. 48.09 (5), that the corporation counsel

1 provide representation as specified in s. 48.09 (5) or to designate, under s. 48.09 (6)
2 or 938.09 (6), the district attorney as an appropriate person to represent the interests
3 of the public under s. 48.14 or 938.14.

4 **SECTION 9150. Nonstatutory provisions; Workforce Development.**

5 (1r) WORKFORCE INNOVATION GRANT PROGRAM; HEALTH CARE-RELATED REGIONAL
6 ORGANIZATIONS. In fiscal year 2023-24, of the moneys appropriated under s. 20.445
7 (1) (bw), the department of workforce development shall allocate \$100,000,000 for
8 grants to health care-related regional organizations to design and implement plans
9 to address their region's workforce challenges that arose during or were exacerbated
10 by the COVID-19 pandemic.

11 (2r) MINIMUM WAGE STUDY COMMITTEE.

12 (a) The secretary of workforce development shall establish a minimum wage
13 study committee under s. 15.04 (1) (c). The committee shall consist of the following:

14 a. Five members appointed by the governor.

15 1. One member appointed by the speaker of the assembly.

16 2. One member appointed by the minority leader of the assembly.

17 3. One member appointed by the majority leader of the senate.

18 4. One member appointed by the minority leader of the senate.

19 (b) The committee created under par. (a) shall study options to achieve a \$15
20 per hour minimum wage and other options to increase compensation for workers in
21 this state.

22 (c) No later than October 1, 2024, the committee created under par. (a) shall
23 submit to the governor and the appropriate standing committees of the legislature
24 in the manner provided under s. 13.172 (3) a report that includes recommendations

1 regarding the options for achieving a \$15 per hour minimum wage and other means
2 of increasing worker compensation in this state.

3 (d) The minimum wage study committee terminates upon submission of the
4 report under par. (c).

5 (3r) WORKER'S COMPENSATION INSURANCE; RATE APPROVAL; NOTICE. The
6 commissioner of insurance shall submit to the legislative reference bureau for
7 publication in the Wisconsin Administrative Register a notice of the effective date
8 of new rates for worker's compensation insurance first approved by the
9 commissioner under s. 626.13 after the effective date of this subsection.

10 (4r) PROPOSED PERMANENT RULES. The department of workforce development
11 shall submit in proposed form the rules required under s. 103.105 (8) (c) and (cm),
12 (9) (a) and (b) 3., and (12) (c) to the legislative council staff under s. 227.15 (1) no later
13 than the first day of the 4th month beginning after the effective date of this
14 subsection.

15 (5r) RULE-MAKING EXCEPTIONS FOR PERMANENT RULES.

16 (a) Notwithstanding s. 227.135 (2), the department of workforce development
17 is not required to present the statement of the scope of the rules required under s.
18 103.105 (8) (c) and (cm), (9) (a) and (b) 3., and (12) (c) to the department of
19 administration for review by the department of administration and approval by the
20 governor.

21 (b) Notwithstanding s. 227.185, the department of workforce development is
22 not required to present the rules required under s. 103.105 (8) (c) and (cm), (9) (a) and
23 (b) 3., and (12) (c) in final draft form to the governor for approval.

1 (c) Notwithstanding s. 227.137 (2), the department of workforce development
2 is not required to prepare an economic impact analysis for the rules required under
3 s. 103.105 (8) (c) and (cm), (9) (a) and (b) 3., and (12) (c).

4 (d) Notwithstanding ss. 227.14 (2g) and 227.19 (3) (e), the department of
5 workforce development is not required to submit the proposed rules required under
6 s. 103.105 (8) (c) and (cm), (9) (a) and (b) 3., and (12) (c) to the small business
7 regulatory review board and is not required to prepare a final regulatory flexibility
8 analysis for those rules.

9 (6r) EMERGENCY RULES. Using the procedure under s. 227.24, the department
10 of workforce development shall promulgate the rules required under s. 103.105 (8)
11 (c) and (cm), (9) (a) and (b) 3., and (12) (c) for the period before the effective date of
12 the permanent rules promulgated under s. 103.105 (8) (c) and (cm), (9) (a) and (b) 3.,
13 and (12) (c) but not to exceed the period authorized under s. 227.24 (1) (c), subject to
14 extension under s. 227.24 (2). Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the
15 department is not required to provide evidence that promulgating a rule under this
16 subsection as an emergency rule is necessary for the preservation of public peace,
17 health, safety, or welfare and is not required to provide a finding of an emergency for
18 a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (e) 1d. and
19 1g., the department is not required to prepare a statement of the scope of the rules
20 promulgated under this subsection or present the rules to the governor for approval.

21 (7r) DEPARTMENT OF WORKFORCE DEVELOPMENT POSITIONS.

22 (a) The authorized FTE positions for the department of workforce development
23 are increased by 0.42 GPR position, to be funded from the appropriation under s.
24 20.445 (5) (a), to support vocational rehabilitation self-employment clients.

1 (b) The authorized FTE positions for the department of workforce development
2 are increased by 1.58 FED positions, to be funded from the appropriation under s.
3 20.445 (5) (n), to support vocational rehabilitation self-employment clients.

4 (c) The authorized FTE positions for the department of workforce development
5 are increased by 198.0 SEG positions, to be funded from the appropriation under s.
6 20.445 (6) (r), to administer the paid family and medical leave benefits insurance
7 program.

8 **SECTION 9250. Fiscal changes; Workforce Development.**

9 (1) WORK INJURY SUPPLEMENTAL BENEFITS FUND. On the effective date of this
10 subsection, there is transferred from the appropriation account under s. 20.445 (1)
11 (t) to the appropriation account under s. 20.445 (1) (rr) the unencumbered balance
12 of the amount collected under s. 102.75 (1g).

13 (2) TRANSFERS TO FAMILY AND MEDICAL LEAVE BENEFITS INSURANCE TRUST FUND.
14 There is transferred from the general fund to the family and medical leave benefits
15 insurance trust fund created under s. 25.52 \$243,413,400 in the 2023-25 fiscal
16 biennium.

17 **SECTION 9350. Initial applicability; Workforce Development.**

18 (1r) EMPLOYMENT DISCRIMINATION; CONSIDERATION OF CONVICTION RECORD. The
19 treatment of s. 111.335 (3) (ag) first applies to an application for employment
20 submitted to an employer on the effective date of this subsection.

21 (2r) UNEMPLOYMENT INSURANCE; SSDI PAYMENTS. The treatment of ss. 108.04 (2)
22 (h) and (12) (f) 1m., 2m., 3., and 4. and 108.05 (7m) (title), (c), and (d), (9), and (10)
23 (intro.) first applies to determinations issued under s. 108.09 on the effective date of
24 this subsection.

1 (3r) DISCRIMINATION. The treatment of ss. 66.0903 (10) (d), 111.322 (2m) (c), and
2 229.8275 first applies to acts of discrimination that occur on the effective date of this
3 subsection.

4 (4r) EMPLOYMENT DISCRIMINATION DAMAGES. The treatment of ss. 111.39 (4) (d)
5 and (5) (b) and (d), 111.397, 814.04 (intro.) (by SECTION 212r), and 893.995 first
6 applies to acts of employment discrimination, unfair honesty testing, or unfair
7 genetic testing committed on the effective date of this subsection.

8 (5r) FIRST RESPONDER PTSD COVERAGE. The treatment of s. 102.17 (9) (a) 1., 1c.,
9 1e., 1g., and 1p. and (b) (intro.) first applies to injuries reported on the effective date
10 of rate changes for worker's compensation insurance approved by the commissioner
11 of insurance under s. 626.13 after the effective date of this subsection.

12 (6r) COLLECTIVE BARGAINING AGREEMENT. The treatment of ss. 103.135, 103.36,
13 106.54 (11), 111.322 (2m) (a) (by SECTION 188s) and (b) (by SECTION 188tr), and 814.04
14 (intro.) (by SECTION 212s) first applies to an employee who is affected by a collective
15 bargaining agreement that contains provisions inconsistent with the treatment of ss.
16 103.135, 103.36, 106.54 (11), 111.322 (2m) (a) (by SECTION 188s) and (b) (by SECTION
17 188tr), and 814.04 (intro.) (by SECTION 212s) on the day on which the collective
18 bargaining agreement expires or is extended, modified, or renewed, whichever
19 occurs first.

20 (7r) FAMILY AND MEDICAL LEAVE. The treatment of s. 103.10 (12) (b) first applies
21 to a violation that occurs, or that an employee should reasonably have known
22 occurred, on the effective date of this subsection.

23 (8r) PAID FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS.

1 (a) *Family and medical leave benefits insurance trust fund contributions.*

2 Except as provided in par. (c), the treatment of s. 103.105 (8) first applies to wages
3 earned on January 1, 2025.

4 (b) *Family or medical leave insurance benefits eligibility.* Except as provided
5 in par. (c), the treatment of s. 103.105 (3) first applies to a period of family leave, as
6 defined in s. 103.105 (1) (f), or a period of medical leave, as defined in s. 103.105 (1)
7 (h), commencing on January 1, 2025.

8 (c) *Collective bargaining agreements.* The treatment of ss. 20.445 (6), 25.17 (1)
9 (er), 25.52, 103.105, and 111.322 (2m) (a) (by SECTION 188r), with respect to rights to
10 family and medical leave insurance benefits) and (b) (by SECTION 188t), with respect
11 to rights to family and medical leave insurance benefits) and SECTION 9150 (4r), (5r),
12 and (6r) of this act first apply to an employee who is affected by a collective
13 bargaining agreement that contains provisions inconsistent with the treatment of ss.
14 20.445 (6), 25.17 (1) (er), 25.52, 103.105, and 111.322 (2m) (a) (by SECTION 188r), with
15 respect to rights to family and medical leave insurance benefits) and (b) (by SECTION
16 188t), with respect to rights to family and medical leave insurance benefits) and
17 SECTION 9150 (4r), (5r), and (6r) of this act on the day on which the collective
18 bargaining agreement expires or is extended, modified, or renewed.

19 (9r) *PREVAILING WAGE.* The treatment of ss. 19.36 (12), 66.0129 (5), 66.0903 (1)
20 (a), (am), (b), (c), (cm), (dr), (em), (f), (g), (hm), (im), and (j), (1m) (b), and (2) to (12),
21 84.41 (3), 84.54, 86.51, 103.005 (12) (a), 103.49, 103.50, 103.503 (1) (a), (e), and (g),
22 (2), and (3) (a) 2., 104.001 (4), 106.04, 109.09 (1), 111.322 (2m) (a) (by SECTION 188r,
23 with respect to rights to prevailing wages and hours of labor), (b) (by SECTION 188t,
24 with respect to rights to prevailing wages and hours of labor), and (c), 227.01 (13) (t),
25 229.682 (2), 229.8275, 946.15, and 978.05 (6) (a) first apply, with respect to a project

1 of public works that is subject to bidding, to a project for which the request for bids
2 is issued on the effective date of this subsection and, with respect to a project of public
3 works that is not subject to bidding, to a project the contract for which is entered into
4 on the effective date of this subsection.

5 **SECTION 9450. Effective dates; Workforce Development.**

6 (1) EMPLOYMENT DISCRIMINATION; CONSIDERATION OF CONVICTION RECORD. The
7 treatment of s. 111.335 (3) (ag) and SECTION 9350 (1r) of this act take effect on the first
8 day of the 6th month beginning after publication.

9 (2) UNEMPLOYMENT INSURANCE; SSDI PAYMENTS. The treatment of ss. 108.04 (2)
10 (h) and (12) (f) 1m., 2m., 3., and 4. and 108.05 (7m) (title), (c), and (d), (9), and (10)
11 (intro.) and SECTION 9350 (2r) of this act take effect on the first Sunday of the 7th
12 month beginning after publication.

13 (3) EQUAL PAY. The treatment of ss. 103.135, 103.36, 106.54 (11), 111.322 (2m)
14 (a) (by SECTION 188s) and (b) (by SECTION 188tr), and 814.04 (intro.) (by SECTION 212s)
15 takes effect on the first day of the 6th month beginning after publication.”.

16 **124.** Page 374, line 11: after that line insert:

17 “SECTION 316. 20.005 (3) (schedule) of the statutes: at the appropriate place,
18 insert the following amounts for the purposes indicated:

2023-24 2024-25

19 **20.192 Wisconsin Economic Development**

20 **Corporation**

21 (1) PROMOTION OF ECONOMIC DEVELOPMENT

22 (c) Venture capital fund of funds GPR C 75,000,000 -0-

23 **SECTION 317.** 20.192 (1) (c) of the statutes is created to read:

1 20.192 (1) (c) *Venture capital fund of funds program*. As a continuing
2 appropriation, the amounts in the schedule to meet the financial needs of the venture
3 capital fund of funds program established under s. 238.145 (2), including
4 management fees and the amounts necessary to make investments through the
5 program.

6 **SECTION 318.** 238.145 of the statutes is created to read:

7 **238.145 Venture capital fund of funds program. (1) DEFINITIONS.** In this
8 section:

9 (a) “Fund of funds program” means the program established under sub. (2).

10 (b) “Investment manager” means the person with whom the oversight board
11 enters into a contract under sub. (4).

12 (c) “Oversight board” means the oversight board created under sub. (2) (c).

13 **(2) ESTABLISHMENT OF PROGRAM.** The corporation shall establish and administer
14 a venture capital fund of funds program to invest moneys in venture capital funds
15 that invest in businesses located in this state, subject to the requirements of this
16 section. In establishing the program, the corporation shall do all of the following:

17 (a) Create a fund of funds.

18 (b) Provide that the assets of the fund of funds will continuously be reinvested
19 in venture capital funds under the fund of funds program.

20 (c) Create an oversight board to conduct any activity as required by this section
21 or as directed by the corporation.

22 **(3) INVESTMENTS IN VENTURE CAPITAL FUNDS.** (a) The investment manager shall
23 request from the corporation moneys to make investments through the fund of funds
24 program and to pay the investment manager’s management fee, and the corporation

1 shall, subject to the approval of the secretary of administration, pay the moneys to
2 the investment manager from the appropriation under s. 20.192 (1) (c).

3 (b) The oversight board shall establish investment policies for the fund of funds
4 program, subject to all of the following conditions:

5 1. All moneys paid to the investment manager under par. (a) to make
6 investments shall be committed for investment to venture capital funds, subject to
7 the requirements of this section, no later than 60 months after the creation of the
8 fund of funds under sub. (2) (a).

9 2. No more than \$18,750,000 of the total moneys paid to the investment
10 manager under par. (a) to make investments may be invested in any single venture
11 capital fund.

12 3. At least 20 percent of the investments made through the program shall be
13 directed to any combination of the following:

14 a. Businesses located in parts of this state that typically do not receive
15 significant investment from venture capital funds.

16 b. Businesses that are at least 51 percent owned by one or more members of a
17 racial minority group and whose management and daily business operations are
18 controlled by one or more members of a racial minority group.

19 c. Businesses that are at least 51 percent owned by one or more women and
20 whose management and daily business operations are controlled by one or more
21 women.

22 (c) No investment may be made through the program in a lobbying or law firm.

23 (4) INVESTMENT MANAGER. The oversight board shall contract with an
24 investment manager who meets the qualifications established by the corporation.
25 The contract shall establish the investment manager's compensation, including any

1 management fee. A management fee may not annually exceed 1 percent of the total
2 assets under management in the fund of funds program.

3 **(5) VENTURE CAPITAL FUND REQUIREMENTS.** The investment manager shall
4 contract with each venture capital fund that receives moneys through the fund of
5 funds program. Each contract shall require the venture capital fund to do all of the
6 following:

7 (a) Make new investments in an amount equal to the amount of moneys it
8 receives through the program in one or more businesses who are headquartered in
9 this state and whose operations are primarily in this state.

10 (b) At least match any moneys it receives through the program and invests in
11 a business described in par. (a) with an investment in that business of moneys the
12 venture capital fund has raised from sources other than the program. The
13 investment manager shall ensure that, on average, for every \$1 a venture capital
14 fund receives through the program and invests in a business described in par. (a), the
15 venture capital fund invests \$2 in that business from sources other than the
16 program.

17 (c) Provide to the investment manager the information necessary for the
18 investment manager to complete the reports under sub. (6) (a) and (c).

19 **(6) REPORTS OF THE INVESTMENT MANAGER; PUBLIC DISCLOSURES.** (a) Annually, no
20 later than 120 days after the end of the investment manager's fiscal year, the
21 investment manager shall submit to the corporation a report for that fiscal year that
22 includes all of the following:

23 1. An audit of the investment manager's financial statements performed by an
24 independent certified public accountant.

1 2. The investment manager's internal rate of return from investments made
2 through the fund of funds program.

3 3. For each venture capital fund that contracts with the investment manager
4 under sub. (5), all of the following:

5 a. The name and address of the venture capital fund.

6 b. The amounts invested in the venture capital fund through the fund of funds
7 program.

8 c. An accounting of any fee the venture capital fund paid to itself or any
9 principal or manager of the venture capital fund.

10 d. The venture capital fund's average internal rate of return on its investments
11 of the moneys it received through the fund of funds program.

12 4. For each business in which a venture capital fund held an investment of
13 moneys received through the fund of funds program, all of the following:

14 a. The name and address of the business.

15 b. A description of the nature of the business.

16 c. An identification of the venture capital fund.

17 d. The amount of the investment and the amount invested by the venture
18 capital fund from funding sources other than the program.

19 e. The internal rate of return realized by the venture capital fund upon the
20 venture capital fund's exit from the investment in the business.

21 f. A statement of the number of employees the business employed when the
22 venture capital fund first invested moneys received through the program and the
23 number of employees the business employed on the first day and last day of the
24 investment manager's fiscal year.

1 (b) No later than 10 days after it receives the investment manager's report
2 under par. (a), the corporation shall submit the report to the chief clerk of each house
3 of the legislature, for distribution to the legislature under s. 13.172 (2).

4 (c) Quarterly, the investment manager shall submit to the oversight board a
5 report for the preceding quarter that includes all of the following:

6 1. An identification of each venture capital fund under contract with the
7 investment manager under sub. (5).

8 2. An identification of each business in which a venture capital fund held an
9 investment of moneys received through the fund of funds program and a statement
10 of the amount of the investment in each business.

11 3. A statement of the number of employees the business employed when the
12 venture capital fund first invested moneys received through the fund of funds
13 program and the number of employees the business employed on the last day of the
14 quarter.

15 (d) The oversight board shall make the reports under par. (c) readily accessible
16 to the public on the corporation's Internet site.

17 **(7) POLICIES AND PROCEDURES.** The corporation shall establish policies and
18 procedures to administer this section.”.

19 **125.** Page 374, line 11: after that line insert:

20 “**SECTION 319.** 40.05 (4) (a) 2. of the statutes is amended to read:

21 40.05 (4) (a) 2. For an insured employee who is an eligible employee under s.
22 40.02 (25) (a) 2. or (b) 1m. or 2c., the employer shall pay required employer
23 contributions toward the health insurance premium of the insured employee
24 beginning on the date on which the employee becomes insured. For an insured state

1 employee who is currently employed, but who is not a limited term appointment
2 under s. 230.26 or an eligible employee under s. 40.02 (25) (a) 2. or (b) 1m. or 2c., the
3 employer shall pay required employer contributions toward the health insurance
4 premium of the insured employee beginning on the first day of the ~~3rd~~ 2nd month
5 beginning after the date on which the employee begins employment with the state,
6 not including any leave of absence. For an insured employee who has a limited term
7 appointment under s. 230.26, the employer shall pay required employer
8 contributions toward the health insurance premium of the insured employee
9 beginning on the first day of the 7th month beginning after the date on which the
10 employee first becomes a participating employee.

11 **SECTION 9313. Initial applicability; Employee Trust Funds.**

12 (1) EMPLOYER CONTRIBUTION FOR HEALTH INSURANCE PREMIUMS. The treatment of
13 s. 40.05 (4) (a) 2. first applies to state employees hired on the effective date of this
14 subsection.”.

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

16 “**SECTION 320.** 20.192 (1) (a) of the statutes is amended to read:

17 20.192 (1) (a) *Operations and programs.* A sum sufficient in each fiscal year
18 equal to the amount obtained by subtracting from ~~\$41,550,700~~ \$51,550,700 an
19 amount equal to the sum of the amounts expended in that fiscal year from the
20 appropriations under pars. (r) and (s), for the operations of the Wisconsin Economic
21 Development Corporation and for funding economic development programs
22 developed and implemented under s. 238.03. No more than \$16,512,500 may be
23 expended from this appropriation in any fiscal year, and moneys may be expended

1 from this appropriation only if there are no unencumbered moneys available in the
2 appropriation account under par. (r).”

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

4 **“SECTION 9249. Fiscal changes; Wisconsin Economic Development**
5 **Corporation.**

6 (1k) GPR APPROPRIATION OF THE WISCONSIN ECONOMIC DEVELOPMENT
7 CORPORATION. Notwithstanding the cap on expenditures specified in s. 20.192 (1) (a),
8 in fiscal year 2023-24, the amount the Wisconsin Economic Development
9 Corporation may expend from the appropriation under s. 20.192 (1) (a) for the
10 purposes for which the appropriation is made is equal to the lesser of the following:

- 11 (a) The amount calculated under s. 20.192 (1) (a) plus \$40,000,000.
- 12 (b) \$66,512,500.”.

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

14 **“SECTION 321.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
15 insert the following amounts for the purposes indicated:

	2023-24	2024-25
20.192 Wisconsin Economic Development Corporation		

18 (1) PROMOTION OF ECONOMIC DEVELOPMENT

(br) Main street bounceback grants	GPR	A	25,000,000	25,000,000
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20 **SECTION 322.** 20.192 (1) (br) of the statutes is created to read:

21 20.192 (1) (br) *Main street bounceback grants.* The amounts in the schedule
22 for grants awarded under s. 238.129.

23 **SECTION 323.** 238.129 of the statutes is created to read:

1 **238.129 Main street bounceback grants. (1)** GRANTS. From the
2 appropriation under s. 20.192 (1) (br), the corporation may award grants to provide
3 assistance to businesses opening a new location or expanding operations in a vacant
4 commercial space.

5 **(2) ELIGIBILITY.** (a) Subject to par. (b), the corporation shall establish eligibility
6 requirements and other policies and procedures for the grants awarded under sub.
7 (1) that are substantially similar to the eligibility requirements and policies and
8 procedures in effect on June 30, 2023, for the Wisconsin Tomorrow Main Street
9 Bounceback Grant program administered by the corporation.

10 (b) The corporation may not award a grant under this section to a nonprofit
11 organization.”.

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

13 “**SECTION 324.** 71.78 (4) (m) of the statutes is amended to read:

14 71.78 **(4)** (m) The chief executive officer of the Wisconsin Economic
15 Development Corporation and employees of the corporation to the extent necessary
16 to administer ~~the development zone program~~ economic development programs under
17 ~~subch. II of ch. 238.~~

18 **SECTION 325.** 71.78 (5) of the statutes is amended to read:

19 71.78 **(5)** AGREEMENT WITH DEPARTMENT. Copies of returns and claims specified
20 in sub. (1) and related schedules, exhibits, writings or audit reports shall not be
21 furnished to the persons listed under sub. (4), except persons under sub. (4) (e), (k),
22 (n), (o) and (q) or under an agreement between the department of revenue and
23 another agency of government or the Wisconsin Economic Development
24 Corporation.”.

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

2 “**SECTION 326.** 238.03 (4) (b) (intro.) of the statutes is renumbered 238.03 (4)
3 (b) and amended to read:

4 238.03 (4) (b) The board shall establish policies and procedures for maintaining
5 and expending any unassigned balance ~~that satisfy all of the following~~
6 ~~requirements.~~

7 **SECTION 327.** 238.03 (4) (b) 1. of the statutes is renumbered 238.03 (4) (bm) and
8 amended to read:

9 238.03 (4) (bm) The policies and procedures established under par. (b) shall be
10 consistent with best practices recommended by the Government Finance Officers
11 Association.

12 **SECTION 328.** 238.03 (4) (b) 2. of the statutes is repealed.”.

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

14 “**SECTION 329.** 20.192 (1) (k) of the statutes is repealed.

15 **SECTION 330.** 238.14 of the statutes is repealed.”.

16 **132.** Page 374, line 11: after that line insert:

17 “**SECTION 331.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
18 insert the following amounts for the purposes indicated:

2023-24 2024-25

19 **20.437 Children and families, department of**

20 (2) ECONOMIC SUPPORT

21 (fm) Early childhood education center GPR B 840,000 -0-

22 **SECTION 332.** 20.437 (2) (fm) of the statutes is created to read:

1 20.437 (2) (fm) *Early childhood education center*. Biennially, the amounts in
2 the schedule for payments under 2023 Wisconsin Act ... (this act), section 9106 (1).

3 **SECTION 333.** 20.437 (2) (fm) of the statutes, as affected by 2023 Wisconsin Act
4 (this act), is repealed.

5 **SECTION 334.** 49.175 (1) (qm) of the statutes is amended to read:

6 49.175 (1) (qm) *Quality care for quality kids*. For the child care quality
7 improvement activities specified in ss. 49.155 (1g) and 49.257, ~~\$16,683,700 in each~~
8 fiscal year and the establishment of an early childhood education center under 2023
9 Wisconsin Act ... (this act), section 9106 (1), \$42,850,900 in fiscal year 2023-24 and
10 \$42,647,700 in fiscal year 2024-25.

11 **SECTION 9106. Nonstatutory provisions; Children and Families.**

12 (1) EARLY CHILDHOOD EDUCATION CENTER. From the appropriation account under
13 s. 20.437 (2) (fm) and the allocation under s. 49.175 (1) (qm), the department of
14 children and families shall provide \$1,680,000 in fiscal year 2023-24 to Wellpoint
15 Care Network to establish an early childhood education center in the city of
16 Milwaukee.

17 **SECTION 9406. Effective dates; Children and Families.**

18 (1) EARLY CHILDHOOD EDUCATION CENTER. The repeal of s. 20.437 (2) (fm) takes
19 effect on July 1, 2025.”.

20 **133.** Page 374, line 11: after that line insert:

21 “**SECTION 335.** 20.923 (4) (d) 2. of the statutes is created to read:

22 20.923 (4) (d) 2. Administration, department of: chief equity officer.

23 **SECTION 336.** 230.08 (2) (yg) of the statutes is created to read:

24 230.08 (2) (yg) The chief equity officer in the department of administration.”.

1 938, to promote the safety of children in the home, or to provide services to children
2 who are placed in out-of-home care or who are involved in the juvenile justice
3 system.

4 (b) To provide support for intensive family preservation services provided by
5 the department, county departments, nonprofit corporations, Indian tribes, or
6 licensed child welfare agencies, including any of the following:

7 1. Training, coaching, quality assurance, data collection and analysis, and
8 funding for certification or licensing for implementation of the services.

9 2. Purchasing or subsidizing the purchase of the services described in subd. 1.

10 (c) To develop criteria, standards, and review procedures for the administration
11 of this subsection. Notwithstanding s. 227.10 (1), the criteria, standards, and review
12 procedures established under this paragraph need not be promulgated as rules
13 under ch. 227.

14 **SECTION 342.** 48.48 (22) of the statutes is created to read:

15 48.48 (22) To create, maintain, and require use of for placement purposes a
16 group care referral clearinghouse. The department may promulgate rules necessary
17 for the implementation of this subsection.”.

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

19 “**SECTION 343.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
20 insert the following amounts for the purposes indicated:

2023-24 2024-25

21 **20.437 Children and families, department of**

22 (1) CHILDREN AND FAMILY SERVICES

1 (dm) Sibling connections scholarships GPR A 75,000 75,000

2 **SECTION 344.** 20.437 (1) (bg) of the statutes is amended to read:

3 20.437 (1) (bg) *Grants to support foster parents and children.* The amounts in
4 the schedule for grants by the department of children and families under 2017
5 ~~Wisconsin Act 260, section 3 s. 48.53.~~

6 **SECTION 345.** 20.437 (1) (dm) of the statutes is created to read:

7 20.437 (1) (dm) *Sibling connections scholarships.* The amounts in the schedule
8 for the scholarship program under s. 48.483.

9 **SECTION 346.** 48.483 of the statutes is created to read:

10 **48.483 Sibling connections scholarships.** From the appropriation under
11 s. 20.437 (1) (dm), the department shall award scholarships to adopted children and
12 their biological siblings who do not reside in the same household to attend programs
13 together in order to build sibling connections.

14 **SECTION 347.** 48.53 of the statutes is created to read:

15 **48.53 Grants to support foster parents and children.** From the
16 appropriation account under s. 20.437 (1) (bg), the department shall distribute
17 grants to counties, nonprofit organizations, or tribes for the purpose of supporting
18 foster parents and providing normalcy for children in out-of-home care.”.

19 **137.** Page 374, line 11: after that line insert:

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

21 (1k) COMPENSATION RESERVES OVERVIEW AND FRINGE BENEFIT COSTS. The
22 administrator of the division of personnel management in the department of
23 administration shall ensure that the compensation plan is administered in

1 compliance with this act and shall reestimate the sum sufficient under s. 20.865 (1)
2 for compensation reserves and fringe benefit costs under this act.”.

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

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

5 (1k) GENERAL WAGE ADJUSTMENTS.

6 (a) The administrator of the division of personnel management in the
7 department of administration shall specify in the compensation plan under s. 230.12
8 for the 2023-25 fiscal biennium a general wage adjustment for state employees and
9 employees of the University of Wisconsin System of 5 percent on July 1, 2023, and
10 3 percent on July 1, 2024.

11 (b) If, on the effective date of this paragraph, the compensation plan under s.
12 230.12 has been adopted for the 2023-25 biennium and the compensation plan does
13 not include the general wage adjustments required under par. (a), no later than 30
14 days after the effective date of this paragraph, the administrator of the division of
15 personnel management in the department of administration shall propose an
16 amendment under s. 230.12 (3) (c) to include those general wage adjustments in the
17 compensation plan for the 2023-25 fiscal biennium.”.

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

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

20 (1i) COMPENSATION FOR CORRECTIONAL SECURITY POSITIONS AT DEPARTMENT OF
21 CORRECTIONS AND SECURITY POSITIONS AT DEPARTMENT OF HEALTH SERVICES.

22 (a) The administrator of the division of personnel management in the
23 department of administration shall include in the compensation plan under s. 230.12
24 for the 2023-25 fiscal biennium all of the following items:

1 1. A minimum pay of \$33 per hour for employees in pay range 05-31 at the
2 department of corrections.

3 2. A conversion of the pilot \$4 add-on pay to base pay in the 2021-23
4 compensation plan for security employees of the department of corrections to a
5 permanent increase to base pay.

6 3.. An enhanced correctional security pay progression system and supervisor
7 parity for the increases to minimum pay for non-supervisor security employees of
8 the department of corrections.

9 4. An add-on of \$1 per hour for security employees at medium-security
10 correctional institutions.

11 5. An add-on of \$5 per hour for security employees at correctional institutions
12 with high-vacancy rates.

13 6. An add-on of \$5 per hour for probation and parole agents who work as
14 security personnel at a correctional institution.

15 7. An increase of the maximum-security add-on in the 2021-23 compensation
16 plan to \$4 per hour.

17 8. An add-on for employees of the department of health services who provide
18 security services similar to those provided by department of corrections employees
19 at maximum-security facilities of \$4 per hour.

20 (b) If, on the effective date of this paragraph, the compensation plan under s.
21 230.12 has been adopted for the 2023-25 fiscal biennium and the compensation plan
22 does not include provisions required by par. (a), by no later than 30 days after the
23 effective date of this paragraph, the administrator of the division of personnel
24 management in the department of administration shall propose an amendment

1 under s. 230.12 (3) (c) to include the provisions required by par. (a) in the
2 compensation plan for the 2023-25 fiscal biennium.”.

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

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

5 (1u) PAY PROGRESSION SYSTEMS.

6 (a) *General pay progression structure for non-supervisory positions.* The
7 administrator of the division of personnel management in the department of
8 administration shall provide in the compensation plan under s. 230.12 for the
9 2023-25 fiscal biennium a new general pay progression structure for
10 non-supervisory positions that is funded with \$1,065,200 GPR from the
11 compensation reserves for fiscal year 2023-24, and \$3,057,300 GPR from the
12 compensation reserves for fiscal year 2024-25.

13 (b) *Pay progression structure for probation and parole agents-senior and parity*
14 *pay for corrections field supervisors.* The administrator of the division of personnel
15 management in the department of administration shall provide in the compensation
16 plan under s. 230.12 for the 2023-25 fiscal biennium a pay progression structure for
17 probation and parole agents-senior and parity pay for corrections field supervisors
18 that is funded with \$8,782,600 GPR from the compensation reserves for fiscal year
19 2023-24, and \$9,154,600 GPR from the compensation reserves for fiscal year
20 2024-25.

21 (c) *Pay progression structure for department of natural resources wardens and*
22 *state capitol police.* The administrator of the division of personnel management in
23 the department of administration shall provide in the compensation plan under s.
24 230.12 for the 2023-25 fiscal biennium modifications to the existing pay progression

1 structure for department of natural resources wardens and state capitol police that
2 is funded in part with \$127,800 GPR from the compensation reserves annually.

3 (d) *Compensation plan amendment.* If, on the effective date of this paragraph,
4 the compensation plan under s. 230.12 has been adopted for the 2023-25 fiscal
5 biennium and the compensation plan does not include provisions required under
6 pars. (a) to (c), by no later than 30 days after the effective date of this paragraph, the
7 administrator of the division of personnel management in the department of
8 administration shall propose an amendment under s. 230.12 (3) (c) to include the
9 provisions required under pars. (a) to (c) in the compensation plan for the 2023-25
10 fiscal biennium.”.

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

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

13 (1k) MARKET WAGE AND PARITY ADJUSTMENTS.

14 (a) *Market wage and parity adjustments for various classifications.* The
15 administrator of the division of personnel management in the department of
16 administration shall provide in the compensation plan under s. 230.12 for the
17 2023-25 fiscal biennium general market wage and parity adjustments for various
18 classifications that are paid for with \$19,228,000 GPR from the compensation
19 reserves for fiscal year 2023-24 and \$18,515,900 GPR from the compensation
20 reserves for fiscal year 2024-25.

21 (b) *Generated market wage adjustments for information technology positions.*

22 The administrator of the division of personnel management in the department of
23 administration shall provide in the compensation plan under s. 230.12 for the
24 2023-25 fiscal biennium generated market wage adjustments for information

1 technology positions that are paid for with \$2,023,200 GPR from the compensation
2 reserves for fiscal year 2024-25.

3 (c) *Market wage adjustments for classified attorneys.* The administrator of the
4 division of personnel management in the department of administration shall provide
5 in the compensation plan under s. 230.12 for the 2023-25 fiscal biennium market
6 wage adjustments for classified attorneys who are not eligible for pay progression
7 that are paid for with \$870,000 GPR from the compensation reserves for fiscal year
8 2023-24 and \$1,074,400 GPR from the compensation reserves for fiscal year
9 2024-25.

10 (d) *Compensation plan amendment.* If, on the effective date of this paragraph,
11 the compensation plan under s. 230.12 has been adopted for the 2023-25 fiscal
12 biennium and the compensation plan does not include the market wage and parity
13 adjustments under pars. (a) to (c), by no later than 30 days after the effective date
14 of this paragraph, the administrator of the division of personnel management in the
15 department of administration shall propose an amendment under s. 230.12 (3) (c) to
16 include the market wage and parity adjustments under pars. (a) to (c) in the
17 compensation plan for the 2023-25 fiscal biennium.”.

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

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

20 (1u) PILOT ADD-ON CONTINUATION FOR NON-SECURITY POSITIONS.

21 (a) *Pilot add-on continuation for certain nonsecurity positions.* The
22 administrator of the division of personnel management in the department of
23 administration shall provide in the compensation plan under s. 230.12 for the
24 2023-25 fiscal biennium a continuation of the pilot add-on in the 2021-23

1 compensation plan for nonsecurity positions in the department of administration,
2 department of corrections, department of health services, department of military
3 affairs, department of safety and professional services, and the department of
4 veterans affairs that is paid for with \$3,761,000 GPR, \$2,787,600 FED and
5 11,462,300 PR from the compensation reserves for fiscal year 2023-24, and
6 \$3,626,900 GPR, \$2,444,500 FED, and \$11,026,000 PR from the compensation
7 reserves for fiscal year 2024-25.

8 (d) *Amendment to compensation plan.* If, on the effective date of this paragraph,
9 the compensation plan under s. 230.12 has been adopted for the 2023-25 fiscal
10 biennium and the compensation plan does not include the pilot add-on continuation
11 under par. (a), by no later than 30 days after the effective date of this paragraph, the
12 administrator of the division of personnel management in the department of
13 administration shall propose an amendment under s. 230.12 (3) (c) to include the
14 pilot add-on continuation under par. (a) in the compensation plan for the 2023-25
15 fiscal biennium.”.

16 **143.** Page 374, line 11: after that line insert:

17 **“SECTION 9213. Fiscal changes; Employee Trust Funds.**

18 (1) BUSINESS PROCESSES AND SYSTEMS MODERNIZATION. In the schedule under s.
19 20.005 (3) for the appropriation to the department of employee trust funds under s.
20 20.515 (1) (w), the dollar amount for fiscal year 2023-24 is increased by \$3,626,300
21 to increase the authorized FTE positions by 4.0 SEG and authorized project FTE
22 positions by 3.0 SEG for business processes and systems modernization. In the
23 schedule under s. 20.005 (3) for the appropriation to the department of employee
24 trust funds under s. 20.515 (1) (w), the dollar amount for fiscal year 2024-25 is

1 increased by \$8,110,500 to increase the authorized FTE positions by 4.0 SEG and
2 authorized project positions by 3.0 SEG for business processes and systems
3 modernization.”.

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

5 **“SECTION 9213. Fiscal changes; Employee Trust Funds.**

6 (1u) RESOURCES FOR SERVICE SUPPORT AND FINANCIAL FUNCTIONS. In the schedule
7 under s. 20.005 (3) for the appropriation to the department of employee trust funds
8 under s. 20.515 (1) (w), the dollar amount for fiscal year 2023-24 is increased by
9 \$581,400 to increase the authorized FTE positions by 9.0 SEG positions to reduce the
10 workload for division of retirement services staff and improve customer service
11 support for employers in the wisconsin retirement system and participants in the
12 wisconsin retirement system and to reduce the workload for division of trust finance
13 staff and to improve accounting and financial functions, including the addition of
14 staff with actuarial experience. In the schedule under s. 20.005 (3) for the
15 appropriation to the department of employee trust funds under s. 20.515 (1) (w), the
16 dollar amount for fiscal year 2024-25 is increased by \$734,000 to increase the
17 authorized FTE positions by 9.0 SEG reduce the workload for division of retirement
18 services staff and improve customer service support for employers in the wisconsin
19 retirement system and participants in the wisconsin retirement system and to
20 reduce the workload for division of trust finance staff and to improve accounting and
21 financial functions, including the addition of staff with actuarial experience.”.

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

23 **“SECTION 348.** 20.380 (1) (b) of the statutes is amended to read:

1 20.380 (1) (b) *Tourism marketing; general purpose revenue.* Biennially, the
2 amounts in the schedule for tourism marketing service expenses and the execution
3 of the functions under ss. 41.11 (4) and 41.17. ~~In each fiscal year, the department~~
4 ~~shall expend for tourism marketing service expenses and the execution of the~~
5 ~~functions under ss. 41.11 (4) and 41.17 an amount that bears the same proportion to~~
6 ~~the amount in the schedule for the fiscal year as the amount expended under par. (kg)~~
7 ~~in that fiscal year bears to the amount in the schedule for par. (kg) for that fiscal year.~~
8 Of the amounts under this paragraph, not more than 50 percent shall be used to
9 match funds allocated under s. 41.17 by private or public organizations for the joint
10 effort marketing of tourism with the state.

11 **SECTION 349.** 20.380 (1) (kg) of the statutes is repealed.

12 **SECTION 350.** 41.17 (5) of the statutes is amended to read:

13 41.17 (5) FUNDING SOURCE. Subject to the 50 percent limitation under s. 20.380
14 (1) (b) ~~and the proportional expenditure requirements under s. 20.380 (1) (b) and~~
15 ~~(kg),~~ the department shall expend, from the appropriations under s. 20.380 (1) (b),
16 ~~(kg),~~ and (w), at least \$1,130,000 in the aggregate in each fiscal year in joint effort
17 marketing funds under this section.”.

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

19 “**SECTION 351.** 16.29 (title) of the statutes is amended to read:

20 **16.29** (title) **Technical assistance and tourism promotion.**

21 **SECTION 352.** 16.29 (1) of the statutes is renumbered 16.29 (1) (intro.) and
22 amended to read:

1 16.29 (1) (intro.) Annually, the department shall grant to the Great Lakes
2 inter-tribal council the amount appropriated under s. 20.505 (1) (kx) ~~to~~ for the
3 following purposes:

4 (a) To partially fund a program to provide technical assistance for economic
5 development on Indian reservations if the conditions under subs. (2) and (3) are
6 satisfied.

7 **SECTION 353.** 16.29 (1) (b) of the statutes is created to read:

8 16.29 (1) (b) To fund tourism promotion activities under the Native American
9 Tourism of Wisconsin program. The grants under this paragraph are not subject to
10 the conditions under subs. (2) and (3).

11 **SECTION 9143. Nonstatutory provisions; Tourism.**

12 (1k) TRANSFER OF AMERICAN INDIAN TOURISM MARKETING CONTRACT. The contract
13 between the department of tourism and the Great Lakes inter-tribal council in effect
14 on the effective date of this subsection that is primarily related to the promotion of
15 tourism featuring American Indian heritage and culture, as determined by the
16 secretary of administration, is transferred to the department of administration. The
17 department of administration shall carry out any obligations under such a contract
18 until the contract is modified or rescinded by the department of administration to the
19 extent allowed under the contract.”.

20 **147.** Page 374, line 11: after that line insert:

21 “**SECTION 354.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
22 insert the following amounts for the purposes indicated:

	2023-24	2024-25
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1 **20.380 Tourism, department of**

2 (1) TOURISM DEVELOPMENT AND PROMOTION

3 (c) Opportunity attraction and pro-

4 motion	GPR	C	20,000,000	15,000,000
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5 **SECTION 2.** 20.380 (1) (c) of the statutes is created to read:

6 20.380 (1) (c) *Opportunity attraction and promotion.* As a continuing
7 appropriation, the amounts in the schedule for expenditures under s. 41.11 (1) (gm).

8 **SECTION 3.** 41.11 (1) (gm) of the statutes is created to read:

9 41.11 (1) (gm) From the appropriation under s. 20.380 (1) (c), expend moneys
10 to attract major opportunities and events to this state, including expenditures for
11 major marketing and professional efforts. The department shall collaborate with the
12 Wisconsin Economic Development Corporation to implement the department's
13 duties under this paragraph."

14 **148.** Page 374, line 11: after that line insert:

15 "SECTION 355. 20.380 (1) (kc) of the statutes is repealed.

16 **SECTION 356.** 41.21 of the statutes is repealed."

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

18 "SECTION 357. 20.435 (5) (bf) of the statutes is amended to read:

19 20.435 (5) (bf) ~~Brighter futures initiative~~ Grants for youth services. The
20 amounts in the schedule to be transferred to the appropriation account under s.
21 20.437 (1) (kb) for the ~~brighter futures initiative~~ under s. ~~48.545 grants for youth~~
22 services under s. 48.481.

23 **SECTION 358.** 20.437 (1) (bc) of the statutes is amended to read:

1 20.437 (1) (bc) *Grants for children's community programs youth services*. The
2 amounts in the schedule for grants for ~~children's community programs~~ youth
3 services under s. 48.481. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the
4 department may transfer funds between fiscal years under this paragraph. All
5 moneys under this appropriation account that are distributed under s. 48.481 but are
6 not encumbered by December 31 of each year lapse to the general fund on the next
7 January 1 unless carried forward to the next calendar year by the joint committee
8 on finance.

9 **SECTION 359.** 20.437 (1) (bd) of the statutes is created to read:

10 20.437 (1) (bd) *Tribal family services grants*. The amounts in the schedule for
11 tribal family services grants under s. 48.487.

12 **SECTION 360.** 20.437 (1) (bn) of the statutes is created to read:

13 20.437 (1) (bn) *Tribal placements*. The amounts in the schedule to be used for
14 unexpected or unusually high-cost out-of-home care placements of Indian children
15 by tribal courts, including placements of Indian juveniles who have been adjudicated
16 delinquent.

17 **SECTION 361.** 20.437 (1) (e) of the statutes is repealed.

18 **SECTION 362.** 20.437 (1) (eg) of the statutes is repealed.

19 **SECTION 363.** 20.437 (1) (er) of the statutes is repealed.

20 **SECTION 364.** 20.437 (1) (kb) of the statutes is amended to read:

21 20.437 (1) (kb) *Interagency aids; ~~brighter futures initiative~~ grants for youth*
22 services. All moneys transferred from the appropriation account under s. 20.435 (5)
23 (bf) for the ~~brighter futures initiative~~ under s. 48.545 grants for youth services under
24 s. 48.481.

25 **SECTION 365.** 20.9275 (2) (intro.) of the statutes is amended to read:

1 20.9275 (2) (intro.) No state agency or local governmental unit may authorize
2 payment of funds of this state, of any local governmental unit or, subject to sub. (3m),
3 of federal funds passing through the state treasury as a grant, subsidy or other
4 funding that wholly or partially or directly or indirectly involves pregnancy
5 programs, projects or services, that is a grant, subsidy or other funding under s.
6 48.481, 48.487, ~~48.545~~, 253.05, 253.07, 253.08, or 253.085 or 42 USC 701 to 710, if
7 any of the following applies:

8 **SECTION 366.** 48.48 (19) of the statutes is repealed.

9 **SECTION 367.** 48.481 (title) of the statutes is amended to read:

10 **48.481** (title) **Grants for children’s community programs youth**
11 **services.**

12 **SECTION 368.** 48.481 (intro.) of the statutes is renumbered 48.481 (2m) (intro.)
13 and amended to read:

14 48.481 (2m) (intro.) ~~From the appropriation under s. 20.437 (1) (bc), the~~ The
15 department shall distribute the following grants for children’s community programs
16 youth services to public agencies, nonprofit corporations, and Indian tribes to
17 provide programs that accomplish one or more of the following purposes:

18 **SECTION 369.** 48.481 (1) of the statutes is repealed.

19 **SECTION 370.** 48.481 (1m) of the statutes is created to read:

20 48.481 (1m) In this section:

21 (a) “Nonprofit corporation” means a nonstock, nonprofit corporation organized
22 under ch. 181.

23 (b) “Public agency” means a county, city, village, town, or school district or an
24 agency of this state or of a county, city, village, town, or school district.

25 **SECTION 371.** 48.481 (2) of the statutes is repealed.

1 **SECTION 372.** 48.481 (2m) (a), (b), (c), (d), (e), (f), (g), (h) and (i) and (3) of the
2 statutes are created to read:

3 48.481 **(2m)** (a) Increasing youth access to housing.

4 (b) Increasing youth self-sufficiency through employment, education, and
5 training.

6 (c) Increasing youth social and emotional health by promoting healthy and
7 stable adult connections, social engagement, and connection with necessary
8 services.

9 (d) Preventing sex trafficking of children and youth.

10 (e) Providing treatment and services for documented and suspected victims of
11 child and youth sex trafficking.

12 (f) Preventing and reducing the incidence of youth violence and other
13 delinquent behavior.

14 (g) Preventing and reducing the incidence of youth alcohol and other drug use
15 and abuse.

16 (h) Preventing and reducing the incidence of child abuse and neglect.

17 (i) Preventing and reducing the incidence of teen pregnancy.

18 **(3)** From the appropriations under s. 20.437 (1) (bc) and (kb), the department
19 shall distribute \$55,000 in each fiscal year to Diverse and Resilient, Inc., to provide
20 programs that accomplish one or more of the purposes under sub. (2m).

21 **SECTION 373.** 48.545 of the statutes is repealed.

22 **SECTION 374.** 49.1385 of the statutes is repealed.

23 **SECTION 375.** 49.175 (1) (intro.) of the statutes is amended to read:

24 49.175 **(1)** ALLOCATION OF FUNDS. (intro.) In this section, with respect to any
25 of the following that fund a contract for services, “allocate” means to designate an

1 amount of money equal to the amount under the contract that the department is
2 obligated to pay. Except as provided in sub. (2), within the limits of the
3 appropriations under s. 20.437 (2) (a), (cm), (dz), (k), (kx), (L), (mc), (md), (me), and
4 (s) and (3) (kp), the department shall allocate the following amounts for the following
5 purposes:

6 **SECTION 376.** 49.175 (1) (f) of the statutes is amended to read:

7 49.175 (1) (f) *Homeless case management services grants.* For grants to shelter
8 facilities under s. 16.3085, ~~\$500,000~~ \$1,000,000 in each fiscal year. All moneys
9 allocated under this paragraph shall be credited to the appropriation account under
10 s. 20.505 (7) (kg).

11 **SECTION 377.** 49.175 (1) (ms) of the statutes is created to read:

12 49.175 (1) (ms) *Child support debt reduction.* For the child support debt
13 reduction program for low-income noncustodial parents under s. 49.226, \$3,472,000
14 in fiscal year 2023-24 and \$6,944,000 in fiscal year 2024-25.

15 **SECTION 378.** 49.175 (1) (o) of the statutes is amended to read:

16 49.175 (1) (o) ~~*Evidence-based substance abuse prevention grants*~~ *Grants for*
17 *youth services.* For grants awarded under s. ~~48.545 (2) (e)~~ 48.481, \$500,000 in each
18 fiscal year.

19 **SECTION 379.** 49.175 (1) (t) of the statutes is amended to read:

20 49.175 (1) (t) *Safety and out-of-home placement services.* For services provided
21 to ensure the safety of children who the department or a county determines may
22 remain at home if appropriate services are provided, and for services provided to
23 families with children placed in out-of-home care, ~~\$10,314,300~~ \$6,282,400 in each
24 fiscal year. To receive funding under this paragraph, a county shall match a
25 percentage of the amount received that is equal to the percentage the county is

1 required to match for a distribution under s. 48.563 (2) as specified by the schedule
2 established by the department under s. 48.569 (1) (d).

3 **SECTION 380.** 49.175 (1) (zh) of the statutes is amended to read:

4 49.175 (1) (zh) *Earned income tax credit supplement.* For the transfer of
5 moneys from the appropriation account under s. 20.437 (2) (md) to the appropriation
6 account under s. 20.835 (2) (kf) for the earned income tax credit, ~~\$63,600,000~~
7 \$109,020,000 in fiscal year ~~2021-22~~ 2023-24 and ~~\$66,600,000~~ \$111,260,000 in fiscal
8 year ~~2022-23~~ 2024-25.

9 **SECTION 381.** 49.226 of the statutes is created to read:

10 **49.226 Child support debt reduction.** (1) The department shall establish
11 a program to provide a noncustodial child support debt reduction. A noncustodial
12 parent qualifies to receive \$1,500 in debt reduction under this section if all of the
13 following apply:

14 (a) The noncustodial parent completes an eligible employment program, as
15 defined by the department in rules promulgated under sub. (3).

16 (b) The custodial parent agrees to reducing child support debt owed up to the
17 amount of the benefit paid.

18 (2) A noncustodial parent may not receive debt reduction under sub. (1) more
19 than once in any 12-month period.

20 (3) The department shall promulgate rules to implement this section,
21 including rules to determine how debt reduction provided under sub. (1) is
22 apportioned among multiple child support orders.

23 **SECTION 9106. Nonstatutory provisions; Children and Families.**

24 (1k) CHILD SUPPORT DEBT REDUCTION; EMERGENCY RULEMAKING. The department
25 of children and families may promulgate emergency rules under s. 227.24 to

1 implement s. 49.226. Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the
 2 department is not required to provide evidence that promulgating a rule under this
 3 subsection as an emergency rule is necessary for the preservation of the public peace,
 4 health, safety, or welfare and is not required to provide a finding of emergency for a
 5 rule promulgated under this subsection.

6 **SECTION 9406. Effective dates; Children and Families.**

7 (1k) CHILD SUPPORT DEBT REDUCTION. The treatment of s. 49.226 takes effect on
 8 the first day of the 7th month beginning after publication.”.

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

10 “SECTION 382. 20.005 (3) (schedule) of the statutes: at the appropriate place,
 11 insert the following amounts for the purposes indicated:

			2023-24	2024-25
20.437 Children and families, department of				
(1) CHILDREN AND FAMILY SERVICES				
(bd) Tribal family services grants	GPR	A	825,000	1,100,000
(bn) Tribal placements	GPR	A	3,000,000	3,000,000”.

16 **151.** Page 374, line 11: after that line insert:

17 “SECTION 383. 16.3095 of the statutes is created to read:

18 **16.3095 Municipal home rehabilitation grants.** (1) From the
 19 appropriation under s. 20.505 (7) (d), the department shall award grants to
 20 municipalities to fund initiatives to rehabilitate and restore blighted residential
 21 properties within the municipality.

22 (2) The department may establish eligibility requirements and other program
 23 guidelines for the grant program under this section.

1 **SECTION 384.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
2 insert the following amounts for the purposes indicated:

		2023-24		2024-25
20.505 Administration, department of				
(7) HOUSING AND COMMUNITY DEVELOPMENT				
(d) Municipal home rehabilitation				
grants	GPR	B	100,000,000	-0-

7 **SECTION 385.** 20.505 (7) (d) of the statutes is created to read:
8 20.505 (7) (d) *Municipal home rehabilitation grants.* Biennially, the amounts
9 in the schedule for program operations and grants to municipalities under s.
10 16.3095.”.

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

12 “**SECTION 386.** 16.3077 of the statutes is created to read:

13 **16.3077 Housing quality standards grants.** From the appropriation under
14 s. 20.505 (7) (bp), the department shall award grants to owners of rental housing
15 units in this state for purposes of satisfying applicable housing quality standards.

16 **SECTION 387.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
17 insert the following amounts for the purposes indicated:

		2023-24		2024-25
20.505 Administration, department of				
(7) HOUSING AND COMMUNITY DEVELOPMENT				
(bp) Housing quality standards				
grants	GPR	A	2,000,000	2,000,000

1 **SECTION 388.** 20.505 (7) (bp) of the statutes is created to read:

2 20.505 (7) (bp) *Housing quality standards grants*. The amounts in the schedule
3 for housing quality standards grants under s. 16.3077.”.

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

5 “**SECTION 389.** 70.11 (38v) of the statutes is created to read:

6 70.11 (38v) WISCONSIN HOUSING AND ECONOMIC DEVELOPMENT AUTHORITY
7 HEADQUARTERS. Land and buildings on that land owned by the Wisconsin Housing
8 and Economic Development Authority and used exclusively as either the corporate
9 headquarters of the Wisconsin Housing and Economic Development Authority or the
10 parking facilities associated with those headquarters.

11 **SECTION 9337. Initial applicability; Revenue.**

12 (1k) WHEDA HEADQUARTERS. The treatment of s. 70.11 (38v) first applies to the
13 property tax assessments as of January 1, 2023.”.

14 **154.** Page 374, line 11: after that line insert:

15 “**SECTION 390.** 231.02 (2) of the statutes is amended to read:

16 231.02 (2) The authority shall appoint an executive director and associate
17 executive director who shall not be members of the authority and who shall serve at
18 the pleasure of the authority. They shall receive such compensation as the authority
19 fixes, ~~except that the compensation of the executive director shall not exceed the~~
20 ~~maximum of the salary range established under s. 20.923 (1) for positions assigned~~
21 ~~to executive salary group 6 and the compensation of each other employee of the~~
22 ~~authority shall not exceed the maximum of the salary range established under s.~~
23 ~~20.923 (1) for positions assigned to executive salary group 3.~~ The executive director
24 or associate executive director or other person designated by resolution of the

1 authority shall keep a record of the proceedings of the authority and shall be
2 custodian of all books, documents, and papers filed with the authority, the minute
3 book or journal of the authority, and its official seal. The executive director or
4 associate executive director or other person may cause copies to be made of all
5 minutes and other records and documents of the authority and may give certificates
6 under the official seal of the authority to the effect that such copies are true copies,
7 and all persons dealing with the authority may rely upon such certificates.

8 **SECTION 391.** 234.02 (3) of the statutes is amended to read:

9 234.02 (3) The governor shall appoint a public member as the chairperson of
10 the authority for a one-year term beginning on the expiration of the term of the
11 chairperson's predecessor. The authority shall elect a vice chairperson. The
12 governor shall nominate, and with the advice and consent of the senate appoint, the
13 executive director of the authority, to serve a 2-year term. The authority shall
14 employ the executive director so appointed, legal and technical experts and such
15 other officers, agents and employees, permanent and temporary, as it may require,
16 and shall determine their qualifications, duties and compensation, all
17 notwithstanding subch. II of ch. 230, except that s. 230.40 shall apply, ~~and except~~
18 ~~that the compensation of any employee of the authority shall not exceed the~~
19 ~~maximum of the executive salary group range established under s. 20.923 (1) for~~
20 ~~positions assigned to executive salary group 6.~~ The authority may delegate any of
21 its powers or duties to its employees with the consent of the executive director or to
22 its agents.”.

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

1 “**SECTION 392.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
2 insert the following amounts for the purposes indicated:

2023-24 2024-25

3 **20.490 Wisconsin Housing and Economic**
4 **Development Authority**

5 (6) WORKFORCE HOUSING

6 (a) Workforce housing rehabilitation GPR C 100,000,000 -0-

7 **SECTION 393.** 20.490 (6) (a) of the statutes is created to read:

8 20.490 (6) WORKFORCE HOUSING REHABILITATION. (a) *Workforce housing*
9 *rehabilitation fund.* As a continuing appropriation, the amounts in the schedule to
10 be transferred to the workforce housing rehabilitation fund under s. 234.043 for the
11 purposes of that fund.

12 **SECTION 394.** 234.043 of the statutes is created to read:

13 **234.043 Workforce housing rehabilitation fund.** There is established
14 under the jurisdiction and control of the authority, for the purpose of providing
15 workforce housing rehabilitation loans under s. 234.045, a workforce housing
16 rehabilitation fund. The authority may use moneys in the fund to cover actual and
17 necessary expenses incurred to accomplish the purposes of this section and s.
18 234.045. At its discretion, the authority may also use moneys in the fund to pay costs
19 associated with marketing its programs and services to the public, including by use
20 of housing navigators. The workforce housing rehabilitation fund shall consist of all
21 of the following:

22 (1) All moneys appropriated to the authority under s. 20.490 (6) (a).

23 (2) All moneys received from the repayment of loans provided under s. 234.045.

1 **(3)** All income from the investment of moneys in the workforce housing
2 rehabilitation fund by the authority under s. 234.03 (18). All such investments shall
3 be the exclusive property of the fund.

4 **(4)** All moneys received by the authority for the workforce housing
5 rehabilitation fund from any other source.

6 **SECTION 395.** 234.045 (1) (intro.) of the statutes is amended to read:

7 234.045 **(1)** DEFINITION. (intro.) In this section, “eligible rehabilitation” means
8 an improvement to housing to maintain the housing in a decent, safe, and sanitary
9 condition or to restore it to that condition if the improvement is the removal of lead
10 paint or constitutes a structural or safety improvement, as determined by the
11 authority, including any of the following:

12 **SECTION 396.** 234.045 (2) (a) (intro.) of the statutes is amended to read:

13 234.045 **(2)** (a) (intro.) From the workforce housing rehabilitation ~~loan~~ fund,
14 the authority may make a loan to a person applying for the loan to pay for the cost
15 of eligible rehabilitation to the applicant’s home if all of the following apply:

16 **SECTION 397.** 234.045 (2) (a) 2. of the statutes is amended to read:

17 234.045 **(2)** (a) 2. The applicant’s home is a single-family residence that serves
18 as the primary residence of the applicant occupies and that was constructed before
19 1980.

20 **SECTION 398.** 234.045 (2) (a) 3. of the statutes is amended to read:

21 234.045 **(2)** (a) 3. The applicant agrees to the terms of the loan, as determined
22 by the authority. The loan terms may include a requirement to repay the loan by
23 making monthly principal and interest payments so that the loan is fully repaid
24 within a given term; a requirement to repay the loan, including all interest, upon the
25 applicant selling or otherwise transferring title to the residence to another person

1 or upon the applicant and his or her family vacating the residence; and any other
2 terms determined by the authority.

3 **SECTION 399.** 234.045 (2) (c) of the statutes is created to read:

4 234.045 (2) (c) The authority may defer the repayment or forgive the
5 outstanding balance of any loan made under par. (a) according to criteria established
6 by the authority.

7 **SECTION 400.** 234.53 (2) of the statutes is amended to read:

8 234.53 (2) Except as provided in sub. (2m) ~~and s. 234.045~~, the authority shall
9 use moneys in the fund for the purpose of purchasing housing rehabilitation loans
10 or for funding commitments for loans to lenders for housing rehabilitation loans. All
11 disbursements of funds under this subsection for purchasing such loans shall be
12 made payable to an authorized lender, as defined in s. 234.49 (1) (b), or a duly
13 authorized agent thereof.

14 **SECTION 401.** 234.55 (1) of the statutes is amended to read:

15 234.55 (1) The authority shall establish the housing rehabilitation loan
16 program bond redemption fund. All housing rehabilitation loans purchased with
17 moneys from the housing rehabilitation loan fund or notes evidencing loans to
18 lenders from such fund for housing rehabilitation loans shall be the exclusive
19 property of such redemption fund. All moneys received from the repayment of such
20 loans, any amounts transferred by the authority to such fund pursuant to s. 234.52
21 or from other funds or sources, any federal insurance or guarantee payments with
22 respect to such loans, all moneys resulting from the sale of bonds for the purpose of
23 refunding outstanding housing rehabilitation bonds unless credited to the housing
24 rehabilitation loan program capital reserve fund, any other moneys which may be
25 available to the authority for the purpose of such fund, and all moneys received from

1 the repayment of loans provided under ~~ss. 234.045~~ and s. 234.53 (2m) shall be
 2 deposited into such fund to be used for the repayment of housing rehabilitation bonds
 3 issued under the authority of s. 234.50.”.

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

5 “**SECTION 402.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
 6 insert the following amounts for the purposes indicated:

			2023-24	2024-25
20.437 Children and families, department of				
(1)	CHILDREN AND FAMILY SERVICES			
(es)	Kinship care; flexible support	GPR A	\$8,122,900	\$8,219,100
(2)	ECONOMIC SUPPORT			
(c)	Child care quality improvement pro-			
	gram	GPR A	\$81,389,400	\$221,719,300
(d)	Child care partnership grant program	GPR A	11,198,000	11,198,000

14 **SECTION 403.** 20.437 (1) (es) of the statutes is created to read:
 15 20.437 (1) (es) *Kinship care; flexible support.* The amounts in the schedule for
 16 flexible support for a kinship care provider under s. 48.57 (3m) (as).

17 **SECTION 404.** 20.437 (2) (d) of the statutes is created to read:
 18 20.437 (2) (d) *Child care partnership grant program.* The amounts in the
 19 schedule for the grants under s. 49.132.

20 **SECTION 405.** 20.437 (2) (c) of the statutes is created to read:
 21 20.437 (2) (c) *Child care quality improvement program.* The amounts in the
 22 schedule for the program under s. 49.133.

23 **SECTION 406.** 48.02 (12c) of the statutes is created to read:

1 48.02 (12c) “Like-kin” means a person who has a significant emotional
2 relationship with a child or the child’s family and to whom any of the following
3 applies:

4 (a) Prior to the child’s placement in out-of-home care, the person had an
5 existing relationship with the child or the child’s family that is similar to a familial
6 relationship.

7 (b) During the child’s placement in out-of-home care, the person developed a
8 relationship with the child or the child’s family that is similar to a familial
9 relationship, and the person is not and has not previously been the child’s licensed
10 foster parent.

11 (c) For an Indian child, “like-kin” includes individuals identified by the child’s
12 tribe according to tribal tradition, custom or resolution, code, or law.

13 **SECTION 407.** 48.02 (15) of the statutes is amended to read:

14 48.02 (15) “Relative” means a parent, stepparent, brother, sister, stepbrother,
15 stepsister, half brother, half sister, brother-in-law, sister-in-law, first cousin, first
16 cousin once removed, 2nd cousin, nephew, niece, uncle, aunt, stepuncle, stepaunt, or
17 any person of a preceding generation as denoted by the prefix of grand, great, or
18 great-great, whether by blood, marriage, or legal adoption, or the spouse of any
19 person named in this subsection, even if the marriage is terminated by death or
20 divorce. For purposes of the application of s. 48.028 and the federal Indian Child
21 Welfare Act, 25 USC 1901 to 1963, “relative” includes an extended family member,
22 as defined in s. 48.028 (2) (am), whether by blood, marriage, or adoption, including
23 adoption under tribal law or custom. For purposes of placement of a child, “relative”
24 also includes a parent of a sibling of the child who has legal custody of that sibling.

25 **SECTION 408.** 48.028 (2) (e) of the statutes is amended to read:

1 48.028 (2) (e) “Out-of-home care placement” means the removal of an Indian
2 child from the home of his or her parent or Indian custodian for temporary placement
3 in a foster home, group home, residential care center for children and youth, or
4 shelter care facility, in the home of a relative other than a parent, in the home of
5 like-kin, or in the home of a guardian, from which placement the parent or Indian
6 custodian cannot have the child returned upon demand. “Out-of-home care
7 placement” does not include an adoptive placement, a preadoptive placement, a
8 delegation of powers, as described in par. (d) 5., an emergency change in placement
9 under s. 48.357 (2) (b), or holding an Indian child in custody under ss. 48.19 to 48.21.

10 **SECTION 409.** 48.028 (2) (f) of the statutes is amended to read:

11 48.028 (2) (f) “Preadoptive placement” means the temporary placement of an
12 Indian child in a foster home, group home, or residential care center for children and
13 youth, in the home of a relative other than a parent, in the home of like-kin, or in
14 the home of a guardian after a termination of parental rights but prior to or in lieu
15 of an adoptive placement. “Preadoptive placement” does not include an emergency
16 change in placement under s. 48.437 (2).

17 **SECTION 410.** 48.207 (1) (b) of the statutes is amended to read:

18 48.207 (1) (b) The home of a relative or like-kin, except that a child may not
19 be held under this paragraph in the home of a ~~relative if the relative~~ person who has
20 been convicted under s. 940.01 of the first-degree intentional homicide, or under s.
21 940.05 of the 2nd-degree intentional homicide, of a parent of the child, and the
22 conviction has not been reversed, set aside or vacated, unless the person making the
23 custody decision determines by clear and convincing evidence that the placement
24 would be in the best interests of the child. The person making the custody decision
25 shall consider the wishes of the child in making that determination.

1 **SECTION 411.** 48.207 (1) (f) of the statutes is amended to read:

2 48.207 (1) (f) The home of a person not a relative or like-kin, if the placement
3 does not exceed 30 days, though the placement may be extended for an additional 30
4 days for cause by the court, and if the person has not had a license under s. 48.62
5 refused, revoked, or suspended within the last 2 years.

6 **SECTION 412.** 48.33 (4) (intro.) of the statutes is amended to read:

7 48.33 (4) OTHER OUT-OF-HOME PLACEMENTS. (intro.) A report recommending
8 placement of an adult expectant mother outside of her home shall be in writing. A
9 report recommending placement of a child in a foster home, group home, or
10 residential care center for children and youth, in the home of a relative other than
11 a parent, in the home of like-kin, in the home of a guardian under s. 48.977 (2), or
12 in a supervised independent living arrangement shall be in writing and shall include
13 all of the following:

14 **SECTION 413.** 48.335 (3g) (intro.) of the statutes is amended to read:

15 48.335 (3g) (intro.) At hearings under this section, if the agency, as defined in
16 s. 48.38 (1) (a), is recommending placement of the child in a foster home, group home,
17 or residential care center for children and youth, in the home of a relative other than
18 a parent, in the home of like-kin, in the home of a guardian under s. 48.977 (2), or
19 in a supervised independent living arrangement, the agency shall present as
20 evidence specific information showing all of the following:

21 **SECTION 414.** 48.335 (3j) (intro.) of the statutes is amended to read:

22 48.335 (3j) (intro.) At hearings under this section involving an Indian child, if
23 the agency, as defined in s. 48.38 (1) (a), is recommending removal of the Indian child
24 from the home of his or her parent or Indian custodian and placement of the Indian
25 child in a foster home, group home, or residential care center for children and youth

1 or in the home of a relative other than a parent or in the home of like-kin, the agency
2 shall present as evidence specific information showing all of the following:

3 **SECTION 415.** 48.345 (3) (a) (intro.) of the statutes is amended to read:

4 48.345 (3) (a) (intro.) The home of a parent ~~or~~, other relative, or like-kin of the
5 child, except that the judge may not designate any of the following as the child's
6 placement, unless the judge determines by clear and convincing evidence that the
7 placement would be in the best interests of the child or, in the case of an Indian child,
8 the best interests of the Indian child as described in s. 48.01 (2):

9 **SECTION 416.** 48.345 (3) (a) 1. of the statutes is amended to read:

10 48.345 (3) (a) 1. The home of a parent ~~or~~, other relative, or like-kin if the parent
11 ~~or~~, other relative, or like-kin has been convicted under s. 940.01 of the first-degree
12 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of
13 a parent of the child, and the conviction has not been reversed, set aside, or vacated.
14 In determining whether a placement under this subdivision would be in the best
15 interests of the child, the judge shall consider the wishes of the child.

16 **SECTION 417.** 48.345 (3) (a) 2. of the statutes is amended to read:

17 48.345 (3) (a) 2. The home of a relative other than the parent of a child or the
18 home of like-kin if the judge finds that the relative or like-kin has been convicted
19 of, has pleaded no contest to, or has had a charge dismissed or amended as a result
20 of a plea agreement for a crime under s. 948.02 (1) or (2), 948.025, 948.03 (2) or (5)
21 (a) 1., 2., 3., or 4., 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.081, 948.085,
22 948.11 (2) (a) or (am), 948.12, 948.13, 948.21, 948.215, 948.30, or 948.53, or a similar
23 law of another state.

24 **SECTION 418.** 48.345 (4) (a) of the statutes is amended to read:

25 48.345 (4) (a) A relative or like-kin of the child.

1 **SECTION 419.** 48.355 (4) (b) (intro.) of the statutes is amended to read:

2 48.355 (4) (b) (intro.) Except as provided under s. 48.368, an order under this
3 section or s. 48.357 or 48.365 made before the child reaches 18 years of age that places
4 or continues the placement of the child in a foster home, group home, or residential
5 care center for children and youth, in the home of a relative other than a parent, in
6 the home of like-kin, or in a supervised independent living arrangement shall
7 terminate on the latest of the following dates, unless the judge specifies a shorter
8 period or the judge terminates the order sooner:

9 **SECTION 420.** 48.366 (1) (a) of the statutes is amended to read:

10 48.366 (1) (a) The person is placed in a foster home, group home, or residential
11 care center for children and youth, in the home of a relative other than a parent, in
12 the home of like-kin, or in a supervised independent living arrangement under an
13 order under s. 48.355, 48.357, or 48.365 that terminates as provided in s. 48.355 (4)
14 (b) 1., 2., or 3., 48.357 (6) (a) 1., 2., or 3., or 48.365 (5) (b) 1., 2., or 3. on or after the
15 person attains 18 years of age.

16 **SECTION 421.** 48.371 (1) (intro.) of the statutes is amended to read:

17 48.371 (1) (intro.) If a child is placed in a foster home, group home, or
18 residential care center for children and youth or in the home of a relative other than
19 a parent or in the home of like-kin, including a placement under s. 48.205 or 48.21,
20 the agency, as defined in s. 48.38 (1) (a), that placed the child or arranged for the
21 placement of the child shall provide the following information to the foster parent,
22 relative, like-kin, or operator of the group home or residential care center for
23 children and youth at the time of placement or, if the information has not been
24 provided to the agency by that time, as soon as possible after the date on which the
25 agency receives that information, but not more than 2 working days after that date:

1 **SECTION 422.** 48.371 (1) (a) of the statutes is amended to read:

2 48.371 (1) (a) Results of an HIV test, as defined in s. 252.01 (2m), of the child,
3 as provided under s. 252.15 (3m) (d) 15., including results included in a court report
4 or permanency plan. At the time that the HIV test results are provided, the agency
5 shall notify the foster parent, relative, like-kin, or operator of the group home or
6 residential care center for children and youth of the confidentiality requirements
7 under s. 252.15 (6).

8 **SECTION 423.** 48.371 (3) (intro.) of the statutes is amended to read:

9 48.371 (3) (intro.) At the time of placement of a child in a foster home, group
10 home, or residential care center for children and youth or in the home of a relative
11 other than a parent or in the home of like-kin or, if the information is not available
12 at that time, as soon as possible after the date on which the court report or
13 permanency plan has been submitted, but no later than 7 days after that date, the
14 agency, as defined in s. 48.38 (1) (a), responsible for preparing the child's permanency
15 plan shall provide to the foster parent, relative, like-kin, or operator of the group
16 home or residential care center for children and youth information contained in the
17 court report submitted under s. 48.33 (1), 48.365 (2g), 48.425 (1), 48.831 (2), or 48.837
18 (4) (c) or permanency plan submitted under s. 48.355 (2e), 48.38, 48.43 (1) (c) or (5)
19 (c), 48.63 (4) or (5) (c), or 48.831 (4) (e) relating to findings or opinions of the court or
20 agency that prepared the court report or permanency plan relating to any of the
21 following:

22 **SECTION 424.** 48.371 (3) (d) of the statutes is amended to read:

23 48.371 (3) (d) Any involvement of the child, whether as victim or perpetrator,
24 in sexual intercourse or sexual contact in violation of s. 940.225, 948.02, 948.025, or
25 948.085, prostitution in violation of s. 944.30 (1m), trafficking in violation of s.

1 940.302 (2) if s. 940.302 (2) (a) 1. b. applies, sexual exploitation of a child in violation
2 of s. 948.05, trafficking of a child in violation of s. 948.051, or causing a child to view
3 or listen to sexual activity in violation of s. 948.055, if the information is necessary
4 for the care of the child or for the protection of any person living in the foster home,
5 group home, or residential care center for children and youth or in the home of the
6 relative or like-kin.

7 **SECTION 425.** 48.371 (5) of the statutes is amended to read:

8 48.371 (5) Except as permitted under s. 252.15 (6), a foster parent, relative,
9 like-kin, or operator of a group home or residential care center for children and youth
10 that receives any information under sub. (1) or (3), other than the information
11 described in sub. (3) (e), shall keep the information confidential and may disclose that
12 information only for the purposes of providing care for the child or participating in
13 a court hearing or permanency review concerning the child.

14 **SECTION 426.** 48.38 (2) (intro.) of the statutes is amended to read:

15 48.38 (2) PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3),
16 for each child living in a foster home, group home, residential care center for children
17 and youth, juvenile detention facility, shelter care facility, qualifying residential
18 family-based treatment facility with a parent, or supervised independent living
19 arrangement, the agency that placed the child or arranged the placement or the
20 agency assigned primary responsibility for providing services to the child under s.
21 48.355 (2) (b) 6g. shall prepare a written permanency plan, if any of the following
22 conditions exists, and, for each child living in the home of a guardian ~~or~~, a relative
23 other than a parent, or like-kin, that agency shall prepare a written permanency
24 plan, if any of the conditions specified in pars. (a) to (e) exists:

25 **SECTION 427.** 48.38 (3m) (a) of the statutes is amended to read:

1 48.38 **(3m)** (a) All appropriate biological family members, relatives, and
2 like-kin of the child, as determined by the agency. Notwithstanding s. 48.02 (12c)
3 (b), in this paragraph, “like-kin” may include a person who is or previously was the
4 child’s licensed foster parent.

5 **SECTION 428.** 48.38 (4) (f) (intro.) of the statutes is amended to read:

6 48.38 **(4)** (f) (intro.) A description of the services that will be provided to the
7 child, the child’s family, and the child’s foster parent, the operator of the facility
8 where the child is living, or the relative or like-kin with whom the child is living to
9 carry out the dispositional order, including services planned to accomplish all of the
10 following:

11 **SECTION 429.** 48.38 (4m) (b) of the statutes is amended to read:

12 48.38 **(4m)** (b) At least 10 days before the date of the hearing the court shall
13 notify the child; any parent, guardian, and legal custodian of the child; any foster
14 parent, or other physical custodian described in s. 48.62 (2) of the child, the operator
15 of the facility in which the child is living, or the relative or like-kin with whom the
16 child is living; and, if the child is an Indian child, the Indian child’s Indian custodian
17 and tribe of the time, place, and purpose of the hearing, of the issues to be determined
18 at the hearing, and of the fact that they shall have a right to be heard at the hearing.

19 **SECTION 430.** 48.38 (4m) (d) of the statutes is amended to read:

20 48.38 **(4m)** (d) The court shall give a foster parent, other physical custodian
21 described in s. 48.62 (2), operator of a facility, ~~or~~ relative, or like-kin who is notified
22 of a hearing under par. (b) a right to be heard at the hearing by permitting the foster
23 parent, other physical custodian, operator, ~~or~~ relative, or like-kin to make a written
24 or oral statement during the hearing, or to submit a written statement prior to the
25 hearing, relevant to the issues to be determined at the hearing. The foster parent,

1 other physical custodian, operator of a facility, ~~or~~ relative, or like-kin does not
2 become a party to the proceeding on which the hearing is held solely on the basis of
3 receiving that notice and right to be heard.

4 **SECTION 431.** 48.38 (5) (b) of the statutes is amended to read:

5 48.38 (5) (b) The court or the agency shall notify the child; the child's parent,
6 guardian, and legal custodian; the child's foster parent, the operator of the facility
7 in which the child is living, or the relative or like-kin with whom the child is living;
8 and, if the child is an Indian child who is placed outside the home of his or her parent
9 or Indian custodian, the Indian child's Indian custodian and tribe of the time, place,
10 and purpose of the review, of the issues to be determined as part of the review, and
11 of the fact that they shall have a right to be heard at the review as provided in par.
12 (bm) 1. The court or agency shall notify the person representing the interests of the
13 public, the child's counsel, the child's guardian ad litem, the child's court-appointed
14 special advocate, and the child's school of the time, place, and purpose of the review,
15 of the issues to be determined as part of the review, and of the fact that they may have
16 an opportunity to be heard at the review as provided in par. (bm) 1. The notices under
17 this paragraph shall be provided in writing not less than 30 days before the review
18 and copies of the notices shall be filed in the child's case record. The notice to the
19 child's school shall also include the name and contact information for the caseworker
20 or social worker assigned to the child's case.

21 **SECTION 432.** 48.38 (5) (bm) 1. of the statutes is amended to read:

22 48.38 (5) (bm) 1. A child, parent, guardian, legal custodian, foster parent,
23 operator of a facility, ~~or~~ relative, or like-kin who is provided notice of the review
24 under par. (b) shall have a right to be heard at the review by submitting written
25 comments relevant to the determinations specified in par. (c) not less than 10

1 working days before the date of the review or by participating at the review. A person
2 representing the interests of the public, counsel, guardian ad litem, court-appointed
3 special advocate, or school who is provided notice of the review under par. (b) may
4 have an opportunity to be heard at the review by submitting written comments
5 relevant to the determinations specified in par. (c) not less than 10 working days
6 before the date of the review. A foster parent, operator of a facility, ~~or~~ relative, or
7 like-kin who receives notice of a review under par. (b) and a right to be heard under
8 this subdivision does not become a party to the proceeding on which the review is held
9 solely on the basis of receiving that notice and right to be heard.

10 **SECTION 433.** 48.38 (5) (e) of the statutes is amended to read:

11 48.38 (5) (e) Within 30 days, the agency shall prepare a written summary of
12 the determinations under par. (c) and shall provide a copy to the court that entered
13 the order; the child or the child's counsel or guardian ad litem; the person
14 representing the interests of the public; the child's parent, guardian, or legal
15 custodian; the child's court-appointed special advocate; the child's foster parent, the
16 operator of the facility where the child is living, or the relative or like-kin with whom
17 the child is living; and, if the child is an Indian child who is placed outside the home
18 of his or her parent or Indian custodian, the Indian child's Indian custodian and tribe.

19 **SECTION 434.** 48.38 (5m) (b) of the statutes is amended to read:

20 48.38 (5m) (b) The court shall notify the child; the child's parent, guardian, and
21 legal custodian; and the child's foster parent, the operator of the facility in which the
22 child is living, or the relative or like-kin with whom the child is living of the time,
23 place, and purpose of the hearing, of the issues to be determined at the hearing, and
24 of the fact that they shall have a right to be heard at the hearing as provided in par.
25 (c) 1. The court shall notify the child's counsel, the child's guardian ad litem, and the

1 child's court-appointed special advocate; the agency that prepared the permanency
2 plan; the child's school; the person representing the interests of the public; and, if the
3 child is an Indian child who is placed outside the home of his or her parent or Indian
4 custodian, the Indian child's Indian custodian and tribe of the time, place, and
5 purpose of the hearing, of the issues to be determined at the hearing, and of the fact
6 that they may have an opportunity to be heard at the hearing as provided in par. (c)

7 1. The notices under this paragraph shall be provided in writing not less than 30
8 days before the hearing. The notice to the child's school shall also include the name
9 and contact information for the caseworker or social worker assigned to the child's
10 case.

11 **SECTION 435.** 48.38 (5m) (c) 1. of the statutes is amended to read:

12 48.38 (5m) (c) 1. A child, parent, guardian, legal custodian, foster parent,
13 operator of a facility, ~~or relative,~~ or like-kin who is provided notice of the hearing
14 under par. (b) shall have a right to be heard at the hearing by submitting written
15 comments relevant to the determinations specified in sub. (5) (c) not less than 10
16 working days before the date of the hearing or by participating at the hearing. A
17 counsel, guardian ad litem, court-appointed special advocate, agency, school, or
18 person representing the interests of the public who is provided notice of the hearing
19 under par. (b) may have an opportunity to be heard at the hearing by submitting
20 written comments relevant to the determinations specified in sub. (5) (c) not less
21 than 10 working days before the date of the hearing or by participating at the
22 hearing. A foster parent, operator of a facility, ~~or relative,~~ or like-kin who receives
23 notice of a hearing under par. (b) and a right to be heard under this subdivision does
24 not become a party to the proceeding on which the hearing is held solely on the basis
25 of receiving that notice and right to be heard.

1 **SECTION 436.** 48.38 (5m) (e) of the statutes is amended to read:

2 48.38 **(5m)** (e) After the hearing, the court shall make written findings of fact
3 and conclusions of law relating to the determinations under sub. (5) (c) and shall
4 provide a copy of those findings of fact and conclusions of law to the child; the child's
5 parent, guardian, and legal custodian; the child's foster parent, the operator of the
6 facility in which the child is living, or the relative or like-kin with whom the child
7 is living; the child's court-appointed special advocate; the agency that prepared the
8 permanency plan; the person representing the interests of the public; and, if the child
9 is an Indian child who is placed outside the home of his or her parent or Indian
10 custodian, the Indian child's Indian custodian and tribe. The court shall make the
11 findings specified in sub. (5) (c) 7. on a case-by-case basis based on circumstances
12 specific to the child and shall document or reference the specific information on
13 which those findings are based in the findings of fact and conclusions of law prepared
14 under this paragraph. Findings of fact and conclusions of law that merely reference
15 sub. (5) (c) 7. without documenting or referencing that specific information in the
16 findings of fact and conclusions of law or amended findings of fact and conclusions
17 of law that retroactively correct earlier findings of fact and conclusions of law that
18 do not comply with this paragraph are not sufficient to comply with this paragraph.

19 **SECTION 437.** 48.385 (intro.) of the statutes is amended to read:

20 **48.385 Plan for transition to independent living.** (intro.) During the 90
21 days immediately before a child who is placed in a foster home, group home, or
22 residential care center for children and youth, in the home of a relative other than
23 a parent, in the home of like-kin, or in a supervised independent living arrangement
24 attains 18 years of age or, if the child is placed in such a placement under an order
25 under s. 48.355, 48.357, or 48.365 that terminates under s. 48.355 (4) (b) after the

1 child attains 18 years of age or under a voluntary transition-to-independent-living
2 agreement under s. 48.366 (3) that terminates under s. 48.366 (3) (a) after the child
3 attains 18 years of age, during the 90 days immediately before the termination of the
4 order or agreement, the agency primarily responsible for providing services to the
5 child under the order or agreement shall do all of the following:

6 **SECTION 438.** 48.40 (1m) of the statutes is amended to read:

7 48.40 (1m) “Kinship care ~~relative~~” provider” means a person receiving
8 payments under s. 48.57 (3m) (am) for providing care and maintenance for a child.

9 **SECTION 439.** 48.427 (3m) (a) 5. of the statutes is amended to read:

10 48.427 (3m) (a) 5. A relative with whom the child resides, if the relative has
11 filed a petition to adopt the child or if the relative is a kinship care ~~relative~~ provider
12 or is receiving payments under s. 48.62 (4) for providing care and maintenance for
13 the child.

14 **SECTION 440.** 48.43 (5) (b) 1. of the statutes is amended to read:

15 48.43 (5) (b) 1. The court shall hold a hearing to review the permanency plan
16 within 30 days after receiving a report under par. (a). At least 10 days before the date
17 of the hearing, the court shall provide notice of the time, place, and purpose of the
18 hearing to the agency that prepared the report, the child’s guardian, the child, and
19 the child’s foster parent, the operator of the facility in which the child is living, or the
20 relative or like-kin with whom the child is living.

21 **SECTION 441.** 48.43 (5) (b) 3. of the statutes is amended to read:

22 48.43 (5) (b) 3. The court shall give a foster parent, operator of a facility, or
23 relative or like-kin who is notified of a hearing under subd. 1. a right to be heard at
24 the hearing by permitting the foster parent, operator, or relative or like-kin to make
25 a written or oral statement during the hearing, or to submit a written statement

1 prior to the hearing, relevant to the issues to be determined at the hearing. The foster
2 parent, operator of a facility, or relative or like-kin does not become a party to the
3 proceeding on which the hearing is held solely on the basis of receiving that notice
4 and right to be heard.

5 **SECTION 442.** 48.43 (5m) of the statutes is amended to read:

6 48.43 **(5m)** Either the court or the agency that prepared the permanency plan
7 shall furnish a copy of the original plan and each revised plan to the child, if he or
8 she is 12 years of age or over, to the child's guardian, to the child's foster parent, the
9 operator of the facility in which the child is living, or the relative or like-kin with
10 whom the child is living, and, if the order under sub. (1) involuntarily terminated
11 parental rights to an Indian child, to the Indian child's tribe.

12 **SECTION 443.** 48.57 (3m) (a) 1. b. of the statutes is amended to read:

13 48.57 **(3m)** (a) 1. b. The person is under 21 years of age, the person is a full-time
14 student in good academic standing at a secondary school or its vocational or technical
15 equivalent, an individualized education program under s. 115.787 is in effect for the
16 person, and the person is placed in the home of the kinship care relative provider
17 under an order under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365 that
18 terminates under s. 48.355 (4) (b) or 938.355 (4) (am) after the person attains 18 years
19 of age or under a voluntary transition-to-independent-living agreement under s.
20 48.366 (3) or 938.366 (3).

21 **SECTION 444.** 48.57 (3m) (a) 2. of the statutes is amended to read:

22 48.57 **(3m)** (a) 2. "Kinship care ~~relative~~ provider" means a relative other than
23 a parent, an extended family member, as defined in s. 48.028 (2) (am), or like-kin.

24 **SECTION 445.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

1 48.57 (3m) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
2 (me), and (s), the department shall reimburse counties having populations of less
3 than 750,000 for payments made under this subsection and shall make payments
4 under this subsection in a county having a population of 750,000 or more. Subject
5 to par. (ap), a county department and, in a county having a population of 750,000 or
6 more, the department shall make payments in the amount of \$300 per month
7 beginning on January 1, 2022, to a kinship care relative provider who is providing
8 care and maintenance for a child if all of the following conditions are met:

9 **SECTION 43q.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

10 48.57 (3m) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
11 (me), and (s), the department shall reimburse counties having populations of less
12 than 750,000 for payments made under this subsection and shall make payments
13 under this subsection in a county having a population of 750,000 or more. Subject
14 to par. (ap), and if all of the following conditions are met, beginning on January 1,
15 2024, a county department and, in a county having a population of 750,000 or more,
16 the department shall make monthly payments to a kinship care provider who is
17 providing care and maintenance for a child in the amount of \$300 ~~per month~~
18 ~~beginning on January 1, 2022, to a kinship care provider who is providing care and~~
19 ~~maintenance for a child if all of the following conditions are met~~ \$441 for a child
20 under 5 years of age; \$483 for a child 5 to 11 years of age; \$548 for a child 12 to 14
21 years of age; and \$572 for a child 15 years of age or over:

22 **SECTION 446.** 48.57 (3m) (am) 1. of the statutes is amended to read:

23 48.57 (3m) (am) 1. The kinship care relative provider applies to the county
24 department or department for payments under this subsection and, if the child is
25 placed in the home of the kinship care relative provider under a court order, other

1 than a court order under s. 48.9795 or ch. 54, 2017 stats., for a license to operate a
2 foster home.

3 **SECTION 447.** 48.57 (3m) (am) 1m. of the statutes is amended to read:

4 48.57 **(3m)** (am) 1m. The county department or department determines that
5 there is a need for the child to be placed with the kinship care relative provider and
6 that the placement with the kinship care relative provider is in the best interests of
7 the child.

8 **SECTION 448.** 48.57 (3m) (am) 4. of the statutes is amended to read:

9 48.57 **(3m)** (am) 4. The county department or department conducts a
10 background investigation under sub. (3p) of the kinship care relative provider, any
11 employee and prospective employee of the kinship care relative provider who has or
12 would have regular contact with the child for whom the payments would be made and
13 any other adult resident of the kinship care relative's provider's home to determine
14 if the kinship care relative provider, employee, prospective employee or adult
15 resident has any arrests or convictions that could adversely affect the child or the
16 kinship care relative's provider's ability to care for the child.

17 **SECTION 449.** 48.57 (3m) (am) 4m. of the statutes is amended to read:

18 48.57 **(3m)** (am) 4m. Subject to sub. (3p) (fm) 1. and 2., the kinship care relative
19 provider states that he or she does not have any arrests or convictions that could
20 adversely affect the child or the kinship care relative's provider's ability to care for
21 the child and that no adult resident, as defined in sub. (3p) (a), and no employee or
22 prospective employee of the kinship care relative provider who would have regular
23 contact with the child has any arrests or convictions that could adversely affect the
24 child or the kinship care relative's provider's ability to care for the child.

25 **SECTION 450.** 48.57 (3m) (am) 5. of the statutes is amended to read:

1 48.57 (3m) (am) 5. The kinship care relative provider cooperates with the
2 county department or department in the application process, including applying for
3 other forms of assistance for which the child may be eligible.

4 **SECTION 451.** 48.57 (3m) (am) 5m. of the statutes is amended to read:

5 48.57 (3m) (am) 5m. The kinship care relative provider is not receiving
6 payments under sub. (3n) with respect to the child.

7 **SECTION 452.** 48.57 (3m) (am) 6. of the statutes is amended to read:

8 48.57 (3m) (am) 6. The child for whom the kinship care relative provider is
9 providing care and maintenance is not receiving supplemental security income
10 under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77.

11 **SECTION 453.** 48.57 (3m) (an) of the statutes is created to read:

12 48.57 (3m) (an) In addition to the monthly payments for kinship care under
13 par. (am), the department or, with the department's approval, the county department
14 may make payments for exceptional circumstances to enable siblings or a minor
15 parent and minor children to reside together and for initial clothing allowances to
16 a kinship care provider who is providing care and maintenance for a child residing
17 in the home of the kinship care provider who is receiving a monthly rate under par.
18 (am), commensurate with the needs of the child, according to the rules promulgated
19 by the department under par. (i) 3.

20 **SECTION 454.** 48.57 (3m) (ar) and (at) of the statutes are created to read:

21 48.57 (3m) (ar) In addition to the monthly payments for kinship care under par.
22 (ap), the department or, with the department's approval, the county department may
23 make emergency payments for kinship care to a kinship care provider who is
24 providing care and maintenance for a child residing in the home of the kinship care
25 provider under a court order if any of the following conditions are met:

1 1. The governor has declared a state of emergency pursuant to s. 323.10, or the
2 federal government has declared a major disaster under 42 USC 68, that covers the
3 locality of the home of the kinship care provider.

4 2. This state has received federal funding to be used for child welfare purposes
5 due to an emergency or disaster declared for the locality of the home of the kinship
6 care provider.

7 3. The department has determined that conditions in this state or in the locality
8 of the home of the kinship care provider have resulted in a temporary increase in the
9 costs borne by kinship care providers. Those conditions may include any of the
10 following:

11 a. A pandemic or other public health threat.

12 b. A natural disaster.

13 c. Unplanned school closures of 5 consecutive days or more.

14 (at) The department shall determine the amount of emergency payments under
15 par. (ar) based on available funding.

16 **SECTION 455.** 48.57 (3m) (ap) 1. of the statutes is amended to read:

17 48.57 **(3m)** (ap) 1. Subject to subds. 2. and 3., the county department or, in a
18 county having a population of 750,000 or more, the department may make payments
19 under par. (am) to a kinship care ~~relative~~ provider who is providing care and
20 maintenance for a child who is placed in the home of the kinship care ~~relative~~
21 provider under a court order for no more than 60 days after the date on which the
22 county department or department received under par. (am) 1. the completed
23 application of the kinship care ~~relative~~ provider for a license to operate a foster home
24 or, if the application is approved or denied or the kinship care ~~relative~~ provider is
25 otherwise determined to be ineligible for licensure within those 60 days, until the

1 date on which the application is approved or denied or the kinship care relative
2 provider is otherwise determined to be ineligible for licensure.

3 **SECTION 456.** 48.57 (3m) (ap) 2. of the statutes is amended to read:

4 48.57 **(3m)** (ap) 2. If the application specified in subd. 1. is not approved or
5 denied or the kinship care relative provider is not otherwise determined to be
6 ineligible for licensure within 60 days after the date on which the county department
7 or department received the completed application for any reason other than an act
8 or omission of the kinship care relative provider, the county department or
9 department may make payments under par. (am) for 4 months after the date on
10 which the county department or department received the completed application or,
11 if the application is approved or denied or the kinship care relative provider is
12 otherwise determined to be ineligible for licensure within those 4 months, until the
13 date on which the application is approved or denied or the kinship care relative
14 provider is otherwise determined to be ineligible for licensure.

15 **SECTION 457.** 48.57 (3m) (ap) 3. of the statutes is amended to read:

16 48.57 **(3m)** (ap) 3. Notwithstanding that an application of a kinship care
17 relative provider specified in subd. 1. is denied or the kinship care relative provider
18 is otherwise determined to be ineligible for licensure, the county department or, in
19 a county having a population of 750,000 or more, the department may make
20 payments under par. (am) to the kinship care relative provider for as long as the
21 conditions specified in par. (am) 1. to 6. continue to apply if the county department
22 or department submits to the court information relating to the background
23 investigation specified in par. (am) 4., an assessment of the safety of the kinship care
24 relative's provider's home and the ability of the kinship care relative provider to care
25 for the child, and a recommendation that the child remain in the home of the kinship

1 care ~~relative~~ provider and the court, after considering that information, assessment,
2 and recommendation, orders the child to remain in the kinship care ~~relative's~~
3 provider's home. If the court does not order the child to remain in the kinship care
4 ~~relative's~~ provider's home, the court shall order the county department or
5 department to request a change in placement under s. 48.357 (1) (am) or 938.357 (1)
6 (am). Any person specified in s. 48.357 (2m) (a) or 938.357 (2m) (a) may also request
7 a change in placement.

8 **SECTION 458.** 48.57 (3m) (as) of the statutes is created to read:

9 48.57 **(3m)** (as) From the appropriation under s. 20.437 (1) (es), a county
10 department and, in a county having a population of 750,000 or more, the department
11 may provide flexible support, in the form of additional payments or services, to a
12 kinship care provider who qualifies under rules promulgated by the department
13 under par. (i) 3.

14 **SECTION 459.** 48.57 (3m) (b) 2. of the statutes is amended to read:

15 48.57 **(3m)** (b) 2. When any kinship care ~~relative~~ provider of a child applies for
16 or receives payments under this subsection, any right of the child or the child's parent
17 to support or maintenance from any other person accruing during the time that
18 payments are made under this subsection is assigned to the state. If a child who is
19 the beneficiary of a payment under this subsection is also the beneficiary of support
20 under a judgment or order that includes support for one or more children who are not
21 the beneficiaries of payments under this subsection, any support payment made
22 under the judgment or order is assigned to the state in the amount that is the
23 proportionate share of the child who is the beneficiary of the payment made under
24 this subsection, except as otherwise ordered by the court on the motion of a party.

25 **SECTION 460.** 48.57 (3m) (cm) of the statutes is amended to read:

1 48.57 (3m) (cm) A kinship care ~~relative~~ provider who receives a payment under
2 par. (am) for providing care and maintenance for a child is not eligible to receive a
3 payment under sub. (3n) or s. 48.62 (4) or 48.623 (1) or (6) for that child.

4 **SECTION 461.** 48.57 (3m) (h) of the statutes is amended to read:

5 48.57 (3m) (h) A county department or, in a county having a population of
6 750,000 or more, the department may recover an overpayment made under par. (am)
7 from a kinship care ~~relative~~ provider who continues to receive payments under par.
8 (am) by reducing the amount of the kinship care ~~relative's~~ provider's monthly
9 payment. The department may by rule specify other methods for recovering
10 overpayments made under par. (am). A county department that recovers an
11 overpayment under this paragraph due to the efforts of its officers and employees
12 may retain a portion of the amount recovered, as provided by the department by rule.

13 **SECTION 462.** 48.57 (3m) (i) 1. of the statutes is amended to read:

14 48.57 (3m) (i) 1. Rules to provide assessment criteria for determining whether
15 a kinship care ~~relative~~ provider who is providing care and maintenance for a child
16 is eligible to receive payments under par. (am). The rules shall also provide that any
17 criteria established under the rules shall first apply to applications for payments
18 under par. (am) received, and to reviews under par. (d) conducted, on the effective
19 date of those rules.

20 **SECTION 463.** 48.57 (3m) (i) 3. of the statutes is created to read:

21 48.57 (3m) (i) 3. Rules governing the provision of flexible support under par.
22 (as). Rules promulgated under this subdivision may specify qualifying costs and
23 services and eligibility criteria.

24 **SECTION 464.** 48.57 (3m) (i) 4. of the statutes is created to read:

1 48.57 (3m) (i) 4. Rules governing the provision of payments for exceptional
2 circumstances to enable siblings or a minor parent and minor children to reside
3 together and for initial clothing allowances for a child residing in the home of a
4 kinship care provider who is receiving a monthly rate under par. (am).

5 **SECTION 465.** 48.57 (3m) (j) of the statutes is created to read:

6 48.57 (3m) (j) The department may promulgate rules governing the provision
7 of emergency payments under par. (ar).

8 **SECTION 466.** 48.57 (3n) (a) 1. b. of the statutes is amended to read:

9 48.57 (3n) (a) 1. b. The person is under 21 years of age, the person is a full-time
10 student in good academic standing at a secondary school or its vocational or technical
11 equivalent, an individualized education program under s. 115.787 is in effect for the
12 person, and the person is placed in the home of the long-term kinship care relative
13 provider under an order under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365
14 that terminates under s. 48.355 (4) (b) or 938.355 (4) (am) after the person attains
15 18 years of age or under a voluntary transition-to-independent-living agreement
16 under s. 48.366 (3) or 938.366 (3).

17 **SECTION 467.** 48.57 (3n) (a) 2. of the statutes is amended to read:

18 48.57 (3n) (a) 2. “Long-term kinship care relative provider” means a relative
19 other than a parent, an extended family member, as defined in s. 48.028 (2) (am), or
20 like-kin.

21 **SECTION 468.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

22 48.57 (3n) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
23 (me), and (s), the department shall reimburse counties having populations of less
24 than 750,000 for payments made under this subsection and shall make payments
25 under this subsection in a county having a population of 750,000 or more. Subject

1 to par. (ap), a county department and, in a county having a population of 750,000 or
2 more, the department shall make monthly payments for each child in the amount of
3 \$300 per month beginning on January 1, 2022, to a long-term kinship care ~~relative~~
4 provider who is providing care and maintenance for that child if all of the following
5 conditions are met:

6 **SECTION 66q.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

7 48.57 (3n) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
8 (me), and (s), the department shall reimburse counties having populations of less
9 than 750,000 for payments made under this subsection and shall make payments
10 under this subsection in a county having a population of 750,000 or more. Subject
11 to par. (ap) and if all of the following conditions are met, beginning on January 1,
12 2024, a county department and, in a county having a population of 750,000 or more,
13 the department shall make monthly payments to a long-term kinship care provider
14 who is providing care and maintenance for each a child in the amount of \$300 per
15 month beginning on January 1, 2022, to a long-term kinship care provider who is
16 providing care and maintenance for that child if all of the following conditions are
17 met \$441 for a child under 5 years of age; \$483 for a child 5 to 11 years of age; \$548
18 for a child 12 to 14 years of age; and \$572 for a child 15 years of age or over:

19 **SECTION 469.** 48.57 (3n) (am) 1. of the statutes is amended to read:

20 48.57 (3n) (am) 1. The long-term kinship care ~~relative provider~~ applies to the
21 county department or department for payments under this subsection, provides
22 proof that he or she has been appointed as the guardian of the child, and, if the child
23 is placed in the home of the long-term kinship care ~~relative provider~~ under a court
24 order, other than a court order under s. 48.9795 or ch. 54, 2017 stats., applies to the
25 county department or department for a license to operate a foster home.

1 **SECTION 470.** 48.57 (3n) (am) 2. of the statutes is amended to read:

2 48.57 **(3n)** (am) 2. The county department or department inspects the
3 long-term kinship care ~~relative's~~ provider's home, interviews the long-term kinship
4 care ~~relative~~ provider and determines that long-term placement with the long-term
5 kinship care ~~relative~~ provider is in the best interests of the child.

6 **SECTION 471.** 48.57 (3n) (am) 4. of the statutes is amended to read:

7 48.57 **(3n)** (am) 4. The county department or department conducts a
8 background investigation under sub. (3p) of the long-term kinship care ~~relative~~
9 provider, the employees and prospective employees of the long-term kinship care
10 ~~relative~~ provider who have or would have regular contact with the child for whom the
11 payments would be made and any other adult resident, as defined in sub. (3p) (a),
12 of the long-term kinship care ~~relative's~~ provider's home to determine if the
13 long-term kinship care ~~relative~~ provider, employee, prospective employee or adult
14 resident has any arrests or convictions that are likely to adversely affect the child or
15 the long-term kinship care ~~relative's~~ provider's ability to care for the child.

16 **SECTION 472.** 48.57 (3n) (am) 4m. of the statutes is amended to read:

17 48.57 **(3n)** (am) 4m. Subject to sub. (3p) (fm) 1m. and 2m., the long-term
18 kinship care ~~relative~~ provider states that he or she does not have any arrests or
19 convictions that could adversely affect the child or the long-term kinship care
20 ~~relative's~~ provider's ability to care for the child and that, to the best of the long-term
21 kinship care ~~relative's~~ provider's knowledge, no adult resident, as defined in sub. (3p)
22 (a), and no employee or prospective employee of the long-term kinship care ~~relative~~
23 provider who would have regular contact with the child has any arrests or
24 convictions that could adversely affect the child or the long-term kinship care
25 ~~relative's~~ provider's ability to care for the child.

1 **SECTION 473.** 48.57 (3n) (am) 5. of the statutes is amended to read:

2 48.57 **(3n)** (am) 5. The long-term kinship care ~~relative~~ provider cooperates
3 with the county department or department in the application process, including
4 applying for other forms of assistance for which the child may be eligible.

5 **SECTION 474.** 48.57 (3n) (am) 5m. of the statutes is amended to read:

6 48.57 **(3n)** (am) 5m. The long-term kinship care ~~relative~~ provider is not
7 receiving payments under sub. (3m) with respect to the child.

8 **SECTION 475.** 48.57 (3n) (am) 5r. of the statutes is amended to read:

9 48.57 **(3n)** (am) 5r. The child for whom the long-term kinship care ~~relative~~
10 provider is providing care and maintenance is not receiving supplemental security
11 income under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77.

12 **SECTION 476.** 48.57 (3n) (am) 6. (intro.) of the statutes is amended to read:

13 48.57 **(3n)** (am) 6. (intro.) The long-term kinship care ~~relative~~ provider and the
14 county department or department enter into a written agreement under which the
15 long-term kinship care ~~relative~~ provider agrees to provide care and maintenance for
16 the child and the county department or department agrees, subject to sub. (3p) (hm),
17 to make monthly payments to the long-term kinship care ~~relative~~ provider at the
18 rate specified in sub. (3m) (am) (intro.) until the earliest of the following:

19 **SECTION 477.** 48.57 (3n) (am) 6. c. of the statutes is amended to read:

20 48.57 **(3n)** (am) 6. c. The date on which the child is placed outside the long-term
21 kinship care ~~relative's~~ provider's home under a court order or under a voluntary
22 agreement under s. 48.63 (1) (a) or (b) or (5) (b).

23 **SECTION 478.** 48.57 (3n) (am) 6. d. of the statutes is amended to read:

24 48.57 **(3n)** (am) 6. d. The date on which the child ceases to reside with the
25 long-term kinship care ~~relative~~ provider.

1 **SECTION 479.** 48.57 (3n) (am) 6. e. of the statutes is amended to read:

2 48.57 **(3n)** (am) 6. e. The date on which the long-term kinship care's care
3 provider's guardianship under s. 48.977 terminates.

4 **SECTION 480.** 48.57 (3n) (an) of the statutes is created to read:

5 48.57 **(3n)** (an) In addition to the monthly payments for long-term kinship care
6 under par. (am), the department or, with the department's approval, the county
7 department may make payments for exceptional circumstances to enable siblings or
8 a minor parent and minor children to reside together and for initial clothing
9 allowances to a long-term kinship care provider who is providing care and
10 maintenance for a child residing in the home of the long-term kinship care provider
11 who is receiving a monthly rate under par. (am), commensurate with the needs of the
12 child, according to the rules promulgated by the department under par. (i) 2.

13 **SECTION 481.** 48.57 (3n) (ap) 1. of the statutes is amended to read:

14 48.57 **(3n)** (ap) 1. Subject to subds. 2. and 3., the county department or, in a
15 county having a population of 750,000 or more, the department may make payments
16 under par. (am) to a long-term kinship care ~~relative~~ provider who is providing care
17 and maintenance for a child who is placed in the home of the long-term kinship care
18 ~~relative~~ provider for no more than 60 days after the date on which the county
19 department or department received under par. (am) 1. the completed application of
20 the long-term kinship care ~~relative~~ provider for a license to operate a foster home or,
21 if the application is approved or denied or the long-term kinship care ~~relative~~
22 provider is otherwise determined to be ineligible for licensure within those 60 days,
23 until the date on which the application is approved or denied or the long-term
24 kinship care ~~relative~~ provider is otherwise determined to be ineligible for licensure.

25 **SECTION 482.** 48.57 (3n) (ap) 2. of the statutes is amended to read:

1 48.57 (3n) (ap) 2. If the application specified in subd. 1. is not approved or
2 denied or the long-term kinship care relative provider is not otherwise determined
3 to be ineligible for licensure within 60 days after the date on which the county
4 department or department received the completed application for any reason other
5 than an act or omission of the long-term kinship care relative provider, the county
6 department or department may make payments under par. (am) for 4 months after
7 the date on which the county department or department received the completed
8 application or, if the application is approved or denied or the long-term kinship care
9 relative provider is otherwise determined to be ineligible for licensure within those
10 4 months, until the date on which the application is approved or denied or the
11 long-term kinship care relative provider is otherwise determined to be ineligible for
12 licensure.

13 **SECTION 483.** 48.57 (3n) (ap) 3. of the statutes is amended to read:

14 48.57 (3n) (ap) 3. Notwithstanding that an application of a long-term kinship
15 care relative provider specified in subd. 1. is denied or the long-term kinship care
16 relative provider is otherwise determined to be ineligible for licensure, the county
17 department or, in a county having a population of 750,000 or more, the department
18 may make payments under par. (am) to the long-term kinship care relative provider
19 until an event specified in par. (am) 6. a. to f. occurs if the county department or
20 department submits to the court information relating to the background
21 investigation specified in par. (am) 4., an assessment of the safety of the long-term
22 kinship care ~~relative's~~ provider's home and the ability of the long-term kinship care
23 relative provider to care for the child, and a recommendation that the child remain
24 in the home of the long-term kinship care relative provider and the court, after
25 considering that information, assessment, and recommendation, orders the child to

1 remain in the long-term kinship care relative's provider's home. If the court does not
2 order the child to remain in the kinship care relative's provider's home, the court
3 shall order the county department or department to request a change in placement
4 under s. 48.357 (1) (am) or 938.357 (1) (am) or to request a termination of the
5 guardianship order under s. 48.977 (7). Any person specified in s. 48.357 (2m) (a) or
6 938.357 (2m) (a) may also request a change in placement and any person who is
7 authorized to file a petition for the appointment of a guardian for the child may also
8 request a termination of the guardianship order.

9 **SECTION 484.** 48.57 (3n) (b) 2. of the statutes is amended to read:

10 48.57 (3n) (b) 2. When any long-term kinship care relative provider of a child
11 applies for or receives payments under this subsection, any right of the child or the
12 child's parent to support or maintenance from any other person accruing during the
13 time that payments are made under this subsection is assigned to the state. If a child
14 is the beneficiary of support under a judgment or order that includes support for one
15 or more children who are not the beneficiaries of payments under this subsection,
16 any support payment made under the judgment or order is assigned to the state in
17 the amount that is the proportionate share of the child who is the beneficiary of the
18 payment made under this subsection, except as otherwise ordered by the court on the
19 motion of a party.

20 **SECTION 485.** 48.57 (3n) (cm) of the statutes is amended to read:

21 48.57 (3n) (cm) A long-term kinship care relative provider who receives a
22 payment under par. (am) for providing care and maintenance for a child is not eligible
23 to receive a payment under sub. (3m) or s. 48.62 (4) or 48.623 (1) or (6) for that child.

24 **SECTION 486.** 48.57 (3n) (h) of the statutes is amended to read:

1 48.57 (3n) (h) A county department or, in a county having a population of
2 750,000 or more, the department may recover an overpayment made under par. (am)
3 from a long-term kinship care ~~relative~~ provider who continues to receive payments
4 under par. (am) by reducing the amount of the long-term kinship care ~~relative's~~
5 provider's monthly payment. The department may by rule specify other methods for
6 recovering overpayments made under par. (am). A county department that recovers
7 an overpayment under this paragraph due to the efforts of its officers and employees
8 may retain a portion of the amount recovered, as provided by the department by rule.

9 **SECTION 487.** 48.57 (3p) (h) 3. (intro.) of the statutes is amended to read:

10 48.57 (3p) (h) 3. (intro.) The director of the county department, the person
11 designated by the governing body of an Indian tribe or, in a county having a
12 population of 750,000 or more, the person designated by the secretary shall review
13 the denial of payments or the prohibition on employment or being an adult resident
14 to determine if the conviction record on which the denial or prohibition is based
15 includes any arrests, convictions, or penalties that are likely to adversely affect the
16 child or the ability of the kinship care ~~relative~~ provider to care for the child. In
17 reviewing the denial or prohibition, the director of the county department, the person
18 designated by the governing body of the Indian tribe or the person designated by the
19 secretary shall consider all of the following factors:

20 **SECTION 488.** 48.57 (3p) (h) 3. b. of the statutes is amended to read:

21 48.57 (3p) (h) 3. b. The nature of the violation or penalty and how that violation
22 or penalty affects the ability of the kinship care ~~relative~~ provider to care for the child.

23 **SECTION 489.** 48.57 (3p) (h) 4. of the statutes is amended to read:

24 48.57 (3p) (h) 4. If the director of the county department, the person designated
25 by the governing body of the Indian tribe or, in a county having a population of

1 750,000 or more, the person designated by the secretary determines that the
2 conviction record on which the denial of payments or the prohibition on employment
3 or being an adult resident is based does not include any arrests, convictions, or
4 penalties that are likely to adversely affect the child or the ability of the kinship care
5 relative provider to care for the child, the director of the county department, the
6 person designated by the governing body of the Indian tribe, or the person designated
7 by the secretary may approve the making of payments under sub. (3m) or may permit
8 a person receiving payments under sub. (3m) to employ a person in a position in
9 which that person would have regular contact with the child for whom payments are
10 being made or permit a person to be an adult resident.

11 **SECTION 490.** 48.57 (3n) (i) of the statutes is renumbered 48.57 (3n) (i) (intro.)
12 and amended to read:

13 48.57 (3n) (i) (intro.) The department shall promulgate rules to implement this
14 subsection. Those rules shall include rules all of the following:

15 1. Rules governing the provision of long-term kinship care payments for the
16 care and maintenance of a child after the child attains 18 years of age.

17 **SECTION 491.** 48.57 (3n) (i) 2. of the statutes is created to read:

18 48.57 (3n) (i) 2. Rules governing the provision of payments for exceptional
19 circumstances to enable siblings or a minor parent and minor children to reside
20 together and for initial clothing allowances for children residing in a home of a
21 long-term kinship care provider who is receiving a monthly rate under par. (am).

22 **SECTION 492.** 48.60 (2) (a) of the statutes is amended to read:

23 48.60 (2) (a) A relative or like-kin, guardian, or person delegated care and
24 custody of a child under s. 48.979 who provides care and maintenance for such
25 children.

1 **SECTION 493.** 48.62 (2) of the statutes is amended to read:

2 48.62 (2) A relative or like-kin, a guardian of a child, or a person delegated care
3 and custody of a child under s. 48.979 who provides care and maintenance for the
4 child is not required to obtain the license specified in this section. The department,
5 county department, or licensed child welfare agency as provided in s. 48.75 may issue
6 a license to operate a foster home to a relative or like-kin who has no duty of support
7 under s. 49.90 (1) (a) and who requests a license to operate a foster home for a specific
8 child who is either placed by court order or who is the subject of a voluntary
9 placement agreement under s. 48.63. The department, a county department, or a
10 licensed child welfare agency may, at the request of a guardian appointed under s.
11 48.977, 48.978, or 48.9795, ch. 54, 2017 stats., or ch. 880, 2003 stats., license the
12 guardian's home as a foster home for the guardian's minor ward who is living in the
13 home and who is placed in the home by court order. Relatives and like-kin with no
14 duty of support and guardians appointed under s. 48.977, 48.978, or 48.9795, ch. 54,
15 2017 stats., or ch. 880, 2003 stats., who are licensed to operate foster homes are
16 subject to the department's licensing rules.

17 **SECTION 494.** 48.62 (4) of the statutes is amended to read:

18 48.62 (4) Monthly payments in foster care shall be provided according to the
19 rates specified in this subsection. Beginning on January 1, 2022, ~~the rates are \$300~~
20 ~~for care and maintenance provided for a child of any age by a foster home that is~~
21 ~~certified to provide level one care, as defined in the rules promulgated under sub. (8)~~
22 ~~(a) and 2024~~, for care and maintenance provided by a foster home that is certified to
23 provide care at a any level of care that is higher than level one care, \$420 \$441 for
24 a child under 5 years of age; \$460 \$483 for a child 5 to 11 years of age; \$522 \$548 for
25 a child 12 to 14 years of age; and \$545 \$572 for a child 15 years of age or over. In

1 addition to these grants for basic maintenance, the department, county department,
2 or licensed child welfare agency shall make supplemental payments for foster care
3 to a foster home that is receiving an age-related rate under this subsection that are
4 commensurate with the level of care that the foster home is certified to provide and
5 the needs of the child who is placed in the foster home according to the rules
6 promulgated by the department under sub. (8) (c).

7 **SECTION 495.** 48.64 (1) of the statutes is amended to read:

8 48.64 (1) DEFINITION. In this section, “agency” means the department, the
9 department of corrections, a county department under s. 46.215, 46.22, or 46.23, or
10 a licensed child welfare agency authorized to place children in foster homes, group
11 homes, or shelter care facilities approved under s. 938.22 (2) (c) ~~or~~, in the homes of
12 relatives other than a parent, or in the homes of like-kin.

13 **SECTION 496.** 48.64 (1m) of the statutes is amended to read:

14 48.64 (1m) OUT-OF-HOME CARE AGREEMENTS. If an agency places a child in a
15 foster home or group home or in the home of a relative other than a parent or in the
16 home of like-kin under a court order or places a child in a foster home, group home,
17 or shelter care facility approved under s. 938.22 (2) (c) under a voluntary agreement
18 under s. 48.63, the agency shall enter into a written agreement with the head of the
19 home or facility. The agreement shall provide that the agency shall have access at
20 all times to the child and the home or facility, and that the child will be released to
21 the agency whenever, in the opinion of the agency placing the child or the
22 department, the best interests of the child require release to the agency. If a child
23 has been in a foster home or group home or in the home of a relative other than a
24 parent or in the home of like-kin for 6 months or more, the agency shall give the head
25 of the home written notice of intent to remove the child, stating the reasons for the

1 removal. The child may not be removed from a foster home, group home, or home of
2 a relative other than a parent or the home of like-kin before completion of the
3 hearing under sub. (4) (a) or (c), if requested, or 30 days after the receipt of the notice,
4 whichever is later, unless the safety of the child requires it or, in a case in which the
5 reason for removal is to place the child for adoption under s. 48.833, unless all of the
6 persons who have the right to request a hearing under sub. (4) (a) or (c) sign written
7 waivers of objection to the proposed removal. If the safety of the child requires earlier
8 removal, s. 48.19 applies. If an agency removes a child from an adoptive placement,
9 the head of the home shall have no claim against the placing agency for the expense
10 of care, clothing, or medical treatment.

11 **SECTION 497.** 48.64 (2) of the statutes is amended to read:

12 48.64 (2) SUPERVISION OF OUT-OF-HOME CARE PLACEMENTS. Every child who is
13 placed in a foster home, group home, or shelter care facility approved under s. 938.22
14 (2) (c) shall be under the supervision of an agency. Every child who is placed in the
15 home of a relative other than a parent or in the home of like-kin under a court order
16 shall be under the supervision of an agency.

17 **SECTION 498.** 48.64 (4) (a) of the statutes is amended to read:

18 48.64 (4) (a) Except as provided in par. (d), any decision or order issued by an
19 agency that affects the head of a foster home or group home, the head of the home
20 of a relative other than a parent or the home of like-kin in which a child is placed,
21 or the child involved may be appealed to the department under fair hearing
22 procedures established under rules promulgated by the department. Upon receipt
23 of an appeal, the department shall give the head of the home reasonable notice and
24 an opportunity for a fair hearing. The department may make any additional
25 investigation that the department considers necessary. The department shall give

1 notice of the hearing to the head of the home and to the departmental subunit, county
2 department, or child welfare agency that issued the decision or order. Each person
3 receiving notice is entitled to be represented at the hearing. At all hearings
4 conducted under this paragraph, the head of the home, or a representative of the
5 head of the home, shall have an adequate opportunity, notwithstanding s. 48.78 (2)
6 (a), to examine all documents and records to be used at the hearing at a reasonable
7 time before the date of the hearing as well as during the hearing, to bring witnesses,
8 to establish all pertinent facts and circumstances, and to question or refute any
9 testimony or evidence, including an opportunity to confront and cross-examine
10 adverse witnesses. The department shall grant a continuance for a reasonable
11 period of time when an issue is raised for the first time during a hearing. This
12 requirement may be waived with the consent of the parties. The decision of the
13 department shall be based exclusively on evidence introduced at the hearing. A
14 transcript of testimony and exhibits, or an official report containing the substance
15 of what transpired at the hearing, together with all papers and requests filed in the
16 proceeding, and the findings of the hearing examiner shall constitute the exclusive
17 record for decision by the department. The department shall make the record
18 available at any reasonable time and at an accessible place to the head of the home
19 or his or her representative. Decisions by the department shall specify the reasons
20 for the decision and identify the supporting evidence. No person participating in an
21 agency action being appealed may participate in the final administrative decision on
22 that action. The department shall render its decision as soon as possible after the
23 hearing and shall send a certified copy of its decision to the head of the home and to
24 the departmental subunit, county department, or child welfare agency that issued
25 the decision or order. The decision shall be binding on all parties concerned.

1 **SECTION 499.** 48.64 (4) (c) of the statutes is amended to read:

2 48.64 (4) (c) Except as provided in par. (d), the circuit court for the county where
3 the dispositional order placing a child in a foster home or group home or in the home
4 of a relative other than a parent or in the home of like-kin was entered or the
5 voluntary agreement under s. 48.63 placing a child in a foster home or group home
6 was made has jurisdiction upon petition of any interested party over the child who
7 is placed in the foster home, group home, or home of the relative or like-kin. The
8 circuit court may call a hearing, at which the head of the home and the supervising
9 agency under sub. (2) shall be present, for the purpose of reviewing any decision or
10 order of that agency involving the placement and care of the child. If the child has
11 been placed in a foster home or in the home of a relative other than a parent or in the
12 home of like-kin, the foster parent ~~or~~ relative, or like-kin may present relevant
13 evidence at the hearing. The petitioner has the burden of proving by clear and
14 convincing evidence that the decision or order issued by the agency is not in the best
15 interests of the child.

16 **SECTION 500.** 48.67 (4) (b) of the statutes is amended to read:

17 48.67 (4) (b) The training under par. (a) shall be available to a kinship care
18 relative provider, as defined in s. 48.40 (1m), upon request of the kinship care ~~relative~~
19 provider.

20 **SECTION 501.** 49.132 of the statutes is created to read:

21 **49.132 Child care partnership grant program.** (1) In this section,
22 “business” means any organization or enterprise operated for profit or a nonprofit
23 corporation. “Business” does not include a governmental entity.

24 (2) The department may establish a grant program to award funding to
25 businesses that provide or wish to provide child care services for their employees.

1 A grant awarded under this program may be used to reserve child care placements
2 for local business employees, pay child care tuition, and other costs related to child
3 care.

4 (3) A business awarded a grant under this section shall provide matching funds
5 equal to 25 percent or more of the amount awarded.

6 (4) The department may promulgate rules to administer this section, including
7 to determine eligibility for a grant.

8 **SECTION 502.** 49.133 of the statutes is created to read:

9 **49.133 Child care quality improvement program.** (1) The department
10 may establish a program under which it may, from the appropriation under s. 20.437
11 (2) (c) and under s. 49.175 (1) (qm), make monthly payments and monthly per-child
12 payments to child care providers certified under s. 48.651, child care centers licensed
13 under s. 48.65, and child care programs established or contracted for by a school
14 board under s. 120.13 (14).

15 (2) The department may promulgate rules to implement the program under
16 this section, including establishing eligibility requirements and payment amounts
17 and setting requirements for how recipients may use the payments.

18 **SECTION 503.** 49.155 (1g) (ac) of the statutes is amended to read:

19 49.155 (1g) (ac) A child care scholarship and bonus program, in the amount of
20 at least ~~\$3,975,000~~ \$8,975,000 per fiscal year.

21 **SECTION 504.** 49.155 (1m) (a) 1m. b. of the statutes is amended to read:

22 49.155 (1m) (a) 1m. b. The individual has not yet attained the age of 18 years
23 and the individual resides with his or her custodial parent or with a kinship care
24 relative provider under s. 48.57 (3m) or with a long-term kinship care relative
25 provider under s. 48.57 (3n) or is in a foster home licensed under s. 48.62, a subsidized

1 guardianship home under s. 48.623, a group home, or an independent living
2 arrangement supervised by an adult.

3 **SECTION 505.** 49.155 (6) (e) 2. of the statutes is repealed.

4 **SECTION 506.** 49.155 (6) (e) 3. (intro.) of the statutes is amended to read:

5 49.155 (6) (e) 3. (intro.) The department may modify a child care provider's
6 maximum payment rate under ~~subd. 2. pars. (a) to (c)~~ on the basis of the provider's
7 quality rating, as described in the quality rating plan, in the following manner:

8 **SECTION 507.** 938.02 (12c) of the statutes is created to read:

9 938.02 (12c) "Like-kin" means a person who has a significant emotional
10 relationship with a child or the child's family and to whom any of the following
11 applies:

12 (a) Prior to the child's placement in out-of-home care, the person had an
13 existing relationship with the child or the child's family that is similar to a familial
14 relationship.

15 (b) During the child's placement in out-of-home care, the person developed a
16 relationship with the child or the child's family that is similar to a familial
17 relationship, and the person is not and has not previously been the child's licensed
18 foster parent.

19 (c) For an Indian child, "like-kin" includes individuals identified by the child's
20 tribe according to tribal tradition, custom or resolution, code, or law.

21 **SECTION 508.** 938.02 (15) of the statutes is amended to read:

22 938.02 (15) "Relative" means a parent, stepparent, brother, sister, stepbrother,
23 stepsister, half brother, half sister, brother-in-law, sister-in-law, first cousin, 2nd
24 cousin, first cousin once removed, nephew, niece, uncle, aunt, stepuncle, steppaunt,
25 or any person of a preceding generation as denoted by the prefix of grand, great, or

1 great-great, whether by blood, marriage, or legal adoption, or the spouse of any
2 person named in this subsection, even if the marriage is terminated by death or
3 divorce. For purposes of the application of s. 938.028 and the federal Indian Child
4 Welfare Act, 25 USC 1901 to 1963, “relative” includes an extended family member,
5 as defined in s. 938.028 (2) (a), whether by blood, marriage, or adoption, including
6 adoption under tribal law or custom. For purposes of placement of a juvenile,
7 “relative” also includes a parent of a sibling of the juvenile who has legal custody of
8 that sibling.

9 **SECTION 509.** 938.028 (2) (c) of the statutes is amended to read:

10 938.028 (2) (c) “Out-of-home care placement” means the removal of an Indian
11 juvenile from the home of his or her parent or Indian custodian for temporary
12 placement in a foster home, group home, residential care center for children and
13 youth, or shelter care facility, in the home of a relative other than a parent, in the
14 home of like-kin, or in the home of a guardian, from which placement the parent or
15 Indian custodian cannot have the juvenile returned upon demand. “Out-of-home
16 care placement” does not include an emergency change in placement under s.
17 938.357 (2) (b) or holding an Indian juvenile in custody under ss. 938.19 to 938.21.

18 **SECTION 510.** 938.207 (1) (b) of the statutes is amended to read:

19 938.207 (1) (b) The home of a relative or like-kin, except that a juvenile may
20 not be held in the home of a ~~relative if the relative~~ person who has been convicted
21 under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the
22 2nd-degree intentional homicide, of a parent of the juvenile, and the conviction has
23 not been reversed, set aside or vacated, unless the person making the custody
24 decision determines by clear and convincing evidence that the placement would be

1 in the best interests of the juvenile. The person making the custody decision shall
2 consider the wishes of the juvenile in making that determination.

3 **SECTION 511.** 938.207 (1) (f) of the statutes is amended to read:

4 938.207 (1) (f) The home of a person not a relative or like-kin if the person has
5 not had a license under s. 48.62 refused, revoked, or suspended within the previous
6 2 years. A placement under this paragraph may not exceed 30 days, unless the
7 placement is extended by the court for cause for an additional 30 days.

8 **SECTION 512.** 938.33 (4) (intro.) of the statutes is amended to read:

9 938.33 (4) OTHER OUT-OF-HOME PLACEMENTS. (intro.) A report recommending
10 placement in a foster home, group home, or nonsecured residential care center for
11 children and youth, in the home of a relative other than a parent, in the home of
12 like-kin, in the home of a guardian under s. 48.977 (2), or in a supervised
13 independent living arrangement shall be in writing, except that the report may be
14 presented orally at the dispositional hearing if all parties consent. A report that is
15 presented orally shall be transcribed and made a part of the court record. The report
16 shall include all of the following:

17 **SECTION 513.** 938.335 (3g) (intro.) of the statutes is amended to read:

18 938.335 (3g) REASONABLE EFFORTS FINDING. (intro.) At hearings under this
19 section, if the agency, as defined in s. 938.38 (1) (a), is recommending placement of
20 the juvenile in a foster home, group home, or residential care center for children and
21 youth, in the home of a relative other than a parent, in the home of like-kin, in the
22 home of a guardian under s. 48.977 (2), or in a supervised independent living
23 arrangement, the agency shall present as evidence specific information showing all
24 of the following:

25 **SECTION 514.** 938.335 (3j) (intro.) of the statutes is amended to read:

1 938.335 (3j) INDIAN JUVENILE; ACTIVE EFFORTS FINDING. (intro.) At hearings
2 under this section involving an Indian juvenile who is the subject of a proceeding
3 under s. 938.13 (4), (6), (6m), or (7), if the agency, as defined in s. 938.38 (1) (a), is
4 recommending removal of the Indian juvenile from the home of his or her parent or
5 Indian custodian and placement of the Indian juvenile in a foster home, group home,
6 or residential care center for children and youth ~~or~~ in the home of a relative other
7 than a parent, or in the home of like-kin, the agency shall present as evidence
8 specific information showing all of the following:

9 **SECTION 515.** 938.34 (3) (a) (intro.) of the statutes is amended to read:

10 938.34 (3) (a) (intro.) The home of a parent ~~or~~ other relative, or like-kin of the
11 juvenile, except that the court may not designate any of the following as the juvenile's
12 placement, unless the court determines by clear and convincing evidence that the
13 placement would be in the best interests of the juvenile or, in the case of an Indian
14 juvenile, the best interests of the Indian juvenile as described in s. 938.01 (3):

15 **SECTION 516.** 938.34 (3) (a) 1. of the statutes is amended to read:

16 938.34 (3) (a) 1. The home of a parent ~~or~~ other relative, or like-kin of the
17 juvenile if the parent ~~or~~ other relative, or like-kin has been convicted of the homicide
18 of a parent of the juvenile under s. 940.01 or 940.05, and the conviction has not been
19 reversed, set aside, or vacated. In determining whether a placement under this
20 subdivision would be in the best interests of the juvenile, the court shall consider the
21 wishes of the juvenile.

22 **SECTION 517.** 938.34 (3) (a) 2. of the statutes is amended to read:

23 938.34 (3) (a) 2. The home of a relative other than the parent of the juvenile
24 or the home of like-kin if the court finds that the relative or like-kin has been
25 convicted of, has pleaded no contest to, or has had a charge dismissed or amended

1 as a result of a plea agreement for a crime under s. 948.02 (1) or (2), 948.025, 948.03
2 (2) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.081,
3 948.085, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21, 948.215, 948.30, or 948.53, or
4 a similar law of another state.

5 **SECTION 518.** 938.355 (4) (am) (intro.) of the statutes is amended to read:

6 938.355 (4) (am) (intro.) Except as provided in par. (b) or s. 938.368, an order
7 under this section or s. 938.357 or 938.365 made before the juvenile attains 18 years
8 of age that places or continues the placement of the juvenile in a foster home, group
9 home, or residential care center for children and youth, in the home of a relative other
10 than a parent, in the home of like-kin, or in a supervised independent living
11 arrangement shall terminate on the latest of the following dates, unless the court
12 specifies a shorter period or the court terminates the order sooner:

13 **SECTION 519.** 938.357 (6) (a) (intro.) of the statutes is amended to read:

14 938.357 (6) (a) (intro.) No change in placement may extend the expiration date
15 of the original dispositional order, except that if the change in placement is from a
16 placement in the juvenile's home to a placement in a foster home, group home, or
17 residential care center for children and youth, in the home of a relative who is not
18 a parent, in the home of like-kin, or in a supervised independent living arrangement,
19 the court may extend the expiration date of the original dispositional order to the
20 latest of the following dates, unless the court specifies a shorter period:

21 **SECTION 520.** 938.357 (6) (b) of the statutes is amended to read:

22 938.357 (6) (b) If the change in placement is from a placement in a foster home,
23 group home, or residential care center for children and youth or in the home of a
24 relative or like-kin to a placement in the juvenile's home and if the expiration date
25 of the original dispositional order is more than one year after the date on which the

1 change-in-placement order is granted, the court shall shorten the expiration date
2 of the original dispositional order to the date that is one year after the date on which
3 the change-in-placement order is granted or to an earlier date as specified by the
4 court.

5 **SECTION 521.** 938.365 (5) (b) (intro.) of the statutes is amended to read:

6 938.365 (5) (b) (intro.) Except as provided in s. 938.368, an order under this
7 section that continues the placement of a juvenile in a foster home, group home, or
8 residential care center for children and youth, in the home of a relative other than
9 a parent, in the home of like-kin, or in a supervised independent living arrangement
10 shall be for a specified length of time not to exceed the latest of the following dates:

11 **SECTION 522.** 938.366 (1) (a) of the statutes is amended to read:

12 938.366 (1) (a) The person is placed in a foster home, group home, or residential
13 care center for children and youth, in the home of a relative other than a parent, in
14 the home of like-kin, or in a supervised independent living arrangement under an
15 order under s. 938.355, 938.357, or 938.365 that terminates as provided in s. 938.355
16 (4) (am) 1., 2., or 3., 938.357 (6) (a) 1., 2., or 3., or 938.365 (5) (b) 1., 2., or 3. on or after
17 the person attains 18 years of age.

18 **SECTION 523.** 938.371 (1) (intro.) of the statutes is amended to read:

19 938.371 (1) MEDICAL INFORMATION. (intro.) If a juvenile is placed in a foster
20 home, group home, residential care center for children and youth, or juvenile
21 correctional facility ~~or~~, in the home of a relative other than a parent, or in the home
22 of like-kin, including a placement under s. 938.205 or 938.21, the agency, as defined
23 in s. 938.38 (1) (a), that placed the juvenile or arranged for the placement of the
24 juvenile shall provide the following information to the foster parent, relative,
25 like-kin, or operator of the group home, residential care center for children and

1 youth, or juvenile correctional facility at the time of placement or, if the information
2 has not been provided to the agency by that time, as soon as possible after the date
3 on which the agency receives that information, but not more than 2 working days
4 after that date:

5 **SECTION 524.** 938.371 (1) (a) of the statutes is amended to read:

6 938.371 (1) (a) Results of an HIV test, as defined in s. 252.01 (2m), of the
7 juvenile as provided under s. 252.15 (3m) (d) 15., including results included in a court
8 report or permanency plan. At the time that the test results are provided, the agency
9 shall notify the foster parent, relative, like-kin, or operator of the group home,
10 residential care center for children and youth, or juvenile correctional facility of the
11 confidentiality requirements under s. 252.15 (6).

12 **SECTION 525.** 938.371 (3) (intro.) of the statutes is amended to read:

13 938.371 (3) OTHER INFORMATION. (intro.) At the time of placement of a juvenile
14 in a foster home, group home, residential care center for children and youth, or
15 juvenile correctional facility or in the home of a relative other than a parent or in the
16 home of like-kin or, if the information is not available at that time, as soon as possible
17 after the date on which the court report or permanency plan has been submitted, but
18 no later than 7 days after that date, the agency, as defined in s. 938.38 (1) (a),
19 responsible for preparing the juvenile's permanency plan shall provide to the foster
20 parent, relative, like-kin, or operator of the group home, residential care center for
21 children and youth, or juvenile correctional facility information contained in the
22 court report submitted under s. 938.33 (1) or 938.365 (2g) or permanency plan
23 submitted under s. 938.355 (2e) or 938.38 relating to findings or opinions of the court
24 or agency that prepared the court report or permanency plan relating to any of the
25 following:

1 **SECTION 526.** 938.371 (5) of the statutes is amended to read:

2 938.371 **(5)** CONFIDENTIALITY OF INFORMATION. Except as permitted under s.
3 252.15 (6), a foster parent, treatment foster parent, relative, like-kin, or operator of
4 a group home, residential care center for children and youth, or juvenile correctional
5 facility that receives any information under sub. (1) or (3), other than the information
6 described in sub. (3) (e), shall keep the information confidential and may disclose that
7 information only for the purposes of providing care for the juvenile or participating
8 in a court hearing or permanency review concerning the juvenile.

9 **SECTION 527.** 938.38 (2) (intro.) of the statutes is amended to read:

10 938.38 **(2)** PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3),
11 for each juvenile living in a foster home, group home, residential care center for
12 children and youth, juvenile detention facility, shelter care facility, or supervised
13 independent living arrangement, the agency that placed the juvenile or arranged the
14 placement or the agency assigned primary responsibility for providing services to the
15 juvenile under s. 938.355 (2) (b) 6g. shall prepare a written permanency plan, if any
16 of the following conditions exists, and, for each juvenile living in the home of a
17 guardian or a relative other than a parent or in the home of like-kin, that agency
18 shall prepare a written permanency plan, if any of the conditions under pars. (a) to
19 (e) exists:

20 **SECTION 528.** 938.38 (3m) (a) of the statutes is amended to read:

21 938.38 **(3m)** (a) All appropriate biological family members, relatives, and
22 like-kin of the juvenile, as determined by the agency. Notwithstanding s. 938.02
23 (12c) (b), in this paragraph, "like-kin" may include a person who is or previously was
24 the child's licensed foster parent.

25 **SECTION 529.** 938.38 (4) (f) (intro.) of the statutes is amended to read:

1 938.38 (4) (f) (intro.) A description of the services that will be provided to the
2 juvenile, the juvenile's family, and the juvenile's foster parent, the operator of the
3 facility where the juvenile is living, or the relative or like-kin with whom the juvenile
4 is living to carry out the dispositional order, including services planned to accomplish
5 all of the following:

6 **SECTION 530.** 938.38 (4m) (b) of the statutes is amended to read:

7 938.38 (4m) (b) At least 10 days before the date of the hearing the court shall
8 notify the juvenile; any parent, guardian, and legal custodian of the juvenile; any
9 foster parent, or other physical custodian described in s. 48.62 (2) of the juvenile, the
10 operator of the facility in which the juvenile is living, or the relative or like-kin with
11 whom the juvenile is living; and, if the juvenile is an Indian juvenile who is or is
12 alleged to be in need of protection or services under s. 938.13 (4), (6), (6m), or (7), the
13 Indian juvenile's Indian custodian and tribe of the time, place, and purpose of the
14 hearing, of the issues to be determined at the hearing, and of the fact that they shall
15 have a right to be heard at the hearing.

16 **SECTION 531.** 938.38 (4m) (d) of the statutes is amended to read:

17 938.38 (4m) (d) The court shall give a foster parent, other physical custodian
18 described in s. 48.62 (2), operator of a facility, ~~or~~ relative, or like-kin who is notified
19 of a hearing under par. (b) a right to be heard at the hearing by permitting the foster
20 parent, other physical custodian, operator, ~~or~~ relative, or like-kin to make a written
21 or oral statement during the hearing, or to submit a written statement prior to the
22 hearing, relevant to the issues to be determined at the hearing. The foster parent,
23 other physical custodian, operator of a facility, ~~or~~ relative, or like-kin does not
24 become a party to the proceeding on which the hearing is held solely on the basis of
25 receiving that notice and right to be heard.

1 **SECTION 532.** 938.38 (5) (b) of the statutes is amended to read:

2 938.38 (5) (b) The court or the agency shall notify the juvenile; the juvenile's
3 parent, guardian, and legal custodian; the juvenile's foster parent, the operator of the
4 facility in which the juvenile is living, or the relative or like-kin with whom the
5 juvenile is living; and, if the juvenile is an Indian juvenile who is placed outside the
6 home of his or her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), the
7 Indian juvenile's Indian custodian and tribe of the time, place, and purpose of the
8 review, of the issues to be determined as part of the review, and of the fact that they
9 shall have a right to be heard at the review as provided in par. (bm) 1. The court or
10 agency shall notify the person representing the interests of the public, the juvenile's
11 counsel, the juvenile's guardian ad litem, and the juvenile's school of the time, place,
12 and purpose of the review, of the issues to be determined as part of the review, and
13 of the fact that they may have an opportunity to be heard at the review as provided
14 in par. (bm) 1. The notices under this paragraph shall be provided in writing not less
15 than 30 days before the review and copies of the notices shall be filed in the juvenile's
16 case record. The notice to the juvenile's school shall also include the name and
17 contact information for the caseworker or social worker assigned to the juvenile's
18 case.

19 **SECTION 533.** 938.38 (5) (bm) 1. of the statutes is amended to read:

20 938.38 (5) (bm) 1. A juvenile, parent, guardian, legal custodian, foster parent,
21 operator of a facility, ~~or~~ relative, or like-kin who is provided notice of the review
22 under par. (b) shall have a right to be heard at the review by submitting written
23 comments relevant to the determinations specified in par. (c) not less than 10
24 working days before the date of the review or by participating at the review. A person
25 representing the interests of the public, counsel, guardian ad litem, or school who is

1 provided notice of the review under par. (b) may have an opportunity to be heard at
2 the review by submitting written comments relevant to the determinations specified
3 in par. (c) not less than 10 working days before the date of the review. A foster parent,
4 operator of a facility, ~~or relative,~~ or like-kin who receives notice of a review under par.
5 (b) and a right to be heard under this subdivision does not become a party to the
6 proceeding on which the review is held solely on the basis of receiving that notice and
7 right to be heard.

8 **SECTION 534.** 938.38 (5) (e) of the statutes is amended to read:

9 938.38 (5) (e) Within 30 days, the agency shall prepare a written summary of
10 the determinations under par. (c) and shall provide a copy to the court that entered
11 the order; the juvenile or the juvenile's counsel or guardian ad litem; the person
12 representing the interests of the public; the juvenile's parent, guardian, or legal
13 custodian; the juvenile's foster parent, the operator of the facility where the juvenile
14 is living, or the relative or like-kin with whom the juvenile is living; and, if the
15 juvenile is an Indian juvenile who is placed outside the home of his or her parent or
16 Indian custodian under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian
17 custodian and tribe.

18 **SECTION 535.** 938.38 (5m) (b) of the statutes is amended to read:

19 938.38 (5m) (b) The court shall notify the juvenile; the juvenile's parent,
20 guardian, and legal custodian; and the juvenile's foster parent, the operator of the
21 facility in which the juvenile is living, or the relative or like-kin with whom the
22 juvenile is living of the time, place, and purpose of the hearing, of the issues to be
23 determined at the hearing, and of the fact that they shall have a right to be heard
24 at the hearing as provided in par. (c) 1. The court shall notify the juvenile's counsel
25 and the juvenile's guardian ad litem; the agency that prepared the permanency plan;

1 the juvenile's school; the person representing the interests of the public; and, if the
2 juvenile is an Indian juvenile who is placed outside the home of his or her parent or
3 Indian custodian under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian
4 custodian and tribe of the time, place, and purpose of the hearing, of the issues to be
5 determined at the hearing, and of the fact that they may have an opportunity to be
6 heard at the hearing as provided in par. (c) 1. The notices under this paragraph shall
7 be provided in writing not less than 30 days before the hearing. The notice to the
8 juvenile's school shall also include the name and contact information for the
9 caseworker or social worker assigned to the juvenile's case.

10 **SECTION 536.** 938.38 (5m) (c) 1. of the statutes is amended to read:

11 938.38 (5m) (c) 1. A juvenile, parent, guardian, legal custodian, foster parent,
12 operator of a facility, ~~or relative,~~ or like-kin who is provided notice of the hearing
13 under par. (b) shall have a right to be heard at the hearing by submitting written
14 comments relevant to the determinations specified in sub. (5) (c) not less than 10
15 working days before the date of the hearing or by participating at the hearing. A
16 counsel, guardian ad litem, agency, school, or person representing the interests of the
17 public who is provided notice of the hearing under par. (b) may have an opportunity
18 to be heard at the hearing by submitting written comments relevant to the
19 determinations specified in sub. (5) (c) not less than 10 working days before the date
20 of the hearing or by participating at the hearing. A foster parent, operator of a
21 facility, ~~or relative,~~ or like-kin who receives notice of a hearing under par. (b) and a
22 right to be heard under this subdivision does not become a party to the proceeding
23 on which the hearing is held solely on the basis of receiving that notice and right to
24 be heard.

25 **SECTION 537.** 938.38 (5m) (e) of the statutes is amended to read:

1 938.38 (5m) (e) After the hearing, the court shall make written findings of fact
2 and conclusions of law relating to the determinations under sub. (5) (c) and shall
3 provide a copy of those findings of fact and conclusions of law to the juvenile; the
4 juvenile's parent, guardian, and legal custodian; the juvenile's foster parent, the
5 operator of the facility in which the juvenile is living, or the relative or like-kin with
6 whom the juvenile is living; the agency that prepared the permanency plan; the
7 person representing the interests of the public; and, if the juvenile is an Indian
8 juvenile who is placed outside the home of his or her parent or Indian custodian
9 under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian custodian and tribe.
10 The court shall make the findings specified in sub. (5) (c) 7. on a case-by-case basis
11 based on circumstances specific to the juvenile and shall document or reference the
12 specific information on which those findings are based in the findings of fact and
13 conclusions of law prepared under this paragraph. Findings of fact and conclusions
14 of law that merely reference sub. (5) (c) 7. without documenting or referencing that
15 specific information in the findings of fact and conclusions of law or amended
16 findings of fact and conclusions of law that retroactively correct earlier findings of
17 fact and conclusions of law that do not comply with this paragraph are not sufficient
18 to comply with this paragraph.

19 **SECTION 538.** 938.385 (intro.) of the statutes is amended to read:

20 **938.385 Plan for transition to independent living.** (intro.) During the 90
21 days immediately before a juvenile who is placed in a foster home, group home, or
22 residential care center for children and youth, in the home of a relative other than
23 a parent, in the home of like-kin, or in a supervised independent living arrangement
24 attains 18 years of age or, if the juvenile is placed in such a placement under an order
25 under s. 938.355, 938.357, or 938.365 that terminates under s. 938.355 (4) (am) after

1 the juvenile attains 18 years of age or under a voluntary
2 transition-to-independent-living agreement under s. 938.366 (3) that terminates
3 under s. 938.366 (3) (a) after the juvenile attains 18 years of age, during the 90 days
4 immediately before the termination of the order or agreement, the agency primarily
5 responsible for providing services to the juvenile under the order or agreement shall
6 do all of the following:

7 **SECTION 539.** DCF 56.23 (1) (c) of the administrative code is amended to read:

8 DCF 56.23 (1) (c) A placing agency may not make a supplemental or
9 exceptional payment ~~or pay an initial clothing allowance, except for an exceptional~~
10 payment under sub. (3) (a) 2., for a child placed in a Level 1 foster home.

11 **SECTION 540.** DCF 58.08 (9) (c) and (d) of the administrative code are created
12 to read:

13 DCF 58.08 (9) (c) *Exceptional payments.* A kinship care agency may issue to
14 a relative caregiver who is receiving kinship care payments or long-term kinship
15 care payments an exceptional payment to enable siblings or minor parent and minor
16 children to reside together, subject to a maximum payment amount determined by
17 the department.

18 (d) *Initial clothing allowance.* A kinship care agency may pay an initial
19 clothing allowance to a relative caregiver when the relative caregiver is initially
20 approved by the kinship care agency. The amount of the initial clothing allowance
21 shall be the actual cost of the clothing not to exceed a maximum determined by the
22 department.

23 **SECTION 9106. Nonstatutory provisions; Children and Families.**

24 (1) CHILD CARE QUALITY IMPROVEMENT PROGRAM. Using the procedure under s.
25 227.24, the department of children and families may promulgate the rules

1 authorized under s. 49.133 (2) as emergency rules. Notwithstanding s. 227.24 (1) (a)
2 and (3), the department of children and families is not required to provide evidence
3 that promulgating a rule under this subsection as an emergency rule is necessary for
4 the preservation of the public peace, health, safety, or welfare and is not required to
5 provide a finding of emergency for a rule promulgated under this subsection.

6 **SECTION 9406. Effective dates; Children and Families.**

7 (1) FOSTER CARE AND KINSHIP CARE RATES. The treatment of ss. 48.57 (3m) (am)
8 (intro.) (by SECTION 43q) and (3n) (am) (intro.) (by SECTION 66q) and 48.62 (4) takes
9 effect on January 1, 2024, or on the day after publication, whichever is later.”

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

11 “**SECTION 541.** 234.18 (1) of the statutes is renumbered 234.18 and amended
12 to read:

13 **234.18 Limit on amount of outstanding bonds and notes.** The authority
14 may not issue notes and bonds that are secured by a capital reserve fund to which
15 s. 234.15 (4) applies if, upon issuance, the total aggregate outstanding principal
16 amount of notes and bonds that are secured by a capital reserve fund to which s.
17 234.15 (4) applies would exceed ~~\$600,000,000~~ \$1,200,000,000. This section does not
18 apply to bonds and notes issued to refund outstanding notes and bonds.

19 **SECTION 542.** 234.18 (2) of the statutes is repealed.”

20 **158.** Page 374, line 11: after that line insert:

21 “**SECTION 543.** 20.437 (1) (dd) of the statutes is amended to read:

22 20.437 (1) (dd) *State out-of-home care, adoption services, and subsidized*
23 *guardianships.* The amounts in the schedule for foster care, institutional child care,
24 and subsidized adoptions under ss. 48.48 (12) and 48.52, for the cost of care for

1 children under s. 49.19 (10) (d), for the cost of placements of children 18 years of age
2 or over in residential care centers for children and youth under voluntary
3 agreements under s. 48.366 (3) or under orders that terminate as provided in s.
4 48.355 (4) (b) 4., 48.357 (6) (a) 4., or 48.365 (5) (b) 4., for the cost of the foster care
5 monitoring system, for the cost of reimbursing counties and Indian tribes for
6 subsidized guardianship payments under s. 48.623 (3) (a), for the cost of services to
7 children with special needs who are under the guardianship of the department to
8 prepare those children for adoption, and for the cost of postadoption services to
9 children with special needs.

10 **SECTION 544.** 20.437 (1) (pd) of the statutes is amended to read:

11 20.437 (1) (pd) *Federal aid; state out-of-home care, adoption services, and*
12 *subsidized guardianships.* All federal moneys received for meeting the costs of
13 providing foster care, institutional child care, and subsidized adoptions under ss.
14 48.48 (12) and 48.52, the cost of care for children under s. 49.19 (10) (d), the cost of
15 placements of children 18 years of age or over in residential care centers for children
16 and youth under voluntary agreements under s. 48.366 (3) or under orders that
17 terminate as provided in s. 48.355 (4) (b) 4., 48.357 (6) (a) 4., or 48.365 (5) (b) 4., the
18 cost of reimbursing counties and Indian tribes for subsidized guardianship
19 payments under s. 48.623 (3) (a), the cost of services to children with special needs
20 who are under the guardianship of the department to prepare those children for
21 adoption, and the cost of postadoption services to children with special needs.
22 Disbursements for foster care under s. 49.32 (2) and for the purposes described under
23 s. 48.627 may be made from this appropriation.

24 **SECTION 545.** 48.48 (8r) of the statutes is amended to read:

1 48.48 (8r) To reimburse county departments and Indian tribes, from the
2 appropriations under s. 20.437 (1) (dd) and (pd), for subsidized guardianship
3 payments made under s. 48.623 (1) or (6), including guardianships of ~~Indian~~ children
4 ordered by tribal courts.

5 **SECTION 546.** 48.623 (1) (intro.) of the statutes is amended to read:

6 48.623 (1) ELIGIBILITY. (intro.) A county department or, as provided in sub. (3)
7 (a), an Indian tribe or the department shall provide monthly subsidized
8 guardianship payments in the amount specified in sub. (3) (b) to a guardian of a child
9 under s. 48.977 (2) or under a substantially similar tribal law if the county
10 department, Indian tribe, or department determines that the conditions specified in
11 pars. (a) to (d) have been met. A county department or, as provided in sub. (3) (a),
12 a tribe or the department shall also provide those payments for the care of a sibling
13 of such a child, regardless of whether the sibling meets the conditions specified in par.
14 (a), if the county department, Indian tribe, or department and the guardian agree on
15 the appropriateness of placing the sibling in the home of the guardian. A guardian
16 of a child under s. 48.977 (2) or under a substantially similar tribal law is eligible for
17 monthly subsidized guardianship payments under this subsection if the county
18 department, Indian tribe, or the department, whichever will be providing those
19 payments, determines that all of the following apply:

20 **SECTION 547.** 48.623 (1) (b) 3. of the statutes is amended to read:

21 48.623 (1) (b) 3. The guardian is licensed as the child's foster parent and the
22 guardian and all adults residing in the guardian's home meet the requirements
23 specified in s. 48.685 or, for a guardianship of a child ordered by a tribal court in
24 which the background investigation is conducted by the Indian tribe, all adults
25 residing in the guardian's home meet either the requirements specified in s. 48.685

1 or the background check requirements for foster parent licensing under 42 USC 671
2 (a) (20).

3 **SECTION 548.** 48.623 (1) (c) of the statutes is amended to read:

4 48.623 (1) (c) An order under s. 48.345, 48.357, 48.363, 48.365, 938.345,
5 938.357, 938.363, or 938.365 or a tribal court under a substantially similar tribal law
6 placing the child, or continuing the placement of the child, outside of the child's home
7 has been terminated, or any proceeding in which the child has been adjudged to be
8 in need of protection or services specified in s. 48.977 (2) (a) has been dismissed, as
9 provided in s. 48.977 (3r) (a).

10 **SECTION 549.** 48.623 (2) (intro.) of the statutes is amended to read:

11 48.623 (2) SUBSIDIZED GUARDIANSHIP AGREEMENT. (intro.) Before a county
12 department, an Indian tribe, or the department may approve the provision of
13 subsidized guardianship payments under sub. (1) to a proposed guardian, the county
14 department, Indian tribe, or department shall negotiate and enter into a written,
15 binding subsidized guardianship agreement with the proposed guardian and provide
16 the proposed guardian with a copy of the agreement. A subsidized guardianship
17 agreement or an amended subsidized guardianship agreement may also name a
18 prospective successor guardian of the child to assume the duty and authority of
19 guardianship on the death or incapacity of the guardian. A successor guardian is
20 eligible for monthly subsidized guardianship payments under this section only if the
21 successor guardian is named as a prospective successor guardian of the child in a
22 subsidized guardianship agreement or amended subsidized guardianship
23 agreement that was entered into before the death or incapacity of the guardian, the
24 conditions specified in sub. (6) (bm) are met, and the court appoints the successor

1 guardian to assume the duty and authority of guardianship as provided in s. 48.977
2 (5m). A subsidized guardianship agreement shall specify all of the following:

3 **SECTION 550.** 48.623 (2) (c) of the statutes is amended to read:

4 48.623 (2) (c) That the county department, Indian tribe, or department will pay
5 the total cost of the nonrecurring expenses that are associated with obtaining
6 guardianship of the child, not to exceed \$2,000.

7 **SECTION 551.** 48.623 (3) (a) of the statutes is amended to read:

8 48.623 (3) (a) Except as provided in this paragraph, the county department
9 shall provide the monthly payments under sub. (1) or (6). An Indian tribe that has
10 entered into an agreement with the department under sub. (8) shall provide the
11 monthly payments under sub. (1) or (6) for guardianships of children ordered by the
12 tribal court, or a county department may provide the monthly payments under sub.
13 (1) or (6) for guardianships of children ordered by the tribal court if the county
14 department has entered into an agreement with the governing body of an Indian
15 tribe to provide those payments. The county department or Indian tribe shall
16 provide those payments from moneys received under s. 48.48 (8r). The department
17 shall reimburse county departments and Indian tribes for the cost of subsidized
18 guardianship payments, including payments made by county departments for
19 guardianships of Indian children ordered by tribal courts, from the appropriations
20 under s. 20.437 (1) (dd) and (pd). In a county having a population of 750,000 or more
21 or in the circumstances specified in s. 48.43 (7) (a) or 48.485 (1), the department shall
22 provide the monthly payments under sub. (1) or (6). The department shall provide
23 those payments from the appropriations under s. 20.437 (1) (cx) and (mx).

24 **SECTION 552.** 48.623 (3) (b) of the statutes is amended to read:

1 48.623 (3) (b) The county department or, as provided in par. (a), an Indian tribe
2 or the department shall determine the initial amount of a monthly payment under
3 sub. (1) or (6) for the care of a child based on the circumstances of the guardian and
4 the needs of the child. That amount may not exceed the amount received under s.
5 48.62 (4) or a substantially similar tribal law by the guardian of the child for the
6 month immediately preceding the month in which the guardianship order was
7 granted. A guardian or an interim caretaker who receives a monthly payment under
8 sub. (1) or (6) for the care of a child is not eligible to receive a payment under s. 48.57
9 (3m) or (3n) or 48.62 (4) for the care of that child.

10 **SECTION 553.** 48.623 (3) (c) 1. of the statutes is amended to read:

11 48.623 (3) (c) 1. If a person who is receiving monthly subsidized guardianship
12 payments under an agreement under sub. (2) believes that there has been a
13 substantial change in circumstances, as defined by the department by rule
14 promulgated under sub. (7) (a), he or she may request that the agreement be
15 amended to increase the amount of those payments. If a request is received under
16 this subdivision, the county department, Indian tribe, or department shall
17 determine whether there has been a substantial change in circumstances and
18 whether there has been a substantiated report of abuse or neglect of the child by the
19 person receiving those payments. If there has been a substantial change in
20 circumstances and if there has been no substantiated report of abuse or neglect of
21 the child by that person, the county department, Indian tribe, or department shall
22 offer to increase the amount of those payments based on criteria established by the
23 department by rule promulgated under sub. (7) (b). If an increased monthly
24 subsidized guardianship payment is agreed to by the person receiving those

1 payments, the county department, Indian tribe, or department shall amend the
2 agreement in writing to specify the increased amount of those payments.

3 **SECTION 554.** 48.623 (3) (c) 2. of the statutes is amended to read:

4 48.623 (3) (c) 2. Annually, a county department, Indian tribe, or the department
5 shall review an agreement that has been amended under subd. 1. to determine
6 whether the substantial change in circumstances that was the basis for amending
7 the agreement continues to exist. If that substantial change in circumstances
8 continues to exist, the agreement, as amended, shall remain in effect. If that
9 substantial change in circumstances no longer exists, the county department, Indian
10 tribe, or department shall offer to decrease the amount of the monthly subsidized
11 guardianship payments provided under sub. (1) based on criteria established by the
12 department under sub. (7) (c). If the decreased amount of those payments is agreed
13 to by the person receiving those payments, the county department, Indian tribe, or
14 department shall amend the agreement in writing to specify the decreased amount
15 of those payments. If the decreased amount of those payments is not agreed to by
16 the person receiving those payments, that person may appeal the decision of the
17 county department, Indian tribe, or department regarding the decrease under sub.
18 (5).

19 **SECTION 555.** 48.623 (3) (d) of the statutes is amended to read:

20 48.623 (3) (d) The department, an Indian tribe, or a county department may
21 recover an overpayment made under sub. (1) or (6) from a guardian or interim
22 caretaker who continues to receive those payments by reducing the amount of the
23 person's monthly payment. The department may by rule specify other methods for
24 recovering those overpayments. A county department or Indian tribe that recovers

1 an overpayment under this paragraph due to the efforts of its officers and employees
2 may retain a portion of the amount recovered, as provided by the department by rule.

3 **SECTION 556.** 48.623 (4) of the statutes is amended to read:

4 48.623 (4) ANNUAL REVIEW. A county department, an Indian tribe, or the
5 department shall review a placement of a child for which the county department,
6 Indian tribe, or department makes payments under sub. (1) not less than every 12
7 months after the county department, Indian tribe, or department begins making
8 those payments to determine whether the child and the guardian remain eligible for
9 those payments. If the child or the guardian is no longer eligible for those payments,
10 the county department, Indian tribe, or department shall discontinue making those
11 payments.

12 **SECTION 557.** 48.623 (5) (b) 1. (intro.) of the statutes is amended to read:

13 48.623 (5) (b) 1. (intro.) Upon receipt of a timely petition described in par. (a)
14 the department shall give the applicant or recipient reasonable notice and an
15 opportunity for a fair hearing. The department may make such additional
16 investigation as it considers necessary. Notice of the hearing shall be given to the
17 applicant or recipient and to the county department, Indian tribe, or subunit of the
18 department whose action or failure to act is the subject of the petition. That county
19 department, Indian tribe, or subunit of the department may be represented at the
20 hearing. The department shall render its decision as soon as possible after the
21 hearing and shall send a certified copy of its decision to the applicant or recipient and
22 to the county department, Indian tribe, or subunit of the department whose action
23 or failure to act is the subject of the petition. The decision of the department shall
24 have the same effect as an order of the county department, Indian tribe, or subunit
25 of the department whose action or failure to act is the subject of the petition. The

1 decision shall be final, but may be revoked or modified as altered conditions may
2 require. The department shall deny a petition for review or shall refuse to grant
3 relief if any of the following applies:

4 **SECTION 558.** 48.623 (5) (b) 2. of the statutes is amended to read:

5 48.623 (5) (b) 2. If a recipient requests a hearing within 10 days after the date
6 of notice that his or her payments under sub. (1) are being decreased or discontinued,
7 those payments may not be decreased or discontinued until a decision is rendered
8 after the hearing but payments made pending the hearing decision may be recovered
9 by the department if the contested action or failure to act is upheld. The department
10 shall promptly notify the county department, Indian tribe, or the subunit of the
11 department whose action is the subject of the hearing that the recipient has
12 requested a hearing. Payments under sub. (1) shall be decreased or discontinued if
13 the recipient is contesting a state law or a change in state law and not the
14 determination of the payment made on the recipient's behalf.

15 **SECTION 559.** 48.623 (6) (am) (intro.) of the statutes is amended to read:

16 48.623 (6) (am) (intro.) On the death, incapacity, resignation, or removal of a
17 guardian receiving payments under sub. (1), the county department, Indian tribe, or
18 the department providing those payments shall provide monthly subsidized
19 guardianship payments in the amount specified in sub. (3) (b) for a period of up to
20 12 months to an interim caretaker if all of the following conditions are met:

21 **SECTION 560.** 48.623 (6) (am) 1. of the statutes is amended to read:

22 48.623 (6) (am) 1. The county department, Indian tribe, or department inspects
23 the home of the interim caretaker, interviews the interim caretaker, and determines
24 that placement of the child with the interim caretaker is in the best interests of the

1 child. In the case of an Indian child, the best interests of the Indian child shall be
2 determined in accordance with s. 48.01 (2).

3 **SECTION 561.** 48.623 (6) (am) 2. of the statutes is amended to read:

4 48.623 (6) (am) 2. The county department, Indian tribe, or department
5 conducts a background investigation under s. 48.685 of the interim caretaker and
6 any nonclient resident, as defined in s. 48.685 (1) (bm), of the home of the interim
7 caretaker and determines that those individuals meet the requirements specified in
8 s. 48.685. For investigations conducted by an Indian tribe, the background
9 investigation may be conducted under s. 48.685 or by meeting the background check
10 requirements for foster parent licensing under 42 USC 671 (a) (20). The county
11 department, Indian tribe, or department shall provide the department of health
12 services with information about each person who is denied monthly subsidized
13 guardianship payments or permission to reside in the home of an interim caretaker
14 for a reason specified in s. 48.685 (4m) (a) 1. to 5. or (b) 1. to 5.

15 **SECTION 562.** 48.623 (6) (am) 3. of the statutes is amended to read:

16 48.623 (6) (am) 3. The interim caretaker cooperates with the county
17 department, Indian tribe, or department in finding a permanent placement for the
18 child.

19 **SECTION 563.** 48.623 (6) (bm) (intro.), 1., 2., 3., 4. and 5. of the statutes are
20 amended to read:

21 48.623 (6) (bm) (intro.) On the death or incapacity of a guardian receiving
22 payments under sub. (1), the county department, an Indian tribe, or the department
23 providing those payments shall provide monthly subsidized guardianship payments
24 in the amount specified in sub. (3) (b) to a person named as a prospective successor
25 guardian of the child in a subsidized guardianship agreement or amended subsidized

1 guardianship agreement that was entered into before the death or incapacity of the
2 guardian if all of the following conditions are met and the court appoints the person
3 as successor guardian to assume the duty and authority of guardianship as provided
4 in s. 48.977 (5m):

5 1. The county department, Indian tribe, or department determines that the
6 child, if 14 years of age or over, has been consulted with regarding the successor
7 guardianship arrangement.

8 2. The county department, Indian tribe, or department determines that the
9 person has a strong commitment to caring permanently for the child.

10 3. The county department, Indian tribe, or department inspects the home of the
11 person, interviews the person, and determines that placement of the child with the
12 person is in the best interests of the child. In the case of an Indian child, the best
13 interests of the Indian child shall be determined in accordance with s. 48.01 (2).

14 4. Prior to being appointed as successor guardian to assume the duty and
15 authority of guardianship, the person enters into a subsidized guardianship
16 agreement under sub. (2) with the county department, Indian tribe, or department.

17 5. Prior to the person entering into the subsidized guardianship agreement, the
18 county department, Indian tribe, or department conducts a background
19 investigation under s. 48.685 of the person and any nonclient resident, as defined in
20 s. 48.685 (1) (bm), of the home of the person and determines that those individuals
21 meet the requirements specified in s. 48.685. The county department, Indian tribe,
22 or department shall provide the department of health services with information
23 about each person who is denied monthly subsidized guardianship payments or
24 permission to reside in the home of a person receiving those payments for a reason
25 specified in s. 48.685 (4m) (a) 1. to 5. or (b) 1. to 5.

1 **SECTION 564.** 48.623 (7) (b) of the statutes is amended to read:

2 48.623 (7) (b) Rules establishing requirements for submitting a request under
3 sub. (3) (c) 1. and criteria for determining the amount of the increase in monthly
4 subsidized guardianship payments that a county department, an Indian tribe, or the
5 department shall offer if there has been a substantial change in circumstances and
6 if there has been no substantiated report of abuse or neglect of the child by the person
7 receiving those payments.

8 **SECTION 565.** 48.623 (8) of the statutes is created to read:

9 48.623 (8) TRIBAL AGREEMENTS. (a) The department may enter into an
10 agreement with the governing body of an Indian tribe to allow that governing body
11 to administer subsidized guardianships ordered by a tribal court under a tribal law
12 substantially similar to s. 48.977 (2) and to be reimbursed by the department for
13 eligible tribal subsidized guardianship payments. An agreement under this
14 paragraph shall require the governing body of an Indian tribe to comply with all
15 requirements for administering subsidized guardianship that apply to counties and
16 the department, including eligibility.

17 (b) A county department may provide the monthly payments under sub. (1) or
18 (6) for guardianships of children ordered by the tribal court if the county department
19 has entered into an agreement with the governing body of an Indian tribe to provide
20 those payments.

21 **SECTION 566.** 48.685 (5) (a) of the statutes is amended to read:

22 48.685 (5) (a) Subject to par. (bm), the department may license to operate an
23 entity, a county department or a child welfare agency may license to operate a foster
24 home under s. 48.62, the department in a county having a population of 750,000 or
25 more, an Indian tribe, or a county department may provide subsidized guardianship

1 payments under s. 48.623 (6) to a person who otherwise may not be so licensed or
2 provided those payments for a reason specified in sub. (4m) (a) 1. to 5., and an entity
3 may employ, contract with, or permit to reside at the entity or permit to reside with
4 a caregiver specified in sub. (1) (ag) 1. am. of the entity a person who otherwise may
5 not be so employed, provided payments, or permitted to reside at the entity or with
6 that caregiver for a reason specified in sub. (4m) (b) 1. to 5., if the person
7 demonstrates to the department, county department, or child welfare agency or, in
8 the case of an entity that is located within the boundaries of a reservation, to the
9 person or body designated by the Indian tribe under sub. (5d) (a) 3., by clear and
10 convincing evidence and in accordance with procedures established by the
11 department by rule or by the tribe that he or she has been rehabilitated.

12 **SECTION 567.** 48.977 (3r) (a) of the statutes is amended to read:

13 48.977 (3r) (a) *Guardian.* Subsidized guardianship payments under s. 48.623
14 (1) may not be made to a guardian of a child unless a subsidized guardianship
15 agreement under s. 48.623 (2) is entered into before the guardianship order is
16 granted and the court either terminates any order specified in sub. (2) (a) or
17 dismisses any proceeding in which the child has been adjudicated in need of
18 protection or services as specified in sub. (2) (a). If a child's permanency plan calls
19 for placement of the child in the home of a guardian and the provision of monthly
20 subsidized guardianship payments to the guardian, the petitioner under sub. (4) (a)
21 shall include in the petition under sub. (4) (b) a statement of the determinations
22 made under s. 48.623 (1) and a request for the court to include in the court's findings
23 under sub. (4) (d) a finding confirming those determinations. If the court confirms
24 those determinations, appoints a guardian for the child under sub. (2), and either
25 terminates any order specified in sub. (2) (a) or dismisses any proceeding in which

1 the child is adjudicated to be in need of protection or services as specified in sub. (2)
2 (a), the county department or, as provided in s. 48.623 (3) (a), an Indian tribe or the
3 department shall provide monthly subsidized guardianship payments to the
4 guardian under s. 48.623 (1).

5 **SECTION 568.** 48.977 (3r) (b) of the statutes is amended to read:

6 48.977 (3r) (b) *Successor guardian.* Subsidized guardianship payments under
7 s. 48.623 (6) (bm) may not be made to a successor guardian of a child unless the court
8 makes a finding confirming that the successor guardian is named as a prospective
9 successor guardian of the child in a subsidized guardianship agreement or amended
10 subsidized guardianship agreement under s. 48.623 (2) that was entered into before
11 the death or incapacity of the guardian and that the conditions specified in s. 48.623
12 (6) (bm) have been met, appoints the successor guardian to assume the duty and
13 authority of guardianship as provided in sub. (5m), and either terminates any order
14 specified in sub. (2) (a) or dismisses any proceeding in which the child has been
15 adjudicated in need of protection or services as specified in sub. (2) (a). If the court
16 makes that finding and appointment and either terminates such an order or
17 dismisses such a proceeding, the county department or, as provided in s. 48.623 (3)
18 (a), an Indian tribe or the department shall provide monthly subsidized
19 guardianship payments to the successor guardian under s. 48.623 (6) (bm).”.

20 **159.** Page 374, line 11: after that line insert:

21 “**SECTION 569.** 230.26 (4) of the statutes is amended to read:

22 230.26 (4) Fringe benefits specifically authorized by statutes, with the
23 exception of leave of absence with pay owing to sickness, deferred compensation plan
24 participation under subch. VII of ch. 40, worker’s compensation, unemployment

1 insurance, group insurance, retirement, and social security coverage, shall be denied
2 employees hired under this section. Such employees may not be considered
3 permanent employees and do not qualify for tenure, vacation, paid holidays, sick
4 leave, performance awards, or the right to compete in promotional processes.

5 **SECTION 570.** 230.35 (2) of the statutes is amended to read:

6 230.35 (2) Leave of absence with pay owing to sickness and leave of absence
7 without pay, other than annual leave and leave under s. 103.10, shall be regulated
8 by rules of the administrator, except that unused sick leave shall accumulate from
9 year to year. Employees appointed under s. 230.26 (1) shall accrue leave of absence
10 with pay owing to sickness at the same rate as permanent and project state
11 employees, and such leave shall be prorated if the employee works less than
12 full-time. After July 1, 1973, employees appointed to career executive positions
13 under the program established under s. 230.24 or positions designated in s. 19.42
14 (10) (L) or 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e) shall have
15 any unused sick leave credits restored if they are reemployed in a career executive
16 position or in a position under s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or
17 authorized under s. 230.08 (2) (e), regardless of the duration of their absence.
18 Restoration of unused sick leave credits if reemployment is to a position other than
19 those specified above shall be in accordance with rules of the administrator.

20 **SECTION 9147. Nonstatutory provisions; University of Wisconsin**
21 **System.**

22 (1k) PAID SICK LEAVE FOR TEMPORARY EMPLOYEES. The Board of Regents of the
23 University of Wisconsin System shall submit to the administrator of the division of
24 personnel management in the department of administration, with its
25 recommendations for adjustments to compensation and employee benefits for

1 employees of the system under s. 230.12 (3) (e) 1. for the 2023-25 fiscal biennium,
2 a plan to provide paid sick leave benefits to temporary employees of the system. The
3 plan shall provide sick leave benefits at the same rate such benefits are provided to
4 permanent and project employees of the system.”.

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

6 **“SECTION 9214. Fiscal changes; Employment Relations Commission.**

7 (1k) GENERAL BUDGET ADJUSTMENTS. In the schedule under s. 20.005 (3) for the
8 appropriation to the employment relations commission under s. 20.425 (1) (a), the
9 dollar amount for fiscal year 2023-24 is decreased by \$4,800 to adjust for funding of
10 continuing position salaries, fringe benefits, lease and directed moves costs, and
11 transfers from permanent property to supplies and services. In the schedule under
12 s. 20.005 (3) for the appropriation to the employment relations commission under s.
13 20.425 (1) (a), the dollar amount for fiscal year 2024-25 is decreased by \$3,000 to
14 adjust for funding of continuing position salaries, fringe benefits, lease and directed
15 moves costs, and transfers from permanent property to supplies and services.”.

16 **161.** Page 374, line 11: after that line insert:

17 **“SECTION 571.** 20.425 (1) (i) of the statutes is amended to read:

18 20.425 (1) (i) *Fees, collective bargaining training, publications, and appeals.*

19 The amounts in the schedule for the performance of fact-finding, mediation,
20 certification, and arbitration functions, for the provision of copies of transcripts, for
21 the cost of operating training programs under ss. 111.09 (3), 111.71 (5m), and 111.94
22 (3), for the preparation of publications, transcripts, reports, and other copied
23 material, and for costs related to conducting appeals under s. 230.45. All moneys
24 received under ss. 111.09 (1) and (2), ~~111.70 (4) (d) 3. b.,~~ 111.71 (1) and (2), ~~111.83 (3)~~

1 ~~(b)~~, 111.94 (1) and (2), and 230.45 (3), all moneys received from arbitrators and
2 arbitration panel members, and individuals who are interested in serving in such
3 positions, and from individuals and organizations who participate in other collective
4 bargaining training programs conducted by the commission, and all moneys received
5 from the sale of publications, transcripts, reports, and other copied material shall be
6 credited to this appropriation account.

7 **SECTION 572.** 20.505 (1) (ks) of the statutes is amended to read:

8 20.505 (1) (ks) *Collective bargaining grievance arbitrations.* The amounts in
9 the schedule for the payment of the state's share of costs related to collective
10 bargaining grievance arbitrations under s. 111.86. All moneys received from state
11 agencies or authorities for the purpose of reimbursing the state's share of the costs
12 related to grievance arbitrations under s. 111.86 and to reimburse the state's share
13 of costs for training related to grievance arbitrations shall be credited to this
14 appropriation account.

15 **SECTION 573.** 20.921 (1) (a) 2. of the statutes is amended to read:

16 20.921 (1) (a) 2. If the state employee is a public safety employee under s. 111.81
17 (15r) or is in a collective bargaining unit containing a *frontline* worker under s. 111.81
18 (9b), payment of dues to employee organizations.

19 **SECTION 574.** 40.51 (7) (a) of the statutes is amended to read:

20 40.51 (7) (a) Any employer, other than the state, including an employer that
21 is not a participating employer, may offer to all of its employees a health care
22 coverage plan through a program offered by the group insurance board.
23 Notwithstanding sub. (2) and ss. 40.05 (4) and 40.52 (1), the department may by rule
24 establish different eligibility standards or contribution requirements for such
25 employees and employers. Beginning on January 1, 2012, except as otherwise

1 provided in a collective bargaining agreement under subch. IV of ch. 111 that covers
2 public safety employees or transit employees and except as provided in par. (b), an
3 employer may not offer a health care coverage plan to its employees under this
4 subsection if the employer pays more than 88 percent of the average premium cost
5 of plans offered in any tier with the lowest employee premium cost under this
6 subsection.

7 **SECTION 575.** 46.2895 (8) (a) 1. of the statutes is amended to read:

8 46.2895 (8) (a) 1. If the long-term care district offers employment to any
9 individual who was previously employed by a county, which participated in creating
10 the district and at the time of the offer had not withdrawn or been removed from the
11 district under sub. (14), and who while employed by the county performed duties
12 relating to the same or a substantially similar function for which the individual is
13 offered employment by the district and ~~whose wages were established in~~ who was
14 covered by a collective bargaining agreement with the county under subch. IV of ch.
15 111 that is in effect on the date that the individual commences employment with the
16 district, with respect to that individual, abide by the terms of the collective
17 bargaining agreement ~~concerning the individual's wages~~ until the time of the
18 expiration of that collective bargaining agreement or adoption of a collective
19 bargaining agreement with the district under subch. IV of ch. 111 covering the
20 individual as an employee of the district, whichever occurs first.

21 **SECTION 576.** 109.03 (1) (b) of the statutes is amended to read:

22 109.03 (1) (b) School district employees, cooperative educational service agency
23 employees, and private school employees who voluntarily request payment over a
24 12-month period for personal services performed during the school year, unless, ~~with~~

1 respect to ~~private school employees~~, the employees are covered under a valid
2 collective bargaining agreement which precludes this method of payment.

3 **SECTION 577.** 111.70 (1) (a) of the statutes is amended to read:

4 111.70 (1) (a) “Collective bargaining” means the performance of the mutual
5 obligation of a municipal employer, through its officers and agents, and the
6 representative of its municipal employees in a collective bargaining unit, to meet and
7 confer at reasonable times, in good faith, with the intention of reaching an
8 agreement, or to resolve questions arising under such an agreement, with respect to
9 wages, hours, and conditions of employment for public safety employees ~~or, for~~
10 transit employees and, or for municipal employees in a collective bargaining unit
11 that contains a frontline worker; with respect to wages for general municipal
12 employees, who are in a collective bargaining unit that does not contain a frontline
13 worker; and with respect to a requirement of the municipal employer for a municipal
14 employee to perform law enforcement and fire fighting services under s. 60.553,
15 61.66, or 62.13 (2e), except as provided in sub. (4) (mb) and (mc) and s. 40.81 (3) and
16 except that a municipal employer shall not meet and confer with respect to any
17 proposal to diminish or abridge the rights guaranteed to any public safety employees
18 under ch. 164. Collective bargaining includes the reduction of any agreement
19 reached to a written and signed document.

20 **SECTION 578.** 111.70 (1) (f) of the statutes is amended to read:

21 111.70 (1) (f) “Fair-share agreement” means an agreement between a
22 municipal employer and a labor organization that represents public safety
23 employees ~~or, transit employees, or a frontline worker~~ under which all or any of the
24 public safety employees or transit employees in the collective bargaining unit or all
25 or any of the employees in a collective bargaining unit containing a frontline worker

1 are required to pay their proportionate share of the cost of the collective bargaining
2 process and contract administration measured by the amount of dues uniformly
3 required of all members.

4 **SECTION 579.** 111.70 (1) (fd) of the statutes is created to read:

5 111.70 (1) (fd) “Frontline worker” means a municipal employee who is
6 determined to be a frontline worker under sub. (4) (bm) 2.

7 **SECTION 580.** 111.70 (1) (fm) of the statutes is amended to read:

8 111.70 (1) (fm) “General municipal employee” means a municipal employee
9 who is not a public safety employee ~~or~~, a transit employee, or a frontline worker.

10 **SECTION 581.** 111.70 (1) (n) of the statutes is amended to read:

11 111.70 (1) (n) “Referendum” means a proceeding conducted by the commission
12 in which public safety employees or transit employees in a collective bargaining unit
13 or municipal employees in a collective bargaining unit containing a frontline worker
14 may cast a secret ballot on the question of authorizing a labor organization and the
15 employer to continue a fair-share agreement.

16 **SECTION 582.** 111.70 (1) (p) of the statutes is amended to read:

17 111.70 (1) (p) “Transit employee” means a municipal employee who is
18 determined to be a transit employee under sub. (4) (bm) 1.

19 **SECTION 583.** 111.70 (2) of the statutes is renumbered 111.70 (2) (a) and
20 amended to read:

21 111.70 (2) (a) Municipal employees have the right of self-organization, and the
22 right to form, join, or assist labor organizations, to bargain collectively through
23 representatives of their own choosing, and to engage in lawful, concerted activities
24 for the purpose of collective bargaining or other mutual aid or protection. Municipal
25 employees have the right to refrain from any and all such activities. A general

1 municipal employee may not be covered by a fair-share agreement unless the
2 general municipal employee is in a collective bargaining unit containing a frontline
3 worker. Unless the general municipal employee is covered by a fair-share
4 agreement, a general municipal employee has the right to refrain from paying dues
5 while remaining a member of a collective bargaining unit. A public safety employee
6 ~~or~~, a transit employee, ~~however,~~ or a municipal employee in a collective bargaining
7 unit containing a frontline worker may be covered by a fair-share agreement and be
8 required to pay dues in the manner provided in ~~a~~ the fair-share agreement; a
9 fair-share agreement covering a public safety employee ~~or a transit employee~~ must
10 contain a provision requiring the municipal employer to deduct the amount of dues
11 as certified by the labor organization from the earnings of the employee affected by
12 the fair-share agreement and to pay the amount deducted to the labor organization.
13 A fair-share agreement ~~covering a public safety employee or transit employee~~ is
14 subject to the right of the municipal employer or a labor organization to petition the
15 commission to conduct a referendum. Such petition must be supported by proof that
16 at least 30 percent of the employees in the collective bargaining unit desire that the
17 fair-share agreement be terminated. Upon so finding, the commission shall conduct
18 a referendum. If the continuation of the agreement is not supported by at least the
19 majority of the eligible employees, it shall terminate. The commission shall declare
20 any fair-share agreement suspended upon such conditions and for such time as the
21 commission decides whenever it finds that the labor organization involved has
22 refused on the basis of race, color, sexual orientation, creed, or sex to receive as a
23 member any ~~public safety employee or transit~~ eligible municipal employee of the
24 ~~municipal employer~~ in the bargaining unit involved, and such agreement is subject
25 to this duty of the commission. Any of the parties to such agreement or any public

1 ~~safety employee or transit~~ municipal employee covered by the agreement may come
2 before the commission, as provided in s. 111.07, and ask the performance of this duty.

3 **SECTION 584.** 111.70 (2) (b) of the statutes is created to read:

4 111.70 (2) (b) General municipal employees who are not in a collective
5 bargaining unit containing a frontline worker have the right to have their municipal
6 employer consult with them, through a representative of their own choosing, with no
7 intention of reaching an agreement, with respect to wages, hours, and conditions of
8 employment. The right may be exercised either when the municipal employer
9 proposes or implements policy changes affecting wages, hours, or conditions of
10 employment or, if no policy changes are proposed or implemented, at least quarterly.

11 **SECTION 585.** 111.70 (3) (a) 3. of the statutes is amended to read:

12 111.70 (3) (a) 3. To encourage or discourage a membership in any labor
13 organization by discrimination in regard to hiring, tenure, or other terms or
14 conditions of employment; but the prohibition shall not apply to a fair-share
15 agreement ~~that covers public safety employees or transit employees.~~

16 **SECTION 586.** 111.70 (3) (a) 5. of the statutes is amended to read:

17 111.70 (3) (a) 5. To violate any collective bargaining agreement previously
18 agreed upon by the parties with respect to wages, hours, and conditions of
19 employment affecting public safety employees ~~or~~, transit employees, or municipal
20 employees in a collective bargaining unit containing a frontline worker, including an
21 agreement to arbitrate questions arising as to the meaning or application of the
22 terms of a collective bargaining agreement or to accept the terms of such arbitration
23 award, where previously the parties have agreed to accept such award as final and
24 binding upon them or to violate any collective bargaining agreement affecting a

1 collective bargaining unit containing only general municipal employees, that was
2 previously agreed upon by the parties with respect to wages.

3 **SECTION 587.** 111.70 (3) (a) 6. of the statutes is amended to read:

4 111.70 (3) (a) 6. To deduct labor organization dues from the earnings of a public
5 safety employee ~~or~~, a transit employee, or a municipal employee who is in a collective
6 bargaining unit containing a frontline worker unless the municipal employer has
7 been presented with an individual order therefor, signed by the employee personally,
8 and terminable by at least the end of any year of its life or earlier by the ~~public safety~~
9 ~~employee or transit~~ municipal employee giving at least 30 days' written notice of such
10 termination to the municipal employer and to the representative organization,
11 except when a fair-share agreement is in effect.

12 **SECTION 588.** 111.70 (3) (a) 9. of the statutes is amended to read:

13 111.70 (3) (a) 9. If the collective bargaining unit contains a public safety
14 employee ~~or~~, transit employee, or frontline worker, after a collective bargaining
15 agreement expires and before another collective bargaining agreement takes effect,
16 to fail to follow any fair-share agreement in the expired collective bargaining
17 agreement.

18 **SECTION 589.** 111.70 (3g) of the statutes is amended to read:

19 111.70 (3g) WAGE DEDUCTION PROHIBITION. A municipal employer may not
20 deduct labor organization dues from the earnings of a general municipal employee,
21 unless the general municipal employee is in a collective bargaining unit that
22 contains a frontline worker, or from the earnings of a supervisor.

23 **SECTION 590.** 111.70 (4) (bm) (title) of the statutes is amended to read:

24 111.70 (4) (bm) (title) *Transit employee or frontline worker determination.*

25 **SECTION 591.** 111.70 (4) (bm) of the statutes is renumbered 111.70 (4) (bm) 1.

1 **SECTION 592.** 111.70 (4) (bm) 2. of the statutes is created to read:

2 111.70 (4) (bm) 2. The commission shall determine that a municipal employee
3 is a frontline worker if the commission finds that the municipal employee has regular
4 job duties that include interacting with members of the public or with large
5 populations of people or that directly involve the maintenance of public works. The
6 commission may not determine that a public safety employee or a transit employee
7 is a frontline worker.

8 **SECTION 593.** 111.70 (4) (cg) (title), 1., 2., 3., 4. and 5. of the statutes are
9 amended to read:

10 111.70 (4) (cg) (title) *Methods for peaceful settlement of disputes; transit*
11 *employees and municipal employees in a collective bargaining unit containing a*
12 *frontline worker.* 1. 'Notice of commencement of contract negotiations.' To advise the
13 commission of the commencement of contract negotiations involving a collective
14 bargaining unit containing transit employees or a collective bargaining unit
15 containing a frontline worker, whenever either party requests the other to reopen
16 negotiations under a binding collective bargaining agreement, or the parties
17 otherwise commence negotiations if no collective bargaining agreement exists, the
18 party requesting negotiations shall immediately notify the commission in writing.
19 Upon failure of the requesting party to provide notice, the other party may provide
20 notice to the commission. The notice shall specify the expiration date of the existing
21 collective bargaining agreement, if any, and shall provide any additional information
22 the commission may require on a form provided by the commission.

23 2. 'Presentation of initial proposals; open meetings.' The meetings between
24 parties to a collective bargaining agreement or proposed collective bargaining
25 agreement under this subchapter that involve a collective bargaining unit

1 containing a transit employee or a frontline worker and that are held to present
2 initial bargaining proposals, along with supporting rationale, are open to the public.
3 Each party shall submit its initial bargaining proposals to the other party in writing.
4 Failure to comply with this subdivision does not invalidate a collective bargaining
5 agreement under this subchapter.

6 3. 'Mediation.' The commission or its designee shall function as mediator in
7 labor disputes involving transit employees or municipal employees in a collective
8 bargaining unit containing a frontline worker upon request of one or both of the
9 parties, or upon initiation of the commission. The function of the mediator is to
10 encourage voluntary settlement by the parties. No mediator has the power of
11 compulsion.

12 4. 'Grievance arbitration.' Parties to a dispute pertaining to the meaning or
13 application of the terms of a written collective bargaining agreement involving a
14 collective bargaining unit containing a transit employee or a frontline worker may
15 agree in writing to have the commission or any other appropriate agency serve as
16 arbitrator or may designate any other competent, impartial, and disinterested
17 person to serve as an arbitrator.

18 5. 'Voluntary impasse resolution procedures.' In addition to the other impasse
19 resolution procedures provided in this paragraph, a municipal employer that
20 employs a transit employee or a municipal employee in a collective bargaining unit
21 containing a frontline worker and a labor organization may at any time, as a
22 permissive subject of bargaining, agree in writing to a dispute settlement procedure,
23 including binding interest arbitration, which is acceptable to the parties for
24 resolving an impasse over terms of any collective bargaining agreement under this
25 subchapter. The parties shall file a copy of the agreement with the commission. If

1 the parties agree to any form of binding interest arbitration, the arbitrator shall give
2 weight to the factors enumerated under subds. 7. and 7g.

3 **SECTION 594.** 111.70 (4) (cg) 6. a. of the statutes is amended to read:

4 111.70 (4) (cg) 6. a. If, in any collective bargaining unit containing transit
5 employees or a frontline worker, a dispute has not been settled after a reasonable
6 period of negotiation and after mediation by the commission under subd. 3. and other
7 settlement procedures, if any, established by the parties have been exhausted, and
8 the parties are deadlocked with respect to any dispute between them over wages,
9 hours, or conditions of employment to be included in a new collective bargaining
10 agreement, either party, or the parties jointly, may petition the commission, in
11 writing, to initiate compulsory, final, and binding arbitration, as provided in this
12 paragraph. At the time the petition is filed, the petitioning party shall submit in
13 writing to the other party and the commission its preliminary final offer containing
14 its latest proposals on all issues in dispute. Within 14 calendar days after the date
15 of that submission, the other party shall submit in writing its preliminary final offer
16 on all disputed issues to the petitioning party and the commission. If a petition is
17 filed jointly, both parties shall exchange their preliminary final offers in writing and
18 submit copies to the commission when the petition is filed.

19 **SECTION 595.** 111.70 (4) (cg) 7r. d., e. and f. of the statutes are amended to read:

20 111.70 (4) (cg) 7r. d. Comparison of wages, hours, and conditions of employment
21 of the transit municipal employees involved in the arbitration proceedings with the
22 wages, hours, and conditions of employment of other employees performing similar
23 services.

24 e. Comparison of the wages, hours, and conditions of employment of the transit
25 municipal employees involved in the arbitration proceedings with the wages, hours,

1 and conditions of employment of other employees generally in public employment in
2 the same community and in comparable communities.

3 f. Comparison of the wages, hours, and conditions of employment of the transit
4 municipal employees involved in the arbitration proceedings with the wages, hours,
5 and conditions of employment of other employees in private employment in the same
6 community and in comparable communities.

7 **SECTION 596.** 111.70 (4) (cg) 7r. h. of the statutes is amended to read:

8 111.70 (4) (cg) 7r. h. The overall compensation presently received by the transit
9 municipal employees involved in the arbitration proceedings, including direct wage
10 compensation, vacation, holidays, and excused time, insurance and pensions,
11 medical and hospitalization benefits, the continuity and stability of employment,
12 and all other benefits received.

13 **SECTION 597.** 111.70 (4) (cg) 8m. of the statutes is amended to read:

14 111.70 (4) (cg) 8m. 'Term of agreement; reopening of negotiations.' Except for
15 the initial collective bargaining agreement between the parties and except as the
16 parties otherwise agree, every collective bargaining agreement covering transit
17 employees or a frontline worker shall be for a term of 2 years, but in no case may a
18 collective bargaining agreement for any collective bargaining unit ~~consisting of~~
19 ~~transit employees~~ subject to this paragraph be for a term exceeding 3 years. No
20 arbitration award involving transit employees or a frontline worker may contain a
21 provision for reopening of negotiations during the term of a collective bargaining
22 agreement, unless both parties agree to such a provision. The requirement for
23 agreement by both parties does not apply to a provision for reopening of negotiations
24 with respect to any portion of an agreement that is declared invalid by a court or

1 administrative agency or rendered invalid by the enactment of a law or promulgation
2 of a federal regulation.

3 **SECTION 598.** 111.70 (4) (d) 1. of the statutes is amended to read:

4 111.70 (4) (d) 1. A representative chosen for the purposes of collective
5 bargaining by a majority of the ~~public safety employees or transit~~ municipal
6 employees voting in a collective bargaining unit shall be the exclusive representative
7 of all employees in the unit for the purpose of collective bargaining. ~~A representative~~
8 ~~chosen for the purposes of collective bargaining by at least 51 percent of the general~~
9 ~~municipal employees in a collective bargaining unit shall be the exclusive~~
10 ~~representative of all employees in the unit for the purpose of collective bargaining.~~
11 Any individual employee, or any minority group of employees in any collective
12 bargaining unit, shall have the right to present grievances to the municipal employer
13 in person or through representatives of their own choosing, and the municipal
14 employer shall confer with the employee in relation thereto, if the majority
15 representative has been afforded the opportunity to be present at the conferences.
16 Any adjustment resulting from these conferences may not be inconsistent with the
17 conditions of employment established by the majority representative and the
18 municipal employer.

19 **SECTION 599.** 111.70 (4) (d) 2. a. of the statutes is amended to read:

20 111.70 (4) (d) 2. a. The commission shall determine the appropriate collective
21 bargaining unit for the purpose of collective bargaining and shall whenever possible
22 avoid fragmentation by maintaining as few collective bargaining units as practicable
23 in keeping with the size of the total municipal workforce. The commission may
24 decide whether, in a particular case, the municipal employees in the same or several
25 departments, divisions, institutions, crafts, professions, or other occupational

1 groupings constitute a collective bargaining unit. Before making its determination,
2 the commission may provide an opportunity for the municipal employees concerned
3 to determine, by secret ballot, whether they desire to be established as a separate
4 collective bargaining unit. The commission may not decide, however, that any group
5 of municipal employees constitutes an appropriate collective bargaining unit if the
6 group includes both professional employees and nonprofessional employees, unless
7 a majority of the professional employees vote for inclusion in the unit. The
8 commission may not decide that any group of municipal employees constitutes an
9 appropriate collective bargaining unit if the group includes both school district
10 employees and general municipal employees who are not school district employees.
11 ~~The commission may not decide that any group of municipal employees constitutes~~
12 ~~an appropriate collective bargaining unit if the group includes both public safety~~
13 ~~employees and general municipal employees, if the group includes both transit~~
14 ~~employees and general municipal employees, or if the group includes both transit~~
15 ~~employees and public safety employees~~ place public safety employees in a collective
16 bargaining unit with employees who are not public safety employees or place transit
17 employees in a collective bargaining unit with employees who are not transit
18 employees. The commission may place frontline workers in a collective bargaining
19 unit with municipal employees who are not frontline workers if the commission
20 determines it is appropriate; if the commission places in a collective bargaining unit
21 frontline workers and municipal employees who are not frontline workers, the
22 collective bargaining unit is treated as if all employees in the collective bargaining
23 unit are frontline workers. The commission may not decide that any group of
24 municipal employees constitutes an appropriate collective bargaining unit if the
25 group includes both craft employees and noncraft employees unless a majority of the

1 craft employees vote for inclusion in the unit. The commission shall place the
2 professional employees who are assigned to perform any services at a charter school,
3 as defined in s. 115.001 (1), in a separate collective bargaining unit from a unit that
4 includes any other professional employees whenever at least 30 percent of those
5 professional employees request an election to be held to determine that issue and a
6 majority of the professional employees at the charter school who cast votes in the
7 election decide to be represented in a separate collective bargaining unit.

8 **SECTION 600.** 111.70 (4) (d) 3. a. and c. of the statutes are consolidated and
9 renumbered 111.70 (4) (d) 3.

10 **SECTION 601.** 111.70 (4) (d) 3. b. of the statutes is repealed.

11 **SECTION 602.** 111.70 (4) (mb) (intro.) of the statutes is amended to read:

12 111.70 (4) (mb) *Prohibited subjects of bargaining; general municipal employees.*
13 (intro.) The municipal employer is prohibited from bargaining collectively with a
14 collective bargaining unit containing ~~a~~ only general municipal employee employees
15 with respect to any of the following:

16 **SECTION 603.** 111.70 (4) (mbb) of the statutes is amended to read:

17 111.70 (4) (mbb) *Consumer price index change.* For purposes of determining
18 compliance with par. (mb), the commission shall provide, upon request, to a
19 municipal employer or to any representative of a collective bargaining unit
20 containing ~~a~~ only general municipal employee employees, the consumer price index
21 change during any 12-month period. The commission may get the information from
22 the department of revenue.

23 **SECTION 604.** 111.70 (4) (p) of the statutes is amended to read:

24 111.70 (4) (p) *Permissive subjects of collective bargaining; public safety and*
25 *employees, transit employees, and municipal employees in a collective bargaining*

1 unit containing a frontline worker. A municipal employer is not required to bargain
2 with public safety employees ~~or~~, transit employees, or municipal employees in a
3 collective bargaining unit containing a frontline worker on subjects reserved to
4 management and direction of the governmental unit except insofar as the manner
5 of exercise of such functions affects the wages, hours, and conditions of employment
6 of the public safety employees ~~or~~ in a collective bargaining unit, of the transit
7 employees in a collective bargaining unit, or of the municipal employees in the
8 collective bargaining unit containing a frontline worker, whichever is appropriate.

9 **SECTION 605.** 111.70 (7m) (c) 1. a. of the statutes is amended to read:

10 111.70 **(7m)** (c) 1. a. Any labor organization that represents public safety
11 employees ~~or~~, transit employees, or a frontline worker which violates sub. (4) (L) may
12 not collect any dues under a collective bargaining agreement or under a fair-share
13 agreement from any employee covered by either agreement for a period of one year.
14 At the end of the period of suspension, any such agreement shall be reinstated unless
15 the labor organization is no longer authorized to represent the ~~public safety~~
16 ~~employees or transit~~ municipal employees covered by the collective bargaining
17 agreement or fair-share agreement or the agreement is no longer in effect.

18 **SECTION 606.** 111.81 (1) of the statutes is renumbered 111.81 (1s) and amended
19 to read:

20 111.81 **(1s)** “Collective bargaining” means the performance of the mutual
21 obligation of the state as an employer, by its officers and agents, and the
22 representatives of its employees, to meet and confer at reasonable times, in good
23 faith, with respect to the subjects of bargaining provided in s. 111.91 (1), ~~with respect~~
24 ~~to~~ for public safety employees, with respect to the subjects of bargaining provided in
25 s. 111.91 (1w) for employees in a collective bargaining unit containing a frontline

1 worker, and with respect to the subjects of bargaining provided in s. 111.91 (3), ~~with~~
2 respect to for general employees who are in a collective bargaining unit that does not
3 contain a frontline worker, with the intention of reaching an agreement, or to resolve
4 questions arising under such an agreement. The duty to bargain, however, does not
5 compel either party to agree to a proposal or require the making of a concession.
6 Collective bargaining includes the reduction of any agreement reached to a written
7 and signed document.

8 **SECTION 607.** 111.81 (1d) of the statutes is created to read:

9 111.81 (1d) “Authority” means a body created under subch. II of ch. 114 or ch.
10 231, 232, 233, 234, 237, 238, or 279.

11 **SECTION 608.** 111.81 (7) (ag) of the statutes is created to read:

12 111.81 (7) (ag) An employee of an authority.

13 **SECTION 609.** 111.81 (8) of the statutes is amended to read:

14 111.81 (8) “Employer” means the state of Wisconsin and includes an authority.

15 **SECTION 610.** 111.81 (9) of the statutes is amended to read:

16 111.81 (9) “Fair-share agreement” means an agreement between the employer
17 and a labor organization representing public safety employees or a frontline worker
18 under which all of the public safety employees in the collective bargaining unit or all
19 of the employees in a collective bargaining unit containing a frontline worker are
20 required to pay their proportionate share of the cost of the collective bargaining
21 process and contract administration measured by the amount of dues uniformly
22 required of all members.

23 **SECTION 611.** 111.81 (9b) of the statutes is created to read:

24 111.81 (9b) “Frontline worker” means an employee who is determined to be a
25 frontline worker under s. 111.817.

1 **SECTION 612.** 111.81 (9g) of the statutes is amended to read:

2 111.81 **(9g)** “General employee” means an employee who is not a public safety
3 employee or a frontline worker.

4 **SECTION 613.** 111.81 (12) (intro.) of the statutes is amended to read:

5 111.81 **(12)** (intro.) “Labor organization” means any employee organization
6 whose purpose is to represent employees in collective bargaining with the employer,
7 or its agents, on matters that are subject to collective bargaining under s. 111.91 (1),
8 (1w), or (3), whichever is applicable; but the term shall not include any organization:

9 **SECTION 614.** 111.81 (12m) of the statutes is amended to read:

10 111.81 **(12m)** “Maintenance of membership agreement” means an agreement
11 between the employer and a labor organization representing public safety employees
12 or a frontline worker which requires that all of the public safety employees or
13 employees who are in a collective bargaining unit containing a frontline worker
14 whose dues are being deducted from earnings under s. 20.921 (1) or 111.84 (1) (f) at
15 the time the agreement takes effect shall continue to have dues deducted for the
16 duration of the agreement, and that dues shall be deducted from the earnings of all
17 ~~public safety~~ such employees who are hired on or after the effective date of the
18 agreement.

19 **SECTION 615.** 111.81 (16) of the statutes is amended to read:

20 111.81 **(16)** “Referendum” means a proceeding conducted by the commission in
21 which public safety employees in a collective bargaining unit or all employees in a
22 collective bargaining unit containing a frontline worker may cast a secret ballot on
23 the question of directing the labor organization and the employer to enter into a
24 fair-share or maintenance of membership agreement or to terminate such an
25 agreement.

1 **SECTION 616.** 111.815 (1) of the statutes is amended to read:

2 111.815 (1) In the furtherance of this subchapter, the state shall be considered
3 as a single employer and employment relations policies and practices throughout the
4 state service shall be as consistent as practicable. The division shall negotiate and
5 administer collective bargaining agreements. To coordinate the employer position
6 in the negotiation of agreements, the division shall maintain close liaison with the
7 legislature relative to the negotiation of agreements and the fiscal ramifications of
8 those agreements. Except with respect to the collective bargaining units specified
9 in s. 111.825 (1r) and (1t), the division is responsible for the employer functions of the
10 executive branch under this subchapter, and shall coordinate its collective
11 bargaining activities with operating state agencies on matters of agency concern and
12 with operating authorities on matters of authority concern. The legislative branch
13 shall act upon those portions of tentative agreements negotiated by the division that
14 require legislative action. With respect to the collective bargaining units specified
15 in s. 111.825 (1r), the Board of Regents of the University of Wisconsin System is
16 responsible for the employer functions under this subchapter. With respect to the
17 collective bargaining units specified in s. 111.825 (1t), the chancellor of the
18 University of Wisconsin-Madison is responsible for the employer functions under
19 this subchapter. With respect to the collective bargaining unit specified in s. 111.825
20 (1r) (ef), the governing board of the charter school established by contract under s.
21 118.40 (2r) (cm), 2013 stats., is responsible for the employer functions under this
22 subchapter.

23 **SECTION 617.** 111.817 of the statutes is created to read:

24 **111.817 Duty of commission; determination of frontline workers.** The
25 commission shall determine that an employee is a frontline worker if the commission

1 finds that the employee has regular job duties that include interacting with members
2 of the public or with large populations of people or that directly involve the
3 maintenance of public works. The commission may not determine that a public
4 safety employee is a frontline worker.

5 **SECTION 618.** 111.82 of the statutes is renumbered 111.82 (1) and amended to
6 read:

7 111.82 (1) Employees have the right of self-organization and the right to form,
8 join, or assist labor organizations, to bargain collectively through representatives of
9 their own choosing under this subchapter, and to engage in lawful, concerted
10 activities for the purpose of collective bargaining or other mutual aid or protection.
11 Employees also have the right to refrain from any or all of such activities. A general
12 employee may not be covered by a fair-share agreement unless the general employee
13 is in a collective bargaining unit containing a frontline worker. Unless the general
14 employee is covered by a fair-share agreement, a general employee has the right to
15 refrain from paying dues while remaining a member of a collective bargaining unit.

16 **SECTION 619.** 111.82 (2) of the statutes is created to read:

17 111.82 (2) General employees who are not in a collective bargaining unit
18 containing a frontline worker have the right to have their employer consult with
19 them, through a representative of their own choosing, with no intention of reaching
20 an agreement, with respect to wages, hours, and conditions of employment. The
21 right may be exercised either when the employer proposes or implements policy
22 changes affecting wages, hours, or conditions of employment or, if no policy changes
23 are proposed or implemented, at least quarterly.

24 **SECTION 620.** 111.825 (1) (intro.) of the statutes is amended to read:

1 111.825 (1) (intro.) It is the legislative intent that in order to foster meaningful
2 collective bargaining, units must be structured in such a way as to avoid excessive
3 fragmentation whenever possible. In accordance with this policy, collective
4 bargaining units for employees in the classified service of the state and for employees
5 of authorities are structured on a statewide basis with one collective bargaining unit
6 for each of the following occupational groups:

7 **SECTION 621.** 111.825 (3) of the statutes is amended to read:

8 111.825 (3) The commission shall assign employees to the appropriate
9 collective bargaining units set forth in subs. (1), (1r), (1t), and (2). The commission
10 may place frontline workers in a collective bargaining unit with employees who are
11 not frontline workers if the commission determines it is appropriate; if the
12 commission places in a collective bargaining unit frontline workers and employees
13 who are not frontline workers, the collective bargaining unit is treated as if all
14 employees in the collective bargaining unit are frontline workers and may bargain
15 as provided in s. 111.91 (1w).

16 **SECTION 622.** 111.825 (5) of the statutes is amended to read:

17 111.825 (5) Although supervisors are not considered employees for purposes
18 of this subchapter, the commission may consider a petition for a statewide collective
19 bargaining unit of professional supervisors or a statewide unit of nonprofessional
20 supervisors in the classified service, but the representative of supervisors may not
21 be affiliated with any labor organization representing employees. For purposes of
22 this subsection, affiliation does not include membership in a national, state, county
23 or municipal federation of national or international labor organizations. The
24 certified representative of supervisors who are not public safety employees or
25 frontline workers may not bargain collectively with respect to any matter other than

1 wages as provided in s. 111.91 (3), and the certified representative of supervisors who
2 are public safety employees may not bargain collectively with respect to any matter
3 other than wages and fringe benefits as provided in s. 111.91 (1), and the certified
4 representative of supervisors who are frontline workers may bargain as provided in
5 s. 111.91 (1w).

6 **SECTION 623.** 111.83 (1) of the statutes is amended to read:

7 111.83 (1) Except as provided in sub. (5), a ~~representative chosen for the~~
8 ~~purposes of collective bargaining by at least 51 percent of the general employees in~~
9 ~~a collective bargaining unit shall be the exclusive representative of all of the~~
10 ~~employees in such unit for the purposes of collective bargaining.~~ A representative
11 chosen for the purposes of collective bargaining by a majority of the public safety
12 employees voting in a collective bargaining unit shall be the exclusive representative
13 of all of the employees in such unit for the purposes of collective bargaining. Any
14 individual employee, or any minority group of employees in any collective bargaining
15 unit, may present grievances to the employer in person, or through representatives
16 of their own choosing, and the employer shall confer with the employee or group of
17 employees in relation thereto if the majority representative has been afforded the
18 opportunity to be present at the conference. Any adjustment resulting from such a
19 conference may not be inconsistent with the conditions of employment established
20 by the majority representative and the employer.

21 **SECTION 624.** 111.83 (3) (a) of the statutes is renumbered 111.83 (3).

22 **SECTION 625.** 111.83 (3) (b) of the statutes is repealed.

23 **SECTION 626.** 111.83 (4) of the statutes is amended to read:

24 111.83 (4) Whenever an election has been conducted under sub. (3) (a) in which
25 the name of more than one proposed representative appears on the ballot and results

1 in no conclusion, the commission may, if requested by any party to the proceeding
2 within 30 days from the date of the certification of the results of the election, conduct
3 a runoff election. In that runoff election, the commission shall drop from the ballot
4 the name of the representative who received the least number of votes at the original
5 election. The commission shall drop from the ballot the privilege of voting against
6 any representative if the least number of votes cast at the first election was against
7 representation by any named representative.

8 **SECTION 627.** 111.84 (1) (d) of the statutes is amended to read:

9 111.84 (1) (d) To refuse to bargain collectively on matters set forth in s. 111.91
10 (1), (1w), or (3), whichever is appropriate, with a representative of a majority of its
11 employees in an appropriate collective bargaining unit. Where the employer has a
12 good faith doubt as to whether a labor organization claiming the support of a majority
13 of its employees in appropriate collective bargaining unit does in fact have that
14 support, it may file with the commission a petition requesting an election as to that
15 claim. It is not deemed to have refused to bargain until an election has been held and
16 the results thereof certified to it by the commission. A violation of this paragraph
17 includes, but is not limited to, the refusal to execute a collective bargaining
18 agreement previously orally agreed upon.

19 **SECTION 628.** 111.84 (1) (f) of the statutes is amended to read:

20 111.84 (1) (f) To deduct labor organization dues from the earnings of a public
21 safety employee or an employee who is in a collective bargaining unit containing a
22 frontline worker, unless the employer has been presented with an individual order
23 therefor, signed by the ~~public safety~~ employee personally, and terminable by at least
24 the end of any year of its life or earlier by the ~~public safety~~ employee giving at least
25 30 but not more than 120 days' written notice of such termination to the employer

1 and to the representative labor organization, except if there is a fair-share or
2 maintenance of membership agreement in effect. The employer shall give notice to
3 the labor organization of receipt of such notice of termination.

4 **SECTION 629.** 111.84 (2) (c) of the statutes is amended to read:

5 111.84 (2) (c) To refuse to bargain collectively on matters set forth in s. 111.91
6 (1), (1w), or (3), whichever is appropriate, with the duly authorized officer or agent
7 of the employer which is the recognized or certified exclusive collective bargaining
8 representative of employees specified in s. 111.81 (7) (a) or (ag) in an appropriate
9 collective bargaining unit or with the certified exclusive collective bargaining
10 representative of employees specified in s. 111.81 (7) (ar) to (f) in an appropriate
11 collective bargaining unit. Such refusal to bargain shall include, but not be limited
12 to, the refusal to execute a collective bargaining agreement previously orally agreed
13 upon.

14 **SECTION 630.** 111.85 (1) of the statutes is amended to read:

15 111.85 (1) (a) No fair-share or maintenance of membership agreement
16 ~~covering public safety employees under this subchapter~~ may become effective unless
17 authorized by a referendum. The commission shall order a referendum whenever it
18 receives a petition supported by proof that at least 30 percent of the public safety
19 employees in a collective bargaining unit or at least 30 percent of the employees in
20 a collective bargaining unit containing a frontline worker desire that a fair-share or
21 maintenance of membership agreement be entered into between the employer and
22 a labor organization. A petition may specify that a referendum is requested on a
23 maintenance of membership agreement only, in which case the ballot shall be limited
24 to that question.

1 (b) For a fair-share agreement to be authorized, at least two-thirds of the
2 eligible public safety employees voting in a referendum shall vote in favor of the
3 agreement or at least two-thirds of the employees in a collective bargaining unit
4 containing a frontline worker shall vote in favor of the agreement. For a
5 maintenance of membership agreement to be authorized, at least a majority of the
6 eligible public safety employees voting in a referendum shall vote in favor of the
7 agreement or at least a majority of the employees in a collective bargaining unit
8 containing a frontline worker shall vote in favor of the agreement. In a referendum
9 on a fair-share agreement, if less than two-thirds but more than one-half of the
10 eligible public safety employees vote in favor of the agreement, a maintenance of
11 membership agreement is authorized.

12 (c) If a fair-share or maintenance of membership agreement is authorized in
13 a referendum ordered under par. (a), the employer shall enter into such an
14 agreement with the labor organization named on the ballot in the referendum. Each
15 fair-share or maintenance of membership agreement shall contain a provision
16 requiring the employer to deduct the amount of dues as certified by the labor
17 organization from the earnings of the ~~public safety~~ employees affected by the
18 agreement and to pay the amount so deducted to the labor organization. Unless the
19 parties agree to an earlier date, the agreement shall take effect 60 days after
20 certification by the commission that the referendum vote authorized the agreement.
21 The employer shall be held harmless against any claims, demands, suits and other
22 forms of liability made by ~~public safety~~ the employees affected by the agreement or
23 by local labor organizations which may arise for actions taken by the employer in
24 compliance with this section. All such lawful claims, demands, suits, and other forms

1 of liability are the responsibility of the labor organization entering into the
2 agreement.

3 (d) Under each fair-share or maintenance of membership agreement, ~~a public~~
4 ~~safety~~ an employee affected by the agreement who has religious convictions against
5 dues payments to a labor organization based on teachings or tenets of a church or
6 religious body of which he or she is a member shall, on request to the labor
7 organization, have his or her dues paid to a charity mutually agreed upon by the
8 ~~public safety~~ employee and the labor organization. Any dispute concerning this
9 paragraph may be submitted to the commission for adjudication.

10 **SECTION 631.** 111.85 (2) of the statutes is amended to read:

11 111.85 (2) (a) Once authorized under sub. (1), a fair-share or maintenance of
12 membership agreement ~~covering public safety employees~~ shall continue in effect,
13 subject to the right of the employer or labor organization concerned to petition the
14 commission to conduct a new referendum. Such petition must be supported by proof
15 that at least 30 percent of the public safety employees in the collective bargaining
16 unit or at least 30 percent of the employees in a collective bargaining unit containing
17 a frontline worker desire that the fair-share or maintenance of membership
18 agreement be discontinued. Upon so finding, the commission shall conduct a new
19 referendum. If the continuance of the fair-share or maintenance of membership
20 agreement is approved in the referendum by at least the percentage of eligible voting
21 ~~public safety~~ employees required for its initial authorization, it shall be continued
22 in effect, subject to the right of the employer or labor organization to later initiate a
23 further vote following the procedure prescribed in this subsection. If the
24 continuation of the agreement is not supported in any referendum, it is ~~deemed~~
25 ~~terminated~~ terminates at the termination of the collective bargaining agreement, or

1 one year from the date of the certification of the result of the referendum, whichever
2 is earlier.

3 (b) The commission shall declare any fair-share or maintenance of
4 membership agreement suspended upon such conditions and for such time as the
5 commission decides whenever it finds that the labor organization involved has
6 refused on the basis of race, color, sexual orientation or creed to receive as a member
7 any ~~public-safety~~ employee in the collective bargaining unit involved, and the
8 agreement shall be made subject to the findings and orders of the commission. Any
9 of the parties to the agreement, or any ~~public-safety~~ employee covered thereby, may
10 come before the commission, as provided in s. 111.07, and petition the commission
11 to make such a finding.

12 **SECTION 632.** 111.85 (4) of the statutes is amended to read:

13 111.85 (4) The commission may, under rules adopted for that purpose, appoint
14 as its agent an official of a state agency or authority whose ~~public-safety~~ employees
15 are entitled to vote in a referendum to conduct a referendum ~~provided for herein~~
16 under this section.

17 **SECTION 633.** 111.86 (2) of the statutes is amended to read:

18 111.86 (2) The division shall charge a state department ~~or~~, agency, or authority
19 the employer's share of the cost related to grievance arbitration under sub. (1) for any
20 arbitration that involves one or more employees of the state department ~~or~~, agency,
21 or authority. Each state department ~~or~~, agency, or authority so charged shall pay the
22 amount that the division charges from the appropriation account or accounts used
23 to pay the salary of the grievant. Funds received under this subsection shall be
24 credited to the appropriation account under s. 20.505 (1) (ks).

25 **SECTION 634.** 111.88 (1) of the statutes is amended to read:

1 111.88 (1) If a dispute has not been settled after a reasonable period of
2 negotiation and after the settlement procedures, if any, established by the parties
3 have been exhausted, the representative which has been certified by the commission
4 after an election, or, in the case of a representative of employees specified in s. 111.81
5 (7) (a) or (ag), has been duly recognized by the employer, as the exclusive
6 representative of employees in an appropriate collective bargaining unit, and the
7 employer, its officers and agents, after a reasonable period of negotiation, are
8 deadlocked with respect to any dispute between them arising in the collective
9 bargaining process, the parties jointly, may petition the commission, in writing, to
10 initiate fact-finding under this section, and to make recommendations to resolve the
11 deadlock.

12 **SECTION 635.** 111.90 (1) of the statutes is amended to read:

13 111.90 (1) Carry out the statutory mandate and goals assigned to a state agency
14 or authority by the most appropriate and efficient methods and means and utilize
15 personnel in the most appropriate and efficient manner possible.

16 **SECTION 636.** 111.90 (2) of the statutes is amended to read:

17 111.90 (2) Manage the employees of a state agency or authority; hire, promote,
18 transfer, assign or retain employees in positions within the agency or authority; and
19 in that regard establish reasonable work rules.

20 **SECTION 637.** 111.91 (1w) of the statutes is created to read:

21 111.91 (1w) (a) Except as provided in pars. (b) and (c), with regard to a collective
22 bargaining unit that contains at least one frontline worker, matters subject to
23 collective bargaining to the point of impasse are wage rates, consistent with sub. (2),
24 the assignment and reassignment of classifications to pay ranges, determination of
25 an incumbent's pay status resulting from position reallocation or reclassification,

1 and pay adjustments upon temporary assignment of classified employees to duties
2 of a higher classification or downward reallocations of a classified employee's
3 position; fringe benefits consistent with sub. (2); hours and conditions of
4 employment.

5 (b) With regard to a collective bargaining unit that contains at least one
6 frontline worker, the employer is not required to bargain on management rights
7 under s. 111.90, except that procedures for the adjustment or settlement of
8 grievances or disputes arising out of any type of disciplinary action referred to in s.
9 111.90 (3) shall be a subject of bargaining.

10 (c) The employer is prohibited from bargaining on matters contained in sub. (2)
11 with a collective bargaining unit that contains at least one frontline worker.

12 **SECTION 638.** 111.91 (2) (intro.) of the statutes is amended to read:

13 111.91 (2) (intro.) The employer is prohibited from bargaining with a collective
14 bargaining unit under s. 111.825 (1) (g) or with a collective bargaining unit that
15 contains a frontline worker with respect to all of the following:

16 **SECTION 639.** 111.91 (3) (intro.) of the statutes is amended to read:

17 111.91 (3) (intro.) The employer is prohibited from bargaining with a collective
18 bargaining unit containing ~~a~~ only general employee employees with respect to any
19 of the following:

20 **SECTION 640.** 111.91 (3q) of the statutes is amended to read:

21 111.91 (3q) For purposes of determining compliance with sub. (3), the
22 commission shall provide, upon request, to the employer or to any representative of
23 a collective bargaining unit containing ~~a~~ only general employee employees, the
24 consumer price index change during any 12-month period. The commission may get
25 the information from the department of revenue.

1 **SECTION 641.** 111.91 (4) of the statutes is amended to read:

2 111.91 (4) The administrator of the division, in connection with the
3 development of tentative collective bargaining agreements to be submitted under s.
4 111.92 (1) (a) 1., shall endeavor to obtain tentative agreements with each recognized
5 or certified labor organization representing employees or supervisors of employees
6 specified in s. 111.81 (7) (a) or (ag) and with each certified labor organization
7 representing employees specified in s. 111.81 (7) (b) to (e) which do not contain any
8 provision for the payment to any employee of a cumulative or noncumulative amount
9 of compensation in recognition of or based on the period of time an employee has been
10 employed by the state.

11 **SECTION 642.** 111.92 (3) (a) of the statutes is amended to read:

12 111.92 (3) (a) Agreements covering a collective bargaining unit specified under
13 s. 111.825 (1) (g) or a collective bargaining unit containing a frontline worker shall
14 coincide with the fiscal year or biennium.

15 **SECTION 643.** 111.92 (3) (b) of the statutes is amended to read:

16 111.92 (3) (b) No agreements covering a collective bargaining unit containing
17 ~~a~~ only general employee employees may be for a period that exceeds one year, and
18 each agreement must coincide with the fiscal year. Agreements covering a collective
19 bargaining unit containing ~~a~~ only general employee employees may not be extended.

20 **SECTION 644.** 111.93 (3) (a) of the statutes is amended to read:

21 111.93 (3) (a) If a collective bargaining agreement exists between the employer
22 and a labor organization representing employees in a collective bargaining unit
23 under s. 111.825 (1) (g) or in a collective bargaining unit containing a frontline
24 worker, the provisions of that agreement shall supersede the provisions of civil
25 service and other applicable statutes, ~~as well as~~ rules and policies of the University

1 of Wisconsin-Madison and the board of regents of the University of Wisconsin
2 System, and policies or determinations of an authority, that are related to wages,
3 fringe benefits, hours, and conditions of employment, whether or not the matters
4 contained in those statutes, rules, and policies, and determinations are set forth in
5 the collective bargaining agreement.

6 **SECTION 645.** 111.93 (3) (b) of the statutes is amended to read:

7 111.93 (3) (b) If a collective bargaining agreement exists between the employer
8 and a labor organization representing only general employees in a collective
9 bargaining unit, the provisions of that agreement shall supersede the provisions of
10 civil service and other applicable statutes, as well as rules and policies of the board
11 of regents of the University of Wisconsin System, related to wages, whether or not
12 the matters contained in those statutes, rules, and policies are set forth in the
13 collective bargaining agreement.

14 **SECTION 646.** 118.22 (4) of the statutes is created to read:

15 118.22 (4) A collective bargaining agreement under subch. IV of ch. 111 may
16 modify, waive, or replace any of the provisions of this section as they apply to teachers
17 in the collective bargaining unit, but neither the employer nor the bargaining agent
18 for the employees is required to bargain such modification, waiver, or replacement.

19 **SECTION 647.** 118.245 (1) of the statutes is amended to read:

20 118.245 (1) If a school board wishes to increase the total base wages of its
21 general municipal employees, as defined in s. 111.70 (1) (fm), in an amount that
22 exceeds the limit under s. 111.70 (4) (mb) 2., the school board shall adopt a resolution
23 to that effect. The resolution shall specify the amount by which the proposed total
24 base wages increase will exceed the limit under s. 111.70 (4) (mb) 2. The resolution
25 may not take effect unless it is approved in a referendum called for that purpose. The

1 referendum shall occur in April for collective bargaining agreements that begin in
2 July of that year. The results of a referendum apply to the total base wages only in
3 the next collective bargaining agreement.

4 **SECTION 648.** 118.42 (3) (a) 4. of the statutes is amended to read:

5 118.42 (3) (a) 4. Implement changes in administrative and personnel
6 structures that are consistent with applicable collective bargaining agreements
7 under subch. IV of ch. 111.

8 **SECTION 649.** 118.42 (5) of the statutes is amended to read:

9 118.42 (5) Nothing in this section alters or otherwise affects the rights or
10 remedies afforded school districts and school district employees under federal or
11 state law or under the terms of any applicable collective bargaining agreement under
12 subch. IV of ch. 111.

13 **SECTION 650.** 120.12 (15) of the statutes is amended to read:

14 120.12 (15) SCHOOL HOURS. Establish rules scheduling the hours of a normal
15 school day. The school board may differentiate between the various elementary and
16 high school grades in scheduling the school day. This subsection does not eliminate
17 a school district's duty under subch. IV of ch. 111 to bargain with its employees'
18 collective bargaining representative over any calendaring proposal which is
19 primarily related to wages, hours, or conditions of employment.

20 **SECTION 651.** 120.18 (1) (gm) of the statutes is amended to read:

21 120.18 (1) (gm) Payroll and related benefit costs for all school district
22 employees in the previous school year. ~~Payroll costs~~ Costs for represented employees
23 shall be based upon the costs of wages of any collective bargaining agreements
24 covering such employees for the previous school year. If, as of the time specified by
25 the department for filing the report, the school district has not entered into a

1 collective bargaining agreement for any portion of the previous school year with the
2 recognized or certified representative of any of its employees, increased costs of
3 wages reflected in the report shall be equal to the maximum wage expenditure that
4 is subject to collective bargaining under s. 111.70 (4) (mb) 2. for the employees limited
5 to the lower of the school district's offer or the representative's offer. The school
6 district shall amend the annual report to reflect any change in such costs as a result
7 of any collective bargaining agreement entered into between the date of filing the
8 report and October 1. Any such amendment shall be concurred in by the certified
9 public accountant licensed or certified under ch. 442 certifying the school district
10 audit.

11 **SECTION 652.** 230.10 (2) of the statutes is amended to read:

12 230.10 (2) The compensation plan in effect at the time that a representative
13 is recognized or certified to represent employees in a collective bargaining unit and
14 the employee salary and benefit provisions under s. 230.12 (3) (e) in effect at the time
15 that a representative is certified to represent employees in a collective bargaining
16 unit under subch. V of ch. 111 constitute the compensation plan or employee salary
17 and benefit provisions for employees in the collective bargaining unit until a
18 collective bargaining agreement becomes effective for that unit. If a collective
19 bargaining agreement under subch. V of ch. 111 expires prior to the effective date of
20 a subsequent agreement, and a representative continues to be recognized or certified
21 to represent employees specified in s. 111.81 (7) (a) or (ag) or certified to represent
22 employees specified in s. 111.81 (7) (ar) to (f) in that collective bargaining unit, the
23 wage rates of the employees in such a unit shall be frozen until a subsequent
24 agreement becomes effective, and the compensation plan under s. 230.12 and salary

1 and benefit changes adopted under s. 230.12 (3) (e) do not apply to employees in the
2 unit.

3 **SECTION 9214. Fiscal changes; Employment Relations Commission.**

4 (1) COLLECTIVE BARGAINING MODIFICATIONS. In the schedule under s. 20.005 (3)
5 for the appropriation to the employment relations commission under s. 20.425 (1) (a),
6 the dollar amount for fiscal year 2023-24 is increased by \$214,700 to increase the
7 authorized FTE positions by 2.0 GPR to implement expanded collective bargaining
8 rights for state and local government employees. In the schedule under s. 20.005 (3)
9 for the appropriation to the employment relations commission under s. 20.425 (1) (a),
10 the dollar amount for fiscal year 2024-25 is increased by \$283,000 to increase the
11 authorized FTE positions by 2.0 GPR to implement expanded collective bargaining
12 rights for state and local government employees.

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

14 (1) COLLECTIVE BARGAINING; EMPLOYEE RIGHTS. The treatment of ss. 20.425 (1)
15 (i), 20.505 (1) (ks), 20.921 (1) (a) 2., 40.51 (7) (a), 46.2895 (8) (a) 1., 109.03 (1) (b),
16 111.70 (1) (a), (f), (fd), (fm), (n), and (p), (3) (a) 3., 5., 6., and 9., (3g), (4) (bm) (title),
17 (cg) (title), 1., 2., 3., 4., 5., 6. a., 7r. d., e., f., and h., and 8m., (d) 1., 2. a., and 3. a., b.,
18 and c., (mb) (intro.), (mbb), and (p), and (7m) (c) 1. a., 111.81 (1), (1d), (7) (ag), (8), (9),
19 (9b), (9g), (12) (intro.), (12m), and (16), 111.815 (1), 111.817, 111.825 (1) (intro.), (3),
20 and (5), 111.83 (1), (3) (a) and (b), and (4), 111.84 (1) (d) and (f) and (2) (c), 111.85 (1),
21 (2), and (4), 111.86 (2), 111.88 (1), 111.90 (1) and (2), 111.91 (1w), (2) (intro.), (3)
22 (intro.), (3q), and (4), 111.92 (3) (a) and (b), 111.93 (3) (a) and (b), 118.22 (4), 118.245
23 (1), 118.42 (3) (a) 4. and (5), 120.12 (15), 120.18 (1) (gm), and 230.10 (2), the
24 renumbering of s. 111.70 (4) (bm), the renumbering and amendment of ss. 111.70 (2)
25 and 111.82, and the creation of ss. 111.70 (2) (b) and (4) (bm) 2. and 111.82 (2) first

1 apply to employees who are covered by a collective bargaining agreement under ch.
2 111 that contains provisions inconsistent with those sections on the day on which the
3 agreement expires or is terminated, extended, modified, or renewed, whichever
4 occurs first.”.

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

6 “**SECTION 653.** 66.0509 (1m) (c) 1. of the statutes is amended to read:

7 66.0509 (1m) (c) 1. A grievance procedure that addresses employee
8 terminations, employee discipline, and workplace safety.

9 **SECTION 654.** 66.0509 (1m) (c) 2. of the statutes is repealed and recreated to
10 read:

11 66.0509 (1m) (c) 2. A just cause standard of review for employee terminations,
12 including a refusal to renew a teaching contract under s. 118.22.

13 **SECTION 655.** 66.0509 (1m) (c) 3. of the statutes is repealed.

14 **SECTION 656.** 66.0509 (1m) (d) 2. of the statutes is amended to read:

15 66.0509 (1m) (d) 2. A hearing before an impartial hearing officer from the
16 employment relations commission.

17 **SECTION 657.** 66.0509 (1m) (d) 4. and 5. of the statutes are created to read:

18 66.0509 (1m) (d) 4. A provision indicating that the grievant shall be entitled
19 to representation throughout the grievance process.

20 5. A provision indicating that the employer shall bear all fees and costs
21 associated with the grievance process, except for the grievant’s representational fees
22 and costs.

23 **SECTION 9214. Fiscal changes; Employment Relations Commission.**

1 (1u) LOCAL GOVERNMENT EMPLOYEE GRIEVANCE. In the schedule under s. 20.005
2 (3) for the appropriation to the employment relations commission under s. 20.425 (1)
3 (a), the dollar amount for fiscal year 2023-24 is increased by \$112,400 to increase the
4 authorized FTE positions by 1.0 GPR hearing officer for local government employee
5 grievances. In the schedule under s. 20.005 (3) for the appropriation to the
6 employment relations commission under s. 20.425 (1) (a), the dollar amount for fiscal
7 year 2024-25 is increased by \$146,500 to increase the authorized FTE positions by
8 1.0 GPR hearing officer for local government employee grievances.”.

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

10 “**SECTION 658.** 15.405 (6) (b) of the statutes is amended to read:

11 15.405 (6) (b) Three dental hygienists who are licensed under ch. 447. The
12 governor shall, to the extent possible, appoint members under this paragraph so that
13 at least one of the members under this paragraph is an individual who is also a dental
14 therapist licensed under ch. 447. Notwithstanding s. 15.08 (1m) (a), the dental
15 hygienist members under this paragraph may participate in the preparation and
16 grading of licensing examinations for dental hygienists.

17 **SECTION 659.** 20.165 (1) (g) of the statutes is amended to read:

18 20.165 (1) (g) *General program operations.* The amounts in the schedule for
19 the licensing, ~~rule making~~ rule-making, and regulatory functions of the department,
20 other than the licensing, rule-making, and credentialing functions of the medical
21 examining board and the affiliated credentialing boards attached to the medical
22 examining board and except for preparing, administering, and grading
23 examinations. ~~Ninety percent of all~~ All moneys received under chs. 440 to 480, except
24 subchs. II and IV to IX of ch. 448, ch. 460 and ss. 440.03 (13), 440.05 (1) (b), 458.21,

1 and 458.365, less \$10 of each renewal fee received under s. 452.12 (5); and all moneys
2 transferred from the appropriation under par. (i); ~~and all moneys received under s.~~
3 ~~440.055 (2)~~, shall be credited to this appropriation.

4 **SECTION 660.** 20.165 (1) (gm) of the statutes is amended to read:

5 20.165 (1) (gm) *Applicant investigation reimbursement.* ~~Ninety percent of all~~
6 All moneys received from applicants for credentials under s. 440.03 (13), for the
7 purpose of conducting investigations under s. 440.03 (13).

8 **SECTION 661.** 20.165 (1) (hg) of the statutes is amended to read:

9 20.165 (1) (hg) *General program operations; medical examining board;*
10 *interstate medical licensure compact; prescription drug monitoring program.*

11 Biennially, the amounts in the schedule for the licensing, rule-making, and
12 regulatory functions of the medical examining board and the affiliated credentialing
13 boards attached to the medical examining board, except for preparing,
14 administering, and grading examinations; for any costs associated with the
15 interstate medical licensure compact under s. 448.980, including payment of
16 assessments under s. 448.980 (13) (a); and for the controlled substances board's
17 operation of the prescription drug monitoring program under s. 961.385. ~~Ninety~~
18 ~~percent of all~~ All moneys received for issuing and renewing credentials under subchs.
19 II and IV to IX of ch. 448 shall be credited to this appropriation. ~~All and ch. 460 and~~
20 all moneys received from the interstate medical licensure compact commission under
21 s. 448.980 shall be credited to this appropriation.

22 **SECTION 662.** 20.165 (1) (i) of the statutes is amended to read:

23 20.165 (1) (i) *Examinations; general program operations.* ~~Ninety percent of all~~
24 All moneys received under s. 440.05 (1) (b) for the purposes of preparing,
25 administering, and grading examinations. Notwithstanding s. 20.001 (3) (c), any

1 unencumbered balance in this appropriation account, excluding any amount
2 specified by the secretary of administration that is reserved for the payment of future
3 employee compensation or fringe benefit costs, at the end of each fiscal year which
4 exceeds 30 percent of the estimated amount shown in the schedule under s. 20.005
5 for that fiscal year shall be transferred to the appropriation account under par. (g).

6 **SECTION 663.** 20.165 (1) (jm) of the statutes is amended to read:

7 20.165 (1) (jm) *Nursing workforce survey administration.* Biennially, the
8 amounts in the schedule for administrative expenses related to distributing a
9 nursing workforce survey to ~~applicants for renewal of credentials~~ nurse licensees
10 under s. 441.01 (7). All moneys received from the fee under s. 441.01 (7) (a) 2. shall
11 be credited to this appropriation account. Annually, there is transferred from this
12 appropriation account to the appropriation account under s. 20.445 (1) (km) all
13 moneys received from the fee under s. 441.01 (7) (a) 2. that are not appropriated to
14 this appropriation account.

15 **SECTION 664.** 20.165 (1) (jr) of the statutes is amended to read:

16 20.165 (1) (jr) *Proprietary school programs.* The amounts in the schedule for
17 the examination and approval of proprietary school programs under s. 440.52.
18 ~~Ninety percent of all~~ All moneys received from the issuance of solicitor's permits
19 under s. 440.52 (8) and from the fees under s. 440.52 (10) and all moneys received
20 from the fees under s. 440.52 (13) (d) shall be credited to this appropriation account.

21 **SECTION 665.** 29.193 (1m) (a) 2. (intro.) of the statutes is amended to read:

22 29.193 (1m) (a) 2. (intro.) Has a permanent substantial loss of function in one
23 or both arms or one or both hands and fails to meet the minimum standards of any
24 one of the following standard tests, administered under the direction of a licensed

1 physician, a licensed physician assistant, a licensed chiropractor, or a ~~certified~~
2 licensed advanced practice registered nurse prescriber:

3 **SECTION 666.** 29.193 (2) (b) 2. of the statutes is amended to read:

4 29.193 (2) (b) 2. An applicant shall submit an application on a form prepared
5 and furnished by the department, which shall include a written statement or report
6 prepared and signed by a licensed physician, a licensed physician assistant, a
7 licensed chiropractor, a licensed podiatrist, or a ~~certified~~ licensed advanced practice
8 registered nurse prescriber prepared no more than 6 months preceding the
9 application and verifying that the applicant is physically disabled.

10 **SECTION 667.** 29.193 (2) (c) 3. of the statutes is amended to read:

11 29.193 (2) (c) 3. The department may issue a Class B permit to an applicant
12 who is ineligible for a permit under subd. 1., 2. or 2m. or who is denied a permit under
13 subd. 1., 2. or 2m. if, upon review and after considering the physical condition of the
14 applicant and the recommendation of a licensed physician, a licensed physician
15 assistant, a licensed chiropractor, a licensed podiatrist, or a ~~certified~~ licensed
16 advanced practice registered nurse prescriber selected by the applicant from a list
17 of licensed physicians, licensed physician assistants, licensed chiropractors, licensed
18 podiatrists, and ~~certified~~ licensed advanced practice nurse prescribers registered
19 nurses compiled by the department, the department finds that issuance of a permit
20 complies with the intent of this subsection. The use of this review procedure is
21 discretionary with the department and all costs of the review procedure shall be paid
22 by the applicant.

23 **SECTION 668.** 29.193 (2) (cd) 2. b. of the statutes is amended to read:

24 29.193 (2) (cd) 2. b. The person has a permanent substantial loss of function
25 in one or both arms and fails to meet the minimum standards of the standard upper

1 extremity pinch test, the standard grip test, or the standard nine-hole peg test,
2 administered under the direction of a licensed physician, a licensed physician
3 assistant, a licensed chiropractor, or a ~~certified~~ licensed advanced practice registered
4 nurse prescriber.

5 **SECTION 669.** 29.193 (2) (cd) 2. c. of the statutes is amended to read:

6 29.193 (2) (cd) 2. c. The person has a permanent substantial loss of function in
7 one or both shoulders and fails to meet the minimum standards of the standard
8 shoulder strength test, administered under the direction of a licensed physician, a
9 licensed physician assistant, a licensed chiropractor, or a ~~certified~~ licensed advanced
10 practice registered nurse prescriber.

11 **SECTION 670.** 29.193 (2) (e) of the statutes is amended to read:

12 29.193 (2) (e) *Review of decisions.* An applicant denied a permit under this
13 subsection, except a permit under par. (c) 3., may obtain a review of that decision by
14 a licensed physician, a licensed physician assistant, a licensed chiropractor, a
15 licensed podiatrist, or a ~~certified~~ licensed advanced practice registered nurse
16 prescriber designated by the department and with an office located in the
17 department district in which the applicant resides. The department shall pay for the
18 cost of a review under this paragraph unless the denied application on its face fails
19 to meet the standards set forth in par. (c) 1. or 2. A review under this paragraph is
20 the only method of review of a decision to deny a permit under this subsection and
21 is not subject to further review under ch. 227.

22 **SECTION 671.** 29.193 (3) (a) of the statutes is amended to read:

23 29.193 (3) (a) Produces a certificate from a licensed physician, a licensed
24 physician assistant, a licensed optometrist, or a ~~certified~~ licensed advanced practice

1 ~~registered nurse prescriber~~ stating that his or her sight is impaired to the degree that
2 he or she cannot read ordinary newspaper print with or without corrective glasses.

3 **SECTION 672.** 46.03 (44) of the statutes is amended to read:

4 46.03 (44) SEXUALLY TRANSMITTED DISEASE TREATMENT INFORMATION. Prepare and
5 keep current an information sheet to be distributed to a patient by a physician, a
6 physician assistant, or ~~certified~~ an advanced practice registered nurse ~~prescriber~~
7 who may issue prescription orders under s. 441.09 (2) providing expedited partner
8 therapy to that patient under s. 441.092, 448.035, or 448.9725. The information
9 sheet shall include information about sexually transmitted diseases and their
10 treatment and about the risk of drug allergies. The information sheet shall also
11 include a statement advising a person with questions about the information to
12 contact his or her physician, advanced practice registered nurse, pharmacist, or local
13 health department, as defined in s. 250.01 (4).

14 **SECTION 673.** 50.01 (1b) of the statutes is repealed.

15 **SECTION 674.** 50.08 (2) of the statutes is amended to read:

16 50.08 (2) A physician, an advanced practice registered nurse ~~prescriber~~
17 ~~certified~~ who may issue prescription orders under s. ~~441.16~~ 441.09 (2), or a physician
18 assistant who prescribes a psychotropic medication to a nursing home resident who
19 has degenerative brain disorder shall notify the nursing home if the prescribed
20 medication has a boxed warning under 21 CFR 201.57.

21 **SECTION 675.** 50.09 (1) (a) (intro.) of the statutes is amended to read:

22 50.09 (1) (a) (intro.) Private and unrestricted communications with the
23 resident's family, physician, physician assistant, advanced practice registered nurse
24 ~~prescriber~~, attorney, and any other person, unless medically contraindicated as
25 documented by the resident's physician, physician assistant, or advanced practice

1 registered nurse ~~prescriber~~ in the resident's medical record, except that
2 communications with public officials or with the resident's attorney shall not be
3 restricted in any event. The right to private and unrestricted communications shall
4 include, but is not limited to, the right to:

5 **SECTION 676.** 50.09 (1) (f) 1. of the statutes is amended to read:

6 50.09 (1) (f) 1. Privacy for visits by spouse or domestic partner. If both spouses
7 or both domestic partners under ch. 770 are residents of the same facility, the spouses
8 or domestic partners shall be permitted to share a room unless medically
9 contraindicated as documented by the resident's physician, physician assistant, or
10 advanced practice registered nurse ~~prescriber~~ in the resident's medical record.

11 **SECTION 677.** 50.09 (1) (h) of the statutes is amended to read:

12 50.09 (1) (h) Meet with, and participate in activities of social, religious, and
13 community groups at the resident's discretion, unless medically contraindicated as
14 documented by the resident's physician, physician assistant, or advanced practice
15 registered nurse ~~prescriber~~ in the resident's medical record.

16 **SECTION 678.** 50.09 (1) (k) of the statutes is amended to read:

17 50.09 (1) (k) Be free from mental and physical abuse, and be free from chemical
18 and physical restraints except as authorized in writing by a physician, physician
19 assistant, or advanced practice registered nurse ~~prescriber~~ for a specified and
20 limited period of time and documented in the resident's medical record. Physical
21 restraints may be used in an emergency when necessary to protect the resident from
22 injury to himself or herself or others or to property. However, authorization for
23 continuing use of the physical restraints shall be secured from a physician, physician
24 assistant, or advanced practice registered nurse ~~prescriber~~ within 12 hours. Any use
25 of physical restraints shall be noted in the resident's medical records. "Physical

1 restraints” includes, but is not limited to, any article, device, or garment that
2 interferes with the free movement of the resident and that the resident is unable to
3 remove easily, and confinement in a locked room.

4 **SECTION 679.** 50.36 (3s) of the statutes is created to read:

5 50.36 (3s) The department shall require a hospital that provides emergency
6 services to have sufficient qualified personnel at all times to manage the number and
7 severity of emergency department cases anticipated by the location. At all times, a
8 hospital that provides emergency services shall have on-site at least one physician
9 who, through education, training, and experience, specializes in emergency
10 medicine.

11 **SECTION 680.** 50.49 (1) (b) (intro.) of the statutes is amended to read:

12 50.49 (1) (b) (intro.) “Home health services” means the following items and
13 services that are furnished to an individual, who is under the care of a physician,
14 physician assistant, or advanced practice registered nurse ~~prescriber~~, by a home
15 health agency, or by others under arrangements made by the home health agency,
16 that are under a plan for furnishing those items and services to the individual that
17 is established and periodically reviewed by a physician, physician assistant, or
18 advanced practice registered nurse ~~prescriber~~ and that are, except as provided in
19 subd. 6., provided on a visiting basis in a place of residence used as the individual’s
20 home:

21 **SECTION 681.** 51.41 (1d) (b) 4. of the statutes is amended to read:

22 51.41 (1d) (b) 4. A psychiatric mental health advanced practice registered
23 nurse who is suggested by the Milwaukee County board of supervisors. The
24 Milwaukee County board of supervisors shall solicit suggestions from organizations
25 including the Wisconsin Nurses Association for individuals who specialize in a full

1 continuum of behavioral health and medical services including emergency
2 detention, inpatient, residential, transitional, partial hospitalization, intensive
3 outpatient, and wraparound community-based services. The Milwaukee County
4 board of supervisors shall suggest to the Milwaukee County executive 4 psychiatric
5 mental health advanced practice registered nurses for this board membership
6 position.

7 **SECTION 682.** 70.47 (8) (intro.) of the statutes is amended to read:

8 70.47 (8) HEARING. (intro.) The board shall hear upon oath all persons who
9 appear before it in relation to the assessment. Instead of appearing in person at the
10 hearing, the board may allow the property owner, or the property owner's
11 representative, at the request of either person, to appear before the board, under
12 oath, by telephone or to submit written statements, under oath, to the board. The
13 board shall hear upon oath, by telephone, all ill or disabled persons who present to
14 the board a letter from a physician, physician assistant, or advanced practice
15 registered nurse ~~prescriber certified under s. 441.16 (2)~~ licensed under ch. 441 that
16 confirms their illness or disability. At the request of the property owner or the
17 property owner's representative, the board may postpone and reschedule a hearing
18 under this subsection, but may not postpone and reschedule a hearing more than
19 once during the same session for the same property. The board at such hearing shall
20 proceed as follows:

21 **SECTION 683.** 77.54 (14) (f) 3. of the statutes is repealed.

22 **SECTION 684.** 77.54 (14) (f) 4. of the statutes is amended to read:

23 77.54 (14) (f) 4. An advanced practice registered nurse who may issue
24 prescription orders under s. 441.09 (2).

25 **SECTION 685.** 97.59 of the statutes is amended to read:

1 **97.59 Handling foods.** No person in charge of any public eating place or other
2 establishment where food products to be consumed by others are handled may
3 knowingly employ any person handling food products who has a disease in a form
4 that is communicable by food handling. If required by the local health officer or any
5 officer of the department for the purposes of an investigation, any person who is
6 employed in the handling of foods or is suspected of having a disease in a form that
7 is communicable by food handling shall submit to an examination by the officer or
8 by a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~
9 designated by the officer. The expense of the examination, if any, shall be paid by the
10 person examined. Any person knowingly infected with a disease in a form that is
11 communicable by food handling who handles food products to be consumed by others
12 and any persons knowingly employing or permitting such a person to handle food
13 products to be consumed by others shall be punished as provided by s. 97.72.

14 **SECTION 686.** 102.13 (1) (a) of the statutes is amended to read:

15 102.13 (1) (a) Except as provided in sub. (4), whenever compensation is claimed
16 by an employee, the employee shall, upon the written request of the employee's
17 employer or worker's compensation insurer, submit to reasonable examinations by
18 physicians, chiropractors, psychologists, dentists, physician assistants, advanced
19 practice ~~nurse prescribers~~ registered nurses, or podiatrists provided and paid for by
20 the employer or insurer. No employee who submits to an examination under this
21 paragraph is a patient of the examining physician, chiropractor, psychologist,
22 dentist, physician assistant, advanced practice registered nurse ~~prescriber~~, or
23 podiatrist for any purpose other than for the purpose of bringing an action under ch.
24 655, unless the employee specifically requests treatment from that physician,

1 chiropractor, psychologist, dentist, physician assistant, advanced practice registered
2 nurse ~~prescriber~~, or podiatrist.

3 **SECTION 687.** 102.13 (1) (b) (intro.), 1., 3. and 4. of the statutes are amended
4 to read:

5 102.13 (1) (b) (intro.) An employer or insurer who requests that an employee
6 submit to reasonable examination under par. (a) or (am) shall tender to the employee,
7 before the examination, all necessary expenses including transportation expenses.
8 The employee is entitled to have a physician, chiropractor, psychologist, dentist,
9 physician assistant, advanced practice registered nurse ~~prescriber~~, or podiatrist
10 provided by himself or herself present at the examination and to receive a copy of all
11 reports of the examination that are prepared by the examining physician,
12 chiropractor, psychologist, podiatrist, dentist, physician assistant, advanced
13 practice registered nurse ~~prescriber~~, or vocational expert immediately upon receipt
14 of those reports by the employer or worker's compensation insurer. The employee is
15 entitled to have one observer provided by himself or herself present at the
16 examination. The employee is also entitled to have a translator provided by himself
17 or herself present at the examination if the employee has difficulty speaking or
18 understanding the English language. The employer's or insurer's written request
19 for examination shall notify the employee of all of the following:

20 1. The proposed date, time, and place of the examination and the identity and
21 area of specialization of the examining physician, chiropractor, psychologist, dentist,
22 podiatrist, physician assistant, advanced practice registered nurse ~~prescriber~~, or
23 vocational expert.

1 3. The employee's right to have his or her physician, chiropractor, psychologist,
2 dentist, physician assistant, advanced practice registered nurse ~~prescriber~~, or
3 podiatrist present at the examination.

4 4. The employee's right to receive a copy of all reports of the examination that
5 are prepared by the examining physician, chiropractor, psychologist, dentist,
6 podiatrist, physician assistant, advanced practice registered nurse ~~prescriber~~, or
7 vocational expert immediately upon receipt of these reports by the employer or
8 worker's compensation insurer.

9 **SECTION 688.** 102.13 (1) (d) 1., 2., 3. and 4. of the statutes are amended to read:

10 102.13 (1) (d) 1. Any physician, chiropractor, psychologist, dentist, podiatrist,
11 physician assistant, advanced practice registered nurse ~~prescriber~~, or vocational
12 expert who is present at any examination under par. (a) or (am) may be required to
13 testify as to the results of the examination.

14 2. Any physician, chiropractor, psychologist, dentist, physician assistant,
15 advanced practice registered nurse ~~prescriber~~, or podiatrist who attended a worker's
16 compensation claimant for any condition or complaint reasonably related to the
17 condition for which the claimant claims compensation may be required to testify
18 before the division when the division so directs.

19 3. Notwithstanding any statutory provisions except par. (e), any physician,
20 chiropractor, psychologist, dentist, physician assistant, advanced practice registered
21 nurse ~~prescriber~~, or podiatrist attending a worker's compensation claimant for any
22 condition or complaint reasonably related to the condition for which the claimant
23 claims compensation may furnish to the employee, employer, worker's compensation
24 insurer, department, or division information and reports relative to a compensation
25 claim.

1 4. The testimony of any physician, chiropractor, psychologist, dentist,
2 physician assistant, advanced practice registered nurse ~~prescriber~~, or podiatrist who
3 is licensed to practice where he or she resides or practices in any state and the
4 testimony of any vocational expert may be received in evidence in compensation
5 proceedings.

6 **SECTION 689.** 102.13 (2) (a) of the statutes is amended to read:

7 102.13 **(2)** (a) An employee who reports an injury alleged to be work-related
8 or files an application for hearing waives any physician-patient,
9 psychologist-patient, or chiropractor-patient privilege with respect to any condition
10 or complaint reasonably related to the condition for which the employee claims
11 compensation. Notwithstanding ss. 51.30 and 146.82 and any other law, any
12 physician, chiropractor, psychologist, dentist, podiatrist, physician assistant,
13 advanced practice registered nurse ~~prescriber~~, hospital, or health care provider
14 shall, within a reasonable time after written request by the employee, employer,
15 worker's compensation insurer, department, or division, or its representative,
16 provide that person with any information or written material reasonably related to
17 any injury for which the employee claims compensation. If the request is by a
18 representative of a worker's compensation insurer for a billing statement, the
19 physician, chiropractor, psychologist, dentist, podiatrist, physician assistant,
20 advanced practice registered nurse ~~prescriber~~, hospital, or health care provider
21 shall, within 30 days after receiving the request, provide that person with a complete
22 copy of an itemized billing statement or a billing statement in a standard billing
23 format recognized by the federal government.

24 **SECTION 690.** 102.13 (2) (b) of the statutes is amended to read:

1 102.13 (2) (b) A physician, chiropractor, podiatrist, psychologist, dentist,
2 physician assistant, advanced practice registered nurse ~~prescriber~~, hospital, or
3 health service provider shall furnish a legible, certified duplicate of the written
4 material requested under par. (a) in paper format upon payment of the actual costs
5 of preparing the certified duplicate, not to exceed the greater of 45 cents per page or
6 \$7.50 per request, plus the actual costs of postage, or shall furnish a legible, certified
7 duplicate of that material in electronic format upon payment of \$26 per request. Any
8 person who refuses to provide certified duplicates of written material in the person's
9 custody that is requested under par. (a) shall be liable for reasonable and necessary
10 costs and, notwithstanding s. 814.04 (1), reasonable attorney fees incurred in
11 enforcing the requester's right to the duplicates under par. (a).

12 **SECTION 691.** 102.17 (1) (d) 1. and 2. of the statutes are amended to read:

13 102.17 (1) (d) 1. The contents of certified medical and surgical reports by
14 physicians, podiatrists, surgeons, dentists, psychologists, physician assistants,
15 advanced practice nurse ~~prescribers~~ registered nurses, and chiropractors licensed in
16 and practicing in this state, and of certified reports by experts concerning loss of
17 earning capacity under s. 102.44 (2) and (3), presented by a party for compensation
18 constitute prima facie evidence as to the matter contained in those reports, subject
19 to any rules and limitations the division prescribes. Certified reports of physicians,
20 podiatrists, surgeons, dentists, psychologists, physician assistants, advanced
21 practice nurse ~~prescribers~~ registered nurses, and chiropractors, wherever licensed
22 and practicing, who have examined or treated the claimant, and of experts, if the
23 practitioner or expert consents to being subjected to cross-examination, also
24 constitute prima facie evidence as to the matter contained in those reports. Certified
25 reports of physicians, podiatrists, surgeons, psychologists, and chiropractors are

1 admissible as evidence of the diagnosis, necessity of the treatment, and cause and
2 extent of the disability. Certified reports by doctors of dentistry, physician
3 assistants, and advanced practice ~~nurse prescribers~~ registered nurses are
4 admissible as evidence of the diagnosis and necessity of treatment but not of the
5 cause and extent of disability. Any physician, podiatrist, surgeon, dentist,
6 psychologist, chiropractor, physician assistant, advanced practice registered nurse
7 ~~prescriber~~, or expert who knowingly makes a false statement of fact or opinion in a
8 certified report may be fined or imprisoned, or both, under s. 943.395.

9 2. The record of a hospital or sanatorium in this state that is satisfactory to the
10 division, established by certificate, affidavit, or testimony of the supervising officer
11 of the hospital or sanatorium, any other person having charge of the record, or a
12 physician, podiatrist, surgeon, dentist, psychologist, physician assistant, advanced
13 practice registered nurse ~~prescriber~~, or chiropractor to be the record of the patient
14 in question, and made in the regular course of examination or treatment of the
15 patient, constitutes prima facie evidence as to the matter contained in the record, to
16 the extent that the record is otherwise competent and relevant.

17 **SECTION 692.** 102.29 (3) of the statutes is amended to read:

18 102.29 (3) Nothing in this chapter shall prevent an employee from taking the
19 compensation that the employee may be entitled to under this chapter and also
20 maintaining a civil action against any physician, chiropractor, psychologist, dentist,
21 physician assistant, advanced practice registered nurse ~~prescriber~~, or podiatrist for
22 malpractice.

23 **SECTION 693.** 102.42 (2) (a) of the statutes is amended to read:

24 102.42 (2) (a) When the employer has notice of an injury and its relationship
25 to the employment, the employer shall offer to the injured employee his or her choice

1 of any physician, chiropractor, psychologist, dentist, physician assistant, advanced
2 practice registered nurse ~~prescriber~~, or podiatrist licensed to practice and practicing
3 in this state for treatment of the injury. By mutual agreement, the employee may
4 have the choice of any qualified practitioner not licensed in this state. In case of
5 emergency, the employer may arrange for treatment without tendering a choice.
6 After the emergency has passed the employee shall be given his or her choice of
7 attending practitioner at the earliest opportunity. The employee has the right to a
8 2nd choice of attending practitioner on notice to the employer or its insurance carrier.
9 Any further choice shall be by mutual agreement. Partners and clinics are
10 considered to be one practitioner. Treatment by a practitioner on referral from
11 another practitioner is considered to be treatment by one practitioner.

12 **SECTION 694.** 106.30 (1) of the statutes is amended to read:

13 106.30 (1) DEFINITION. In this section, “nurse” means a registered nurse
14 licensed under s. 441.06 or permitted under s. 441.08, a licensed practical nurse
15 licensed or permitted under s. 441.10, or an advanced practice registered nurse
16 ~~prescriber certified under s. 441.16 (2), or a nurse-midwife licensed under s. 441.15~~
17 441.09.

18 **SECTION 695.** 106.30 (2) of the statutes is amended to read:

19 106.30 (2) SURVEY FORM. ~~Each odd-numbered year~~ Biennially, the department
20 of workforce development shall develop and submit to the department of safety and
21 professional services a survey form to gather data under s. 441.01 (7) (a) 1. to assist
22 the department of workforce development in evaluating the supply of, demand for,
23 and turnover among nurses in this state and in determining whether there are any
24 regional shortages of nurses, shortages of nurses in any speciality areas, or
25 impediments to entering the nursing profession in this state.

1 **SECTION 696.** 118.15 (3) (a) of the statutes is amended to read:

2 118.15 (3) (a) Any child who is excused by the school board because the child
3 is temporarily not in proper physical or mental condition to attend a school program
4 but who can be expected to return to a school program upon termination or
5 abatement of the illness or condition. The school attendance officer may request the
6 parent or guardian of the child to obtain a written statement from a licensed
7 physician, naturopathic doctor, dentist, chiropractor, optometrist, psychologist,
8 physician assistant, ~~or nurse practitioner, as defined in s. 255.06 (1) (d), or certified~~
9 ~~advanced practice registered nurse prescriber, or registered nurse described under~~
10 ~~s. 255.06 (1) (f) 1.~~ or Christian Science practitioner living and residing in this state,
11 who is listed in the Christian Science Journal, as sufficient proof of the physical or
12 mental condition of the child. An excuse under this paragraph shall be in writing and
13 shall state the time period for which it is valid, not to exceed 30 days.

14 **SECTION 697.** 118.25 (1) (a) of the statutes is amended to read:

15 118.25 (1) (a) “Practitioner” means a person licensed as a physician,
16 naturopathic doctor, or physician assistant in any state or licensed as an advanced
17 practice registered nurse or certified as an advanced practice registered nurse
18 prescriber in any state. In this paragraph, “physician” has the meaning given in s.
19 448.01 (5).

20 **SECTION 698.** 118.29 (1) (e) of the statutes is amended to read:

21 118.29 (1) (e) “Practitioner” means any physician, naturopathic doctor, dentist,
22 optometrist, physician assistant, advanced practice registered nurse ~~prescriber~~ with
23 prescribing authority, or podiatrist licensed in any state.

24 **SECTION 699.** 118.2925 (1) (b) of the statutes is repealed.

25 **SECTION 700.** 118.2925 (3) of the statutes is amended to read:

1 118.2925 (3) PRESCRIPTIONS FOR SCHOOLS. A physician, an advanced practice
2 registered nurse prescriber who may issue prescription orders under s. 441.09 (2),
3 or a physician assistant may prescribe epinephrine auto-injectors or prefilled
4 syringes in the name of a school that has adopted a plan under sub. (2) (a), to be
5 maintained by the school for use under sub. (4).

6 **SECTION 701.** 118.2925 (4) (c) of the statutes is amended to read:

7 118.2925 (4) (c) Administer an epinephrine auto-injector or prefilled syringe
8 to a pupil or other person who the school nurse or designated school personnel in good
9 faith believes is experiencing anaphylaxis in accordance with a standing protocol
10 from a physician, an advanced practice registered nurse prescriber who may issue
11 prescription orders under s. 441.09 (2), or a physician assistant, regardless of
12 whether the pupil or other person has a prescription for an epinephrine auto-injector
13 or prefilled syringe. If the pupil or other person does not have a prescription for an
14 epinephrine auto-injector or prefilled syringe, or the person who administers the
15 epinephrine auto-injector or prefilled syringe does not know whether the pupil or
16 other person has a prescription for an epinephrine auto-injector or prefilled syringe,
17 the person who administers the epinephrine auto-injector or prefilled syringe shall,
18 as soon as practicable, report the administration by dialing the telephone number
19 “911” or, in an area in which the telephone number “911” is not available, the
20 telephone number for an emergency medical service provider.

21 **SECTION 702.** 118.2925 (5) of the statutes is amended to read:

22 118.2925 (5) IMMUNITY FROM CIVIL LIABILITY; EXEMPTION FROM PRACTICE OF
23 MEDICINE. A school and its designated school personnel, and a physician, an advanced
24 practice registered nurse prescriber who may issue prescription orders under s.
25 441.09 (2), or a physician assistant who provides a prescription or standing protocol

1 for school epinephrine auto-injectors or prefilled syringes, are not liable for any
2 injury that results from the administration or self-administration of an epinephrine
3 auto-injector or prefilled syringe under this section, regardless of whether
4 authorization was given by the pupil's parent or guardian or by the pupil's physician,
5 physician assistant, or advanced practice registered nurse ~~prescriber~~, unless the
6 injury is the result of an act or omission that constitutes gross negligence or willful
7 or wanton misconduct. The immunity from liability provided under this subsection
8 is in addition to and not in lieu of that provided under s. 895.48.

9 **SECTION 703.** 146.615 (1) (a) of the statutes is amended to read:

10 146.615 (1) (a) "Advanced practice clinician" means a physician assistant or an
11 advanced practice registered nurse, ~~including a nurse practitioner, certified~~
12 ~~nurse-midwife, clinical nurse specialist, or certified registered nurse anesthetist~~
13 licensed under s. 441.09.

14 **SECTION 704.** 146.81 (1) (c) of the statutes is amended to read:

15 146.81 (1) (c) A dentist or dental therapist licensed under ch. 447.

16 **SECTION 705.** 146.82 (3) (a) of the statutes is amended to read:

17 146.82 (3) (a) Notwithstanding sub. (1), a physician, a naturopathic doctor, a
18 limited-scope naturopathic doctor, a physician assistant, or an advanced practice
19 registered nurse ~~prescriber~~ ~~certified under s. 441.16 (2)~~ licensed under s. 441.09 who
20 treats a patient whose physical or mental condition in the physician's, naturopathic
21 doctor's, limited-scope naturopathic doctor's, physician assistant's, or advanced
22 practice nurse ~~prescriber's~~ registered nurse's judgment affects the patient's ability
23 to exercise reasonable and ordinary control over a motor vehicle may report the
24 patient's name and other information relevant to the condition to the department of
25 transportation without the informed consent of the patient.

1 **SECTION 706.** 146.89 (1) (r) 1. of the statutes is amended to read:

2 146.89 (1) (r) 1. Licensed as a physician under ch. 448, naturopathic doctor
3 under ch. 466, a dentist, dental therapist, or dental hygienist under ch. 447, a
4 registered nurse, practical nurse, or nurse-midwife under ch. 441, an optometrist
5 under ch. 449, a physician assistant under subch. IX of ch. 448, a pharmacist under
6 ch. 450, a chiropractor under ch. 446, a podiatrist under subch. IV of ch. 448, or a
7 physical therapist under subch. III of ch. 448.

8 **SECTION 49e.** 146.89 (1) (r) 1. of the statutes, as affected by 2023 Wisconsin Act
9 (this act), is amended to read:

10 146.89 (1) (r) 1. Licensed as a physician under ch. 448, naturopathic doctor
11 under ch. 466, a dentist, dental therapist, or dental hygienist under ch. 447, a
12 registered nurse, practical nurse, or nurse-midwife advanced practice registered
13 nurse under ch. 441, an optometrist under ch. 449, a physician assistant under
14 subch. IX of ch. 448, a pharmacist under ch. 450, a chiropractor under ch. 446, a
15 podiatrist under subch. IV of ch. 448, or a physical therapist under subch. III of ch.
16 448.

17 **SECTION 707.** 146.89 (1) (r) 3. of the statutes is renumbered 146.89 (1) (r) 5e.
18 and amended to read:

19 146.89 (1) (r) 5e. A registered nurse practitioner, as defined in s. 255.06 (1) (d)
20 who holds a multistate license, as defined in s. 441.51 (2) (h), issued by a party state,
21 as defined in s. 441.51 (2) (k), and whose practice of professional nursing under s.
22 441.001 (4) includes performance of delegated medical services under the
23 supervision of a physician, dentist, podiatrist, or advanced practice registered nurse.

24 **SECTION 708.** 146.89 (1) (r) 5. of the statutes is amended to read:

1 146.89 (1) (r) 5. An individual who holds a valid, unexpired license,
2 certification, or registration issued by another state or territory that authorizes or
3 qualifies the individual to perform acts that are substantially the same as those acts
4 that an individual who is described in subds. 1. to 4., except a dentist, dental
5 therapist, or dental hygienist, is licensed or certified to perform and who performs
6 acts that are within the scope of that license, certification, or registration.

7 **SECTION 709.** 146.89 (1) (r) 8. of the statutes is repealed.

8 **SECTION 710.** 146.89 (3) (b) 8. of the statutes is amended to read:

9 146.89 (3) (b) 8. Dental services, including tooth extractions and other
10 procedures done under local anesthesia only and any necessary suturing related to
11 the extractions, performed by a dentist or dental therapist who is a volunteer health
12 provider; and dental hygiene services, performed by a dental hygienist who is a
13 volunteer health provider.

14 **SECTION 711.** 146.89 (3m) (intro.) of the statutes is amended to read:

15 146.89 (3m) (intro.) A volunteer health care provider who is a dentist or dental
16 therapist may provide dental services or a volunteer health care provider who is a
17 dental hygienist may provide dental hygiene services, to persons who are recipients
18 of Medical Assistance, if all of the following apply:

19 **SECTION 712.** 146.89 (6) of the statutes is amended to read:

20 146.89 (6) (a) While serving as a volunteer health care provider under this
21 section, an advanced practice registered nurse ~~who has a certificate to issue~~
22 ~~prescription orders under s. 441.16 (2)~~ is considered to meet the requirements of s.
23 655.23, if required to comply with s. 655.23.

1 (b) While serving as a volunteer health care provider under this section, an
2 advanced practice registered nurse who has a certificate to issue prescription orders
3 ~~under s. 441.16 (2)~~ is not required to maintain in effect malpractice insurance.

4 **SECTION 713.** 146.997 (1) (d) 3. of the statutes is amended to read:

5 146.997 (1) (d) 3. A dentist or dental therapist licensed under ch. 447.

6 **SECTION 714.** 154.01 (1g) of the statutes is amended to read:

7 154.01 (1g) “Advanced practice registered nurse” means ~~a nurse~~ an individual
8 licensed under ch. 441 ~~who is currently certified by a national certifying body~~
9 ~~approved by the board of nursing as a nurse practitioner, certified nurse-midwife,~~
10 ~~certified registered nurse anesthetist, or clinical nurse specialist~~ s. 441.09.

11 **SECTION 715.** 155.01 (1g) (b) of the statutes is repealed and recreated to read:

12 155.01 (1g) (b) An individual who is licensed as an advanced practice registered
13 nurse and possesses a nurse practitioner specialty designation under s. 441.09.

14 **SECTION 716.** 155.01 (7) of the statutes, as affected by 2021 Wisconsin Act 251,
15 is amended to read:

16 155.01 (7) “Health care provider” means a nurse licensed or permitted under
17 ch. 441, a chiropractor licensed under ch. 446, a dentist or dental therapist licensed
18 under ch. 447, a physician, physician assistant, perfusionist, podiatrist, physical
19 therapist, physical therapist assistant, occupational therapist, occupational therapy
20 assistant, or genetic counselor licensed under ch. 448, a naturopathic doctor licensed
21 under ch. 466, a person practicing Christian Science treatment, an optometrist
22 licensed under ch. 449, a psychologist who is licensed under ch. 455, who is exercising
23 the temporary authorization to practice, as defined in s. 455.50 (2) (o), in this state,
24 or who is practicing under the authority to practice interjurisdictional
25 telepsychology, as defined in s. 455.50 (2) (b), a physical therapist or physical

1 therapist assistant who holds a compact privilege under subch. XI of ch. 448, an
2 occupational therapist or occupational therapy assistant who holds a compact
3 privilege under subch. XII of ch. 448, a partnership thereof, a corporation or limited
4 liability company thereof that provides health care services, a cooperative health
5 care association organized under s. 185.981 that directly provides services through
6 salaried employees in its own facility, or a home health agency, as defined in s. 50.49
7 (1) (a).

8 **SECTION 717.** 227.01 (13) (zxm) of the statutes is created to read:

9 227.01 (13) (zxm) Establishes or adjusts a renewal date or renewal cycle for
10 credentials that are subject to periodic renewal under s. 440.08 (2) (a) 1n.

11 **SECTION 718.** 251.01 (1c) of the statutes is repealed and recreated to read:

12 251.01 (1c) “Advanced practice registered nurse” means an individual licensed
13 under s. 441.09.

14 **SECTION 719.** 252.01 (1c) of the statutes is repealed.

15 **SECTION 720.** 252.07 (8) (a) 2. of the statutes is amended to read:

16 252.07 (8) (a) 2. The department or local health officer provides to the court a
17 written statement from a physician, physician assistant, or advanced practice
18 registered nurse ~~prescriber~~ that the individual has infectious tuberculosis or suspect
19 tuberculosis.

20 **SECTION 721.** 252.07 (9) (c) of the statutes is amended to read:

21 252.07 (9) (c) If the court orders confinement of an individual under this
22 subsection, the individual shall remain confined until the department or local health
23 officer, with the concurrence of a treating physician, physician assistant, or advanced
24 practice registered nurse ~~prescriber~~, determines that treatment is complete or that
25 the individual is no longer a substantial threat to himself or herself or to the public

1 health. If the individual is to be confined for more than 6 months, the court shall
2 review the confinement every 6 months.

3 **SECTION 722.** 252.10 (7) of the statutes is amended to read:

4 252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis
5 shall be purchased by the department from the appropriation account under s.
6 20.435 (1) (e) and dispensed to patients through the public health dispensaries, local
7 health departments, physicians, or advanced practice ~~nurse prescribers~~ registered
8 nurses who may issue prescription orders under s. 441.09 (2).

9 **SECTION 723.** 252.11 (2), (4), (5) and (7) of the statutes are amended to read:

10 252.11 (2) An officer of the department or a local health officer having
11 knowledge of any reported or reasonably suspected case or contact of a sexually
12 transmitted disease for which no appropriate treatment is being administered, or of
13 an actual contact of a reported case or potential contact of a reasonably suspected
14 case, shall investigate or cause the case or contact to be investigated as necessary.
15 If, following a request of an officer of the department or a local health officer, a person
16 reasonably suspected of being infected with a sexually transmitted disease refuses
17 or neglects examination by a physician, physician assistant, or advanced practice
18 registered nurse ~~prescriber~~ or treatment, an officer of the department or a local
19 health officer may proceed to have the person committed under sub. (5) to an
20 institution or system of care for examination, treatment, or observation.

21 (4) If a person infected with a sexually transmitted disease ceases or refuses
22 treatment before reaching what in a physician's, physician assistant's, or advanced
23 practice ~~nurse prescriber's~~ registered nurse's opinion is the noncommunicable stage,
24 the physician, physician assistant, or advanced practice registered nurse ~~prescriber~~
25 shall notify the department. The department shall without delay take the necessary

1 steps to have the person committed for treatment or observation under sub. (5), or
2 shall notify the local health officer to take these steps.

3 (5) Any court of record may commit a person infected with a sexually
4 transmitted disease to any institution or may require the person to undergo a system
5 of care for examination, treatment, or observation if the person ceases or refuses
6 examination, treatment, or observation under the supervision of a physician,
7 physician assistant, or advanced practice registered nurse ~~prescriber~~. The court
8 shall summon the person to appear on a date at least 48 hours, but not more than
9 96 hours, after service if an officer of the department or a local health officer petitions
10 the court and states the facts authorizing commitment. If the person fails to appear
11 or fails to accept commitment without reasonable cause, the court may cite the
12 person for contempt. The court may issue a warrant and may direct the sheriff, any
13 constable, or any police officer of the county immediately to arrest the person and
14 bring the person to court if the court finds that a summons will be ineffectual. The
15 court shall hear the matter of commitment summarily. Commitment under this
16 subsection continues until the disease is no longer communicable or until other
17 provisions are made for treatment that satisfy the department. The certificate of the
18 petitioning officer is prima facie evidence that the disease is no longer communicable
19 or that satisfactory provisions for treatment have been made.

20 (7) Reports, examinations and inspections, and all records concerning sexually
21 transmitted diseases are confidential and not open to public inspection, and may not
22 be divulged except as may be necessary for the preservation of the public health, in
23 the course of commitment proceedings under sub. (5), or as provided under s. 938.296
24 (4) or 968.38 (4). If a physician, physician assistant, or advanced practice registered
25 nurse ~~prescriber~~ has reported a case of sexually transmitted disease to the

1 department under sub. (4), information regarding the presence of the disease and
2 treatment is not privileged when the patient, physician, physician assistant, or
3 advanced practice registered nurse ~~prescriber~~ is called upon to testify to the facts
4 before any court of record.

5 **SECTION 724.** 252.11 (10) of the statutes is amended to read:

6 252.11 (10) The state laboratory of hygiene shall examine specimens for the
7 diagnosis of sexually transmitted diseases for any physician, naturopathic doctor,
8 physician assistant, advanced practice registered nurse ~~prescriber~~, or local health
9 officer in the state, and shall report the positive results of the examinations to the
10 local health officer and to the department. All laboratories performing tests for
11 sexually transmitted diseases shall report all positive results to the local health
12 officer and to the department, with the name of the physician, naturopathic doctor,
13 physician assistant, or advanced practice registered nurse ~~prescriber~~ to whom
14 reported.

15 **SECTION 725.** 252.14 (1) (ar) 3. of the statutes is amended to read:

16 252.14 (1) (ar) 3. A dentist or dental therapist licensed under ch. 447.

17 **SECTION 726.** 252.15 (3m) (d) 11. b. and 13., (5g) (c), (5m) (d) 2. and (e) 2. and
18 3. and (7m) (intro.) and (b) of the statutes are amended to read:

19 252.15 (3m) (d) 11. b. The coroner, medical examiner, or appointed assistant
20 is investigating the cause of death of the subject of the HIV test and has contact with
21 the body fluid of the subject of the HIV test that constitutes a significant exposure,
22 if a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~,
23 based on information provided to the physician, physician assistant, or advanced
24 practice registered nurse ~~prescriber~~, determines and certifies in writing that the

1 coroner, medical examiner, or appointed assistant has had a contact that constitutes
2 a significant exposure and if the certification accompanies the request for disclosure.

3 13. If the subject of the HIV test has a positive HIV test result and is deceased,
4 by the subject's attending physician, physician assistant, or advanced practice
5 registered nurse ~~prescriber~~, to persons, if known to the physician, physician
6 assistant, or advanced practice registered nurse ~~prescriber~~, with whom the subject
7 had sexual contact or shared intravenous drug use paraphernalia.

8 **(5g)** (c) A physician, physician assistant, or advanced practice registered nurse
9 ~~prescriber~~, based on information provided to the physician, physician assistant, or
10 advanced practice registered nurse ~~prescriber~~, determines and certifies in writing
11 that the person has had contact that constitutes a significant exposure. The
12 certification shall accompany the request for HIV testing and disclosure. If the
13 person is a physician, physician assistant, or advanced practice registered nurse
14 ~~prescriber~~, he or she may not make this determination or certification. The
15 information that is provided to a physician, physician assistant, or advanced practice
16 registered nurse ~~prescriber~~ to document the occurrence of the contact that
17 constitutes a significant exposure and the physician's, physician assistant's, or
18 advanced practice nurse ~~prescriber's~~ registered nurse's certification that the person
19 has had contact that constitutes a significant exposure, shall be provided on a report
20 form that is developed by the department of safety and professional services under
21 s. 101.02 (19) (a) or on a report form that the department of safety and professional
22 services determines, under s. 101.02 (19) (b), is substantially equivalent to the report
23 form that is developed under s. 101.02 (19) (a).

24 **(5m)** (d) 2. A physician, physician assistant, or advanced practice registered
25 nurse ~~prescriber~~, based on information provided to the physician, physician

1 assistant, or advanced practice registered nurse ~~prescriber~~, determines and certifies
2 in writing that the contact under subd. 1. constitutes a significant exposure. A health
3 care provider who has a contact under subd. 1. c. may not make the certification
4 under this subdivision for himself or herself.

5 (e) 2. If the contact occurs as provided under par. (d) 1. b., the attending
6 physician, physician assistant, or advanced practice registered nurse ~~prescriber~~ of
7 the funeral director, coroner, medical examiner, or appointed assistant.

8 3. If the contact occurs as provided under par. (d) 1. c., the physician, physician
9 assistant, or advanced practice registered nurse ~~prescriber~~ who makes the
10 certification under par. (d) 2.

11 **(7m)** REPORTING OF PERSONS SIGNIFICANTLY EXPOSED. (intro.) If a positive,
12 validated HIV test result is obtained from a test subject, the test subject's physician,
13 physician assistant, or advanced practice registered nurse ~~prescriber~~ who maintains
14 a record of the HIV test result under sub. (4) (c) may report to the state epidemiologist
15 the name of any person known to the physician, physician assistant, or advanced
16 practice registered nurse ~~prescriber~~ to have had contact with body fluid of the test
17 subject that constitutes a significant exposure, only after the physician, physician
18 assistant, or advanced practice registered nurse ~~prescriber~~ has done all of the
19 following:

20 (b) Notified the HIV test subject that the name of any person known to the
21 physician, physician assistant, or advanced practice registered nurse ~~prescriber~~ to
22 have had contact with body fluid of the test subject that constitutes a significant
23 exposure will be reported to the state epidemiologist.

24 **SECTION 727.** 252.16 (3) (c) (intro.) of the statutes is amended to read:

1 252.16 (3) (c) (intro.) Has submitted to the department a certification from a
2 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice
3 registered nurse prescriber of all of the following:

4 **SECTION 728.** 252.17 (3) (c) (intro.) of the statutes is amended to read:

5 252.17 (3) (c) (intro.) Has submitted to the department a certification from a
6 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice
7 registered nurse prescriber of all of the following:

8 **SECTION 729.** 253.07 (4) (d) of the statutes is amended to read:

9 253.07 (4) (d) In each fiscal year, \$31,500 as grants for employment in
10 communities of licensed registered nurses, licensed practical nurses, ~~certified~~
11 ~~nurse-midwives~~ licensed advanced practice registered nurses, or licensed physician
12 assistants who are members of a racial minority.

13 **SECTION 730.** 253.115 (1) (f) of the statutes is created to read:

14 253.115 (1) (f) “Nurse-midwife” means an individual who is licensed as an
15 advanced practice registered nurse and possesses a certified nurse-midwife
16 specialty designation under s. 441.09.

17 **SECTION 731.** 253.115 (4) of the statutes is amended to read:

18 253.115 (4) SCREENING REQUIRED. Except as provided in sub. (6), the physician,
19 ~~nurse-midwife licensed under s. 441.15~~, or certified professional midwife licensed
20 under s. 440.982 who attended the birth shall ensure that the infant is screened for
21 hearing loss before being discharged from a hospital, or within 30 days of birth if the
22 infant was not born in a hospital.

23 **SECTION 732.** 253.115 (7) (a) (intro.) of the statutes is amended to read:

1 253.115 (7) (a) (intro.) The physician, nurse-midwife ~~licensed under s. 441.15,~~
2 or certified professional midwife licensed under s. 440.982 who is required to ensure
3 that the infant is screened for hearing loss under sub. (4) shall do all of the following:

4 **SECTION 733.** 253.13 (1) of the statutes is renumbered 253.13 (1) (b) and
5 amended to read:

6 253.13 (1) (b) The attending physician or ~~nurse licensed under s. 441.15~~
7 nurse-midwife shall cause every infant born in each hospital or maternity home,
8 prior to its discharge therefrom, to be subjected to tests for congenital and metabolic
9 disorders, as specified in rules promulgated by the department. If the infant is born
10 elsewhere than in a hospital or maternity home, the attending physician, ~~nurse~~
11 ~~licensed under s. 441.15~~ nurse-midwife, or birth attendant who attended the birth
12 shall cause the infant, within one week of birth, to be subjected to these tests.

13 **SECTION 734.** 253.13 (1) (a) of the statutes is created to read:

14 253.13 (1) (a) In this subsection, “nurse-midwife” means an individual who is
15 licensed as an advanced practice registered nurse and possesses a certified
16 nurse-midwife specialty designation under s. 441.09.

17 **SECTION 735.** 253.15 (1) (em) of the statutes is created to read:

18 253.15 (1) (em) “Nurse-midwife” means an individual who is licensed as an
19 advanced practice registered nurse and possesses a certified nurse-midwife
20 specialty designation under s. 441.09.

21 **SECTION 736.** 253.15 (2) of the statutes is amended to read:

22 253.15 (2) INFORMATIONAL MATERIALS. The board shall purchase or prepare or
23 arrange with a nonprofit organization to prepare printed and audiovisual materials
24 relating to shaken baby syndrome and impacted babies. The materials shall include
25 information regarding the identification and prevention of shaken baby syndrome

1 and impacted babies, the grave effects of shaking or throwing on an infant or young
2 child, appropriate ways to manage crying, fussing, or other causes that can lead a
3 person to shake or throw an infant or young child, and a discussion of ways to reduce
4 the risks that can lead a person to shake or throw an infant or young child. The
5 materials shall be prepared in English, Spanish, and other languages spoken by a
6 significant number of state residents, as determined by the board. The board shall
7 make those written and audiovisual materials available to all hospitals, maternity
8 homes, and nurse-midwives licensed under s. 441.15 that are required to provide or
9 make available materials to parents under sub. (3) (a) 1., to the department and to
10 all county departments and nonprofit organizations that are required to provide the
11 materials to child care providers under sub. (4) (d), and to all school boards and
12 nonprofit organizations that are permitted to provide the materials to pupils in one
13 of grades 5 to 8 and in one of grades 10 to 12 under sub. (5). The board shall also make
14 those written materials available to all county departments and Indian tribes that
15 are providing home visitation services under s. 48.983 (4) (b) 1. and to all providers
16 of prenatal, postpartum, and young child care coordination services under s. 49.45
17 (44). The board may make available the materials required under this subsection
18 to be made available by making those materials available at no charge on the board's
19 Internet site.

20 **SECTION 737.** 255.06 (1) (d) of the statutes is renumbered 255.06 (1) (f) (intro.)
21 and amended to read:

22 255.06 (1) (f) (intro.) "~~Nurse practitioner~~" "Women's health nurse clinician"
23 means ~~a~~ any of the following:

24 1. A registered nurse who is licensed under ch. 441 or who holds a multistate
25 license, as defined in s. 441.51 (2) (h), issued in a party state, as defined in s. 441.51

1 (2) (k), and whose practice of professional nursing under s. 441.001 (4) includes
2 performance of delegated medical services under the supervision of a physician,
3 naturopathic doctor, dentist, ~~or podiatrist,~~ or advanced practice registered nurse.

4 **SECTION 738.** 255.06 (1) (f) 2. of the statutes is created to read:

5 255.06 (1) (f) 2. An advanced practice registered nurse.

6 **SECTION 739.** 255.06 (2) (d) of the statutes is amended to read:

7 255.06 (2) (d) *Specialized training for rural colposcopic examinations and*
8 *activities.* Provide not more than \$25,000 in each fiscal year as reimbursement for
9 the provision of specialized training of ~~nurse practitioners~~ women's health nurse
10 clinicians to perform, in rural areas, colposcopic examinations and follow-up
11 activities for the treatment of cervical cancer.

12 **SECTION 740.** 255.07 (1) (d) of the statutes is amended to read:

13 255.07 (1) (d) "Health care practitioner" means a physician, a physician
14 assistant, or an advanced practice registered nurse who is ~~certified to~~ may issue
15 prescription orders under s. ~~441.16~~ 441.09 (2).

16 **SECTION 741.** 257.01 (5) (a) of the statutes is amended to read:

17 257.01 (5) (a) An individual who is licensed as a physician, a physician
18 assistant, or a podiatrist under ch. 448, licensed as a naturopathic doctor under ch.
19 466, licensed as a registered nurse, licensed practical nurse, or nurse-midwife under
20 ch. 441, licensed as a dentist or dental therapist under ch. 447, licensed as a
21 pharmacist under ch. 450, licensed as a veterinarian or certified as a veterinary
22 technician under ch. 89, or certified as a respiratory care practitioner under ch. 448.

23 **SECTION 84e.** 257.01 (5) (a) of the statutes, as affected by 2023 Wisconsin Act
24 (this act), is amended to read:

1 257.01 (5) (a) An individual who is licensed as a physician, a physician
2 assistant, or a podiatrist under ch. 448, licensed as a naturopathic doctor under ch.
3 466, licensed as a registered nurse, licensed practical nurse, or ~~nurse-midwife~~
4 advanced practice registered nurse under ch. 441, licensed as a dentist or dental
5 therapist under ch. 447, licensed as a pharmacist under ch. 450, licensed as a
6 veterinarian or certified as a veterinary technician under ch. 89, or certified as a
7 respiratory care practitioner under ch. 448.

8 **SECTION 742.** 257.01 (5) (b) of the statutes is amended to read:

9 257.01 (5) (b) An individual who was at any time within the previous 10 years,
10 but is not currently, licensed as a physician, a physician assistant, or a podiatrist
11 under ch. 448, licensed as a naturopathic doctor under ch. 466, licensed as a
12 registered nurse, licensed practical nurse or nurse-midwife, under ch. 441, licensed
13 as a dentist or dental therapist under ch. 447, licensed as a pharmacist under ch. 450,
14 licensed as a veterinarian or certified as a veterinary technician under ch. 89, or
15 certified as a respiratory care practitioner under ch. 448, if the individual's license
16 or certification was never revoked, limited, suspended, or denied renewal.

17 **SECTION 85e.** 257.01 (5) (b) of the statutes, as affected by 2023 Wisconsin Act
18 (this act), is amended to read:

19 257.01 (5) (b) An individual who was at any time within the previous 10 years,
20 but is not currently, licensed as a physician, a physician assistant, or a podiatrist
21 under ch. 448, licensed as a naturopathic doctor under ch. 466, licensed as a
22 registered nurse, licensed practical nurse, or ~~nurse-midwife~~, advanced practice
23 registered nurse under ch. 441, licensed as a nurse-midwife under ch. 441, 2021
24 stats., licensed as a dentist or dental therapist under ch. 447, licensed as a
25 pharmacist under ch. 450, licensed as a veterinarian or certified as a veterinary

1 technician under ch. 89, or certified as a respiratory care practitioner under ch. 448,
2 if the individual's license or certification was never revoked, limited, suspended, or
3 denied renewal.

4 **SECTION 743.** 341.14 (1a), (1e) (a), (1m) and (1q) of the statutes are amended
5 to read:

6 341.14 (1a) If any resident of this state, who is registering or has registered an
7 automobile, or a motor truck, dual purpose motor home or dual purpose farm truck
8 which has a gross weight of not more than 8,000 pounds, a farm truck which has a
9 gross weight of not more than 12,000 pounds or a motor home, submits a statement
10 once every 4 years, as determined by the department, from a physician licensed to
11 practice medicine in any state, from an advanced practice registered nurse licensed
12 to practice nursing in any state, from a public health nurse certified or licensed to
13 practice in any state, from a physician assistant licensed or certified to practice in
14 any state, from a podiatrist licensed to practice in any state, from a chiropractor
15 licensed to practice chiropractic in any state, or from a Christian Science practitioner
16 residing in this state and listed in the Christian Science journal certifying to the
17 department that the resident is a person with a disability that limits or impairs the
18 ability to walk, the department shall procure, issue and deliver to the disabled
19 person plates of a special design in lieu of plates which ordinarily would be issued
20 for the vehicle, and shall renew the plates. The plates shall be so designed as to
21 readily apprise law enforcement officers of the fact that the vehicle is owned by a
22 nonveteran disabled person and is entitled to the parking privileges specified in s.
23 346.50 (2a). No charge in addition to the registration fee shall be made for the
24 issuance or renewal of such plates.

1 **(1e)** (a) If any resident of this state, who is registering or has registered a
2 motorcycle, submits a statement once every 4 years, as determined by the
3 department, from a physician licensed to practice medicine in any state, from an
4 advanced practice registered nurse licensed to practice nursing in any state, from a
5 public health nurse certified or licensed to practice in any state, from a physician
6 assistant licensed or certified to practice in any state, from a podiatrist licensed to
7 practice in any state, from a chiropractor licensed to practice chiropractic in any
8 state, from a Christian Science practitioner residing in this state and listed in the
9 Christian Science journal, or from the U.S. department of veterans affairs certifying
10 to the department that the resident is a person with a disability that limits or impairs
11 the ability to walk, the department shall procure, issue and deliver to the disabled
12 person a plate of a special design in lieu of the plate which ordinarily would be issued
13 for the motorcycle, and shall renew the plate. The statement shall state whether the
14 disability is permanent or temporary and, if temporary, the opinion of the physician,
15 advanced practice registered nurse, public health nurse, physician assistant,
16 podiatrist, chiropractor, practitioner, or U.S. department of veterans affairs as to the
17 duration of the disability. The plate shall be so designed as to readily apprise law
18 enforcement officers of the fact that the motorcycle is owned by a disabled person and
19 is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition
20 to the registration fee may be made for the issuance or renewal of the plate.

21 **(1m)** If any licensed driver submits to the department a statement once every
22 4 years, as determined by the department, from a physician licensed to practice
23 medicine in any state, from a public health nurse certified or licensed to practice in
24 any state, from an advanced practice registered nurse licensed to practice nursing
25 in any state, from a physician assistant licensed or certified to practice in any state,

1 from a podiatrist licensed to practice in any state, from a chiropractor licensed to
2 practice chiropractic in any state, or from a Christian Science practitioner residing
3 in this state and listed in the Christian Science journal certifying that another
4 person who is regularly dependent on the licensed driver for transportation is a
5 person with a disability that limits or impairs the ability to walk, the department
6 shall issue and deliver to the licensed driver plates of a special design in lieu of the
7 plates which ordinarily would be issued for the automobile or motor truck, dual
8 purpose motor home or dual purpose farm truck having a gross weight of not more
9 than 8,000 pounds, farm truck having a gross weight of not more than 12,000 pounds
10 or motor home, and shall renew the plates. The plates shall be so designed as to
11 readily apprise law enforcement officers of the fact that the vehicle is operated by a
12 licensed driver on whom a disabled person is regularly dependent and is entitled to
13 the parking privileges specified in s. 346.50 (2a). No charge in addition to the
14 registration fee may be made for the issuance or renewal of the plates. The plates
15 shall conform to the plates required in sub. (1a).

16 **(1q)** If any employer who provides an automobile, or a motor truck, dual
17 purpose motor home or dual purpose farm truck which has a gross weight of not more
18 than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000
19 pounds or a motor home, for an employee's use submits to the department a
20 statement once every 4 years, as determined by the department, from a physician
21 licensed to practice medicine in any state, from an advanced practice registered
22 nurse licensed to practice nursing in any state, from a public health nurse certified
23 or licensed to practice in any state, from a physician assistant licensed or certified
24 to practice in any state, from a podiatrist licensed to practice in any state, from a
25 chiropractor licensed to practice chiropractic in any state, or from a Christian

1 Science practitioner residing in this state and listed in the Christian Science journal
2 certifying that the employee is a person with a disability that limits or impairs the
3 ability to walk, the department shall issue and deliver to such employer plates of a
4 special design in lieu of the plates which ordinarily would be issued for the vehicle,
5 and shall renew the plates. The plates shall be so designed as to readily apprise law
6 enforcement officers of the fact that the vehicle is operated by a disabled person and
7 is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition
8 to the registration fee may be made for the issuance or renewal of the plates. The
9 plates shall conform to the plates required in sub. (1a).

10 **SECTION 744.** 343.16 (5) (a) of the statutes is amended to read:

11 343.16 (5) (a) The secretary may require any applicant for a license or any
12 licensed operator to submit to a special examination by such persons or agencies as
13 the secretary may direct to determine incompetency, physical or mental disability,
14 disease, or any other condition that might prevent such applicant or licensed person
15 from exercising reasonable and ordinary control over a motor vehicle. If the
16 department requires the applicant to submit to an examination, the applicant shall
17 pay for the examination. If the department receives an application for a renewal or
18 duplicate license after voluntary surrender under s. 343.265 or receives a report from
19 a physician, physician assistant, advanced practice registered nurse ~~prescriber~~
20 ~~certified under s. 441.16 (2)~~ licensed under s. 441.09, or optometrist under s. 146.82
21 (3), or if the department has a report of 2 or more arrests within a one-year period
22 for any combination of violations of s. 346.63 (1) or (5) or a local ordinance in
23 conformity with s. 346.63 (1) or (5) or a law of a federally recognized American Indian
24 tribe or band in this state in conformity with s. 346.63 (1) or (5), or s. 346.63 (1m),
25 1985 stats., or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved

1 the use of a vehicle, the department shall determine, by interview or otherwise,
2 whether the operator should submit to an examination under this section. The
3 examination may consist of an assessment. If the examination indicates that
4 education or treatment for a disability, disease or condition concerning the use of
5 alcohol, a controlled substance or a controlled substance analog is appropriate, the
6 department may order a driver safety plan in accordance with s. 343.30 (1q). If there
7 is noncompliance with assessment or the driver safety plan, the department shall
8 revoke the person's operating privilege in the manner specified in s. 343.30 (1q) (d).

9 **SECTION 745.** 343.51 (1) of the statutes is amended to read:

10 343.51 (1) Any person who qualifies for registration plates of a special design
11 under s. 341.14 (1), (1a), (1m), or (1q) or any other person with a disability that limits
12 or impairs the ability to walk may request from the department a special
13 identification card that will entitle any motor vehicle parked by, or under the
14 direction of, the person, or a motor vehicle operated by or on behalf of the
15 organization when used to transport such a person, to parking privileges under s.
16 346.50 (2), (2a), and (3). The department shall issue the card at a fee to be determined
17 by the department, upon submission by the applicant, if the applicant is an
18 individual rather than an organization, of a statement from a physician licensed to
19 practice medicine in any state, from an advanced practice registered nurse licensed
20 to practice nursing in any state, from a public health nurse certified or licensed to
21 practice in any state, from a physician assistant licensed or certified to practice in
22 any state, from a podiatrist licensed to practice in any state, from a chiropractor
23 licensed to practice chiropractic in any state, or from a Christian Science practitioner
24 residing in this state and listed in the Christian Science journal that the person is
25 a person with a disability that limits or impairs the ability to walk. The statement

1 shall state whether the disability is permanent or temporary and, if temporary, the
2 opinion of the physician, advanced practice registered nurse, public health nurse,
3 physician assistant, podiatrist, chiropractor, or practitioner as to the duration of the
4 disability. The department shall issue the card upon application by an organization
5 on a form prescribed by the department if the department believes that the
6 organization meets the requirements under this subsection.

7 **SECTION 746.** 343.62 (4) (a) 4. of the statutes is amended to read:

8 343.62 (4) (a) 4. The applicant submits with the application a statement
9 completed within the immediately preceding 24 months, except as provided by rule,
10 by a physician licensed to practice medicine in any state, from an advanced practice
11 registered nurse licensed to practice nursing in any state, from a physician assistant
12 licensed or certified to practice in any state, from a podiatrist licensed to practice in
13 any state, from a chiropractor licensed to practice chiropractic in any state, or from
14 a Christian Science practitioner residing in this state, and listed in the Christian
15 Science journal certifying that, in the medical care provider's judgment, the
16 applicant is physically fit to teach driving.

17 **SECTION 747.** 440.01 (1) (dL) of the statutes is created to read:

18 440.01 (1) (dL) "Renewal cycle" means the period of time between 2 successive
19 renewal dates.

20 **SECTION 748.** 440.01 (1) (dm) of the statutes is amended to read:

21 440.01 (1) (dm) "Renewal date" means the date, determined by the department
22 under s. 440.08 (2), on which a credential expires and before which it must be
23 renewed for the holder to maintain without interruption the rights, privileges and
24 authority conferred by the credential.

25 **SECTION 749.** 440.03 (13) (b) 3. of the statutes is repealed.

1 **SECTION 750.** 440.03 (13) (b) 20m. of the statutes is created to read:

2 440.03 (13) (b) 20m. Dental therapist.

3 **SECTION 751.** 440.03 (13) (b) 39m. of the statutes is created to read:

4 440.03 (13) (b) 39m. Nurse, advanced practice registered.

5 **SECTION 752.** 440.03 (13) (b) 42. of the statutes is repealed.

6 **SECTION 753.** 440.03 (13) (br) of the statutes is created to read:

7 440.03 (13) (br) When conducting an investigation of an arrest or conviction
8 record under par. (a) or (bm), the department shall review and obtain information to
9 determine the circumstances of each case or offense, except that the department may,
10 in its discretion, complete its investigation of an arrest or conviction record without
11 reviewing the circumstances of any of the following types of violations:

12 1. If the violation occurred more than 5 years before the application date, a first
13 violation of s. 346.63 (1) (a), (am), or (b) or a local ordinance in conformity therewith
14 or a law of a federally recognized American Indian tribe or band in this state in
15 conformity with s. 346.63 (1) (a), (am), or (b) or the law of another jurisdiction
16 prohibiting driving or operating a motor vehicle while intoxicated or under the
17 influence of alcohol, a controlled substance, a controlled substance analog, or a
18 combination thereof or under the influence of any drug that renders the person
19 incapable of safely driving, as those or substantially similar terms are used in that
20 jurisdiction's laws.

21 2. A violation of s. 125.07 (4) (a) or (b) or a local ordinance that strictly conforms
22 to s. 125.07 (4) (a) or (b) or of a substantially similar law of another jurisdiction.

23 3. A minor, nonviolent ordinance violation, as determined by the department.

24 **SECTION 754.** 440.03 (14) (c) of the statutes is amended to read:

1 440.03 (14) (c) The renewal dates for certificates granted under par. (a) and
2 licenses granted under par. (am) ~~are specified in~~ shall be determined by the
3 department under s. 440.08 (2) (a). Renewal applications shall be submitted to the
4 department on a form provided by the department and shall include the renewal fee
5 determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the
6 department that the person's certification, registration, or accreditation specified in
7 par. (a) 1. a., 2. a., or 3. a. has not been revoked.

8 **SECTION 755.** 440.03 (15) of the statutes is amended to read:

9 440.03 (15) The department shall promulgate rules that establish the fees
10 specified in ss. 440.05 (10) and 440.08 (2) (d) ~~(2m)~~ (c).

11 **SECTION 756.** 440.032 (5) of the statutes is amended to read:

12 440.032 (5) LICENSE RENEWAL. The renewal dates for licenses granted under
13 sub. (3) ~~are specified in~~ shall be as determined by the department under s. 440.08 (2)
14 (a) ~~68e~~. Renewal applications shall be submitted to the department on a form
15 provided by the department and shall include the renewal fee determined by the
16 department under s. 440.03 (9) (a) and evidence satisfactory to the department that
17 the person's certification or membership specified in sub. (3) that is required for the
18 license has not been revoked or invalidated.

19 **SECTION 757.** 440.077 (1) (a) of the statutes is amended to read:

20 440.077 (1) (a) "Advanced practice registered nurse ~~prescriber~~" means an
21 advanced practice registered nurse ~~prescriber~~ certified licensed under s. 441.16 (2)
22 441.09.

23 **SECTION 758.** 440.077 (2) (c) of the statutes is amended to read:

24 440.077 (2) (c) Under the program under par. (a), a participating military
25 medical personnel shall be supervised by a physician, physician assistant,

1 podiatrist, registered professional nurse, or advanced practice registered nurse
2 ~~prescriber~~. The supervising physician, physician assistant, podiatrist, registered
3 professional nurse, or advanced practice registered nurse ~~prescriber~~ shall retain
4 responsibility for the care of the patient.

5 **SECTION 759.** 440.08 (2) (title) of the statutes is amended to read:

6 440.08 (2) (title) ~~RENEWAL DATES, FEES AND APPLICATIONS.~~

7 **SECTION 760.** 440.08 (2) (a) (intro.) of the statutes is amended to read:

8 440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,
9 444.03, 444.11, 447.04 (2) (c) 2., 447.05 (1) (b), 449.17 (1m) (d), 449.18 (2) (e), 455.06
10 (1) (b), 463.10, 463.12, and 463.25 and subch. II of ch. 448, ~~the renewal dates for~~
11 ~~credentials are as follows~~ all of the following apply with respect to renewals of
12 credentials:

13 **SECTION 761.** 440.08 (2) (a) 1. to 37. of the statutes, as affected by 2023
14 Wisconsin Act (this act), are repealed.

15 **SECTION 762.** 440.08 (2) (a) 1n. and 2n. of the statutes are created to read:

16 440.08 (2) (a) 1n. The department shall establish renewal dates and renewal
17 cycles for credentials that are subject to periodic renewal and may adjust the renewal
18 dates and renewal cycles so established. For practicality and expediency, the
19 department may stagger renewal cycles among credential holders. The department
20 shall consult with the relevant credentialing boards in establishing renewal dates
21 and renewal cycles under this subdivision and shall notify each credential holder of
22 any renewal date or renewal cycle established or adjusted under this subdivision.
23 The department shall publish a schedule of renewal dates and renewal cycles on its
24 website.

1 2n. The department or a credentialing board may promulgate rules to do any
2 of the following:

3 a. Establish interim continuing education or other reporting requirements
4 between renewal dates established under subd. 1n. as needed to account for the
5 length of a renewal cycle established under subd. 1n.

6 b. Notwithstanding any specific continuing education or similar requirement
7 in chs. 440 to 480, adjust or prorate the requirement to align it with the length of a
8 renewal cycle established under subd. 1n.

9 **SECTION 763.** 440.08 (2) (a) 25m. of the statutes is created to read:

10 440.08 (2) (a) 25m. Dental therapist: October 1 of each odd-numbered year.

11 **SECTION 764.** 440.08 (2) (a) 37m. of the statutes, as created by 2021 Wisconsin
12 Act 251, is repealed.

13 **SECTION 765.** 440.08 (2) (a) 38. to 72. of the statutes are repealed.

14 **SECTION 766.** 440.08 (2) (ar) of the statutes is created to read:

15 440.08 (2) (ar) 1. Notwithstanding par. (a) and chs. 440 to 480, the department
16 may, in cooperation with credentialing boards, establish a system or process to
17 transition credential holders from 2-year renewal cycles under chs. 440 to 480, 2021
18 stats., to renewal cycles established by the department under par. (a) 1n.

19 2. Notwithstanding the fees for credential renewals determined under s.
20 440.03 (9), if the department under subd. 1. transitions credential holders from
21 2-year renewal cycles under chs. 440 to 480, 2021 stats., to different renewal cycles
22 under par. (a) 1n. before revised renewal fees can be determined under s. 440.03 (9),
23 the department may adjust the applicable renewal fee accordingly, in cooperation
24 with credentialing boards, until a revised fee can be determined under s. 440.03 (9).

25 **SECTION 767.** 440.08 (2) (b) of the statutes is amended to read:

1 440.08 (2) (b) ~~The renewal fee for an apprentice, journeyman, student or~~
2 ~~temporary credential is \$10. The renewal dates specified in par. (a) determined~~
3 ~~under par. (a) do not apply to apprentice, journeyman, student or temporary~~
4 ~~credentials.~~

5 **SECTION 768.** 440.08 (2) (c) of the statutes is renumbered 440.08 (2m) (a) and
6 amended to read:

7 440.08 (2m) (a) Except as provided in par. (e) (d) and sub. (3), renewal
8 applications shall include the applicable renewal fee as determined by the
9 department under s. 440.03 (9) (a) or as specified in par. (b).

10 **SECTION 769.** 440.08 (2) (d) of the statutes is renumbered 440.08 (2m) (c).

11 **SECTION 770.** 440.08 (2) (e) of the statutes is renumbered 440.08 (2m) (d).

12 **SECTION 771.** 440.08 (2m) (title) of the statutes is created to read:

13 440.08 (2m) (title) RENEWAL FEES AND APPLICATIONS.

14 **SECTION 772.** 440.08 (2m) (b) of the statutes is created to read:

15 440.08 (2m) (b) The renewal fee for an apprentice, journeyman, student, or
16 temporary credential is \$10.

17 **SECTION 773.** 440.08 (4) (a) of the statutes is amended to read:

18 440.08 (4) (a) *Generally.* If the department or the interested examining board
19 or affiliated credentialing board, as appropriate, determines that an applicant for
20 renewal has failed to comply with sub. ~~(2)-(e)~~ (2m) (a) or (3) or with any other
21 applicable requirement for renewal established under chs. 440 to 480 or that the
22 denial of an application for renewal of a credential is necessary to protect the public
23 health, safety or welfare, the department, examining board or affiliated
24 credentialing board may summarily deny the application for renewal by mailing to
25 the holder of the credential a notice of denial that includes a statement of the facts

1 or conduct that warrant the denial and a notice that the holder may, within 30 days
2 after the date on which the notice of denial is mailed, file a written request with the
3 department to have the denial reviewed at a hearing before the department, if the
4 department issued the credential, or before the examining board or affiliated
5 credentialing board that issued the credential.

6 **SECTION 774.** 440.09 (3) (a) of the statutes is amended to read:

7 440.09 (3) (a) A reciprocal credential granted under this section expires on the
8 applicable renewal date ~~specified in~~ determined by the department under s. 440.08
9 (2) (a), except that if the first renewal date ~~specified in s. 440.08 (2) (a)~~ after the date
10 on which the credential is granted is within 180 days of the date on which the
11 credential is granted, the credential expires on the 2nd renewal date ~~specified in s.~~
12 ~~440.08 (2) (a)~~ after the date on which the credential is granted.

13 **SECTION 775.** 440.094 (1) (c) 1. of the statutes is amended to read:

14 440.094 (1) (c) 1. A registered nurse, licensed practical nurse, or ~~nurse-midwife~~
15 ~~licensed under ch. 441, or an advanced practice~~ registered nurse ~~prescriber certified~~
16 licensed under ch. 441.

17 **SECTION 776.** 440.094 (1) (c) 3. of the statutes is amended to read:

18 440.094 (1) (c) 3. A dentist or dental therapist licensed under ch. 447.

19 **SECTION 777.** 440.094 (2) (a) (intro.) of the statutes is amended to read:

20 440.094 (2) (a) (intro.) Notwithstanding ss. 441.06 (4), ~~441.15 (2), 441.16,~~
21 ~~441.09 (3) (b),~~ 446.02 (1), 447.03 (1) and (2), 448.03 (1) (a), (b), and (c) and (1m), 448.51
22 (1), 448.61, 448.76, 448.961 (1) and (2), 449.02 (1), 450.03 (1), 451.04 (1), 455.02 (1m),
23 457.04 (4), (5), (6), and (7), 459.02 (1), 459.24 (1), and 460.02, a health care provider
24 may provide services within the scope of the credential that the health care provider

1 holds and the department shall grant the health care provider a temporary
2 credential to practice under this section if all of the following apply:

3 **SECTION 778.** 440.26 (3) of the statutes is amended to read:

4 440.26 (3) ISSUANCE OF LICENSES; FEES. Upon receipt and examination of an
5 application executed under sub. (2), and after any investigation that it considers
6 necessary, the department shall, if it determines that the applicant is qualified, grant
7 the proper license upon payment of the initial credential fee determined by the
8 department under s. 440.03 (9) (a). ~~No license shall be issued for a longer period than~~
9 ~~2 years, and the~~ The license of a private detective shall expire on the renewal date
10 of the license of the private detective agency, even if the license of the private
11 detective has not been in effect for a full ~~2 years~~ licensure period. Renewals of the
12 original licenses issued under this section shall be issued in accordance with renewal
13 forms prescribed by the department and shall be accompanied by the applicable fees
14 specified in s. 440.08 or determined by the department under s. 440.03 (9) (a). The
15 department may not renew a license unless the applicant provides evidence that the
16 applicant has in force at the time of renewal the bond or liability policy specified in
17 this section.

18 **SECTION 779.** 440.26 (5m) (b) of the statutes is amended to read:

19 440.26 (5m) (b) The renewal dates for permits issued under this subsection are
20 ~~specified~~ shall be as determined by the department under s. 440.08 (2) ~~(a)~~. Renewal
21 applications shall be submitted to the department on a form provided by the
22 department and shall include the renewal fee determined by the department under
23 s. 440.03 (9) (a).

24 **SECTION 780.** 440.313 (1) of the statutes is amended to read:

1 440.313 (1) The renewal date for licenses granted under this subchapter is
2 ~~specified in~~ shall be as determined by the department under s. 440.08 (2) (a).
3 Renewal applications shall be submitted to the department on a form provided by the
4 department and shall include the renewal fee determined by the department under
5 s. 440.03 (9) (a).

6 **SECTION 781.** 440.415 (2) (a) of the statutes is amended to read:

7 440.415 (2) (a) The renewal date for a license granted under sub. (1) ~~is specified~~
8 ~~in~~ shall be as determined by the department under s. 440.08 (2) (a) 69m. A renewal
9 application shall be submitted to the department on a form prescribed by the
10 department and shall include any information required by the department by rule.

11 **SECTION 782.** 440.71 (3) of the statutes is amended to read:

12 440.71 (3) RENEWAL. Renewal applications shall be submitted to the
13 department on a form provided by the department on or before the applicable
14 renewal date ~~specified~~ determined by the department under s. 440.08 (2) (a) and
15 shall include the applicable renewal fee determined by the department under s.
16 440.03 (9) (a).

17 **SECTION 783.** 440.88 (4) of the statutes is amended to read:

18 440.88 (4) APPLICATIONS; CERTIFICATION PERIOD. An application for certification
19 as a substance abuse counselor, clinical supervisor, or prevention specialist under
20 this section shall be made on a form provided by the department and filed with the
21 department and shall be accompanied by the initial credential fee determined by the
22 department under s. 440.03 (9) (a). The renewal date for certification as a substance
23 abuse counselor, clinical supervisor, or prevention specialist ~~is specified~~ shall be as
24 determined by the department under s. 440.08 (2) (a), and the renewal fee for such
25 certifications is determined by the department under s. 440.03 (9) (a). ~~Renewal of~~

1 The department shall by rule prescribe the number of times that a certification as
2 a substance abuse counselor-in-training, a clinical supervisor-in-training, or a
3 prevention specialist-in-training may be ~~made only twice~~ renewed.

4 **SECTION 784.** 440.905 (2) of the statutes is amended to read:

5 440.905 (2) The board has rule-making authority and may promulgate rules
6 relating to the regulation of cemetery authorities, cemetery salespersons, and
7 cemetery preneed sellers. ~~The board may determine, by rule, a fee under s. 440.05~~
8 ~~(1) (a) and under s. 440.08 (2) (a) 21. that is sufficient to fund the board's operating~~
9 ~~costs.~~

10 **SECTION 785.** 440.91 (1) (c) of the statutes is amended to read:

11 440.91 (1) (c) The renewal dates for licenses granted under par. (b) ~~are specified~~
12 ~~in~~ shall be as determined by the department under s. 440.08 (2) (a), and the renewal
13 fees for such licenses are determined by the department under s. 440.03 (9) (a).

14 **SECTION 786.** 440.91 (1m) (c) of the statutes is amended to read:

15 440.91 (1m) (c) The renewal date ~~and renewal fee for a registration granted~~
16 ~~under par. (b) are specified in~~ shall be as determined by the department under s.
17 440.08 (2). The department shall determine the renewal fee for a registration
18 granted under par. (b) under s. 440.03 (9) (a).

19 **SECTION 787.** 440.91 (4) of the statutes is amended to read:

20 440.91 (4) Renewal applications shall be submitted to the board on a form
21 provided by the board on or before the applicable renewal date ~~specified~~ determined
22 by the department under s. 440.08 (2) (a) and shall include the applicable renewal
23 fee determined by the department under s. 440.03 (9) (a).

24 **SECTION 788.** 440.92 (1) (c) of the statutes is amended to read:

1 440.92 (1) (c) Renewal applications shall be submitted to the board on a form
2 provided by the board on or before the applicable renewal date ~~specified~~ determined
3 by the department under s. 440.08 (2) (a) and shall include the applicable renewal
4 fee determined by the department under s. 440.03 (9) (a).

5 **SECTION 789.** 440.972 (2) of the statutes is amended to read:

6 440.972 (2) The renewal date for certificates granted under this section is
7 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a) ~~38g.~~, and
8 the renewal fee for such certificates is determined by the department under s. 440.03
9 (9) (a).

10 **SECTION 790.** 440.974 (2) of the statutes is amended to read:

11 440.974 (2) The department shall promulgate rules establishing continuing
12 education requirements for individuals registered under this subchapter. The rules
13 promulgated under this subsection shall require the completion of at least 40 hours
14 of continuing education every ~~2 years, except that the rules may not require~~
15 ~~continuing education for an applicant for renewal of a registration that expires on~~
16 ~~the 1st and 2nd renewal dates after the date on which the department initially~~
17 ~~granted the registration~~ 2-year period, except that the department shall shall, for
18 up to a 2-year period, exempt new registrants from the requirement under this
19 subsection.

20 **SECTION 791.** 440.98 (6) of the statutes is amended to read:

21 440.98 (6) APPLICATIONS. An application for a sanitarian registration under this
22 section shall be made on a form provided by the department and filed with the
23 department and shall be accompanied by the initial credential fee determined by the
24 department under s. 440.03 (9) (a). The renewal date for a sanitarian registration
25 ~~is specified~~ shall be as determined by the department under s. 440.08 (2) (a), and the

1 renewal fee for such registration is determined by the department under s. 440.03
2 (9) (a).

3 **SECTION 792.** 440.981 (1) of the statutes is amended to read:

4 440.981 (1) No person may use the title “licensed midwife,” describe or imply
5 that he or she is a licensed midwife, or represent himself or herself as a licensed
6 midwife unless the person is granted a license under this subchapter or is licensed
7 as ~~a nurse-midwife under s. 441.15~~ an advanced practice registered nurse and
8 possesses a certified nurse-midwife specialty designation under s. 441.09.

9 **SECTION 793.** 440.982 (1) of the statutes is amended to read:

10 440.982 (1) No person may engage in the practice of midwifery unless the
11 person is granted a license under this subchapter, is granted a temporary permit
12 pursuant to a rule promulgated under s. 440.984 (2m), or is licensed as ~~a~~
13 ~~nurse-midwife under s. 441.15~~ an advanced practice registered nurse and possesses
14 a certified nurse-midwife specialty designation under s. 441.09.

15 **SECTION 794.** 440.983 (1) of the statutes is amended to read:

16 440.983 (1) The renewal date for licenses granted under this subchapter is
17 ~~specified in~~ shall be as determined by the department under s. 440.08 (2) (a).
18 Renewal applications shall be submitted to the department on a form provided by the
19 department and shall include the renewal fee determined by the department under
20 s. 440.03 (9) (a).

21 **SECTION 795.** 440.987 (2) of the statutes is amended to read:

22 440.987 (2) One member who is licensed as ~~a nurse-midwife under s. 441.15~~
23 an advanced practice registered nurse and possesses a certified nurse-midwife
24 specialty designation under s. 441.09 and who practices in an out-of-hospital
25 setting.

1 **SECTION 796.** 440.992 (6) of the statutes is repealed.

2 **SECTION 797.** 440.9935 of the statutes is amended to read:

3 **440.9935 Renewal.** The renewal date for certificates of registration issued
4 under this subchapter is ~~specified in~~ shall be as determined by the department under
5 s. 440.08 (2) (a), and the renewal fee for such certificates is determined by the
6 department under s. 440.03 (9) (a). Renewal applications shall be submitted to the
7 department on a form provided by the department.

8 **SECTION 798.** 441.001 (1c) of the statutes is created to read:

9 **441.001 (1c) ADVANCED PRACTICE REGISTERED NURSING.** “Advanced practice
10 registered nursing” means the practice of a certified nurse–midwife, the practice of
11 a certified registered nurse anesthetist, the practice of a clinical nurse specialist, and
12 the practice of a nurse practitioner.

13 **SECTION 799.** 441.001 (3c) of the statutes is created to read:

14 **441.001 (3c) PRACTICE OF A CERTIFIED NURSE-MIDWIFE.** “Practice of a certified
15 nurse–midwife” means practice in the management of women’s health care,
16 pregnancy, childbirth, postpartum care for newborns, family planning, and
17 gynecological services consistent with the standards of practice of the American
18 College of Nurse–Midwives or its successor.

19 **SECTION 800.** 441.001 (3g) of the statutes is created to read:

20 **441.001 (3g) PRACTICE OF A CERTIFIED REGISTERED NURSE ANESTHETIST.** “Practice
21 of a certified registered nurse anesthetist” means providing anesthesia care, pain
22 management care, and care related to anesthesia and pain management for persons
23 across their lifespan, whose health status may range from healthy through all levels
24 of acuity, including persons with immediate, severe, or life–threatening illness or

1 injury, in diverse settings, including hospitals, ambulatory surgery centers,
2 outpatient clinics, medical offices, and home health care settings.

3 **SECTION 801.** 441.001 (3n) of the statutes is created to read:

4 441.001 **(3n)** PRACTICE OF A CLINICAL NURSE SPECIALIST. “Practice of a clinical
5 nurse specialist” means providing advanced nursing care, primarily in health care
6 facilities, including the diagnosis and treatment of illness for identified specific
7 populations based on a specialty.

8 **SECTION 802.** 441.001 (3r) of the statutes is created to read:

9 441.001 **(3r)** PRACTICE OF A NURSE PRACTITIONER. “Practice of a nurse
10 practitioner” means practice in ambulatory, acute, long-term, or other health care
11 settings as a primary or specialty care provider who provides health services,
12 including assessing, diagnosing, treating, or managing acute, episodic, and chronic
13 illnesses.

14 **SECTION 803.** 441.001 (3w) of the statutes is created to read:

15 441.001 **(3w)** PRESCRIPTION ORDER. “Prescription order” has the meaning given
16 in s. 450.01 (21).

17 **SECTION 804.** 441.001 (5) of the statutes is created to read:

18 441.001 **(5)** RECOGNIZED ROLE. “Recognized role” means one of the following
19 roles:

- 20 (a) Certified nurse-midwife.
21 (b) Certified registered nurse anesthetist.
22 (c) Clinical nurse specialist.
23 (d) Nurse practitioner.

24 **SECTION 805.** 441.01 (3) of the statutes is amended to read:

1 441.01 (3) The board may promulgate rules to establish minimum standards
2 for schools for professional nurses and, schools for licensed practical nurses, and
3 schools for advanced practice registered nurses, including all related clinical units
4 and facilities, and make and provide periodic surveys and consultations to such
5 schools. ~~It~~ The board may also establish promulgate rules to prevent unauthorized
6 persons from practicing professional nursing. ~~It shall approve all rules for the~~
7 ~~administration of this chapter in accordance with ch. 227.~~

8 **SECTION 806.** 441.01 (4) of the statutes is amended to read:

9 441.01 (4) The board shall direct that those schools that qualify be placed on
10 a list of schools the board has approved for professional nurses ~~or~~, of schools the board
11 has approved for licensed practical nurses, or of schools the board has approved for
12 advanced practice registered nurses on application and proof of qualifications, and
13 the board shall make a study of nursing education and ~~initiate~~ promulgate rules and
14 policies to improve it.

15 **SECTION 149e.** 441.01 (7) (a) (intro.) and 1. of the statutes are amended to read:

16 441.01 (7) (a) (intro.) ~~The board shall require each applicant for the renewal~~
17 Biennially, each holder of a registered nurse or licensed practical nurse license issued
18 under this chapter ~~to shall~~ do all of the following as a condition for renewing the
19 license:

20 1. Complete and submit to the department ~~with the application for renewal of~~
21 ~~the license~~ a nursing workforce survey developed by the department of workforce
22 development under s. 106.30 (2).

23 **SECTION 149f.** 441.01 (7) (a) (intro.) of the statutes, as affected by 2023
24 Wisconsin Act (this act), is amended to read:

1 441.01 (7) (a) (intro.) Biennially, each holder of a registered nurse or, licensed
2 practical nurse, or licensed advanced practice registered nurse license issued under
3 this chapter shall do all of the following:

4 **SECTION 807.** 441.01 (7) (b) of the statutes is amended to read:

5 441.01 (7) (b) ~~The board may not renew a registered nurse or licensed practical~~
6 ~~nurse license under this chapter unless the renewal applicant has completed the~~
7 ~~nursing workforce survey to the satisfaction of the board.~~ The board shall establish
8 standards to determine whether the nursing workforce survey has been completed.
9 The board shall, by no later than June 30 of each odd-numbered year, submit all
10 completed nursing workforce survey forms to the department of workforce
11 development.

12 **SECTION 808.** 441.01 (7) (c) of the statutes is created to read:

13 441.01 (7) (c) An applicant who is renewing both a registered nurse and
14 advanced practice registered nurse license under s. 441.09 (1) (c) is only required to
15 pay a single fee under par. (a) 2.

16 **SECTION 809.** 441.06 (title) of the statutes is repealed and recreated to read:

17 **441.06** (title) **Registered nurses; civil liability exemption.**

18 **SECTION 152e.** 441.06 (3) of the statutes is amended to read:

19 441.06 (3) A registered nurse practicing for compensation shall, on or before
20 the applicable renewal date ~~specified~~ determined by the department under s. 440.08
21 (2) (a), submit to the board on furnished forms a statement giving name, residence,
22 and other facts that the board requires, with ~~the nursing workforce survey and fee~~
23 ~~required under s. 441.01 (7) and the applicable renewal fee determined by the~~
24 department under s. 440.03 (9) (a).

1 **SECTION 152f.** 441.06 (3) of the statutes, as affected by 2023 Wisconsin Act ...
2 (this act), is amended to read:

3 441.06 (3) ~~–A–~~ Except as provided in s. 441.09 (1) (c), a registered nurse
4 practicing for compensation shall, on or before the applicable renewal date
5 determined by the department under s. 440.08 (2), submit to the board on furnished
6 forms a statement giving name, residence, and other facts that the board requires,
7 with the applicable renewal fee determined by the department under s. 440.03 (9)
8 (a).

9 **SECTION 810.** 441.06 (4) of the statutes is amended to read:

10 441.06 (4) Except as provided in ss. 257.03 and 440.077, no person may practice
11 or attempt to practice professional nursing, nor use the title, letters, or anything else
12 to indicate that he or she is a registered or professional nurse unless he or she is
13 licensed under this section. Except as provided in ss. 257.03 and 440.077, no person
14 not so licensed may use in connection with his or her nursing employment or vocation
15 any title or anything else to indicate that he or she is a trained, certified or graduate
16 nurse. This subsection does not apply to any registered nurse who holds a multistate
17 license, as defined in s. 441.51 (2) (h), issued by a jurisdiction, other than this state,
18 that has adopted the nurse licensure compact under s. 441.51.

19 **SECTION 811.** 441.06 (7) of the statutes is renumbered 441.09 (7) and amended
20 to read:

21 441.09 (7) CIVIL LIABILITY. No person ~~certified licensed~~ as an advanced practice
22 registered nurse prescriber under s. 441.16 (2) this section is liable for civil damages
23 for any of the following:

24 (a) Reporting in good faith to the department of transportation under s. 146.82
25 (3) a patient's name and other information relevant to a physical or mental condition

1 of the patient that in the advanced practice ~~nurse prescriber's~~ registered nurse's
2 judgment impairs the patient's ability to exercise reasonable and ordinary control
3 over a motor vehicle.

4 (b) In good faith, not reporting to the department of transportation under s.
5 146.82 (3) a patient's name and other information relevant to a physical or mental
6 condition of the patient that in the advanced practice ~~nurse prescriber's~~ registered
7 nurse's judgment does not impair the patient's ability to exercise reasonable and
8 ordinary control over a motor vehicle.

9 **SECTION 812.** 441.07 (1g) (intro.), (a), (c) and (e) of the statutes are amended
10 to read:

11 441.07 (**1g**) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
12 board may deny an initial license or revoke, limit, suspend, or deny the renewal of
13 a license of a registered nurse, ~~nurse-midwife~~ advanced practice registered nurse,
14 or licensed practical nurse; ~~deny an initial certificate or revoke, limit, suspend, or~~
15 ~~deny the renewal of a certificate to prescribe drugs or devices granted under s.~~
16 441.16; or reprimand a registered nurse, ~~nurse-midwife~~ advanced practice
17 registered nurse, or licensed practical nurse, if the board finds that the applicant or
18 licensee committed any of the following:

19 (a) Fraud in the procuring or renewal of the ~~certificate or~~ license.

20 (c) Acts ~~which~~ that show the registered nurse, ~~nurse-midwife~~ advanced
21 practice registered nurse, or licensed practical nurse to be unfit or incompetent by
22 reason of negligence, abuse of alcohol or other drugs, or mental incompetency.

23 (e) A violation of any state or federal law that regulates prescribing or
24 dispensing drugs or devices, if the person ~~has a certificate to prescribe drugs or~~
25 ~~devices under s. 441.16~~ may issue prescription orders under s. 441.09 (2).

1 **SECTION 813.** 441.09 of the statutes is created to read:

2 **441.09 Advanced practice registered nurses; civil liability exemption.**

3 **(1) LICENSE.** (a) An applicant who satisfies all of the following requirements may
4 apply to the board for initial licensure by the board as an advanced practice
5 registered nurse:

6 1. The applicant satisfies one of the following criteria:

7 a. The applicant holds a valid license to practice as a registered nurse issued
8 under s. 441.06 (1), (1c), or (1m).

9 b. The applicant applies concurrently for a license under s. 441.06 (1), (1c), or
10 (1m) with the application for a license under this paragraph.

11 c. The applicant is a registered nurse who holds a multistate license, as defined
12 in s. 441.51 (2) (h), issued by a jurisdiction, other than this state, that has adopted
13 the nurse licensure compact.

14 2. The applicant provides evidence satisfactory to the board that he or she
15 satisfies one of the following criteria:

16 a. The applicant has completed a graduate-level or postgraduate-level
17 education program that is approved by the board and that prepares the applicant for
18 the practice of advanced practice registered nursing in one of the 4 recognized roles,
19 and the applicant holds a current certification by a national certifying body approved
20 by the board.

21 b. On January 1, 2023, the applicant was licensed as a registered nurse in this
22 state and was practicing in a recognized role, and the applicant satisfies additional
23 criteria established by the board by rule under sub. (6) (a) 3. relating to practice,
24 education, or certification.

25 3. The applicant pays the fee specified under s. 440.05 (1).

1 4. The applicant provides to the board evidence of any malpractice liability
2 insurance coverage required under sub. (5).

3 5. If the applicant is applying to receive a certified nurse-midwife specialty
4 designation under par. (b) 1., the applicant does all of the following:

5 a. Provides evidence satisfactory to the board that the applicant is currently
6 certified by the American Midwifery Certification Board or its successor.

7 b. Files with the board any plan required under sub. (3m) (i).

8 6. The applicant does not have an arrest or conviction record, subject to ss.
9 111.321, 111.322, and 111.335.

10 7. The applicant meets any other criteria established by the board by rule under
11 sub. (6) (a) 3. relating to the education, training, or experience required for each
12 recognized role.

13 (b) 1. a. Subject to s. 441.07 (1g), the board shall grant an advanced practice
14 registered nurse license to an applicant the board determines meets the
15 requirements under par. (a). The board shall also grant a person who is granted a
16 license under this subd. 1. a. one or more specialty designations corresponding to the
17 recognized roles for which the board determines that the person qualifies based on
18 the person's qualifications under par. (a).

19 b. The board shall grant an advanced practice registered nurse license to each
20 individual who, on the day before the effective date of this subd. 1. b. [LRB inserts
21 date], was certified to issue prescription orders under s. 441.16, 2021 stats. The
22 board shall also grant a person who is granted a license under this subd. 1. b. one or
23 more specialty designations corresponding to the recognized roles for which the
24 board determines that the person qualifies based on the person's qualifications.

1 c. The board shall grant an advanced practice registered nurse license to each
2 individual who, on the day before the effective date of this subd. 1. c. [LRB inserts
3 date], was licensed as a nurse-midwife under s. 441.15, 2021 stats. The board shall
4 also grant a person who is granted a license under this subd. 1. c. a nurse-midwife
5 specialty designation.

6 2. Each specialty designation granted under subd. 1. shall appear on the
7 person's advanced practice registered nurse license.

8 3. The board may not grant an advanced practice registered nurse license to
9 a person applying concurrently for a license under s. 441.06 (1), (1c), or (1m), unless
10 the board also grants the person the license under s. 441.06 (1), (1c), or (1m).

11 4. The board may place specific limitations on a person licensed as an advanced
12 practice registered nurse as a condition of licensure.

13 5. If all of the following apply to a person, a notation indicating that the person
14 may not issue prescription orders shall appear on the person's advanced practice
15 registered nurse license:

16 a. The person is granted an advanced practice registered nurse license under
17 subd. 1. a. and satisfies only par. (a) 2. b. but not par. (a) 2. a., or the person is granted
18 an advanced practice registered nurse license under subd. 1. c.

19 b. On January 1, 2023, the person did not hold a certificate under s. 441.16 (2),
20 2021 stats.

21 (c) On or before the applicable renewal date determined by the department
22 under s. 440.08 (2), an advanced practice registered nurse shall submit to the board
23 on a form furnished by the board a statement giving his or her name and residence,
24 the nursing workforce survey and fee required under s. 441.01 (7), evidence of having
25 satisfied the continuing education requirements under sub. (4), evidence of any

1 malpractice liability insurance coverage required under sub. (5), any plan required
2 under sub. (3m) (i), current evidence that the person satisfies each of the
3 requirements under par. (a) 1., 2., 5. a., and 7. that apply with respect to the person,
4 and any other information that the board requires by rule, with the applicable
5 renewal fee determined by the department under s. 440.03 (9) (a). The board shall
6 grant to a person who satisfies the requirements under this paragraph the renewal
7 of his or her advanced practice registered nurse license and specialty designations
8 granted under par. (b) 1. and shall, if the person holds a license under s. 441.06 (1),
9 (1c), or (1m), also grant the renewal of that license.

10 **(2) PRESCRIBING AUTHORITY.** (a) Except as provided in par. (b), an advanced
11 practice registered nurse may issue prescription orders, subject to the rules
12 promulgated under sub. (6) (a) 1. and 4., and may provide expedited partner therapy
13 in the manner described in s. 441.092.

14 (b) An advanced practice registered nurse may not issue prescription orders if
15 a notation under sub. (1) (b) 4. indicating that the advanced practice registered nurse
16 may not issue prescription orders appears on the advanced practice registered
17 nurse's license.

18 **(3) LICENSE REQUIRED; USE OF TITLES.** (a) 1. The holder of a license issued under
19 this section is an "advanced practice registered nurse," may append to his or her
20 name the title "A.P.R.N.," and is authorized to practice advanced practice registered
21 nursing.

22 2. Notwithstanding s. 448.03 (3m), the holder of a specialty designation for a
23 recognized role granted under sub. (1) (b) 1. may append to his or her name the title
24 and an abbreviation described under par. (b) 2. corresponding to that recognized role.

1 (b) 1. Except as provided in sub. (3m) (h) and s. 257.03, no person may practice
2 or attempt to practice advanced practice registered nursing, nor use the title
3 “advanced practice registered nurse,” the title “A.P.R.N.,” or anything else to indicate
4 that he or she is an advanced practice registered nurse unless he or she is licensed
5 under this section.

6 2. Except as provided in s. 257.03, no person may do any of the following:

7 a. Use the title “certified nurse–midwife,” the title “C.N.M.,” or anything else
8 to indicate that he or she is a certified nurse–midwife unless he or she has been
9 granted a certified nurse–midwife specialty designation under sub. (1) (b) 1.

10 b. Use the title “certified registered nurse anesthetist,” the title “C.R.N.A.,” or
11 anything else to indicate that he or she is a certified registered nurse anesthetist
12 unless he or she has been granted a certified registered nurse anesthetist specialty
13 designation under sub. (1) (b) 1.

14 c. Use the title “clinical nurse specialist,” the title “C.N.S.,” or anything else to
15 indicate that he or she is a clinical nurse specialist unless he or she has been granted
16 a clinical nurse specialist specialty designation under sub. (1) (b) 1.

17 d. Use the title “nurse practitioner,” the title “N.P.,” or anything else to indicate
18 that he or she is a nurse practitioner unless he or she has been granted a nurse
19 practitioner specialty designation under sub. (1) (b) 1.

20 **(3m)** PRACTICE REQUIREMENTS AND LIMITATIONS. (a) 1. An advanced practice
21 registered nurse licensed under this section may, except as provided in subd. 2. and
22 par. (b), practice advanced practice registered nursing only in collaboration with a
23 physician or dentist.

24 2. Subdivision 1. does not apply to an advanced practice registered nurse with
25 a certified nurse–midwife specialty designation.

1 (b) An advanced practice registered nurse to whom par. (a) 1. applies may,
2 except as provided in pars. (d) 1. and (f), practice advanced practice registered
3 nursing in a recognized role without being supervised by or collaborating with, and
4 independent of, a physician or dentist if the board verifies, upon application of the
5 advanced practice registered nurse, that the advanced practice registered nurse
6 satisfies all of the following:

7 1. The advanced practice registered nurse has, except as provided in subd. 3.,
8 completed 3,840 hours of professional nursing in a clinical setting. Clinical hours
9 completed as a requirement of a nursing program offered by a qualifying school of
10 nursing described under s. 441.06 (1) (c) may be used to satisfy the requirement
11 under this subdivision. Hours completed to satisfy a requirement of an education
12 program described in sub. (1) (a) 2. a. may not be used to satisfy the requirement
13 under this subdivision.

14 2. At least 24 months have elapsed since the advanced practice registered nurse
15 first began completing the clinical hours required by a nursing program described
16 under subd. 1.

17 3. The advanced practice registered nurse has completed 3,840 clinical hours
18 of advanced practice registered nursing practice in that recognized role while
19 working with a physician or dentist who was immediately available for consultation
20 and accepted responsibility for the actions of the advanced practice registered nurse
21 during those 3,840 hours of practice. The advanced practice registered nurse may
22 substitute additional hours of advanced practice registered nursing working with a
23 physician or dentist described in this subdivision to count toward the requirement
24 under subd. 1. Each such additional hour shall count toward one hour of the
25 requirement under subd. 1.

1 4. At least 24 months have elapsed since the advanced practice registered nurse
2 first began practicing advanced practice registered nursing in that recognized role
3 as described in subd. 3.

4 (c) For purposes of par. (b) 3., hours of advanced practice registered nursing
5 practice may include the lawful practice of advanced practice registered nursing
6 outside this state or the lawful practice of advanced practice registered nursing in
7 this state prior to the effective date of this paragraph [LRB inserts date].

8 (d) 1. An advanced practice registered nurse may provide pain management
9 services only while working in a collaborative relationship with a physician who,
10 through education, training, and experience, specializes in pain management.
11 Except as provided in subd. 2., this subdivision applies regardless of whether the
12 advanced practice registered nurse has qualified for independent practice under par.
13 (b).

14 2. Except as provided in par. (f), subd. 1. does not apply to an advanced practice
15 registered nurse who is providing pain management services in a hospital, as defined
16 in s. 50.33 (2), or a clinic associated with a hospital, and who has qualified for
17 independent practice under par. (b).

18 (e) For purposes of pars. (a) 1. and (d) 1., a collaborative relationship is a process
19 in which an advanced practice registered nurse is working with a physician or
20 dentist, in each other's presence when necessary, to deliver health care services
21 within the scope of the advanced practice registered nurse's training, education, and
22 experience. The advanced practice registered nurse shall document such a
23 collaborative relationship.

24 (f) Nothing in this section prohibits an entity employing or with a relationship
25 with an advanced practice registered nurse from establishing additional

1 requirements for an advanced practice registered nurse as a condition of
2 employment or relationship.

3 (g) An advanced practice registered nurse shall adhere to professional
4 standards when managing situations that are beyond the advanced practice
5 registered nurse's expertise. If a particular patient's needs are beyond the advanced
6 practice registered nurse's expertise, the advanced practice registered nurse shall,
7 as warranted by the patient's needs, consult or collaborate with or refer the patient
8 to at least one of the following:

9 1. A physician licensed under ch. 448.

10 2. Another health care provider for whom the advanced practice registered
11 nurse has reasonable evidence of having a scope of practice that includes the
12 authorization to address the patient's needs.

13 (h) An advanced practice registered nurse licensed under this section may
14 delegate a task or order to another clinically trained health care worker if the task
15 or order is within the scope of the advanced practice registered nurse's practice, the
16 advanced practice registered nurse is competent to perform the task or issue the
17 order, and the advanced practice registered nurse has reasonable evidence that the
18 health care worker is minimally competent to perform the task or issue the order
19 under the circumstances.

20 (i) An advanced practice registered nurse with a certified nurse-midwife
21 specialty designation may not offer to deliver babies outside of a hospital setting
22 unless the advanced practice registered nurse files with the board, and the board
23 approves, a proactive plan for ensuring appropriate care or care transitions
24 conforming with professional standards for patients with higher acuity or emergency
25 care needs that exceed the advanced practice registered nurse's scope of practice. An

1 advanced practice registered nurse who offers to deliver babies outside of a hospital
2 setting shall file a plan under this paragraph when applying for an initial license
3 under this section or a renewal of a license under this section, shall keep the plan
4 current with the board, and shall follow the plan.

5 (4) CONTINUING EDUCATION. Every advanced practice registered nurse shall
6 submit to the board evidence of having completed at least 16 contact hours per
7 biennium in clinical pharmacology or therapeutics relevant to the advanced practice
8 registered nurse's area of practice. The board may promulgate rules regarding the
9 continuing education requirements under this subsection.

10 (5) MALPRACTICE LIABILITY INSURANCE. No person may practice advanced
11 practice registered nursing unless he or she at all times has in effect malpractice
12 liability insurance coverage in the minimum amounts specified under s. 655.23 (4).
13 An advanced practice registered nurse shall submit evidence of that coverage to the
14 board when applying for an initial license under this section or a renewal of a license
15 under this section. An advanced practice registered nurse shall also submit such
16 evidence to the board upon request of the board.

17 (6) RULES. (a) The board shall promulgate rules necessary to administer this
18 section, including rules for all of the following:

19 1. Further defining the scope of practice of an advanced practice registered
20 nurse, practice of a certified nurse-midwife, practice of a certified registered nurse
21 anesthetist, practice of a nurse practitioner, and practice of a clinical nurse specialist
22 and defining the scope of practice within which an advanced practice registered
23 nurse may issue prescription orders under sub. (2).

24 2. Determining acceptable national certification for purposes of sub. (1) (a) 2.

25 a.

1 3. Establishing the appropriate education, training, or experience
2 requirements that a registered nurse must satisfy in order to be an advanced practice
3 registered nurse and to obtain each specialty designation corresponding to the
4 recognized roles.

5 4. Specifying the classes of drugs, individual drugs, or devices that may not be
6 prescribed by an advanced practice registered nurse under sub. (2).

7 5. Specifying the conditions to be met for registered nurses to do the following:

8 a. Administer a drug prescribed by an advanced practice registered nurse.

9 b. Administer a drug at the direction of an advanced practice registered nurse.

10 7. Establishing standards of professional conduct for advanced practice
11 registered nurses generally and for practicing in each recognized role.

12 (am) Notwithstanding par. (a), the board may promulgate rules to implement
13 sub. (3m) (b).

14 (b) The board may not promulgate rules that expand the scope of practice of an
15 advanced practice registered nurse beyond the practices within advanced practice
16 registered nursing.

17 **SECTION 814.** 441.092 of the statutes is created to read:

18 **441.092 Expedited partner therapy. (1)** In this section:

19 (b) “Antimicrobial drug” has the meaning given in s. 448.035 (1) (b).

20 (c) “Expedited partner therapy” has the meaning given in s. 448.035 (1) (c).

21 **(2)** Notwithstanding the requirements of s. 448.9785, an advanced practice
22 registered nurse who may issue prescription orders under s. 441.09 (2) may provide
23 expedited partner therapy if a patient is diagnosed as infected with a chlamydial
24 infection, gonorrhea, or trichomoniasis and the patient has had sexual contact with
25 a sexual partner during which the chlamydial infection, gonorrhea, or

1 trichomoniasis may have been transmitted to or from the sexual partner. The
2 advanced practice registered nurse shall attempt to obtain the name of the patient's
3 sexual partner. A prescription order for an antimicrobial drug prepared under this
4 subsection shall include the name and address of the patient's sexual partner, if
5 known. If the advanced practice registered nurse is unable to obtain the name of the
6 patient's sexual partner, the prescription order shall include, in ordinary, bold-faced
7 capital letters, the words, "expedited partner therapy" or the letters "EPT."

8 (3) The advanced practice registered nurse shall provide the patient with a
9 copy of the information sheet prepared by the department of health services under
10 s. 46.03 (44) and shall request that the patient give the information sheet to the
11 person with whom the patient had sexual contact.

12 (4) (a) Except as provided in par. (b), an advanced practice registered nurse is
13 immune from civil liability for injury to or the death of a person who takes any
14 antimicrobial drug if the antimicrobial drug is prescribed, dispensed, or furnished
15 under this section and if expedited partner therapy is provided as specified under
16 this section.

17 (b) The immunity under par. (a) does not extend to the donation, distribution,
18 furnishing, or dispensing of an antimicrobial drug by an advanced practice
19 registered nurse whose act or omission involves reckless, wanton, or intentional
20 misconduct.

21 **SECTION 815.** 441.10 (6) of the statutes is amended to read:

22 441.10 (6) On or before the applicable renewal date ~~specified~~ determined by the
23 department under s. 440.08 (2) (a), a licensed practical nurse practicing for
24 compensation shall submit to the board, on forms furnished by the department, an
25 application for license renewal, together with a statement giving name, residence,

1 nature and extent of practice as a licensed practical nurse during the prior year and
2 prior unreported years, ~~the nursing workforce survey and fee required under s.~~
3 ~~441.01 (7)~~, and other facts bearing upon current competency that the board requires,
4 accompanied by the applicable license renewal fee determined by the department
5 under s. 440.03 (9) (a).

6 **SECTION 816.** 441.10 (7) of the statutes is amended to read:

7 441.10 (7) No license is required for practical nursing, but, except as provided
8 in s. 257.03, no person without a license may hold himself or herself out as a licensed
9 practical nurse or licensed attendant, use the title or letters “Trained Practical
10 Nurse” or “T.P.N.”, “Licensed Practical Nurse” or “L.P.N.”, “Licensed Attendant” or
11 “L.A.”, “Trained Attendant” or “T.A.”, or otherwise seek to indicate that he or she is
12 a licensed practical nurse or licensed attendant. No licensed practical nurse or
13 licensed attendant may use the title, or otherwise seek to act as a registered, licensed,
14 graduate or professional nurse. Anyone violating this subsection shall be subject to
15 the penalties prescribed by s. 441.13. ~~The board shall grant without examination a~~
16 ~~license as a licensed practical nurse to any person who was on July 1, 1949, a licensed~~
17 ~~attendant.~~ This subsection does not apply to any licensed practical nurse who holds
18 a multistate license, as defined in s. 441.51 (2) (h), issued by a jurisdiction, other than
19 this state, that has adopted the nurse licensure compact ~~under s. 441.51.~~

20 **SECTION 817.** 441.11 (title) of the statutes is repealed.

21 **SECTION 818.** 441.11 (1) of the statutes is repealed.

22 **SECTION 819.** 441.11 (2) of the statutes is renumbered 441.09 (5m) and
23 amended to read:

24 441.09 (5m) LICENSURE EXEMPTION. The provisions of s. 448.04 (1) (g) 448.03
25 (1) (d) do not apply to ~~a~~ an advanced practice registered nurse licensed under this

1 section who possesses a certified registered nurse anesthetist specialty designation
2 under sub. (1) (b) 1. or to a person who engages in the practice of a nurse anesthetist
3 while performing official duties for the armed services or federal health services of
4 the United States.

5 **SECTION 820.** 441.11 (3) of the statutes is repealed.

6 **SECTION 821.** 441.15 of the statutes, as affected by 2023 Wisconsin Act (this
7 act), is repealed.

8 **SECTION 164e.** 441.15 (3) (b) of the statutes is amended to read:

9 441.15 (3) (b) On or before the applicable renewal date specified determined
10 by the department under s. 440.08 (2) ~~(a)~~, a person issued a license under par. (a) and
11 practicing nurse-midwifery shall submit to the board on furnished forms a
12 statement giving his or her name, residence, and other information that the board
13 requires by rule, with the applicable renewal fee determined by the department
14 under s. 440.03 (9) (a). If applicable, the person shall also submit evidence
15 satisfactory to the board that he or she has in effect the malpractice liability
16 insurance required under the rules promulgated under sub. (5) (bm). The board shall
17 grant to a person who pays the fee determined by the department under s. 440.03 (9)
18 (a) for renewal of a license to practice nurse-midwifery and who satisfies the
19 requirements of this paragraph the renewal of his or her license to practice
20 nurse-midwifery and the renewal of his or her license to practice as a registered
21 nurse.

22 **SECTION 822.** 441.16 of the statutes is repealed.

23 **SECTION 823.** 441.18 (2) (a) (intro.) of the statutes is amended to read:

24 441.18 (2) (a) (intro.) An advanced practice registered nurse ~~certified to~~ who
25 may issue prescription orders under s. ~~441.16~~ 441.09 (2) may do any of the following:

1 **SECTION 824.** 441.18 (2) (b) of the statutes is amended to read:

2 441.18 (2) (b) An advanced practice registered nurse who prescribes or delivers
3 an opioid antagonist under par. (a) 1. shall ensure that the person to whom the opioid
4 antagonist is prescribed has or has the capacity to provide the knowledge and
5 training necessary to safely administer the opioid antagonist to an individual
6 undergoing an opioid-related overdose and that the person demonstrates the
7 capacity to ensure that any individual to whom the person further delivers the opioid
8 antagonist has or receives that knowledge and training.

9 **SECTION 825.** 441.18 (3) of the statutes is amended to read:

10 441.18 (3) An advanced practice registered nurse who, acting in good faith,
11 prescribes or delivers an opioid antagonist in accordance with sub. (2), or who, acting
12 in good faith, otherwise lawfully prescribes or dispenses an opioid antagonist, shall
13 be immune from criminal or civil liability and may not be subject to professional
14 discipline under s. 441.07 for any outcomes resulting from prescribing, delivering,
15 or dispensing the opioid antagonist.

16 **SECTION 826.** 441.19 of the statutes is repealed.

17 **SECTION 827.** 442.083 (1) of the statutes is amended to read:

18 442.083 (1) The renewal dates for licenses issued under this chapter are
19 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a), and the
20 renewal fees for such licenses are determined by the department under s. 440.03 (9)
21 (a). The department may not renew a license issued to a firm unless, at the time of
22 renewal, the firm satisfies the requirements under s. 442.08 (2) and demonstrates,
23 to the satisfaction of the department, that the firm has complied with the
24 requirements under s. 442.087.

25 **SECTION 828.** 442.083 (2) (a) of the statutes is amended to read:

1 442.083 **(2)** (a) The examining board shall promulgate rules establishing
2 continuing education requirements for ~~renewal of licenses granted to individuals~~
3 licensed under this chapter. The rules promulgated under this paragraph may not
4 require an individual to complete more than 80 continuing education credits ~~during~~
5 the per 2-year period immediately preceding the renewal date specified under s.
6 440.08 (2) (a).

7 **SECTION 829.** 443.015 (1e) of the statutes is amended to read:

8 443.015 **(1e)** The rules promulgated under sub. (1) by the registered interior
9 designer section of the examining board shall require a Wisconsin registered interior
10 designer to complete at least 15 hours of continuing education ~~during the per 2-year~~
11 period immediately preceding the renewal date specified under s. 440.08 (2) (a). At
12 least 10 of the 15 hours shall be in subjects related to the practice of interior design
13 that safeguard the public's health, safety, and welfare.

14 **SECTION 830.** 443.07 (6) of the statutes is amended to read:

15 443.07 **(6)** The renewal date for permits under this section is ~~specified~~ shall be
16 as determined by the department under s. 440.08 (2) ~~(a)~~, and the fee for renewal of
17 such permits is determined by the department under s. 440.03 (9) (a).

18 **SECTION 831.** 443.08 (3) (b) of the statutes is amended to read:

19 443.08 **(3)** (b) The renewal date for certificates of authorization under this
20 section is ~~specified~~ shall be as determined by the department under s. 440.08 (2) ~~(a)~~,
21 and the fee for renewal of such certificates is determined by the department under
22 s. 440.03 (9) (a).

23 **SECTION 832.** 443.10 (2) (e) of the statutes is amended to read:

24 443.10 **(2)** (e) The renewal date dates for certificates of registration for
25 architects, landscape architects, professional engineers, and Wisconsin registered

1 interior designers ~~is specified~~ shall be as determined by the department under s.
2 440.08 (2) (a), and the fee for renewal of such certificates is determined by the
3 department under s. 440.03 (9) (a).

4 **SECTION 833.** 443.10 (5) of the statutes is amended to read:

5 443.10 (5) FEES; RENEWALS. The professional land surveyor section shall grant
6 a license to engage in the practice of professional land surveying to any applicant who
7 has met the applicable requirements of this chapter. The renewal date for the license
8 ~~is specified~~ shall be as determined by the department under s. 440.08 (2) (a), and the
9 renewal fee for the license is determined by the department under s. 440.03 (9) (a).

10 **SECTION 834.** 445.06 (1) of the statutes is amended to read:

11 445.06 (1) The renewal date for a funeral director's license ~~is specified~~ shall be
12 as determined by the department under s. 440.08 (2) (a), and the renewal fee for such
13 license is determined by the department under s. 440.03 (9) (a).

14 **SECTION 835.** 445.07 (1) of the statutes is repealed.

15 **SECTION 836.** 445.07 (2) of the statutes is amended to read:

16 445.07 (2) (a) The examining board may waive the requirement under sub. (1)
17 (a) (3) (b) in cases where the examining board is satisfied that an applicant would be
18 unable to satisfy the requirement prior to the renewal date by which the requirement
19 must be satisfied.

20 (b) Subsection (1) ~~(a) (3) (b)~~ does not apply to an applicant who was granted a
21 reciprocal license under s. 445.08.

22 **SECTION 837.** 445.07 (3) of the statutes is renumbered 445.07 (3) (a) and
23 amended to read:

24 445.07 (3) (a) The examining board shall promulgate rules to ~~implement this~~
25 ~~section~~ establish continuing education requirements for an applicant licensed under

1 this chapter. The rules shall, except as required in par. (b) and sub. (2), require
2 completion of 15 hours of continuing education per 2-year period.

3 **SECTION 838.** 445.07 (3) (b) of the statutes is created to read:

4 445.07 (3) (b) The examining board shall establish separate continuing
5 education requirements for new licensees. The examining board shall specify
6 permitted or required subjects for the continuing education under this paragraph,
7 which shall be subjects that the examining board determines prepare a new licensee
8 for practice as a funeral director.

9 **SECTION 839.** 445.095 (1) (c) of the statutes is amended to read:

10 445.095 (1) (c) A certificate of apprenticeship issued under this section shall
11 be renewable annually upon the payment on January 1 of each year of the renewal
12 fee specified in s. 440.08 (2) (2m) (b).

13 **SECTION 840.** 445.105 (3) of the statutes is amended to read:

14 445.105 (3) Applications for funeral establishment permits shall be made on
15 forms provided by the department and filed with the department and shall be
16 accompanied by the initial credential fee determined by the department under s.
17 440.03 (9) (a). The renewal date for a funeral establishment permit is specified shall
18 be as determined by the department under s. 440.08 (2) (a), and the renewal fee for
19 such permit is determined by the department under s. 440.03 (9) (a).

20 **SECTION 841.** 446.02 (1) (b) of the statutes is amended to read:

21 446.02 (1) (b) Submits evidence satisfactory to the examining board that the
22 person meets the requirements of continuing education for license renewal as the
23 examining board may require, which requirements shall include current proficiency
24 in the use of an automated external defibrillator achieved through instruction
25 provided by an individual, organization, or institution of higher education approved

1 under s. 46.03 (38) to provide such instruction. The person shall include the approval
2 number assigned under sub. (5) (b) to each educational program completed by the
3 person to satisfy the requirements of this paragraph. ~~During the time between~~
4 ~~initial licensure and commencement of a full 2-year licensure period~~ The examining
5 board shall, for up to a 2-year period, exempt new licensees ~~shall not be required to~~
6 ~~meet continuing education requirements~~ from the requirements under this
7 paragraph. Any person who has not engaged in the practice of chiropractic for 2
8 years or more, while holding a valid license under this chapter, and desiring to
9 engage in such practice, shall be required by the examining board to complete a
10 continuing education course at a school of chiropractic approved by the examining
11 board or pass a practical examination administered by the examining board or both.

12 **SECTION 842.** 446.02 (4) of the statutes is amended to read:

13 446.02 (4) The renewal date for all licenses granted by the examining board is
14 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a), and the
15 renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

16 **SECTION 843.** 446.025 (3) (a) of the statutes is renumbered 446.025 (3) (a) 1. and
17 amended to read:

18 446.025 (3) (a) 1. The renewal date ~~and fees~~ for a certificate issued under this
19 ~~section are specified in~~ shall be as determined by the department under s. 440.08 (2)
20 (a).

21 **SECTION 844.** 446.025 (3) (a) 2. of the statutes is created to read:

22 446.025 (3) (a) 2. The renewal fees for a certificate issued under this section are
23 determined by the department under s. 440.03 (9) (a).

24 **SECTION 845.** 446.025 (3) (b) of the statutes is amended to read:

1 446.025 (3) (b) A chiropractic radiological technician shall, at the time that he
2 or she applies for renewal of a certificate under par. (a), submit evidence satisfactory
3 to the examining board that he or she has completed ~~at least 12~~ continuing
4 educational credit hours in programs established by rules promulgated by the
5 examining board, which shall require at least 12 credit hours per 2-year period.

6 **SECTION 846.** 446.026 (3) (a) of the statutes is renumbered 446.026 (3) (a) 1. and
7 amended to read:

8 446.026 (3) (a) 1. The renewal date ~~and fees~~ for a certificate issued under this
9 section ~~are specified in~~ shall be as determined under s. 440.08 (2) (a).

10 **SECTION 847.** 446.026 (3) (a) 2. of the statutes is created to read:

11 446.026 (3) (a) 2. The renewal fees for a certificate issued under this section are
12 determined by the department under s. 440.03 (9) (a).

13 **SECTION 848.** 446.026 (3) (b) of the statutes is amended to read:

14 446.026 (3) (b) A chiropractic technician shall, at the time that he or she applies
15 for renewal of a certificate under par. (a), submit evidence satisfactory to the
16 examining board that he or she has completed ~~at least 6~~ continuing educational
17 credit hours in programs established by rules promulgated by the examining board,
18 which shall require at least 6 credit hours per 2-year period.

19 **SECTION 849.** 447.01 (6g) of the statutes is created to read:

20 447.01 (6g) “Dental therapist” means an individual who practices dental
21 therapy.

22 **SECTION 850.** 447.01 (6r) of the statutes is created to read:

23 447.01 (6r) “Dental therapy” means the limited practice of dentistry, consisting
24 of the services, treatments, and procedures specified in s. 447.06 (3) (b).

25 **SECTION 851.** 447.02 (1) (a) of the statutes is amended to read:

1 447.02 (1) (a) Governing the reexamination of an applicant who fails an
2 examination specified in s. 447.04 (1) (a) 5., (1m)(e), or (2) (a) 5. The rules may specify
3 additional educational requirements for those applicants and may specify the
4 number of times an applicant may be examined.

5 **SECTION 852.** 447.02 (1) (b) of the statutes is amended to read:

6 447.02 (1) (b) Governing the standards and conditions for the use of radiation
7 and ionizing equipment in the practice of dentistry or dental therapy.

8 **SECTION 853.** 447.02 (1) (g) of the statutes is created to read:

9 447.02 (1) (g) Specifying services, treatments, or procedures, in addition to
10 those specified under s. 447.06 (3) (b) 1. to 27., that are included within the practice
11 of dental therapy.

12 **SECTION 854.** 447.02 (2) (a) of the statutes is amended to read:

13 447.02 (2) (a) The conditions for supervision and the degree of supervision
14 required under ss. 447.03 (3) (a), (am), (b) and (d) 2. and 447.065.

15 **SECTION 855.** 447.02 (3) (a) (intro.) of the statutes is amended to read:

16 447.02 (3) (a) (intro.) The examining board may issue a permit authorizing the
17 practice in this state, without compensation, of dentistry, dental therapy, or dental
18 hygiene to an applicant who is licensed to practice dentistry, dental therapy, or dental
19 hygiene in another state, if all of the following apply:

20 **SECTION 856.** 447.02 (3) (a) 2. of the statutes is amended to read:

21 447.02 (3) (a) 2. The examining board determines that the applicant is qualified
22 and satisfies the criteria specified under s. 447.04 (1) (b) 1. to 3., except that the
23 examining board may not require the applicant to pass an examination of state
24 statutes and rules relating to dentistry, dental therapy, or dental hygiene.

25 **SECTION 857.** 447.02 (3) (a) 3. of the statutes is created to read:

1 447.02 (3) (a) 3. If the applicant is applying for a permit to practice dental
2 therapy, the applicant graduated from a dental therapy education program approved
3 under s. 447.04 (1m) (c) 1. to 3.

4 **SECTION 858.** 447.02 (3) (b) of the statutes is amended to read:

5 447.02 (3) (b) A permit under this subsection shall authorize the practice of
6 dentistry, dental therapy, or dental hygiene in a specified area of the state for a period
7 of time not more than 10 days in a year and may be renewed by the examining board.
8 The examining board may not require an applicant to pay a fee for the issuance or
9 renewal of a permit under this subsection.

10 **SECTION 859.** 447.02 (5) of the statutes is amended to read:

11 447.02 (5) Except as provided in ss. 447.058 and 447.063, nothing in this
12 chapter may be construed as authorizing the examining board to regulate business
13 or administrative support functions or services, that do not constitute the practice
14 of dentistry, dental therapy, or dental hygiene, provided to a business that provides
15 dental or dental hygiene services.

16 **SECTION 860.** 447.02 (6) of the statutes is created to read:

17 447.02 (6) The examining board shall send a notice to the legislative reference
18 bureau for publication in the Wisconsin Administrative Register when the board
19 determines that 50 or more individuals are currently licensed as dental therapists
20 in this state under s. 447.04 (1m). This subsection does not apply on or after the first
21 day of the 6th year beginning after publication of this act [LRB inserts date].

22 **SECTION 861.** 447.03 (1m) of the statutes is created to read:

23 447.03 (1m) DENTAL THERAPISTS. Except as provided under sub. (3) and s.
24 447.02 (3), no person may do any of the following unless he or she is licensed to
25 practice dental therapy under this chapter:

1 (a) Practice or offer to practice dental therapy.

2 (b) Represent himself or herself to the public as a dental therapist or use, in
3 connection with his or her name, any title or description that may convey the
4 impression that he or she is a dental therapist.

5 **SECTION 862.** 447.03 (3) (am) of the statutes is created to read:

6 447.03 (3) (am) A dental therapy student who practices dental therapy under
7 the supervision of a dentist in an infirmary, clinic, hospital, or other institution
8 connected or associated for training purposes with a dental therapy school accredited
9 by the American Dental Association commission on dental accreditation or its
10 successor agency.

11 **SECTION 863.** 447.03 (3) (c) of the statutes is amended to read:

12 447.03 (3) (c) An individual licensed to practice dentistry, dental therapy, or
13 dental hygiene in another state or country who practices dentistry, dental therapy,
14 or dental hygiene in a program of dental education or research at the invitation of
15 a group of dentists or practices dentistry, dental therapy, or dental hygiene under the
16 jurisdiction of the army, navy, air force, U.S. public health service, or veterans
17 bureau.

18 **SECTION 864.** 447.04 (1m) of the statutes is created to read:

19 447.04 (1m) DENTAL THERAPISTS. The examining board shall grant a license to
20 practice dental therapy to an individual who does all of the following:

21 (a) Submits an application for the license to the department on a form provided
22 by the department.

23 (b) Pays the fee specified in s. 440.05 (1).

24 (c) Submits evidence satisfactory to the examining board that he or she has
25 done one of the following:

1 1. Graduated from a dental therapy education program accredited by the
2 American Dental Association commission on dental accreditation or its successor
3 agency.

4 2. Graduated from a dental therapy education program that was not accredited
5 by the American Dental Association commission on dental accreditation or its
6 successor agency at the time of graduation, but was, on or before the effective date
7 of this subdivision ... [LRB inserts date], accredited or approved by the Minnesota
8 Board of Dentistry.

9 3. Graduated from a dental therapy education program located outside this
10 state that was not accredited by the American Dental Association commission on
11 dental accreditation or its successor agency, but that is approved by the examining
12 board. The examining board shall approve a program under this subdivision if the
13 examining board determines that the dental therapy education program is
14 substantially similar to a program accredited by the American Dental Association
15 commission on dental accreditation or its successor agency.

16 (d) Submits evidence satisfactory to the examining board that he or she has
17 passed a national board dental therapy examination and a dental therapy clinical
18 examination administered by a regional testing service that has been approved by
19 the examining board to administer clinical examinations for dental professionals.
20 If a national board examination or a regional testing service examination for dental
21 therapy does not exist, the examining board shall accept evidence of passing an
22 alternative examination administered by another entity or testing service that is
23 approved by the examining board.

24 (e) Passes an examination administered by the examining board on the
25 statutes and rules relating to dental therapy.

1 (f) Submits evidence satisfactory to the examining board that he or she has
2 current proficiency in cardiopulmonary resuscitation, including the use of an
3 automated external defibrillator achieved through instruction provided by an
4 individual, organization, or institution of higher education approved under s. 46.03
5 (38) to provide such instruction.

6 (g) If the individual was licensed or is currently licensed in another state or
7 territory of the United States or in another country, the individual submits
8 information related to his or her licensure in other jurisdictions as required by the
9 examining board.

10 (h) Completes any other requirements established by the examining board by
11 rule that are comparable to and no more restrictive than the requirements
12 established by the board for dentists under sub. (1) (a) 6. and dental hygienists under
13 sub. (2) (a) 6.

14 **SECTION 865.** 447.05 (1) (a) of the statutes is amended to read:

15 447.05 (1) (a) Except as provided in par. (b), renewal applications shall be
16 submitted to the department on a form provided by the department on or before the
17 applicable renewal date ~~specified~~ determined by the department under s. 440.08 (2)
18 (a) and shall include the applicable renewal fee determined by the department under
19 s. 440.03 (9) (a).

20 **SECTION 866.** 447.05 (2m) of the statutes is created to read:

21 447.05 (2m) The examining board may not renew a license to practice dental
22 therapy unless the applicant for renewal attests that he or she has complied with s.
23 447.057 and any rules promulgated under s. 447.057, that he or she has current
24 proficiency in cardiopulmonary resuscitation, and that he or she has current
25 proficiency in the use of an automated external defibrillator achieved through

1 instruction provided by an individual, organization, or institution of higher
2 education approved under s. 46.03 (38) to provide such instruction.

3 **SECTION 867.** 447.055 (1) (a) of the statutes is amended to read:

4 447.055 (1) (a) 1. Except as provided in subs. (3) and (4), a person is not eligible
5 for renewal of a license to practice dental hygiene, other than a permit issued under
6 s. 447.02 (3), unless the person has ~~taught, prepared, attended, or otherwise~~
7 ~~completed, during the 2-year period immediately preceding the renewal date~~
8 ~~specified under s. 440.08 (2) (a), 12 credit hours of satisfied the applicable continuing~~
9 ~~education relating to the clinical practice of dental hygiene that is sponsored or~~
10 ~~recognized by a local, state, regional, national, or international dental, dental~~
11 ~~hygiene, dental assisting, or medical-related professional organization.~~
12 requirements established under subd. 2.

13 2. ~~Notwithstanding subd. 1., the The examining board may shall promulgate~~
14 ~~a rule rules requiring not more than 20 nor less than 12 credit hours of continuing~~
15 ~~education for eligibility for renewal of a license to practice dental hygiene to be~~
16 ~~taught, prepared, attended, or otherwise completed per 2-year period. The rules~~
17 ~~shall require that continuing education be sponsored or recognized by a local, state,~~
18 ~~regional, national, or international dental, dental hygiene, dental assisting, or~~
19 ~~medical-related professional organization in order to qualify under this paragraph.~~

20 **SECTION 868.** 447.055 (1) (b) 1. of the statutes is amended to read:

21 447.055 (1) (b) 1. Basic life support or cardiopulmonary resuscitation. Not
22 more than 2 of the credit hours required under par. (a) per 2-year period may be
23 satisfied by such training.

24 **SECTION 869.** 447.055 (1) (b) 2. of the statutes is amended to read:

1 447.055 (1) (b) 2. Infection control. Not less than 2 of the credit hours required
2 under par. (a) per 2-year period must be satisfied by such training.

3 **SECTION 870.** 447.055 (3) of the statutes is repealed and recreated to read:

4 447.055 (3) The examining board shall, for up to a 2-year period, exempt new
5 licensees from the requirements under this section.

6 **SECTION 871.** 447.056 (1) (intro.) of the statutes is amended to read:

7 447.056 (1) (intro.) Except as provided in subs. (2) ~~to~~ and (4), a person is not
8 eligible for renewal of a license to practice dentistry, other than a permit issued under
9 s. 447.02 (3), unless the person has ~~taught, attended, or otherwise completed, during~~
10 ~~the 2-year period immediately preceding the renewal date specified under s. 440.08~~
11 ~~(2) (a), 30 credit hours of~~ satisfied the applicable continuing education related to the
12 ~~practice of dentistry or the practice of medicine, including requirements established~~
13 under this subsection. The examining board shall promulgate rules requiring 30
14 credit hours of continuing education to be taught, prepared, attended, or otherwise
15 completed per 2-year period. The rules shall require that not less than 25 credit
16 hours of instruction per 2-year period be in clinical dentistry or clinical medicine.
17 ~~Not~~ The rules may not allow more than 4 of the 30 hours may per 2-year period to
18 be from teaching. Continuing education does not satisfy the requirements under this
19 subsection unless the continuing education is one of the following:

20 **SECTION 872.** 447.056 (2) of the statutes is repealed and recreated to read:

21 447.056 (2) The examining board shall, for up to a 2-year period, exempt new
22 licensees from the requirements under this section.

23 **SECTION 873.** 447.056 (3) of the statutes is repealed.

24 **SECTION 874.** 447.057 of the statutes is created to read:

1 **447.057 Continuing education; dental therapists.** (1) (a) Except as
2 provided in subs. (3) and (4), a person is not eligible for renewal of a license to practice
3 dental therapy, other than a permit issued under s. 447.02 (3), unless the person has
4 taught, prepared, attended, or otherwise completed, during the 2-year period
5 immediately preceding the renewal date specified under s. 440.08 (2) (a), 12 credit
6 hours of continuing education relating to the clinical practice of dental therapy that
7 is sponsored or recognized by a local, state, regional, national, or international
8 dental, dental therapy, dental hygiene, dental assisting, or medical-related
9 professional organization.

10 (b) Continuing education required under par. (a) may include training in all of
11 the following:

12 1. Basic life support or cardiopulmonary resuscitation. Not more than 2 of the
13 credit hours required under par. (a) may be satisfied by such training.

14 2. Infection control. Not less than 2 of the credit hours required under par. (a)
15 must be satisfied by such training.

16 (c) After consultation with the department of health services, the examining
17 board may promulgate rules requiring that continuing education credit hours under
18 par. (a) include courses in specific clinical subjects.

19 (2) The credit hours required under sub. (1) (a) may be satisfied by independent
20 study, correspondence, or Internet programs or courses.

21 (3) Subsection (1) (a) does not apply to an applicant for renewal of a license that
22 expires on the first renewal date after the date on which the examining board
23 initially granted the license.

24 (4) A person may substitute credit hours of college level courses related to the
25 practice of dental therapy for the credit hours required under sub. (1) (a). For

1 purposes of this subsection, one credit hour of a college level course is equivalent to
2 6 credit hours of continuing education.

3 (5) For purposes of sub. (1) (a), one hour of teaching or preparing a continuing
4 education program is equivalent to one credit hour of continuing education, but a
5 person who teaches or prepares a continuing education program may obtain credit
6 for the program only once.

7 (6) The examining board may require applicants for renewal of a license to
8 practice dental therapy to submit proof of compliance with the requirements of this
9 section.

10 **SECTION 217e.** 447.057 (1) (a) and (b) 1. and 2. of the statutes, as created by
11 2023 Wisconsin Act (this act), are amended to read:

12 447.057 (1) (a) Except as provided in subs. (3) and (4), a person is not eligible
13 for renewal of a license to practice dental therapy, other than a permit issued under
14 s. 447.02 (3), unless the person has ~~taught, prepared, attended, or otherwise~~
15 ~~completed, during the 2-year period immediately preceding the renewal date~~
16 ~~specified under s. 440.08 (2) (a), 12 credit hours of satisfied the applicable continuing~~
17 ~~education relating to the clinical practice of dental therapy that is sponsored or~~
18 ~~recognized by a local, state, regional, national, or international dental, dental~~
19 ~~therapy, dental hygiene, dental assisting, or medical-related professional~~
20 ~~organization requirements established under subd. 2.~~

21 (b) 1. Basic life support or cardiopulmonary resuscitation. Not more than 2 of
22 the credit hours required under par. (a) per 2-year period may be satisfied by such
23 training.

24 2. Infection control. Not less than 2 of the credit hours required under par. (a)
25 per 2-year period must be satisfied by such training.

1 **SECTION 217f.** 447.057 (3) of the statutes, as created by 2023 Wisconsin Act ...
2 (this act), is repealed and recreated to read:

3 447.057 (3) The examining board shall, for up to a 2-year period, exempt new
4 licensees from the requirements under this section.

5 **SECTION 875.** 447.058 (2) (b) of the statutes is amended to read:

6 447.058 (2) (b) A mobile dentistry program registrant shall submit an
7 application for renewal, and the applicable renewal fee determined by the
8 department under s. 440.03 (9) (a), to the department on a form provided by the
9 department on or before the applicable renewal date ~~specified~~ determined by the
10 department under s. 440.08 (2) (a).

11 **SECTION 876.** 447.06 (1) of the statutes is amended to read:

12 447.06 (1) No contract of employment entered into between a dentist or dental
13 therapist and any other party under which the dentist or dental therapist renders
14 dental services may require the dentist or dental therapist to act in a manner ~~which~~
15 that violates the professional standards for dentistry or dental therapy set forth in
16 this chapter. Nothing in this subsection limits the ability of the other party to control
17 the operation of the dental practice in a manner in accordance with the professional
18 standards for dentistry or dental therapy set forth in this chapter.

19 **SECTION 877.** 447.06 (1m) of the statutes is created to read:

20 447.06 (1m) No contract of employment entered into between a dental
21 therapist and any other party under which the dental therapist is employed to
22 practice dental therapy may require a dental therapist to meet a minimum quota for
23 the number of patients seen or the number of procedures performed.

24 **SECTION 878.** 447.06 (2) (a) 3. of the statutes is amended to read:

1 447.06 (2) (a) 3. For a school for the education of dentists, dental therapists,
2 or dental hygienists.

3 **SECTION 879.** 447.06 (2) (b) of the statutes is amended to read:

4 447.06 (2) (b) A dental hygienist may practice dental hygiene or perform
5 remediable procedures under par. (a) 1. only as authorized by a dentist or dental
6 therapist who is licensed to practice dentistry or dental therapy under this chapter
7 and who is present in the facility in which those practices or procedures are
8 performed, except as provided in par. (c).

9 **SECTION 880.** 447.06 (2) (c) (intro.) of the statutes is amended to read:

10 447.06 (2) (c) (intro.) A dental hygienist may practice dental hygiene or perform
11 remediable procedures under par. (a) 1. if a dentist or dental therapist who is licensed
12 to practice dentistry or dental therapy under this chapter is not present in the facility
13 in which those practices or procedures are performed only if all of the following
14 conditions are met:

15 **SECTION 881.** 447.06 (2) (c) 2. (intro.) of the statutes is amended to read:

16 447.06 (2) (c) 2. (intro.) The dentist or dental therapist who made the written
17 or oral prescription has examined the patient at least once during the 12-month
18 period immediately preceding:

19 **SECTION 882.** 447.06 (3) of the statutes is created to read:

20 447.06 (3) (a) In this subsection:

- 21 1. “Collaborative management agreement” means an agreement under par. (d).
22 2. “Dental health shortage area” has the meaning given in s. 36.60 (1) (ad).
23 3. “Direct supervision” means that the dentist is present in the dental office or
24 other practice setting, personally diagnoses the condition to be treated, personally

1 authorizes each procedure, and before dismissal of the patient, evaluates the
2 performance of the allied dental personnel.

3 4. "General supervision" means that the dentist is not present in the dental
4 office or other practice setting or on the premises at the time tasks or procedures are
5 being performed by the dental therapist, but that the tasks or procedures performed
6 by the dental therapist are being performed with the prior knowledge and consent
7 of the dentist.

8 5. "Indirect supervision" means that the dentist is present in the dental office
9 or other practice setting, authorizes each procedure, and remains in the office while
10 the procedures are being performed by the allied dental personnel.

11 6. "Medical Assistance patient" means a patient who is a recipient of services
12 under the Medical Assistance program under subch. IV of ch. 49.

13 7. "Qualifying dentist" means a dentist who is licensed in this state and who
14 is actively practicing in this state.

15 8. "Uninsured patient" means a patient who lacks dental health coverage,
16 either through a public health care program or private insurance, and has an annual
17 gross family income equal to or less than 200 percent of the federal poverty
18 guidelines.

19 (b) The scope of practice of a dental therapist shall, subject to the terms of a
20 collaborative management agreement, be limited to providing the following services,
21 treatments, and procedures:

22 1. Oral evaluation and assessment of dental disease and formulation of an
23 individualized treatment plan.

1 2. Identification of oral and systemic conditions requiring evaluation or
2 treatment by dentists, physicians, or other health care providers and the
3 management of referrals.

4 3. Comprehensive charting of the oral cavity.

5 4. Oral health instruction and disease prevention education, including
6 nutritional counseling and dietary analysis.

7 5. Exposure and evaluation of radiographic images.

8 6. Dental prophylaxis, including subgingival scaling and polishing procedures.

9 7. Dispensing and administration via the oral or topical route of nonnarcotic
10 analgesic, anti-inflammatory, and antibiotic medications as prescribed by a licensed
11 health care provider.

12 8. Application of topical preventive or prophylactic agents, including fluoride
13 varnish, antimicrobial agents, caries arresting medicaments, and pit and fissure
14 sealants.

15 9. Pulp vitality testing.

16 10. Application of desensitizing medications or resins.

17 11. Fabrication of athletic mouth guards and soft occlusal guards.

18 12. Changing of periodontal dressings.

19 13. Administration of local anesthetic and nitrous oxide.

20 14. Simple extraction of erupted primary teeth.

21 15. Nonsurgical extraction of periodontally diseased permanent teeth with
22 tooth mobility of +3 to +4 to the extent authorized in the dental therapist's
23 collaborative management agreement, except for the extraction of a tooth that is
24 unerupted, impacted, or fractured or that needs to be sectioned for removal.

1 16. Emergency palliative treatment of dental pain limited to the procedures in
2 this paragraph.

3 17. Preparation and placement of direct restoration in primary and permanent
4 teeth.

5 18. Fabrication and placement of single-tooth temporary crowns.

6 19. Preparation and placement of preformed crowns on primary teeth.

7 20. Indirect and direct pulp capping on permanent teeth.

8 21. Indirect pulp capping on primary teeth.

9 22. Intraoral suture placement and removal.

10 23. Minor adjustment and repair of removable prostheses.

11 24. Placement and removal of space maintainers.

12 25. Pulpotomy on primary teeth.

13 26. Tooth reimplantation and stabilization.

14 27. Recementing of a permanent crown.

15 28. Any additional services, treatments, or procedures specified in the rules
16 promulgated under s. 447.02 (1) (g).

17 (bm) 1. Notwithstanding par. (b) 1. to 28., a dental therapist shall, except as
18 provided in subd. 2., limit his or her practice of dental therapy to providing the
19 services, treatments, and procedures covered by his or her dental therapy education
20 program.

21 2. If any service, treatment, or procedure under par. (b) 1. to 28. was not covered
22 by a dental therapist's dental therapy education program, the dental therapist may
23 provide that service, treatment, or procedure if the dental therapist has
24 subsequently received additional dental therapy educational training to provide
25 that service, treatment, or procedure.

1 (c) 1. Except as provided in subd. 2., a dental therapist licensed under this
2 chapter may provide dental therapy services in this state only under the direct
3 supervision or indirect supervision of a qualifying dentist with whom the dental
4 therapist has entered into a collaborative management agreement.

5 2. a. Once a dental therapist licensed under this chapter has provided dental
6 therapy services for at least 2,000 hours under direct supervision or indirect
7 supervision, the dental therapist may provide dental therapy services in this state
8 under the general supervision of a qualifying dentist with whom the dental therapist
9 has entered into a collaborative management agreement.

10 b. For purposes of the 2,000 hours requirement under subd. 2. a., hours may
11 include hours of providing dental therapy services in this state under direct
12 supervision or indirect supervision of a qualifying dentist as described in subd. 1. or
13 hours of providing dental therapy services under direct supervision or indirect
14 supervision while licensed as a dental therapist outside this state, but may not
15 include any hours completed prior to graduating from the dental therapy education
16 program.

17 3. Notwithstanding subds. 1. and 2., the level of supervision for a dental
18 therapist may be further limited under the terms of a collaborative management
19 agreement under par. (d) 1. b.

20 4. A supervising dentist shall accept responsibility for all services performed
21 by a dental therapist pursuant to a collaborative management agreement. If services
22 needed by a patient are beyond the dental therapist's scope of practice or
23 authorization under the collaborative management agreement, the dental therapist
24 shall, to the extent required under the collaborative management agreement,

1 consult with the supervising dentist as needed to arrange for those services to be
2 provided by a dentist or another qualified health care provider.

3 (d) 1. Prior to providing any dental therapy services, a dental therapist shall
4 enter into a written collaborative management agreement with a qualifying dentist
5 who will serve as a supervising dentist under par. (c). The agreement must be signed
6 by the dental therapist and the qualifying dentist and address all of the following:

7 a. The practice settings where services may be provided and the patient
8 populations that may be served.

9 b. Consistent with and subject to pars. (bm) and (c), any conditions or
10 limitations on the services that may be provided by the dental therapist, the level of
11 supervision required, and any circumstances requiring consultation prior to
12 performing services.

13 c. Age-specific and procedure-specific practice protocols.

14 d. Dental record-keeping procedures.

15 e. Plans for managing dental or medical emergencies.

16 f. A quality assurance plan for monitoring care provided by the dental
17 therapist.

18 g. Protocols for administering and dispensing medications.

19 h. Criteria or protocols relating to the provision of care to patients with specific
20 medical conditions, treatments, or medications.

21 i. Policies relating to supervision of dental hygienists and other staff.

22 j. A plan for the referral of patients to other dental or health care providers or
23 clinics when services needed are beyond the scope of practice or authorization of the
24 dental therapist.

1 k. Whether and to what extent the dental therapist may perform services
2 described in par. (b) 15.

3 2. a. A collaborative management agreement shall be limited to covering one
4 qualifying dentist and one dental therapist.

5 b. A dental therapist may enter into multiple collaborative management
6 agreements.

7 c. No dentist may have collaborative management agreements with more than
8 4 dental therapists at any time.

9 (e) A dental therapist shall at all times comply with at least one of the following:

10 1. Limit his or her practice to practicing in one or more dental health shortage
11 areas. If a dental therapist begins practicing in a dental health shortage area, and
12 that area loses its designation as a dental health shortage area while the dental
13 therapist continues to practice in that area, the dental therapist is considered to
14 satisfy this subdivision as long as the dental therapist continues to practice in that
15 area.

16 2. Practice in one or more settings in which at least 50 percent of the total
17 patient base of the dental therapist consists of patients who are any of the following:

18 a. Medical Assistance patients.

19 b. Uninsured patients.

20 c. Patients receiving dental care at free and charitable clinics.

21 d. Patients receiving dental care at federally qualified health centers.

22 e. Patients who reside in long-term care facilities.

23 f. Veterans.

24 g. Patients who are members of a federally recognized Indian tribe or band.

25 h. Patients receiving dental care at clinics or facilities located on tribal lands.

1 i. Patients with medical disabilities or chronic conditions that create barriers
2 of access to dental care.

3 **SECTION 883.** 447.063 of the statutes is amended to read:

4 **447.063 Preservation and transfer of patient health care records. (1)**

5 A person who manages or controls a business that offers dental, dental therapy, or
6 dental hygiene services, including management or control of a business through
7 which the person allows another person to offer dental, dental therapy, or dental
8 hygiene services, shall preserve patient health care records, as defined in s. 146.81
9 (4), for an amount of time determined by the examining board by rule.

10 **(2)** A person who manages or controls a business that offers dental, dental
11 therapy, or dental hygiene services, including management or control of a business
12 through which the person allows another person to offer dental, dental therapy, or
13 dental hygiene services, shall, upon request of a patient or person authorized by the
14 patient, as defined in s. 146.81 (5), transfer the patient health care records, as
15 defined in s. 146.81 (4), of the patient to another person that the patient or person
16 authorized by the patient specifies to receive the patient health care records.

17 **SECTION 884.** 447.065 of the statutes is amended to read:

18 **447.065 Delegation of remediable procedures and dental practices. (1)**

19 A dentist or dental therapist who is licensed to ~~practice dentistry~~ under this chapter
20 may delegate to an individual who is not licensed under this chapter only the
21 performance of remediable procedures, and only if all of the following conditions are
22 met:

23 (a) The unlicensed individual performs the remediable procedures in
24 accordance with a treatment plan approved by the dentist or dental therapist.

1 (b) The dentist or dental therapist is on the premises when the unlicensed
2 individual performs the remediable procedures.

3 (c) The unlicensed individual's performance of the remediable procedures is
4 subject to inspection by the dentist or dental therapist.

5 (2) Subject to the requirements under s. 447.06 (2), a dentist or dental therapist
6 who is licensed to ~~practice dentistry~~ under this chapter may delegate to a dental
7 hygienist who is licensed to practice dental hygiene under this chapter the
8 performance of remediable procedures and the administration of oral systemic
9 premedications, local anesthesia, nitrous oxide inhalation analgesia, and
10 subgingival sustained release chemotherapeutic agents, to the extent the dentist or
11 dental therapist has the authority to perform the activity personally.

12 (3) A dentist or dental therapist who delegates to another individual the
13 performance of any practice or remediable procedure is responsible for that
14 individual's performance of that delegated practice or procedure.

15 **SECTION 885.** 447.07 (1) of the statutes is amended to read:

16 447.07 (1) The examining board may, without further notice or process, limit,
17 suspend, or revoke the license or certificate of any dentist, dental therapist, or dental
18 hygienist, or the registration of a mobile dentistry program registrant, who fails,
19 within 60 days after the mailing of written notice to the dentist's, dental therapist's,
20 dental hygienist's, or registrant's last-known address, to renew the license,
21 certificate, or registration.

22 **SECTION 886.** 447.07 (3) (intro.) of the statutes is amended to read:

23 447.07 (3) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
24 examining board may make investigations and conduct hearings in regard to any
25 alleged action of any dentist, dental therapist, dental hygienist, or expanded

1 function dental auxiliary, of a mobile dentistry program registrant, or of any other
2 person it has reason to believe is engaged in or has engaged in the practice of
3 dentistry, dental therapy, or dental hygiene, or the operation of a mobile dentistry
4 program, in this state, and may, on its own motion, or upon complaint in writing,
5 reprimand any dentist, dental therapist, dental hygienist, or expanded function
6 dental auxiliary who is licensed or certified under this chapter, or any mobile
7 dentistry program registrant, or deny, limit, suspend, or revoke his or her license or
8 certificate, or the registration of the mobile dentistry program registrant, if it finds
9 that the dentist, dental therapist, dental hygienist, expanded function dental
10 auxiliary, or mobile dentistry program registrant has done any of the following:

11 **SECTION 887.** 447.07 (3) (e) to (h) of the statutes are amended to read:

12 447.07 (3) (e) Subject to ss. 111.321, 111.322, and 111.335, been convicted of a
13 crime, the circumstances of which substantially relate to the practice of dentistry,
14 dental therapy, or dental hygiene, the practice of an expanded function dental
15 auxiliary, or the operation of a mobile dentistry program.

16 (f) Violated this chapter or any federal or state statute or rule that relates to
17 the practice of dentistry, dental therapy, dental hygiene, or an expanded function
18 dental auxiliary, or the operation of a mobile dentistry program.

19 (g) Subject to ss. 111.321, 111.322 and 111.34, practiced dentistry, dental
20 therapy, or dental hygiene or as an expanded function dental auxiliary while his or
21 her ability was impaired by alcohol or other drugs.

22 (h) Engaged in conduct that indicates a lack of knowledge of, an inability to
23 apply or the negligent application of, principles or skills of dentistry, dental therapy,
24 or dental hygiene or the practice of an expanded function dental auxiliary.

25 **SECTION 888.** 447.40 (intro.) of the statutes is amended to read:

1 **447.40 Informed consent.** (intro.) Any dentist or dental therapist who treats
2 a patient shall inform the patient about the availability of reasonable alternate
3 modes of treatment and about the benefits and risks of these treatments. The
4 reasonable dentist standard is the standard for informing a patient under this
5 section. The reasonable dentist standard requires disclosure only of information
6 that a reasonable dentist would know and disclose under the circumstances. The
7 dentist's or dental therapist's duty to inform the patient under this section does not
8 require disclosure of any of the following:

9 **SECTION 889.** 447.40 (6) of the statutes is amended to read:

10 447.40 (6) Information about alternate modes of treatment for any condition
11 the dentist or dental therapist has not included in his or her diagnosis, assessment,
12 or treatment plan at the time the dentist or dental therapist informs the patient.

13 **SECTION 890.** 448.03 (2) (a) of the statutes is amended to read:

14 448.03 (2) (a) Any person lawfully practicing within the scope of a license,
15 permit, registration, certificate, or certification granted to practice midwifery under
16 subch. XIII of ch. 440, to practice professional or practical nursing or
17 nurse-midwifery under ch. 441, to practice chiropractic under ch. 446, to practice
18 dentistry, dental therapy, or dental hygiene or as an expanded function dental
19 auxiliary under ch. 447, to practice optometry under ch. 449, to practice as a
20 physician assistant under subch. IX, to practice acupuncture under ch. 451 or under
21 any other statutory provision, to practice naturopathic medicine under ch. 466, or as
22 otherwise provided by statute.

23 **SECTION 233e.** 448.03 (2) (a) of the statutes, as affected by 2023 Wisconsin Act
24 (this act), is amended to read:

1 448.03 (2) (a) Any person lawfully practicing within the scope of a license,
2 permit, registration, certificate, or certification granted to practice midwifery under
3 subch. XIII of ch. 440, to practice professional ~~or~~, practical, or advanced practice
4 registered nursing ~~or nurse-midwifery~~ under ch. 441, to practice chiropractic under
5 ch. 446, to practice dentistry, dental therapy, or dental hygiene or as an expanded
6 function dental auxiliary under ch. 447, to practice optometry under ch. 449, to
7 practice as a physician assistant under subch. IX, to practice acupuncture under ch.
8 451 or under any other statutory provision, to practice naturopathic medicine under
9 ch. 466, or as otherwise provided by statute.

10 **SECTION 891.** 448.03 (3m) of the statutes is created to read:

11 448.03 (3m) USE OF TERMS REPRESENTING PHYSICIANS. Except as otherwise
12 provided in this chapter, no person, except a licensed physician, may use or assume
13 the following words, letters, or terms in his or her title, advertising, or description
14 of services: “physician,” “surgeon,” “osteopathic physician,” “osteopathic surgeon,”
15 “medical doctor,” “anesthesiologist,” “cardiologist,” “dermatologist,”
16 “endocrinologist,” “gastroenterologist,” “gynecologist,” “hematologist,”
17 “laryngologist,” “nephrologist,” “neurologist,” “obstetrician,” “oncologist,”
18 “ophthalmologist,” “orthopedic surgeon,” “orthopedist,” “osteopath,” “otologist,”
19 “otolaryngologist,” “otorhinolaryngologist,” “pathologist,” “pediatrician,” “primary
20 care physician,” “proctologist,” “psychiatrist,” “radiologist,” “rheumatologist,”
21 “rhinologist,” “urologist,” or any other words, letters, or abbreviations, alone or in
22 combination with other titles or words, that represent or tend to represent that the
23 person is a physician.

24 **SECTION 892.** 448.035 (1) (a) of the statutes is repealed.

25 **SECTION 893.** 448.035 (2) to (4) of the statutes are amended to read:

1 448.035 **(2)** Notwithstanding the requirements of s. 448.30, a physician ~~or~~
2 ~~certified advanced practice nurse prescriber~~ may provide expedited partner therapy
3 if the patient is diagnosed as infected with a chlamydial infection, gonorrhea, or
4 trichomoniasis and the patient has had sexual contact with a sexual partner during
5 which the chlamydial infection, gonorrhea, or trichomoniasis may have been
6 transmitted to or from the sexual partner. The physician ~~or certified advanced~~
7 ~~practice nurse prescriber~~ shall attempt to obtain the name of the patient's sexual
8 partner. A prescription order for an antimicrobial drug prepared under this
9 subsection shall include the name and address of the patient's sexual partner, if
10 known. If the physician ~~or certified advanced practice nurse prescriber~~ is unable to
11 obtain the name of the patient's sexual partner, the prescription order shall include,
12 in ordinary bold-faced capital letters, the words, "expedited partner therapy" or the
13 letters "EPT."

14 **(3)** The physician ~~or certified advanced practice nurse prescriber~~ shall provide
15 the patient with a copy of the information sheet prepared by the department of health
16 services under s. 46.03 (44) and shall request that the patient give the information
17 sheet to the person with whom the patient had sexual contact.

18 **(4)** (a) Except as provided in par. (b), a physician ~~or certified advanced practice~~
19 ~~nurse prescriber~~ is immune from civil liability for injury to or the death of a person
20 who takes any antimicrobial drug if the antimicrobial drug is prescribed, dispensed,
21 or furnished under this section and if expedited partner therapy is provided as
22 specified under this section.

23 (b) The immunity under par. (a) does not extend to the donation, distribution,
24 furnishing, or dispensing of an antimicrobial drug by a physician ~~or certified~~

1 ~~advanced practice nurse prescriber~~ whose act or omission involves reckless, wanton,
2 or intentional misconduct.

3 **SECTION 894.** 448.07 (1) (a) of the statutes is amended to read:

4 448.07 (1) (a) Every person licensed or certified under this subchapter shall
5 register ~~on or before November 1 of each odd-numbered year following issuance of~~
6 ~~the license or certificate with the board on or before his or her renewal date~~
7 determined by the department under s. 440.08 (2). Registration shall be completed
8 in such manner as the board shall designate and upon forms the board shall provide,
9 except that registration with respect to a compact license shall be governed by the
10 renewal provisions in s. 448.980 (7). ~~The secretary of the board, on or before October~~
11 ~~1 of each odd-numbered year, shall mail or cause to be mailed to every person~~
12 ~~required to register a registration form.~~ The board shall furnish to each person
13 registered under this section a certificate of registration, and the person shall display
14 the registration certificate conspicuously in the office at all times. No person may
15 exercise the rights or privileges conferred by any license or certificate granted by the
16 board unless currently registered as required under this subsection.

17 **SECTION 895.** 448.13 (title) of the statutes is repealed and recreated to read:

18 **448.13 (title) Continuing education and professional development.**

19 **SECTION 896.** 448.13 (1) (a) 1. of the statutes is amended to read:

20 448.13 (1) (a) 1. Continuing education programs or courses of study ~~approved~~
21 ~~for at least 30 hours of credit required by the board within the 2 calendar years~~
22 ~~preceding the calendar year for which the registration is effective~~ by rule under s.
23 448.40 (2).

24 **SECTION 897.** 448.13 (1) (a) 2. of the statutes is amended to read:

1 448.13 (1) (a) 2. Professional development and maintenance of certification or
2 performance improvement or continuing medical education programs or courses of
3 study required by the board by rule under s. 448.40 (1) ~~and completed within the 2~~
4 ~~calendar years preceding the calendar year for which the registration is effective.~~

5 **SECTION 898.** 448.13 (1m) of the statutes is amended to read:

6 448.13 (1m) The board shall, on a random basis, verify the accuracy of proof
7 submitted by physicians under sub. (1) (a) and may, at any time ~~during the 2 calendar~~
8 ~~years specified in sub. (1) (a),~~ require a physician to submit proof of any continuing
9 education, professional development, and maintenance of certification or
10 performance improvement or continuing medical education programs or courses of
11 study that he or she has attended and completed ~~at that time during the 2 calendar~~
12 years since he or she last registered under s. 448.07.

13 **SECTION 899.** 448.40 (1) of the statutes is amended to read:

14 448.40 (1) The board may promulgate rules to carry out the purposes of this
15 subchapter, including rules requiring the completion of ~~continuing education,~~
16 ~~professional development,~~ and maintenance of certification or performance
17 ~~improvement or continuing medical education~~ programs for renewal of a license to
18 practice medicine and surgery.

19 **SECTION 900.** 448.40 (2) (e) of the statutes is amended to read:

20 448.40 (2) (e) Establishing continuing education or continuing medical
21 education requirements for renewal of a license to practice medicine and surgery
22 under s. 448.13 (1). The board shall require 30 hours of continuing education to be
23 completed every 2-year period. The examining board shall establish the criteria for
24 the substitution of uncompensated hours of professional assistance volunteered to
25 the department of health services for some or all of the hours of continuing education

1 credits required under s. 448.13 (1) (a) 1. for physicians specializing in psychiatry.
2 The eligible substitution hours shall involve professional evaluation of community
3 programs for the certification and recertification of community mental health
4 programs, as defined in s. 51.01 (3n), by the department of health services.

5 **SECTION 901.** 448.55 (2) of the statutes is amended to read:

6 448.55 (2) The renewal dates for licenses granted under this subchapter, other
7 than temporary licenses granted under rules promulgated under s. 448.53 (2), ~~are~~
8 ~~specified shall be as determined by the department under s. 440.08 (2) (a).~~ Renewal
9 applications shall be submitted to the department on a form provided by the
10 department and shall include the renewal fee determined by the department under
11 s. 440.03 (9) (a) and proof of compliance with the requirements established in any
12 rules promulgated under sub. (3).

13 **SECTION 902.** 448.56 (1) and (1m) (b) of the statutes are amended to read:

14 448.56 (1) WRITTEN REFERRAL. Except as provided in this subsection and s.
15 448.52, a person may practice physical therapy only upon the written referral of a
16 physician, naturopathic doctor, physician assistant, chiropractor, dentist, podiatrist,
17 or advanced practice registered nurse ~~prescriber certified under s. 441.16 (2).~~
18 Written referral is not required if a physical therapist provides services in schools to
19 children with disabilities, as defined in s. 115.76 (5), pursuant to rules promulgated
20 by the department of public instruction; provides services as part of a home health
21 care agency; provides services to a patient in a nursing home pursuant to the
22 patient's plan of care; provides services related to athletic activities, conditioning, or
23 injury prevention; or provides services to an individual for a previously diagnosed
24 medical condition after informing the individual's physician, naturopathic doctor,
25 physician assistant, chiropractor, dentist, podiatrist, or advanced practice registered

1 nurse prescriber certified under s. 441.16 (2) who made the diagnosis. The
2 examining board may promulgate rules establishing additional services that are
3 excepted from the written referral requirements of this subsection.

4 (1m) (b) The examining board shall promulgate rules establishing the
5 requirements that a physical therapist must satisfy if a physician, naturopathic
6 doctor, physician assistant, chiropractor, dentist, podiatrist, or advanced practice
7 registered nurse prescriber makes a written referral under sub. (1). The purpose of
8 the rules shall be to ensure continuity of care between the physical therapist and the
9 health care practitioner.

10 **SECTION 903.** 448.62 (2m) of the statutes is amended to read:

11 448.62 (2m) An advanced practice registered nurse who is certified to issue
12 prescription orders under s. 441.16 and who is providing nonsurgical patient services
13 as directed, supervised, and inspected by a podiatrist who has the power to direct,
14 decide, and oversee the implementation of the patient services rendered.

15 **SECTION 904.** 448.65 (2) (intro.) of the statutes is amended to read:

16 448.65 (2) (intro.) The renewal date for a license granted under this subchapter,
17 other than a temporary license granted under rules promulgated under s. 448.63 (3),
18 is specified shall be as determined by the department under s. 440.08 (2) (a).
19 Renewal applications shall be submitted to the department on a form provided by the
20 department and shall be accompanied by all of the following:

21 **SECTION 905.** 448.665 of the statutes is amended to read:

22 **448.665 Continuing education.** The affiliated credentialing board shall
23 promulgate rules establishing requirements and procedures for licensees to
24 complete continuing education programs or courses of study in order to qualify for
25 renewal of a license granted under this subchapter. The rules shall require a licensee

1 to complete at least 30 hours of continuing education programs or courses of study
2 within each per 2-year period immediately preceding the renewal date specified
3 under s. 440.08 (2) (a). The affiliated credentialing board may waive all or part of
4 these requirements for the completion of continuing education programs or courses
5 of study if the affiliated credentialing board determines that prolonged illness,
6 disability or other exceptional circumstances have prevented a licensee from
7 completing the requirements.

8 **SECTION 906.** 448.67 (2) of the statutes is amended to read:

9 448.67 (2) SEPARATE BILLING REQUIRED. Except as provided in sub. (4), a licensee
10 who renders any podiatric service or assistance, or gives any podiatric advice or any
11 similar advice or assistance, to any patient, podiatrist, physician, physician
12 assistant, advanced practice registered nurse prescriber certified under s. 441.16 (2),
13 partnership, or corporation, or to any other institution or organization, including a
14 hospital, for which a charge is made to a patient, shall, except as authorized by
15 Title 18 or Title 19 of the federal Social Security Act, render an individual statement
16 or account of the charge directly to the patient, distinct and separate from any
17 statement or account by any other podiatrist, physician, physician assistant,
18 advanced practice registered nurse prescriber, or other person.

19 **SECTION 907.** 448.86 (2) of the statutes is amended to read:

20 448.86 (2) The renewal dates for certificates granted under this subchapter,
21 other than temporary certificates granted under s. 448.80, are specified shall be as
22 determined by the department under s. 440.08 (2) (a). Renewal applications shall
23 be submitted to the department on a form provided by the department and shall
24 include the renewal fee determined by the department under s. 440.03 (9) (a).

25 **SECTION 908.** 448.9545 (1) (a) of the statutes is amended to read:

1 448.9545 (1) (a) To be eligible for renewal of a license issued under s. 448.953
2 (1) or (2), a licensee shall, ~~during the 2-year period immediately preceding the~~
3 ~~renewal date specified under s. 440.08 (2) (a), complete not less than 30 credit hours~~
4 ~~of continuing education in courses of study approved by the affiliated credentialing~~
5 ~~board. The examining board shall promulgate rules to establish the continuing~~
6 ~~education requirements under this section. The rules shall require completion of not~~
7 ~~less than 30 credit hours of continuing education per 2-year period.~~

8 **SECTION 909.** 448.9545 (1) (b) (intro.) of the statutes is amended to read:

9 448.9545 (1) (b) (intro.) No more than 10 credit hours of the continuing
10 education required under par. (a) per 2-year period may be on any of the following
11 subject areas or combination of subject areas:

12 **SECTION 910.** 448.955 (1) of the statutes is amended to read:

13 448.955 (1) The renewal dates for licenses granted under this subchapter ~~are~~
14 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a).

15 **SECTION 911.** 448.955 (2) (a) of the statutes is amended to read:

16 448.955 (2) (a) ~~Completed, during the 2-year period immediately preceding the~~
17 ~~renewal date specified in s. 440.08 (2) (a), the applicable continuing education~~
18 ~~requirements specified in established under s. 448.9545.~~

19 **SECTION 912.** 448.955 (3) (a) of the statutes is amended to read:

20 448.955 (3) (a) A place for the licensee to describe his or her work history,
21 including the average number of hours worked each week, for the 2-year period
22 immediately preceding the renewal date ~~specified in~~ determined by the department
23 under s. 440.08 (2) (a).

24 **SECTION 913.** 448.956 (1) (c) of the statutes is amended to read:

1 448.956 (1) (c) A protocol established under par. (a) shall be updated no later
2 than 30 days before the licensee's renewal date specified in s. 440.08 (2) (a) 14f.

3 **SECTION 914.** 448.956 (1m) of the statutes, as affected by 2021 Wisconsin Act
4 251, is amended to read:

5 448.956 (1m) Subject to sub. (1) (a), a licensee may provide athletic training
6 to an individual without a referral, except that a licensee may not provide athletic
7 training as described under s. 448.95 (5) (d) or (e) in an outpatient rehabilitation
8 setting unless the licensee has obtained a written referral for the individual from a
9 practitioner licensed or certified under subch. II, III, IV, V, or VII of this chapter;
10 under ch. 446; or under s. ~~441.16 (2)~~ 441.09 or from a practitioner who holds a
11 compact privilege under subch. XI or XII of ch. 448.

12 **SECTION 915.** 448.967 (2) of the statutes is amended to read:

13 448.967 (2) The renewal dates for licenses granted under this subchapter ~~are~~
14 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a). Renewal
15 applications shall be submitted to the department on a form provided by the
16 department and shall include the renewal fee determined by the department under
17 s. 440.03 (9) (a) and a statement attesting compliance with the continuing education
18 requirements established in rules promulgated under s. 448.965 (1) (b).

19 **SECTION 916.** 448.9703 (3) (a) of the statutes is amended to read:

20 448.9703 (3) (a) ~~Successfully completed at least 30 hours of applicable~~
21 ~~continuing education in the prior 2-year period~~ requirements established under this
22 paragraph. The rules promulgated under this paragraph shall require at least 30
23 hours of continuing education per 2-year period. The board may provide for an
24 exemption from or a reduction of the requirement under this paragraph for new
25 licensees, as the board determines is appropriate.

1 **SECTION 917.** 448.9706 (2) of the statutes is amended to read:

2 448.9706 (2) Except as provided in s. 448.9705, the renewal dates for licenses
3 granted under this subchapter are ~~specified~~ determined by the department under s.
4 440.08 (2) (a). Renewal applications shall be submitted to the department on a form
5 provided by the department, and shall include the renewal fee ~~specified in s. 440.08~~
6 ~~(2) (a)~~ determined by the department under s. 440.03 (9) (a) and proof of compliance
7 with the requirements established by rules promulgated by the board under s.
8 448.9703 (3).

9 **SECTION 918.** 448.974 (2) (a) of the statutes is amended to read:

10 448.974 (2) (a) The renewal date for a license issued under this subchapter is
11 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a), and the
12 renewal fees for such licenses are determined by the department under s. 440.03 (9)
13 (a). Renewal of a license is subject to par. (b).

14 **SECTION 919.** 448.975 (2) (c) 1. of the statutes is amended to read:

15 448.975 (2) (c) 1. The practice of dentistry, dental therapy, or dental hygiene
16 within the meaning of ch. 447.

17 **SECTION 920.** 449.06 (1) of the statutes is amended to read:

18 449.06 (1) Persons practicing optometry shall, on or before the applicable
19 renewal date ~~specified~~ determined by the department under s. 440.08 (2) (a), ~~register~~
20 ~~with, submit a renewal application to~~ the department, pay the applicable renewal fee
21 determined by the department under s. 440.03 (9) (a), and provide evidence
22 satisfactory to the examining board that he or she has complied with the rules
23 promulgated under sub. (2m).

24 **SECTION 921.** 449.06 (2m) of the statutes is amended to read:

1 449.06 **(2m)** The examining board shall promulgate rules requiring a person
2 who is issued a license to practice optometry to ~~complete, during the 2-year period~~
3 ~~immediately preceding the renewal date specified in s. 440.08 (2) (a),~~ satisfy
4 continuing education requirements. The rules shall require the completion of not
5 less than 30 hours of continuing education per 2-year period. The rules shall include
6 requirements that apply only to optometrists who are allowed to use topical ocular
7 diagnostic pharmaceutical agents under s. 449.17 or who are allowed to use
8 therapeutic pharmaceutical agents or remove foreign bodies from an eye or from an
9 appendage to the eye under s. 449.18.

10 **SECTION 922.** 450.01 (1m) of the statutes is repealed.

11 **SECTION 923.** 450.01 (16) (h) 2. of the statutes is amended to read:

12 450.01 **(16)** (h) 2. The patient's advanced practice registered nurse prescriber,
13 if the advanced practice registered nurse prescriber ~~has entered into a written~~
14 ~~agreement to collaborate with a physician~~ may issue prescription orders under s.
15 441.09 (2).

16 **SECTION 924.** 450.01 (16) (hr) 2. of the statutes is amended to read:

17 450.01 **(16)** (hr) 2. An advanced practice registered nurse ~~prescriber~~ who may
18 issue prescription orders under s. 441.09 (2).

19 **SECTION 267e.** 450.03 (1) (e) of the statutes is amended to read:

20 450.03 **(1)** (e) Any person lawfully practicing within the scope of a license,
21 permit, registration, certificate, or certification granted to practice as a pharmacy
22 technician under s. 450.068, to provide home medical oxygen under s. 450.076, to
23 practice professional or practical nursing or nurse-midwifery under ch. 441, to
24 practice dentistry, dental therapy, or dental hygiene or as an expanded function
25 dental auxiliary under ch. 447, to practice medicine and surgery under ch. 448, to

1 practice optometry under ch. 449, to practice naturopathic medicine under ch. 466,
2 or to practice veterinary medicine under ch. 89, or as otherwise provided by statute.

3 **SECTION 267f.** 450.03 (1) (e) of the statutes, as affected by 2023 Wisconsin Act
4 (this act), is amended to read:

5 450.03 (1) (e) Any person lawfully practicing within the scope of a license,
6 permit, registration, certificate, or certification granted to practice as a pharmacy
7 technician under s. 450.068, to provide home medical oxygen under s. 450.076, to
8 practice professional ~~or~~, practical, or advanced practice registered nursing ~~or~~
9 ~~nurse-midwifery~~ under ch. 441, to practice dentistry, dental therapy, or dental
10 hygiene or as an expanded function dental auxiliary under ch. 447, to practice
11 medicine and surgery under ch. 448, to practice optometry under ch. 449, to practice
12 naturopathic medicine under ch. 466, or to practice veterinary medicine under ch.
13 89, or as otherwise provided by statute.

14 **SECTION 925.** 450.08 (1) of the statutes is amended to read:

15 450.08 (1) The renewal dates for all licenses and registrations granted by the
16 board are ~~specified~~ determined by the department under s. 440.08 (2) ~~(a)~~. Except as
17 provided under sub. (2) (a), only a holder of an unexpired license or registration may
18 engage in his or her licensed activity.

19 **SECTION 926.** 450.08 (2) (a) of the statutes is amended to read:

20 450.08 (2) (a) A pharmacist's license may be renewed by complying with
21 continuing education requirements under s. 450.085 and paying the applicable fee
22 determined by the department under s. 440.03 (9) (a) on or before the applicable
23 renewal date ~~specified~~ determined by the department under s. 440.08 (2) ~~(a)~~.
24 Notwithstanding s. 440.08 (3) (a), if a pharmacist fails to obtain renewal by that date,
25 the board may suspend the pharmacist's license, and the board may require the

1 pharmacist to pass an examination to the satisfaction of the board to restore that
2 license.

3 **SECTION 927.** 450.08 (2) (b) of the statutes is amended to read:

4 450.08 (2) (b) A pharmacy, pharmacy technician's, manufacturer's,
5 distributor's, or home medical oxygen provider's license or registration may be
6 renewed by paying the applicable fee determined by the department under s. 440.03
7 (9) (a) on or before the applicable renewal date ~~specified~~ determined by the
8 department under s. 440.08 (2) (a).

9 **SECTION 928.** 450.085 (1) of the statutes is amended to read:

10 450.085 (1) An applicant for renewal of a license under s. 450.08 (2) (a) shall
11 submit proof that he or she has ~~completed, within the 2-year period immediately~~
12 ~~preceding the date of his or her application,~~ satisfied the applicable continuing
13 education requirements established by the board under this subsection. The board
14 shall require the completion of 30 hours of continuing education per 2-year period
15 in courses conducted by a provider that is approved by the Accreditation Council for
16 Pharmacy Education or in courses approved by the board. Courses specified in s.
17 450.035 (1r) and (2) are courses in continuing education for purposes of this
18 subsection. ~~This subsection does not apply to an applicant for renewal of a license~~
19 ~~that expires on the first renewal date after the date on which the board initially~~
20 ~~granted the license~~ The board shall, for up to a 2-year period, exempt new licensees
21 from the requirements under this subsection.

22 **SECTION 929.** 450.10 (3) (a) 4. of the statutes is amended to read:

23 450.10 (3) (a) 4. A dentist or dental therapist licensed under ch. 447.

24 **SECTION 930.** 450.11 (1g) (b) of the statutes is amended to read:

1 450.11 **(1g)** (b) A pharmacist may, upon the prescription order of a practitioner
2 providing expedited partner therapy, as specified in s. 441.092, 448.035, or 448.9725,
3 that complies with the requirements of sub. (1), dispense an antimicrobial drug as
4 a course of therapy for treatment of chlamydial infections, gonorrhea, or
5 trichomoniasis to the practitioner's patient or a person with whom the patient has
6 had sexual contact for use by the person with whom the patient has had sexual
7 contact. The pharmacist shall provide a consultation in accordance with rules
8 promulgated by the board for the dispensing of a prescription to the person to whom
9 the antimicrobial drug is dispensed. A pharmacist providing a consultation under
10 this paragraph shall ask whether the person for whom the antimicrobial drug has
11 been prescribed is allergic to the antimicrobial drug and advise that the person for
12 whom the antimicrobial drug has been prescribed must discontinue use of the
13 antimicrobial drug if the person is allergic to or develops signs of an allergic reaction
14 to the antimicrobial drug.

15 **SECTION 931.** 450.11 (1i) (a) 1. of the statutes is amended to read:

16 450.11 **(1i)** (a) 1. A pharmacist may, upon and in accordance with the
17 prescription order of an advanced practice registered nurse ~~prescriber~~ under s.
18 441.18 (2) (a) 1., of a physician under s. 448.037 (2) (a) 1., or of a physician assistant
19 under s. 448.9727 (2) (a) 1. that complies with the requirements of sub. (1), deliver
20 an opioid antagonist to a person specified in the prescription order and may, upon
21 and in accordance with the standing order of an advanced practice registered nurse
22 ~~prescriber~~ under s. 441.18 (2) (a) 2., of a physician under s. 448.037 (2) (a) 2., or of
23 a physician assistant under s. 448.9727 (2) (a) 2. that complies with the requirements
24 of sub. (1), deliver an opioid antagonist to an individual in accordance with the order.
25 The pharmacist shall provide a consultation in accordance with rules promulgated

1 by the board for the delivery of a prescription to the person to whom the opioid
2 antagonist is delivered.

3 **SECTION 932.** 450.11 (1i) (b) 2. b. of the statutes is amended to read:

4 450.11 (1i) (b) 2. b. An advanced practice registered nurse ~~prescriber~~ may only
5 deliver or dispense an opioid antagonist in accordance with s. 441.18 (2) or in
6 accordance with his or her other legal authority to dispense prescription drugs.

7 **SECTION 933.** 450.11 (7) (b) of the statutes is amended to read:

8 450.11 (7) (b) Information communicated to a physician, physician assistant,
9 or advanced practice registered nurse ~~prescriber~~ in an effort to procure unlawfully
10 a prescription drug or the administration of a prescription drug is not a privileged
11 communication.

12 **SECTION 934.** 450.11 (8) (e) of the statutes is amended to read:

13 450.11 (8) (e) The board of nursing, insofar as this section applies to advanced
14 practice nurse ~~prescribers~~ registered nurses.

15 **SECTION 935.** 450.13 (5) (b) of the statutes is amended to read:

16 450.13 (5) (b) The patient's advanced practice registered nurse ~~prescriber~~, if the
17 advanced practice registered nurse ~~prescriber~~ ~~has entered into a written agreement~~
18 ~~to collaborate with a physician~~ may issue prescription orders under s. 441.09 (2).

19 **SECTION 936.** 450.135 (7) (b) of the statutes is amended to read:

20 450.135 (7) (b) The patient's advanced practice registered nurse ~~prescriber~~, if
21 the advanced practice registered nurse ~~prescriber~~ ~~has entered into a written~~
22 ~~agreement to collaborate with a physician~~ may issue prescription orders under s.
23 441.09 (2).

24 **SECTION 937.** 451.04 (4) of the statutes is amended to read:

1 451.04 (4) EXPIRATION AND RENEWAL. Renewal applications shall be submitted
2 to the department on a form provided by the department on or before the applicable
3 renewal date ~~specified~~ determined by the department under s. 440.08 (2) (a) and
4 shall include the applicable renewal fee determined by the department under s.
5 440.03 (9) (a).

6 **SECTION 938.** 452.10 (2) of the statutes is repealed.

7 **SECTION 939.** 452.12 (1) of the statutes is amended to read:

8 452.12 (1) EXPIRATION. A license granted by the board entitles the holder to act
9 as a broker or salesperson, as the case may be, until the applicable renewal date
10 ~~specified under s. 440.08 (2) (a).~~

11 **SECTION 940.** 452.12 (5) (a) of the statutes is amended to read:

12 452.12 (5) (a) Renewal applications for all licenses shall be submitted with the
13 applicable renewal fee determined by the department under s. 440.03 (9) (a) on or
14 before the applicable renewal date ~~specified~~ determined by the department under s.
15 440.08 (2) (a). The department shall pay \$10 of each renewal fee received under this
16 paragraph to the Board of Regents of the University of Wisconsin System for
17 research and educational, public outreach, and grant activities under s. 36.25 (34).

18 **SECTION 941.** 452.132 (2) (c) of the statutes is amended to read:

19 452.132 (2) (c) Before a licensee becomes associated with the firm and at the
20 beginning of each ~~biennial~~ licensure period, ensure that the licensee holds a valid
21 license.

22 **SECTION 942.** 454.06 (8) of the statutes is amended to read:

23 454.06 (8) EXPIRATION AND RENEWAL. The renewal date for licenses issued under
24 subs. (2) to (6) ~~is specified~~ shall be as determined by the department under s. 440.08
25 (2) (a), and the renewal fees for such licenses are determined by the department

1 under s. 440.03 (9) (a). The examining board may not renew a license issued to a
2 person under subs. (2) to (6) unless the person certifies to the examining board that
3 the person has reviewed the current digest under s. 454.125.

4 **SECTION 943.** 454.08 (9) of the statutes is amended to read:

5 454.08 (9) The renewal date for licenses issued under this section ~~is specified~~
6 shall be as determined by the department under s. 440.08 (2) (a), and the renewal
7 fee for such licenses is determined by the department under s. 440.03 (9) (a).

8 **SECTION 944.** 454.23 (5) of the statutes is amended to read:

9 454.23 (5) EXPIRATION AND RENEWAL. The renewal date for a license granted
10 under sub. (2) ~~is specified~~ shall be as determined by the department under s. 440.08
11 (2) (a), and the renewal fee for that license is determined by the department under
12 s. 440.03 (9) (a). The department may not renew a license granted to a person under
13 this section unless the person certifies to the department that the person has
14 reviewed the current digest under s. 454.267.

15 **SECTION 945.** 454.25 (9) of the statutes is amended to read:

16 454.25 (9) The renewal date for a barbering establishment license ~~is specified~~
17 shall be as determined by the department under s. 440.08 (2) (a), and the renewal
18 fee for a barbering establishment license is determined by the department under s.
19 440.03 (9) (a).

20 **SECTION 946.** 455.06 (1) (a) of the statutes is amended to read:

21 455.06 (1) (a) Except as provided in par. (b), the renewal dates for licenses
22 issued under this subchapter or under s. 455.04 (4), 2019 stats., ~~are specified~~ shall
23 be as determined by the department under s. 440.08 (2) (a), and the renewal fee for
24 such licenses is determined by the department under s. 440.03 (9) (a).

25 **SECTION 947.** 455.06 (1) (b) of the statutes is amended to read:

1 455.06 (1) (b) A license issued under s. 455.04 (2) is valid for 2 years or until
2 the individual obtains a license under s. 455.04 (1) and may not be renewed, except
3 that the examining board may promulgate rules specifying circumstances in which
4 the examining board, in cases of hardship, may allow an individual to renew a license
5 issued under s. 455.04 (2). Notwithstanding sub. (2), ~~an individual holding a license~~
6 ~~issued under s. 455.04 (2) is not required to complete continuing education the~~
7 examining board shall, for up to a 2-year period, exempt new licensees from the
8 requirements under sub. (2).

9 **SECTION 948.** 455.065 (7) of the statutes is amended to read:

10 455.065 (7) Grant an exemption from the continuing education requirements
11 under this section to a psychologist who certifies to the examining board that he or
12 she has permanently retired from the practice of psychology. A psychologist who has
13 been granted an exemption under this subsection may not return to active practice
14 without submitting evidence satisfactory to the examining board of having
15 completed the required continuing education credits within the ~~2-year~~ period
16 specified by the board prior to the return to the practice of psychology.

17 **SECTION 949.** 456.07 (title) of the statutes is repealed and recreated to read:

18 **456.07 (title) Renewal.**

19 **SECTION 950.** 456.07 (1) and (3) of the statutes are repealed.

20 **SECTION 951.** 456.07 (2) of the statutes is amended to read:

21 456.07 (2) ~~The application for a new certificate of registration~~ The renewal date
22 for a license issued under this subchapter shall be as determined by the department
23 under s. 440.08 (2). A renewal application shall include the applicable renewal fee
24 determined by the department under s. 440.03 (9) (a), a report of any facts requested
25 by the examining board on forms provided for such purpose, and evidence

1 satisfactory to the examining board that ~~during the biennial period immediately~~
2 ~~preceding application for registration~~ the applicant has attended a continuing
3 education program or course of study. ~~During the time between initial licensure and~~
4 ~~commencement of a full 2-year licensure period,~~ new licensees shall not be required
5 to meet continuing education requirements. ~~All registration fees are payable on or~~
6 ~~before the applicable renewal date specified under s. 440.08 (2) (a)~~ The examining
7 board shall, for up to a 2-year period, exempt new licensees from the continuing
8 education requirements under this subsection.

9 **SECTION 952.** 456.07 (5) of the statutes is amended to read:

10 456.07 (5) Only an individual who ~~has qualified as a~~ is licensed and registered
11 as a nursing home administrator under this chapter and who holds a valid current
12 registration certificate under this section for the current registration period may use
13 the title “Nursing Home Administrator”, and the abbreviation “N.H.A.” after the
14 person’s name. No other person may use or be designated by such title or such
15 abbreviation or any other words, letters, sign, card or device tending to or intended
16 to indicate that the person is a licensed ~~and registered~~ nursing home administrator.

17 **SECTION 953.** 457.20 (2) of the statutes is amended to read:

18 457.20 (2) The renewal dates for certificates and licenses granted under this
19 chapter, other than training certificates and licenses or temporary certificates or
20 licenses, ~~are specified~~ shall be as determined by the department under s. 440.08 (2)
21 (a).

22 **SECTION 954.** 457.22 (2) of the statutes is amended to read:

23 457.22 (2) The rules promulgated under sub. (1) may not require an individual
24 to complete more than 30 hours of continuing education programs or courses of study
25 ~~in order to qualify for renewal~~ per 2-year period. The appropriate section of the

1 examining board may waive all or part of the requirements established in rules
2 promulgated under this section if it determines that prolonged illness, disability, or
3 other exceptional circumstances have prevented the individual from completing the
4 requirements.

5 **SECTION 955.** 458.085 (3) of the statutes is amended to read:

6 458.085 (3) Continuing education requirements for ~~renewal of certificates~~
7 ~~issued~~ individuals certified under this subchapter.

8 **SECTION 956.** 458.09 (3) of the statutes is amended to read:

9 458.09 (3) The number of hours of attendance at and completion of continuing
10 education programs or courses of study required under the rules promulgated under
11 s. 458.085 (3) shall be reduced by one hour for each hour of attendance at and
12 completion of, within the ~~2 years immediately preceding the date on which the~~
13 ~~renewal application is submitted~~ current reporting period, continuing education
14 programs or courses of study that the applicant has attended and completed in order
15 to continue to qualify for employment as an assessor and that the department
16 determines is substantially equivalent to attendance at and completion of continuing
17 education programs or courses of study for certified general appraisers, certified
18 residential appraisers or licensed appraisers, as appropriate.

19 **SECTION 957.** 458.11 of the statutes is amended to read:

20 **458.11 Expiration and renewal.** Renewal applications shall be submitted
21 to the department on a form provided by the department on or before the applicable
22 renewal date ~~specified~~ determined by the department under s. 440.08 (2) ~~(a)~~ and
23 shall include the applicable renewal fee determined by the department under s.
24 440.03 (9) (a). Renewal of an appraiser certificate automatically renews the
25 individual's appraiser license without payment of the renewal fee for the appraiser

1 license or completion of any additional continuing education requirements that
2 would otherwise be required for renewal of the appraiser license. Renewal
3 applications shall be accompanied by proof of completion of the continuing education
4 requirements in s. 458.13. Notwithstanding s. 458.06 (3) (b) 2. and (4) (b) 2., 1989
5 stats., and s. 458.08 (3) (b) 2. and (c) 2., 1991 stats., the department may not renew
6 a certificate that was granted under s. 458.06 (3) or (4) before May 29, 1993, unless
7 the holder of the certificate submits evidence satisfactory to the department that he
8 or she has successfully completed the applicable educational requirements specified
9 in rules promulgated under s. 458.085 (1) and the department may not renew a
10 certificate that was granted under s. 458.08 (3) before May 29, 1993, unless the
11 holder of the certificate submits evidence satisfactory to the department that he or
12 she has successfully completed the applicable education and experience
13 requirements specified in rules promulgated under s. 458.085 (1) and (2).

14 **SECTION 958.** 458.13 of the statutes is amended to read:

15 **458.13 Continuing education requirements.** At the time of renewal of a
16 certificate issued under this subchapter, each applicant shall submit proof that,
17 ~~within the 2 years immediately preceding the date on which the renewal application~~
18 ~~is submitted,~~ he or she has satisfied the continuing education requirements specified
19 in the rules promulgated under s. 458.085 (3).

20 **SECTION 959.** 458.33 (5) of the statutes is amended to read:

21 458.33 (5) RENEWALS. A licensed appraisal management company shall submit
22 a renewal application, along with the applicable renewal fee determined by the
23 department under s. 440.03 (9) (a), but not to exceed \$2,000, to the department on
24 a form prescribed by the department by the applicable renewal date specified

1 determined by the department under s. 440.08 (2) (a). A renewal under this
2 subsection is subject to sub. (4).

3 **SECTION 960.** 459.09 (1) (intro.) of the statutes is amended to read:

4 459.09 (1) (intro.) Each person issued a license under this subchapter shall, on
5 or before the applicable renewal date specified determined by the department under
6 s. 440.08 (2) (a), do all of the following:

7 **SECTION 961.** 459.09 (1) (b) of the statutes is amended to read:

8 459.09 (1) (b) Submit with the renewal application proof that he or she
9 ~~completed, within the 2 years immediately preceding the date of his or her~~
10 ~~application, 20 hours of satisfied applicable continuing education programs or~~
11 ~~courses of study approved or required under requirements specified in rules~~
12 ~~promulgated under s. 459.095. This paragraph does not apply to an applicant for~~
13 ~~renewal of a license that expires on the first renewal date after the date on which the~~
14 ~~examining board initially granted the license.~~

15 **SECTION 962.** 459.095 (1) of the statutes is amended to read:

16 459.095 (1) Promulgate rules establishing continuing education requirements
17 for individuals licensed under s. 459.09. The rules shall require the completion of
18 20 hours per 2-year period in programs or courses of study approved under this
19 subsection. The rules shall establish the criteria for approval of continuing
20 education programs or courses of study ~~required for renewal of a license under s.~~
21 ~~459.09~~ and for approval of the sponsors and cosponsors of continuing education
22 programs or courses of study. The examining board shall, for up to a 2-year period,
23 exempt new licensees from the requirements under this section.

24 **SECTION 963.** 459.24 (5) (intro.) of the statutes is amended to read:

1 459.24 (5) EXPIRATION AND RENEWAL. (intro.) The renewal dates for licenses
2 granted under this subchapter, other than temporary licenses granted under sub.
3 (6), ~~are specified in~~ shall be as determined by the department under s. 440.08 (2) (a).
4 Renewal applications shall be submitted to the department on a form provided by the
5 department and shall include all of the following:

6 **SECTION 964.** 459.24 (5) (b) of the statutes is amended to read:

7 459.24 (5) (b) Proof that the applicant completed, ~~within the 2 years~~
8 ~~immediately preceding the date of his or her application, 20 hours of~~ satisfied
9 ~~continuing education programs or courses of study approved or required under~~
10 requirements specified in rules promulgated under sub. (5m). This paragraph does
11 ~~not apply to an applicant for renewal of a license that expires on the first renewal~~
12 ~~date after the date on which the examining board initially granted the license.~~

13 **SECTION 965.** 459.24 (5m) (a) 1. of the statutes is amended to read:

14 459.24 (5m) (a) 1. Promulgate rules establishing continuing education
15 requirements for individuals licensed under this subchapter. The rules shall require
16 the completion of 20 hours in programs or courses of study approved under this
17 subsection. The examining board shall, for up to a 2-year period, exempt new
18 licensees from the requirements under this subdivision. The rules shall establish the
19 criteria for approval of continuing education programs or courses of study required
20 for renewal of a license under sub. (5) and the criteria for approval of the sponsors
21 and cosponsors of continuing education programs or courses of study.

22 **SECTION 966.** 460.07 (2) (intro.) of the statutes is amended to read:

23 460.07 (2) (intro.) Renewal applications shall be submitted to the department
24 on a form provided by the department on or before the applicable renewal date

1 specified determined by the department under s. 440.08 (2) (a) and shall include all
2 of the following:

3 **SECTION 967.** 460.10 (1) (a) of the statutes is amended to read:

4 460.10 (1) (a) Requirements and procedures for a license holder to complete
5 continuing education programs or courses of study to qualify for renewal of his or her
6 license. The rules promulgated under this paragraph may not require a license
7 holder to complete more than 24 hours of continuing education programs or courses
8 of study in order to qualify for renewal of his or her license per 2-year period.

9 **SECTION 968.** 462.02 (2) (d) of the statutes is amended to read:

10 462.02 (2) (d) A dentist licensed under s. 447.04 (1), a dental therapist licensed
11 under s. 447.04 (1m), a dental hygienist licensed under s. 447.04 (2), a person
12 certified as an expanded function dental auxiliary under s. 447.04 (3), or a person
13 under the direct supervision of a dentist.

14 **SECTION 969.** 462.04 of the statutes, as affected by 2021 Wisconsin Act 251, is
15 amended to read:

16 **462.04 Prescription or order required.** A person who holds a license or
17 limited X-ray machine operator permit under this chapter may not use diagnostic
18 X-ray equipment on humans for diagnostic purposes unless authorized to do so by
19 prescription or order of a physician licensed under s. 448.04 (1) (a), a naturopathic
20 doctor licensed under s. 466.04 (1), a dentist licensed under s. 447.04 (1), a dental
21 therapist licensed under s. 447.04 (1m), a podiatrist licensed under s. 448.63, a
22 chiropractor licensed under s. 446.02, an advanced practice nurse certified under s.
23 441.16 (2), a physician assistant licensed under s. 448.974, or, subject to s. 448.56 (7)
24 (a), a physical therapist who is licensed under s. 448.53 or who holds a compact
25 privilege under subch. XI of ch. 448.

1 **SECTION 312e.** 462.04 of the statutes, as affected by 2021 Wisconsin Act 251
2 and 2023 Wisconsin Act (this act), is amended to read:

3 **462.04 Prescription or order required.** A person who holds a license or
4 limited X-ray machine operator permit under this chapter may not use diagnostic
5 X-ray equipment on humans for diagnostic purposes unless authorized to do so by
6 prescription or order of a physician licensed under s. 448.04 (1) (a), a naturopathic
7 doctor licensed under s. 466.04 (1), a dentist licensed under s. 447.04 (1), a dental
8 therapist licensed under s. 447.04 (1m), a podiatrist licensed under s. 448.63, a
9 chiropractor licensed under s. 446.02, an advanced practice registered nurse
10 certified licensed under s. 441.16 (2) 441.09, a physician assistant licensed under s.
11 448.974, or, subject to s. 448.56 (7) (a), a physical therapist who is licensed under s.
12 448.53 or who holds a compact privilege under subch. XI of ch. 448.

13 **SECTION 970.** 462.05 (1) of the statutes is amended to read:

14 462.05 (1) The renewal date for licenses and limited X-ray machine operator
15 permits granted under this chapter ~~is specified in~~ shall be as determined by the
16 department under s. 440.08 (2) (a). Renewal applications shall be submitted to the
17 department on a form provided by the department and shall include the renewal fee
18 determined by the department under s. 440.03 (9) (a).

19 **SECTION 971.** 463.10 (5) of the statutes is amended to read:

20 463.10 (5) EXCEPTION. Subsections (2) to (4m) do not apply to a dentist ~~who is~~
21 ~~licensed under s. 447.03 (1) or to a~~, dental therapist, or physician who tattoos or
22 offers to tattoo a person in the course of the dentist's, dental therapist's, or physician's
23 professional practice.

24 **SECTION 972.** 463.12 (5) of the statutes is amended to read:

1 463.12 (5) EXCEPTION. Subsections (2) to (4m) do not apply to a dentist who is
2 licensed under s. 447.03 (1) or to a , dental therapist, or physician who pierces the
3 body of or offers to pierce the body of a person in the course of the dentist's, dental
4 therapist's, or physician's professional practice.

5 **SECTION 973.** 466.04 (3) (a) (intro.) of the statutes is amended to read:

6 466.04 (3) (a) (intro.) The renewal date for licenses granted under this chapter
7 is ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a).
8 Renewal applications shall be submitted to the department on a form provided by the
9 department. The application shall include all of the following in order for the license
10 to be renewed:

11 **SECTION 974.** 470.045 (3) (b) of the statutes is amended to read:

12 470.045 (3) (b) The renewal date for certificates of authorization under this
13 section is ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a),
14 and the renewal fee for such certificates is determined by the department under s.
15 440.03 (9) (a).

16 **SECTION 975.** 470.07 of the statutes is amended to read:

17 **470.07 Renewal of licenses.** The renewal dates for licenses granted under
18 this chapter are ~~specified~~ shall be as determined by the department under s. 440.08
19 (2) (a). Renewal applications shall be submitted to the department on a form
20 provided by the department and shall include the renewal fee determined by the
21 department under s. 440.03 (9) (a) and evidence satisfactory to the appropriate
22 section of the examining board that the applicant has completed any continuing
23 education requirements specified in rules promulgated under s. 470.03 (2).

24 **SECTION 976.** 480.08 (5) of the statutes is amended to read:

1 480.08 (5) EXPIRATION AND RENEWAL. The renewal date for certificates granted
2 under this chapter, other than temporary certificates granted under sub. (7), is
3 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a), and the
4 renewal fee for certificates granted under this chapter, other than temporary
5 certificates granted under sub. (7), is determined by the department under s. 440.03
6 (9) (a). Renewal applications shall include evidence satisfactory to the department
7 that the applicant holds a current permit issued under s. 77.52 (9). A renewal
8 application for an auctioneer certificate shall be accompanied by proof of completion
9 of continuing education requirements under sub. (6).

10 **SECTION 977.** 632.87 (4) of the statutes is amended to read:

11 632.87 (4) No policy, plan or contract may exclude coverage for diagnosis and
12 treatment of a condition or complaint by a licensed dentist or dental therapist within
13 the scope of the dentist's or dental therapist's license, if the policy, plan or contract
14 covers diagnosis and treatment of the condition or complaint by another health care
15 provider, as defined in s. 146.81 (1) (a) to (p).

16 **SECTION 978.** 655.001 (1) of the statutes is renumbered 655.001 (1r).

17 **SECTION 979.** 655.001 (1g) of the statutes is created to read:

18 655.001 (1g) "Advanced practice registered nurse" means an individual who
19 is licensed under s. 441.09, who has qualified to practice independently in his or her
20 recognized role under s. 441.09 (3m) (b), and who practices advanced practice
21 registered nursing, as defined under s. 441.001 (1c), outside of a collaborative
22 relationship with a physician or dentist, as described under s. 441.09 (3m) (a) 1., or
23 other employment relationship. "Advanced practice registered nurse" does not
24 include an individual who only engages in the practice of a certified nurse-midwife,
25 as defined under s. 441.001 (3c).

1 **SECTION 980.** 655.001 (7t) of the statutes is amended to read:

2 655.001 (7t) “Health care practitioner” means a health care professional, as
3 defined in s. 180.1901 (1m), who is an employee of a health care provider described
4 in s. 655.002 (1) (d), (e), (em), or (f) and who has the authority to provide health care
5 services that are not ~~in collaboration with a physician under s. 441.15 (2) (b) or under~~
6 the direction and supervision of a physician or ~~nurse-anesthetist~~ advanced practice
7 registered nurse.

8 **SECTION 981.** 655.001 (9) of the statutes is repealed.

9 **SECTION 982.** 655.002 (1) (a) of the statutes is amended to read:

10 655.002 (1) (a) A physician or ~~a nurse-anesthetist~~ an advanced practice
11 registered nurse for whom this state is a principal place of practice and who practices
12 his or her profession in this state more than 240 hours in a fiscal year.

13 **SECTION 983.** 655.002 (1) (b) of the statutes is amended to read:

14 655.002 (1) (b) A physician or ~~a nurse-anesthetist~~ an advanced practice
15 registered nurse for whom Michigan is a principal place of practice, if all of the
16 following apply:

17 1. The physician or ~~nurse-anesthetist~~ advanced practice registered nurse is a
18 resident of this state.

19 2. The physician or ~~nurse-anesthetist~~ advanced practice registered nurse
20 practices his or her profession in this state or in Michigan or a combination of both
21 more than 240 hours in a fiscal year.

22 3. The physician or ~~nurse-anesthetist~~ advanced practice registered nurse
23 performs more procedures in a Michigan hospital than in any other hospital. In this
24 subdivision, “Michigan hospital” means a hospital located in Michigan that is an

1 affiliate of a corporation organized under the laws of this state that maintains its
2 principal office and a hospital in this state.

3 **SECTION 984.** 655.002 (1) (c) of the statutes is amended to read:

4 655.002 (1) (c) A physician or ~~nurse-anesthetist~~ an advanced practice
5 registered nurse who is exempt under s. 655.003 (1) or (3), but who practices his or
6 her profession outside the scope of the exemption and who fulfills the requirements
7 under par. (a) in relation to that practice outside the scope of the exemption. For a
8 physician or ~~a nurse anesthetist~~ an advanced practice registered nurse who is
9 subject to this chapter under this paragraph, this chapter applies only to claims
10 arising out of practice that is outside the scope of the exemption under s. 655.003 (1)
11 or (3).

12 **SECTION 985.** 655.002 (1) (d) of the statutes is amended to read:

13 655.002 (1) (d) A partnership comprised of physicians or ~~nurse-anesthetists~~
14 advanced practice registered nurses and organized and operated in this state for the
15 primary purpose of providing the medical services of physicians or ~~nurse~~
16 ~~anesthetists~~ advanced practice registered nurses.

17 **SECTION 986.** 655.002 (1) (e) of the statutes is amended to read:

18 655.002 (1) (e) A corporation organized and operated in this state for the
19 primary purpose of providing the medical services of physicians or ~~nurse~~
20 ~~anesthetists~~ advanced practice registered nurses.

21 **SECTION 987.** 655.002 (1) (em) of the statutes is amended to read:

22 655.002 (1) (em) Any organization or enterprise not specified under par. (d) or
23 (e) that is organized and operated in this state for the primary purpose of providing
24 the medical services of physicians or ~~nurse-anesthetists~~ advanced practice registered
25 nurses.

1 **SECTION 988.** 655.002 (2) (a) of the statutes is amended to read:

2 655.002 (2) (a) A physician or ~~nurse-anesthetist~~ advanced practice registered
3 nurse for whom this state is a principal place of practice but who practices his or her
4 profession fewer than 241 hours in a fiscal year, for a fiscal year, or a portion of a fiscal
5 year, during which he or she practices his or her profession.

6 **SECTION 989.** 655.002 (2) (b) of the statutes is amended to read:

7 655.002 (2) (b) Except as provided in sub. (1) (b), a physician or ~~nurse~~
8 ~~anesthetist~~ advanced practice registered nurse for whom this state is not a principal
9 place of practice, for a fiscal year, or a portion of a fiscal year, during which he or she
10 practices his or her profession in this state. For a health care provider who elects to
11 be subject to this chapter under this paragraph, this chapter applies only to claims
12 arising out of practice that is in this state and that is outside the scope of an
13 exemption under s. 655.003 (1) or (3).

14 **SECTION 990.** 655.003 (1) of the statutes is amended to read:

15 655.003 (1) A physician or ~~a nurse-anesthetist~~ an advanced practice registered
16 nurse who is a state, county or municipal employee, or federal employee or contractor
17 covered under the federal tort claims act, as amended, and who is acting within the
18 scope of his or her employment or contractual duties.

19 **SECTION 991.** 655.003 (3) of the statutes is amended to read:

20 655.003 (3) Except for a physician or ~~nurse-anesthetist~~ an advanced practice
21 registered nurse who meets the criteria under s. 146.89 (5) (a), a physician or ~~a nurse~~
22 ~~anesthetist~~ an advanced practice registered nurse who provides professional
23 services under the conditions described in s. 146.89, with respect to those
24 professional services provided by the physician or ~~nurse-anesthetist~~ advanced

1 practice registered nurse for which he or she is covered by s. 165.25 and considered
2 an agent of the department, as provided in s. 165.25 (6) (b).

3 **SECTION 992.** 655.005 (2) (a) of the statutes is amended to read:

4 655.005 (2) (a) An employee of a health care provider if the employee is a
5 physician or ~~a nurse anesthetist~~ an advanced practice registered nurse or is a health
6 care practitioner who is providing health care services that are not ~~in collaboration~~
7 ~~with a physician under s. 441.15 (2) (b)~~ or under the direction and supervision of a
8 physician or ~~nurse anesthetist~~ advanced practice registered nurse.

9 **SECTION 993.** 655.005 (2) (b) of the statutes is amended to read:

10 655.005 (2) (b) A service corporation organized under s. 180.1903 by health care
11 professionals, as defined under s. 180.1901 (1m), if the board of governors determines
12 that it is not the primary purpose of the service corporation to provide the medical
13 services of physicians or ~~nurse anesthetists~~ advanced practice registered nurses.
14 The board of governors may not determine under this paragraph that it is not the
15 primary purpose of a service corporation to provide the medical services of physicians
16 or ~~nurse anesthetists~~ advanced practice registered nurses unless more than 50
17 percent of the shareholders of the service corporation are neither physicians nor
18 ~~nurse anesthetists~~ advanced practice registered nurses.

19 **SECTION 994.** 655.23 (5m) of the statutes is amended to read:

20 655.23 (5m) The limits set forth in sub. (4) shall apply to any joint liability of
21 a physician or ~~nurse anesthetist~~ an advanced practice registered nurse and his or her
22 corporation, partnership, or other organization or enterprise under s. 655.002 (1) (d),
23 (e), or (em).

24 **SECTION 995.** 655.27 (3) (a) 4. of the statutes is amended to read:

1 655.27 (3) (a) 4. For a health care provider described in s. 655.002 (1) (d), (e),
2 (em), or (f), risk factors and past and prospective loss and expense experience
3 attributable to employees of that health care provider other than employees licensed
4 as a physician or ~~nurse-anesthetist~~ an advanced practice registered nurse.

5 **SECTION 996.** 655.27 (3) (b) 2m. of the statutes is amended to read:

6 655.27 (3) (b) 2m. In addition to the fees and payment classifications described
7 under subds. 1. and 2., the commissioner, after approval by the board of governors,
8 may establish a separate payment classification for physicians satisfying s. 655.002
9 (1) (b) and a separate fee for ~~nurse-anesthetists~~ advanced practice registered nurses
10 satisfying s. 655.002 (1) (b) which take into account the loss experience of health care
11 providers for whom Michigan is a principal place of practice.

12 **SECTION 997.** 655.275 (2) of the statutes is amended to read:

13 655.275 (2) APPOINTMENT. The board of governors shall appoint the members
14 of the council. Section 15.09, except s. 15.09 (4) and (8), does not apply to the council.
15 The board of governors shall designate the chairperson, who shall be a physician, the
16 vice chairperson, and the secretary of the council and the terms to be served by
17 council members. The council shall consist of 5 or 7 persons, not more than 3 of whom
18 are physicians who are licensed and in good standing to practice medicine in this
19 state and one of whom is ~~a nurse-anesthetist~~ an advanced practice registered nurse
20 who is licensed and in good standing to practice nursing in this state. The
21 chairperson or another peer review council member designated by the chairperson
22 shall serve as an ex officio nonvoting member of the medical examining board and
23 may attend meetings of the medical examining board, as appropriate.

24 **SECTION 998.** 655.275 (5) (b) 2. of the statutes is amended to read:

1 655.275 (5) (b) 2. If a claim was paid for damages arising out of the rendering
2 of care by ~~a nurse anesthetist~~ an advanced practice registered nurse, with at least
3 one ~~nurse anesthetist~~ advanced practice registered nurse.

4 **SECTION 999.** 710.02 (1) of the statutes is renumbered 710.02 (1r) and amended
5 to read:

6 710.02 (1r) LIMITATION. The following persons may not acquire, own, or hold
7 any interest, directly or indirectly, except an interest used to secure repayment of a
8 debt incurred in good faith, in ~~more than 640 acres of land in this state~~ in excess of
9 the following amounts:

10 (a) Aliens Except as provided in par. (d), aliens not residents of a state of the
11 United States, not more than 640 acres.

12 (b) Corporations Except as provided in par. (d), corporations not created under
13 the laws of the United States or a state of the United States, not more than 640 acres.

14 (c) 1. Corporations Except as provided in par. (d), corporations, limited liability
15 companies, partnerships, or associations having more than 20 percent of their stock,
16 securities, or other indicia of ownership held or owned by persons under par. (a) or
17 (b), not more than 640 acres.

18 2. Trusts Except as provided in par. (d), trusts having more than 20 percent of
19 the value of their assets held for the benefit of persons under par. (a) or (b), not more
20 than 640 acres.

21 **SECTION 1000.** 710.02 (1g) of the statutes is created to read:

22 710.02 (1g) DEFINITION. In this section, “foreign adversary” means a foreign
23 government or nongovernment person determined by the federal secretary of
24 commerce to have engaged in a long-term pattern or serious instances of conduct

1 significantly adverse to the national security of the United States or security and
2 safety of U.S. persons.

3 **SECTION 1001.** 710.02 (1r) (d) of the statutes is created to read:

4 710.02 (1r) (d) Foreign adversaries may not acquire, own, or hold any land in
5 this state.

6 **SECTION 1002.** 710.02 (2) (intro.) of the statutes is amended to read:

7 710.02 (2) EXCEPTIONS. (intro.) Except as provided in sub. (3), sub. (1) (1r) does
8 not apply to:

9 **SECTION 1003.** 710.02 (3) of the statutes is amended to read:

10 710.02 (3) USE OF LAND RESTRICTED. ~~Land in excess of 640 acres, acquired by~~
11 ~~a~~ A person listed under sub. (1) (1r), other than a person listed under sub. (2) (a), (b),
12 or (c), that acquires land in excess of the amount allowed under sub. (1r) for an
13 activity listed under sub. (2) (d), (e), (f), or (g), may not be used directly or indirectly
14 by that person use the land for any activity not listed under sub. (2) (d), (e), (f), or (g).
15 Pending the conversion and development of the land for a purpose ~~permitted~~ allowed
16 under sub. (2) (d), (e), (f), or (g), ~~it the person may be used~~ use the land for agriculture
17 or forestry purposes under a lease to a person not subject to sub. (1) (1r). Products
18 of the land may be sold by the lessee to the owner of the land.

19 **SECTION 1004.** 710.02 (5) (a) (intro.) of the statutes is amended to read:

20 710.02 (5) (a) (intro.) Interests exceeding ~~640 acres~~ the amounts allowed under
21 sub. (1r) that are acquired by persons under sub. (1) (1r) shall be divested at the
22 discretion of the holder to comply with sub. (1) (1r) within 4 years after:

23 **SECTION 1005.** 710.02 (5) (a) 1. of the statutes is amended to read:

24 710.02 (5) (a) 1. Acquiring the interest, if the interest is described under sub.
25 (2) (a) and the person is subject to sub. (1) (1r) (a) or (b).

1 **SECTION 1006.** 710.02 (5) (a) 2. of the statutes is amended to read:

2 710.02 (5) (a) 2. Acquiring the interest or becoming subject to sub. ~~(1)~~ (1r) (c),
3 whichever is later, if the person is subject to sub. ~~(1)~~ (1r) (c).

4 **SECTION 1007.** 710.02 (6) of the statutes is amended to read:

5 710.02 (6) FORFEITURES. Interests in lands in excess of 640-aeres the amounts
6 allowed under sub. (1r) that are acquired or held in violation of this section are
7 forfeited to the state. The holder of the interest shall determine which lands are to
8 be forfeited to comply with sub. ~~(1)~~ (1r).

9 **SECTION 1008.** 710.02 (9) of the statutes is renumbered 710.02 (9) (a) and
10 amended to read:

11 710.02 (9) (a) This Except as provided in par. (b), this section applies to
12 interests in land acquired after July 1, 1982. No interest acquired before July 1,
13 1982, is subject to divestiture or forfeiture under this section.

14 **SECTION 1009.** 710.02 (9) (b) of the statutes is created to read:

15 710.02 (9) (b) Subsection (1r) (d) applies to interests in land acquired by a
16 foreign adversary on or after the first day of the first month beginning after the
17 effective date of this paragraph [LRB inserts date], or the date on which the
18 federal secretary of commerce determines the person is a foreign adversary,
19 whichever occurs later. No interest acquired by the foreign adversary before the date
20 on which sub. (1r) (d) first applies, as specified in this paragraph, is subject to
21 divestiture or forfeiture under this section.

22 **SECTION 1010.** 895.48 (1m) (a) (intro.) of the statutes is amended to read:

23 895.48 (1m) (a) (intro.) Except as provided in par. (b), any physician,
24 naturopathic doctor, physician assistant, podiatrist, or athletic trainer licensed
25 under ch. 448, chiropractor licensed under ch. 446, dentist or dental therapist

1 licensed under ch. 447, emergency medical services practitioner licensed under s.
2 256.15, emergency medical responder certified under s. 256.15 (8), registered nurse
3 licensed under ch. 441, or a massage therapist or bodywork therapist licensed under
4 ch. 460 who renders voluntary health care to a participant in an athletic event or
5 contest sponsored by a nonprofit corporation, as defined in s. 66.0129 (6) (b), a private
6 school, as defined in s. 115.001 (3r), a tribal school, as defined in s. 115.001 (15m), a
7 public agency, as defined in s. 46.856 (1) (b), or a school, as defined in s. 609.655 (1)
8 (c), is immune from civil liability for his or her acts or omissions in rendering that
9 care if all of the following conditions exist:

10 **SECTION 1011.** 895.48 (1m) (a) 2. of the statutes is amended to read:

11 895.48 (1m) (a) 2. The physician, naturopathic doctor, podiatrist, athletic
12 trainer, chiropractor, dentist, dental therapist, emergency medical services
13 practitioner, as defined in s. 256.01 (5), emergency medical responder, as defined in
14 s. 256.01 (4p), physician assistant, registered nurse, massage therapist or bodywork
15 therapist does not receive compensation for the health care, other than
16 reimbursement for expenses.

17 **SECTION 1012.** 941.315 (5) of the statutes is amended to read:

18 941.315 (5) (a) Subsection (2) does not apply to a person to whom nitrous oxide
19 is administered for the purpose of providing medical or dental care, if the nitrous
20 oxide is administered by a physician ~~or~~, dentist, or dental therapist or at the direction
21 or under the supervision of a physician ~~or~~, dentist, or dental therapist.

22 (b) Subsection (3) does not apply to the administration of nitrous oxide by a
23 physician ~~or~~, dentist, or dental therapist, or by another person at the direction or
24 under the supervision of a physician ~~or~~, dentist, or dental therapist, for the purpose
25 of providing medical or dental care.

1 (c) Subsection (3) (c) does not apply to the sale to a hospital, health care clinic
2 or other health care organization or to a physician ~~or~~, dentist, or dental therapist of
3 any object used, designed for use or primarily intended for use in administering
4 nitrous oxide for the purpose of providing medical or dental care.

5 **SECTION 1013.** 961.01 (19) (a) of the statutes is amended to read:

6 961.01 (19) (a) A physician, advanced practice registered nurse, dentist,
7 veterinarian, podiatrist, optometrist, scientific investigator or, subject to s. 448.975
8 (1) (b), a physician assistant, or other person licensed, registered, certified or
9 otherwise permitted to distribute, dispense, conduct research with respect to,
10 administer or use in teaching or chemical analysis a controlled substance in the
11 course of professional practice or research in this state.

12 **SECTION 1014.** 961.395 of the statutes is amended to read:

13 **961.395 Limitation on advanced practice registered nurses.** (1) An
14 advanced practice registered nurse who ~~is certified~~ may issue prescription orders
15 under s. 441.16 441.09 (2) may prescribe controlled substances only as permitted by
16 the rules promulgated under s. 441.16 ~~(3)~~ 441.09 (6) (a) 4.

17 (2) An advanced practice registered nurse ~~certified under s. 441.16~~ who may
18 issue prescription orders under s. 441.09 (2) shall include with each prescription
19 order the advanced practice nurse prescriber certification license number issued to
20 him or her by the board of nursing.

21 (3) An advanced practice registered nurse ~~certified under s. 441.16~~ who may
22 issue prescription orders under s. 441.09 (2) may dispense a controlled substance
23 only by prescribing or administering the controlled substance or as otherwise
24 permitted by the rules promulgated under s. 441.16 ~~(3)~~ 441.09 (6) (a) 4.

25 **SECTION 1015.** 995.70 of the statutes is created to read:

1 **995.70 Eligibility of certain individuals who are not U.S. citizens to**
2 **receive professional licenses. (1)** In this section, “professional license” means
3 a license, registration, certification, or other approval to perform certain work tasks,
4 whether issued by the state or a local governmental entity.

5 **(2)** Pursuant to 8 USC 1621 (d), an individual who is not a U.S. citizen is not
6 ineligible to receive any professional license issued in this state because of the
7 individual’s citizenship status.

8 **(3)** Nothing in this section affects any requirement or qualification for an
9 individual to obtain a professional license that is not related to the citizenship status
10 of the individual.

11 **SECTION 9138. Nonstatutory provisions; Safety and Professional**
12 **Services.**

13 (1) DENTAL THERAPIST LICENSURE.

14 (a) The dentistry examining board shall send a notice to the legislative
15 reference bureau for publication in the Wisconsin Administrative Register when the
16 board determines that 50 or more individuals are currently licensed as dental
17 therapists in this state under s. 447.04 (1m).

18 (b) 1. The dentistry examining board shall promulgate emergency rules under
19 s. 227.24 that are necessary to implement this act. Notwithstanding s. 227.24 (1) (c)
20 and (2), emergency rules promulgated under this subdivision remain in effect for 2
21 years, or until the date on which permanent rules take effect, whichever is sooner.
22 Notwithstanding s. 227.24 (1) (a) and (3), the board is not required to provide
23 evidence that promulgating a rule under this subdivision as an emergency rule is
24 necessary for the preservation of the public peace, health, safety, or welfare and is

1 not required to provide a finding of emergency for a rule promulgated under this
2 subdivision.

3 2. The dentistry examining board shall present a statement of scope for
4 permanent and emergency rules required to implement this act to the department
5 of administration under s. 227.135 (2) no later than the 30th day after the effective
6 date of this subdivision. Notwithstanding s. 227.135 (2), if the governor does not
7 disapprove the statement of scope by the 30th day after the statement is presented
8 to the department of administration, the statement is considered to be approved by
9 the governor.

10 3. The dentistry examining board shall submit a proposed emergency rule
11 required to implement this act to the governor for approval under s. 227.24 (1) (e) 1g.
12 no later than the 150th day after the effective date of this subdivision.
13 Notwithstanding s. 227.24 (1) (e) 1g., if the governor does not reject the proposed
14 emergency rule by the 14th day after the rule is submitted to the governor in final
15 draft form, the rule is considered to be approved by the governor.

16 4. The dentistry examining board shall submit a proposed permanent rule
17 required to implement this act to the governor for approval under s. 227.185 no later
18 than the 365th day after the effective date of this subdivision. Notwithstanding s.
19 227.185, if the governor does not reject that proposed permanent rule by the 30th day
20 after the rule is submitted to the governor in final draft form, the rule is considered
21 to be approved by the governor.

22 (2) DSPS CREDENTIAL INVESTIGATIONS; EMERGENCY RULES. Using the procedure
23 under s. 227.24, the department of safety and professional services and any
24 credentialing board, as defined in s. 440.01 (2) (bm), may promulgate rules that are
25 necessary to implement s. 440.03 (13) (br). Notwithstanding s. 227.24 (1) (a) and (3),

1 the department or credentialing board is not required to provide evidence that
2 promulgating a rule under this subsection as an emergency rule is necessary for the
3 preservation of the public peace, health, safety, or welfare and is not required to
4 provide a finding of emergency for a rule promulgated under this subsection.
5 Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this
6 subsection remain in effect until July 1, 2025, or the date on which permanent rules
7 take effect, whichever is sooner, and the effective period may not be further extended
8 under s. 227.24 (2).

9 (3) EMERGENCY RULE-MAKING; LICENSURE OF ADVANCED PRACTICE REGISTERED
10 NURSES.

11 (a) Using the procedure under s. 227.24, the board of nursing may promulgate
12 rules under ch. 441 that are necessary to implement the changes to the licensure of
13 advanced practice registered nurses. Notwithstanding s. 227.24 (1) (a) and (3), the
14 board is not required to provide evidence that promulgating a rule under this
15 paragraph as an emergency rule is necessary for the preservation of the public peace,
16 health, safety, or welfare and is not required to provide a finding of emergency for a
17 rule promulgated under this paragraph. A rule under this paragraph may take effect
18 no later than the date specified in SECTION 9438 (3e) of this act. Notwithstanding s.
19 227.24 (1) (c) and (2), a rule promulgated under this paragraph is effective for 2 years
20 after its promulgation, or until permanent rules take effect, whichever is sooner, and
21 the effective period of a rule promulgated under this paragraph may not be further
22 extended under s. 227.24 (2).

23 (b) 1. In this paragraph, the definitions under s. 441.001 apply.

24 2. Notwithstanding s. 441.09 (3), an individual who, on January 1, 2024, is
25 licensed as a registered nurse in this state and is practicing in a recognized role may

1 continue to practice advanced practice registered nursing and the corresponding
2 recognized role in which he or she is practicing and may continue to use the titles
3 corresponding to the recognized roles in which he or she is practicing during the
4 period before which the board takes final action on the person's application under s.
5 441.09. This subdivision does not apply after the first day of the 13th month
6 beginning after the effective date of this subdivision.

7 **SECTION 9438. Effective dates; Safety and Professional Services.**

8 (1) DENTAL THERAPIST LICENSURE. The treatment of s. 15.405 (6) (b) takes effect
9 on the date the notice under s. 447.02 (6) is published in the Wisconsin
10 Administrative Register or on the first day of the 6th year beginning after
11 publication, whichever occurs first.

12 (2) RENEWAL DATES. The treatment of ss. 20.165 (1) (jm), 106.30 (2), 227.01 (13)
13 (zxm), 440.01 (1) (dL) and (dm), 440.03 (14) (c) and (15), 440.032 (5), 440.08 (2) (title),
14 (a) (intro.), 1n., 2n., 1. to 37., 37m., 38. to 72., (ar), (b), (c), (d), and (e), (2m) (title) and
15 (b), and (4) (a), 440.09 (3) (a), 440.26 (3) and (5m) (b), 440.313 (1), 440.415 (2) (a),
16 440.71 (3), 440.88 (4), 440.905 (2), 440.91 (1) (c), (1m) (c), and (4), 440.92 (1) (c),
17 440.972 (2), 440.974 (2), 440.98 (6), 440.983 (1), 440.992 (6), 440.9935, 441.01 (7) (a)
18 (intro.) and 1. (by SECTION 149e) and (b), 441.06 (3) (by SECTION 152e), 441.10 (6),
19 441.15 (3) (b) (by SECTION 164e), 442.083 (1) and (2) (a), 443.015 (1e), 443.07 (6),
20 443.08 (3) (b), 443.10 (2) (e) and (5), 445.06 (1), 445.07 (1) and (2), 445.095 (1) (c),
21 445.105 (3), 446.02 (1) (b) and (4), 446.025 (3) (b), 446.026 (3) (b), 447.05 (1) (a),
22 447.055 (1) (a) and (b) 1. and 2. and (3), 447.056 (1) (intro.), (2), and (3), 447.057 (1)
23 (a) and (b) 1. and 2. (by SECTION 217e) and (3) (by SECTION 217f), 447.058 (2) (b), 448.07
24 (1) (a), 448.13 (title), (1) (a) 1. and 2., and (1m), 448.40 (1) and (2) (e), 448.55 (2),
25 448.65 (2) (intro.), 448.665, 448.86 (2), 448.9545 (1) (a) and (b) (intro.), 448.955 (1),

1 (2) (a), and (3) (a), 448.956 (1) (c), 448.967 (2), 448.9703 (3) (a), 448.9706 (2), 448.974
2 (2) (a), 449.06 (1) and (2m), 450.08 (1) and (2) (a) and (b), 450.085 (1), 451.04 (4),
3 452.10 (2), 452.12 (1) and (5) (a), 452.132 (2) (c), 454.06 (8), 454.08 (9), 454.23 (5),
4 454.25 (9), 455.06 (1) (a) and (b), 455.065 (7), 456.07 (title), (1), (2), (3), and (5), 457.20
5 (2), 457.22 (2), 458.085 (3), 458.09 (3), 458.11, 458.13, 458.33 (5), 459.09 (1) (intro.)
6 and (b), 459.095 (1), 459.24 (5) (intro.) and (b) and (5m) (a) 1., 460.07 (2) (intro.),
7 460.10 (1) (a), 462.05 (1), 466.04 (3) (a) (intro.), 470.045 (3) (b), 470.07, and 480.08 (5),
8 the renumbering and amendment of ss. 445.07 (3), 446.025 (3) (a), and 446.026 (3)
9 (a), and the creation of ss. 445.07 (3) (b), 446.025 (3) (a) 2., and 446.026 (3) (a) 2. take
10 effect on the first day of the 7th month beginning after publication.

11 (3a) LICENSURE OF ADVANCED PRACTICE REGISTERED NURSES. The treatment of ss.
12 29.193 (1m) (a) 2. (intro.), (2) (b) 2., (c) 3., (cd) 2. b. and c., and (e)., and (3) (a), 46.03
13 (44), 50.01 (1b), 50.08 (2), 50.09 (1) (a) (intro.), (f) 1., (h), and (k), 50.36 (3s), 50.49 (1)
14 (b) (intro.), 51.41 (1d) (b) 4., 70.47 (8) (intro.), 77.54 (14) (f) 3. and 4., 97.59, 102.13
15 (1) (a), (b) (intro.), 1., 3., and 4., and (d) 1., 2., 3., and 4. and (2) (a) and (b), 102.17 (1)
16 (d) 1. and 2., 102.29 (3), 102.42 (2) (a), 106.30 (1), 118.15 (3) (a), 118.25 (1) (a), 118.29
17 (1) (e), 118.2925 (1) (b), (3), (4) (c), and (5), 146.615 (1) (a), 146.82 (3) (a), 146.89 (1)
18 (r) 1. (by SECTION 49e), 3., and 8. and (6), 154.01 (1g), 155.01 (1g) (b), 251.01 (1c),
19 252.01 (1c), 252.07 (8) (a) 2. and (9) (c), 252.10 (7), 252.11 (2), (4), (5), (7), and (10),
20 252.15 (3m) (d) 11. b. and 13., (5g) (c), (5m) (d) 2. and (e) 2. and 3., and (7m) (intro.)
21 and (b), 252.16 (3) (c) (intro.), 252.17 (3) (c) (intro.), 253.07 (4) (d), 253.115 (1) (f), (4),
22 and (7) (a) (intro.), 253.15 (1) (em) and (2), 255.06 (1) (d) and (f) 2. and (2) (d), 255.07
23 (1) (d), 257.01 (5) (a) (by SECTION 84e) and (b) (by SECTION 85e), 341.14 (1a), (1e) (a),
24 (1m), and (1q), 343.16 (5) (a), 343.51 (1), 343.62 (4) (a) 4., 440.03 (13) (b) 3., 39m., and
25 42., 440.077 (1) (a) and (2) (c), 440.094 (1) (c) 1. and (2) (a) (intro.), 440.981 (1), 440.982

1 (1), 440.987 (2), 441.001 (1c), (3c), (3g), (3n), (3r), (3w), and (5), 441.01 (3), (4), and
2 (7) (a) (intro.) (by SECTION 149f) and (c), 441.06 (title), (3) (by SECTION 152f), (4), and
3 (7), 441.07 (1g) (intro.), (a), (c), and (e), 441.09, 441.092, 441.10 (7), 441.11 (title), (1),
4 (2), and (3), 441.16, 441.18 (2) (a) (intro.) and (b) and (3), 441.19, 448.03 (2) (a) (by
5 SECTION 233e) and (3m), 448.035 (1) (a) and (2) to (4), 448.56 (1) and (1m) (b), 448.62
6 (2m), 448.67 (2), 448.956 (1m), 450.01 (1m) and (16) (h) 2. and (hr) 2., 450.03 (1) (e)
7 (by SECTION 267f), 450.11 (1g) (b), (1i) (a) 1. and (b) 2. b., (7) (b), and (8) (e), 450.13 (5)
8 (b), 450.135 (7) (b), 462.04 (by SECTION 312e), 655.001 (7t), (8b), and (9), 655.002 (1)
9 (a), (b), (c), (d), (e), and (em) and (2) (a) and (b), 655.003 (1) and (3), 655.005 (2) (a)
10 and (b), 655.23 (5m), 655.27 (3) (a) 4. and (b) 2m., 655.275 (2) and (5) (b) 2., 961.01
11 (19) (a), and 961.395, the renumbering and amendment of s. 253.13 (1), the creation
12 of s. 253.13 (1) (a), and the repeal of s. 441.15 take effect on the first day of the 13th
13 month beginning after publication.”

14 **164.** Page 374, line 11: after that line insert:

15 “**SECTION 1016.** 230.35 (1) (a) 1. of the statutes is amended to read:

16 230.35 (1) (a) 1. One hundred four hours each year for a full year of service
17 during the first ~~5~~ 2 years of service;

18 **SECTION 1017.** 230.35 (1) (a) 1m. of the statutes is created to read:

19 230.35 (1) (a) 1m. One hundred twenty hours each year for a full year of service
20 during the next 3 years of service;

21 **SECTION 1018.** 230.35 (1) (c) of the statutes is amended to read:

22 230.35 (1) (c) When the rate of annual leave changes during the 2nd, 5th, 10th,
23 15th, 20th or 25th calendar year, the annual leave for that year shall be prorated.

24 **SECTION 1019.** 230.35 (1m) (bt) 1. of the statutes is amended to read:

1 230.35 (1m) (bt) 1. 120 hours each year for a full year of service during the first
2 ~~5~~ 2 years of service;

3 **SECTION 1020.** 230.35 (1m) (bt) 1m. of the statutes is created to read:

4 230.35 (1m) (bt) 1m. 136 hours each year for a full year of service during the
5 next 3 years of service;

6 **SECTION 9301. Initial applicability; Administration.**

7 (1k) ANNUAL LEAVE HOURS; STATE EMPLOYEES. The treatment of s. 230.35 (1) (a)
8 1. and 1m. and (c) and (1m) (bt) 1. and 1m. first applies to a state employee's
9 anniversary of service that occurs on the effective date of this subsection.”.

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

11 “**SECTION 1021.** 49.175 (1) (a) of the statutes is amended to read:

12 49.175 (1) (a) *Wisconsin Works benefits.* For Wisconsin Works benefits,
13 \$37,000,000 \$31,000,000 in fiscal year ~~2021-22~~ 2023-24 and \$34,000,000
14 \$29,000,000 in fiscal year ~~2022-23~~ 2024-25.

15 **SECTION 1022.** 49.175 (1) (zh) of the statutes is amended to read:

16 49.175 (1) (zh) *Earned income tax credit supplement.* For the transfer of
17 moneys from the appropriation account under s. 20.437 (2) (md) to the appropriation
18 account under s. 20.835 (2) (kf) for the earned income tax credit, ~~\$63,600,000~~
19 \$58,725,000 in fiscal year ~~2021-22~~ 2023-24 and ~~\$66,600,000~~ \$65,002,000 in fiscal
20 year ~~2022-23~~ 2024-25.”.

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

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

2023-24	2024-25
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1 **20.437 Children and families, department of**

2 (2) ECONOMIC SUPPORT

3 (fd) Boys and Girls Clubs of Wiscon-

4 sin GPR C \$1,300,000 \$1,300,000

5 **SECTION 2.** 20.437 (2) (fd) of the statutes is created to read:

6 20.437 (2) (fd) *Boys and Girls Clubs of Wisconsin.* As a continuing
7 appropriation, the amount in the schedule to provide grants to the Wisconsin
8 Chapter of the Boys and Girls Clubs of America under s. 49.175 (1) (z).

9 **SECTION 1.** 49.175 (1) (d) of the statutes is amended to read:

10 49.175 (1) (d) *Families and Schools Together.* For the families and schools
11 together program in 5 Milwaukee elementary schools to be chosen by the
12 department, \$250,000 in each fiscal year and an additional \$250,000 in each fiscal
13 year for this purpose to be distributed only if the recipient provides matching funds.

14 **SECTION 2.** 49.175 (1) (j) of the statutes is amended to read:

15 49.175 (1) (j) *Grants for providing civil legal services.* For the grants under s.
16 49.1635 (5) to Wisconsin Trust Account Foundation, Inc., for distribution to
17 programs that provide civil legal services to low-income families, \$500,000
18 \$1,000,000 in each fiscal year.

19 **SECTION 3.** 49.175 (1) (Lm) of the statutes is amended to read:

20 49.175 (1) (Lm) *Jobs for America's Graduates.* For grants to the Jobs for
21 America's Graduates-Wisconsin to fund programs that improve social, academic,
22 and employment skills of youth who are eligible to receive temporary assistance for
23 needy families under 42 USC 601 et seq., ~~\$500,000~~ in each fiscal year, \$1,000,000.

1 **SECTION 4.** 49.175 (1) (Lp) of the statutes is created to read:

2 49.175 (1) (Lp) *Skills enhancement program.* For skills enhancement grants,
3 \$250,000 in each fiscal year.

4 **SECTION 5.** 49.175 (1) (z) of the statutes is amended to read:

5 49.175 (1) (z) *Grants to the Boys and Girls Clubs of America.* For grants to the
6 Wisconsin Chapter of the Boys and Girls Clubs of America to fund programs that
7 improve social, academic, and employment skills of youth who are eligible to receive
8 temporary assistance for needy families under 42 USC 601 et seq., focusing on study
9 habits, intensive tutoring in math and English, and exposure to career options and
10 role models, ~~\$2,807,000~~ \$4,607,000 in each fiscal year. Grants provided under this
11 paragraph may not be used by the grant recipient to replace funding for programs
12 that are being funded, when the grant proceeds are received, with moneys other than
13 those from the appropriations specified in sub. (1) (intro.). The total amount of the
14 grants includes funds for the BE GREAT: Graduate program in the amount of
15 matching funds that the program provides, up to \$1,532,000 in each fiscal year, to
16 be used only for activities for which federal Temporary Assistance for Needy Families
17 block grant moneys may be used.

18 **SECTION 6.** 49.1635 (5) (a) (intro.) of the statutes is amended to read:

19 49.1635 (5) (a) (intro.) From the allocation under s. 49.175 (1) (j), the
20 department shall make a grant of \$500,000 in each fiscal year to Wisconsin Trust
21 Account Foundation, Inc., for distribution of annual awards ~~of not more than \$75,000~~
22 ~~per year per program~~ to programs that provide legal services to persons who are
23 eligible under par. (b) 2. if all of the following apply:”.

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

1 **“SECTION 9128. Nonstatutory provisions; Legislature.**

2 (1) REQUIRED GENERAL FUND STRUCTURAL BALANCE. Section 20.003 (4m) shall not
3 apply to the actions of the legislature in enacting any legislation during the 2023-24
4 legislative session.”.

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

6 **“SECTION 1023.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
7 insert the following amounts for the purposes indicated:

2023-24 2024-25

8 **20.490 Wisconsin Housing and Economic**
9 **Development Authority**

10 (6) REVOLVING LOAN FUNDS

11	(am) Residential housing infrastruc-					
12	ture revolving loan fund	GPR	C	275,000,000		-0-
13	(b) Main street housing rehabilita-					
14	tion revolving loan fund	GPR	C	100,000,000		-0-
15	(c) Commercial-to-housing conver-					
16	sion revolving loan fund	GPR	C	100,000,000		-0-
17	(d) Housing rehabilitation loan fund	GPR	C	50,000,000		-0-

18 **SECTION 1024.** 20.490 (6) of the statutes is created to read:

19 20.490 **(6)** REVOLVING LOAN FUNDS. (am) *Residential housing infrastructure*
20 *revolving loan fund.* As a continuing appropriation, the amounts in the schedule for
21 deposit into the residential housing infrastructure revolving loan fund under s.
22 234.66 (2).

1 (b) *Main street housing rehabilitation revolving loan fund.* As a continuing
2 appropriation, the amounts in the schedule for deposit into the main street housing
3 rehabilitation revolving loan fund under s. 234.661 (2).

4 (c) *Commercial-to-housing conversion revolving loan fund.* As a continuing
5 appropriation, the amounts in the schedule for deposit into the
6 commercial-to-housing conversion revolving loan fund under s. 234.662 (2).

7 (d) *Housing rehabilitation loan fund.* As a continuing appropriation, the
8 amounts in the schedule for deposit into the housing rehabilitation loan fund under
9 s. 234.53.”.

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

11 “**SECTION 1025.** 16.3065 of the statutes is created to read:

12 **16.3065 Affordable workforce housing grants. (1) DEFINITION.** In this
13 section, “municipality” means a city, village, or town.

14 **(2) GRANTS.** From the appropriation under s. 20.505 (7) (fq), the department
15 shall award grants to municipalities for the purpose of increasing the availability of
16 affordable workforce housing within the municipality, including by funding
17 infrastructure for new affordable housing developments, creating or enhancing an
18 affordable housing trust fund, or providing additional incentives for land use and
19 zoning changes. The department may promulgate rules establishing eligibility
20 requirements and other program guidelines for the grant program under this
21 subsection, including guidelines designed to ensure that housing created with grant
22 funds under the program remains affordable.

23 **SECTION 1026.** 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 **20.505 Administration, department of**

2 (7) HOUSING AND COMMUNITY DEVELOPMENT

3 (fq) Affordable workforce housing

4 grants	GPR	B	150,000,000	-0-
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5 **SECTION 1027.** 20.505 (7) (fq) of the statutes is created to read:

6 20.505 (7) (fq) *Affordable workforce housing grants*. Biennially, the amounts
7 in the schedule for the grants to municipalities under s. 16.3065.”.

8 **170.** Page 374, line 11: after that line insert:

9 “**SECTION 1028.** 16.3067 of the statutes is created to read:

10 **16.3067 Rental housing safety grants. (1) GRANTS.** From the appropriation
11 under s. 20.505 (7) (fs), the department shall award one or more grants to a 1st class
12 city for activities that support the improvement of rental housing safety in the city,
13 including the enhancement or creation of a property inspection program and the
14 development and launch of a searchable online database that discloses the history
15 of rental properties within the city. The department may establish program
16 guidelines for the grant program under this subsection.

17 **(2) SUNSET.** No grants may be awarded under sub. (1) after June 30, 2025.

18 **SECTION 1029.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
19 insert the following amounts for the purposes indicated:

1 percent of the amount in the schedule for that appropriation in fiscal year 2023-24
2 as broadband expansion grants under sub. (2).

3 (b) Except as provided in par. (c), if the remaining unobligated balance of the
4 appropriation under s. 20.155 (3) (c) is less than 10 percent of the amount in the
5 schedule for that appropriation in fiscal year 2023-24, the commission shall award
6 the entire remaining balance in broadband expansion grants under sub. (2) in that
7 fiscal year.

8 (c) If in any fiscal year, the commission does not receive sufficient broadband
9 expansion grant applications that meet the eligibility criteria to award the minimum
10 amounts described under par. (a) or (b), the commission shall award the maximum
11 amount of broadband expansion grants under sub. (2) possible that fiscal year.”.

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

13 “**SECTION 1034.** 16.3085 (2) (a) of the statutes is amended to read:

14 16.3085 (2) (a) From the appropriation under s. 20.505 (7) (kg), the department
15 may award up to 10 grants, of up to \$50,000 \$75,000 each, annually to any shelter
16 facility.

17 **SECTION 9101. Nonstatutory provisions; Administration.**

18 (7r) HOMELESS CASE MANAGEMENT GRANT PROGRAM.

19 (a) The authorized FTE positions for the department of administration are
20 increased by 1.0 PR position, to be funded from the appropriation under s. 20.505 (7)
21 (kg) to carry out functions related to the homeless case management grant program
22 under. s. 16.3085.

23 (b) In the schedule under s. 20.005 (3) for the appropriation to the department
24 of administration under s. 20.505 (7) (kg), the dollar amount for fiscal year 2023-24

1 is increased by \$565,000 and the dollar amount for fiscal year 2024-25 is increased
2 by \$586,600 for the homeless case management grant program under s. 16.3085.”.

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

4 **“SECTION 9238. Fiscal changes; Safety and Professional Services.**

5 (1) PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM RESEARCH. In the schedule
6 under s. 20.005 (3) for the appropriation to the department of safety and professional
7 services under s. 20.165 (2) (j), the dollar amount for fiscal year 2023-24 is increased
8 by \$116,000 to support research related to private on-site wastewater treatment
9 system and potential effects on nearby drinking water wells. In the schedule under
10 s. 20.005 (3) for the appropriation to the department of safety and professional
11 services under s. 20.165 (2) (j), the dollar amount for fiscal year 2024-25 is increased
12 by \$100,000 to support research related to private on-site wastewater treatment
13 system and potential effects on nearby drinking water wells.”.

14 **174.** Page 374, line 11: after that line insert:

15 **“SECTION 1035.** 20.165 (2) (jm) of the statutes is created to read:

16 20.165 (2) (jm) *Contractor payments received for regulation.* All moneys
17 received by contractors and vendors as payments for services performed for the
18 department relating to the regulation of industry, buildings, and safety under chs.
19 101 and 145 and ss. 167.10 and 167.27.”.

20 **175.** Page 374, line 11: after that line insert:

21 **“SECTION 9238. Fiscal changes; Safety and Professional Services.**

22 (1) STRETCH ENERGY CODE WORKING GROUP. In the schedule under s. 20.005 (3)
23 for the appropriation to the public service commission under s. 20.165 (2) (j), the
24 dollar amount for fiscal year 2023-24 is increased by \$250,000 to increase the

1 authorized FTE positions for the public service commission by 1.0 PR project
2 position, for establishing a working group to evaluate local energy codes that aim to
3 achieve energy savings in all types of buildings.”.

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

5 “SECTION 1036. 101.123 (1) (h) (intro.) of the statutes is amended to read:

6 101.123 (1) (h) (intro.) “Smoking” means ~~burning~~ any of the following:

7 1m. Burning or holding, or inhaling or exhaling smoke from, any of the
8 following items containing tobacco:

9 **SECTION 1037.** 101.123 (1) (h) 1. of the statutes is renumbered 101.123 (1) (h)

10 1m. a.

11 **SECTION 1038.** 101.123 (1) (h) 2. of the statutes is renumbered 101.123 (1) (h)

12 1m. b.

13 **SECTION 1039.** 101.123 (1) (h) 2m. of the statutes is created to read:

14 101.123 (1) (h) 2m. Inhaling or exhaling vapor from a vapor product.

15 **SECTION 1040.** 101.123 (1) (h) 3. of the statutes is renumbered 101.123 (1) (h)

16 1m. c.

17 **SECTION 1041.** 101.123 (1) (h) 4. of the statutes is renumbered 101.123 (1) (h)

18 1m. d.

19 **SECTION 1042.** 101.123 (1) (k) of the statutes is created to read:

20 101.123 (1) (k) “Vapor product” has the meaning given in s. 139.75 (14).”.

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

22 “SECTION 9238. **Fiscal changes; Safety and Professional Services.**

23 (1) BUILDING PLAN REVIEW; ADVANCE SCHEDULING. In the schedule under s. 20.005

24 (3) for the appropriation to the department of safety and professional services under

1 s. 20.165 (2) (j), the dollar amount for fiscal year 2023-24 is increased by \$470,300
2 to increase the authorized FTE positions for the public service commission by 7.0 PR
3 positions, for scheduling plan reviews in advance and submitting plans within 48
4 hours of an appointment. In the schedule under s. 20.005 (3) for the appropriation
5 to the department of safety and professional services under s. 20.165 (2) (j), the dollar
6 amount for fiscal year 2024-25 is increased by \$610,200 to provide funding for the
7 positions authorized under this subsection.

8 (2) BUILDING PLAN REVIEW; CONDUCTING ALL REVIEWS WITHIN 20 DAYS. In the
9 schedule under s. 20.005 (3) for the appropriation to the public service commission
10 under s. 20.165 (2) (j), the dollar amount for fiscal year 2023-24 is increased by
11 \$972,500 to increase the authorized FTE positions for the public service commission
12 by 14.0 PR positions, for conducting all building plan reviews within 20 days of
13 submittal. In the schedule under s. 20.005 (3) for the appropriation to the public
14 service commission under s. 20.165 (2) (j), the dollar amount for fiscal year 2024-25
15 is increased by \$1,263,000 to provide funding for the positions authorized under this
16 subsection.

17 (3) BUILDING PLAN REVIEW; ACCELERATED REVIEW; SMALL PROJECTS. In the schedule
18 under s. 20.005 (3) for the appropriation to the department of safety and professional
19 services under s. 20.165 (2) (j), the dollar amount for fiscal year 2023-24 is increased
20 by \$270,000 to increase the authorized FTE positions for the public service
21 commission by 4.0 PR positions, for conducting accelerated building plan review of
22 small projects. In the schedule under s. 20.005 (3) for the appropriation to the
23 department of safety and professional services under s. 20.165 (2) (j), the dollar
24 amount for fiscal year 2024-25 is increased by \$350,200 to provide funding for the
25 positions authorized under this subsection.”.

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

2 “**SECTION 9238. Fiscal changes; Safety and Professional Services.**

3 (1) AUDIT PROGRAM. In the schedule under s. 20.005 (3) for the appropriation
4 to the department of safety and professional services s. 20.165 (2) (j), the dollar
5 amount for fiscal year 2023-24 is increased by \$315,300 to increase the authorized
6 FTE positions for the public service commission by 5.0 PR positions, to implement
7 an audit program for certain building plan review activities and inspections
8 oversight. In the schedule under s. 20.005 (3) for the appropriation to the department
9 of safety and professional services under s. 20.165 (2) (j), the dollar amount for fiscal
10 year 2024-25 is increased by \$408,300 to provide funding for the positions
11 authorized under this subsection.

12 (2) MUNICIPAL BUILDING INSPECTION PROGRAM. In the schedule under s. 20.005
13 (3) for the appropriation to the department of safety and professional services s.
14 20.165 (2) (j), the dollar amount for fiscal year 2023-24 is increased by \$70,800 to
15 increase the authorized FTE positions for the public service commission by 1.0 PR
16 position, to coordinate municipal building inspection programs. In the schedule
17 under s. 20.005 (3) for the appropriation to the department of safety and professional
18 services under s. 20.165 (2) (j), the dollar amount for fiscal year 2024-25 is increased
19 by \$90,400 to provide funding for the position authorized under this subsection.”.

20 **179.** Page 374, line 11: after that line insert:

21 “**SECTION 1043.** 20.165 (2) (j) of the statutes, as affected by 2017 Wisconsin Act
22 331, section 2, is amended to read:

23 20.165 (2) (j) *Safety and building operations.* The amounts in the schedule for
24 the purposes of chs. 101 and 145 and ss. 167.35, 236.12 (2) (ap), 236.13 (1) (d) and

1 (2m), and 236.335 and for the purpose of transferring the amounts in the schedule
2 under par. (kf) to the appropriation account under par. (kf). All moneys received
3 under ch. 145 and ss. 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4),
4 101.955 (2), 167.35 (2) (f), and 236.12 (7) shall be credited to this appropriation
5 account.

6 **SECTION 1044.** 20.165 (2) (kf) of the statutes is created to read:

7 20.165 (2) (kf) *Private on-site wastewater treatment system replacement and*
8 *rehabilitation.* As a continuing appropriation, the amounts in the schedule for
9 financial assistance under the private on-site wastewater treatment system
10 replacement and rehabilitation program under s. 145.246. All moneys transferred
11 from par. (j) shall be credited to this appropriation account.

12 **SECTION 1045.** 145.20 (5) (a) of the statutes, as affected by 2017 Wisconsin Act
13 59, is amended to read:

14 145.20 (5) (a) The department shall establish a maintenance program to be
15 administered by governmental units responsible for the regulation of private on-site
16 wastewater treatment systems. The department shall determine the private on-site
17 wastewater treatment systems to which the maintenance program applies. At a
18 minimum the maintenance program is applicable to all new or replacement private
19 on-site wastewater treatment systems constructed in a governmental unit after the
20 date on which the governmental unit adopts this program. The department may
21 apply the maintenance program by rule to private on-site wastewater treatment
22 systems constructed in a governmental unit responsible for the regulation of private
23 on-site wastewater treatment systems on or before the date on which the
24 governmental unit adopts the program. The department shall determine the private
25 on-site wastewater treatment systems to which the maintenance program applies

1 in governmental units that do not meet the conditions for eligibility under s. 145.246
2 (8).

3 **SECTION 1046.** 145.20 (5) (am) of the statutes, as affected by 2017 Wisconsin
4 Act 59, is amended to read:

5 145.20 (5) (am) Each governmental unit responsible for the regulation of
6 private on-site wastewater treatment systems shall adopt and begin the
7 administration of the program established under par. (a) before October 1, 2019. As
8 part of adopting and administering the program, the governmental unit shall
9 conduct and maintain an inventory of all the private on-site wastewater treatment
10 systems located in the governmental unit and shall complete the initial inventory
11 before October 1, 2017. In order to be eligible for grant funding under s. 145.246, a
12 governmental unit must comply with these deadlines.

13 **SECTION 1047.** 145.246 of the statutes is created to read:

14 **145.246 Private on-site wastewater treatment system replacement or**
15 **rehabilitation. (1) DEFINITIONS.** In this section:

16 (a) "Determination of failure" means any of the following:

17 1. A determination that a private on-site wastewater treatment system is
18 failing, according to the criteria under s. 145.01 (4m), based on an inspection of the
19 private on-site wastewater treatment system by an employee of the state or a
20 governmental unit who is certified to inspect private on-site wastewater treatment
21 systems by the department.

22 2. A written enforcement order issued under s. 145.02 (3) (f), 145.20 (2) (f), or
23 281.19 (2).

24 3. A written enforcement order issued under s. 254.59 (1) by a governmental
25 unit.

1 (b) “Governmental unit” means a governmental unit responsible for the
2 regulation of private on-site wastewater treatment systems. “Governmental unit”
3 also includes a federally recognized American Indian tribe or band.

4 (c) “Indian lands” means lands owned by the United States and held for the use
5 or benefit of Indian tribes or bands or individual Indians and lands within the
6 boundaries of a federally recognized reservation that are owned by Indian tribes or
7 bands or individual Indians.

8 (d) “Participating governmental unit” means a governmental unit which
9 applies to the department for financial assistance under sub. (7) and which meets the
10 conditions specified under sub. (8).

11 (e) “Principal residence” means a residence which is occupied at least 51
12 percent of the year by the owner.

13 (f) “Sewage” means the water-carried wastes created in and to be conducted
14 away from residences, industrial establishments, and public buildings, as defined in
15 s. 101.01 (12), with such surface water or groundwater as may be present.

16 (g) “Small commercial establishment” means a commercial establishment or
17 business place with a maximum daily waste water flow rate of less than 5,000 gallons
18 per day.

19 **(2) CATEGORIES OF FAILING PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEMS.** For
20 the purposes of this section, the department shall establish the category of each
21 failing private on-site wastewater treatment system for which a grant application
22 is submitted, as follows:

23 (a) Category 1: failing private on-site wastewater treatment systems described
24 in s. 145.01 (4m) (a) to (c).

1 (b) Category 2: failing private on-site wastewater treatment systems described
2 in s. 145.01 (4m) (d).

3 (c) Category 3: failing private on-site wastewater treatment systems described
4 in s. 145.01 (4m) (e).

5 **(3) ELIGIBILITY.** (a) 1. A person is eligible for grant funds under this section if
6 he or she owns a principal residence which is served by a category 1 or 2 failing
7 private on-site wastewater treatment system, if the private on-site wastewater
8 treatment system was installed at least 33 years before the person submits a grant
9 application, if the family income of the person does not exceed the income limitations
10 under par. (c), if the amount of the grant determined under sub. (6) is at least \$100,
11 if the residence is not located in an area served by a sewer, and if determination of
12 failure is made prior to the rehabilitation or replacement of the failing private
13 on-site wastewater treatment system.

14 2. A business is eligible for grant funds under this section if it owns a small
15 commercial establishment which is served by a category 1 or 2 failing private on-site
16 wastewater treatment system, if the private on-site wastewater treatment system
17 was installed at least 33 years before the business submits a grant application, if the
18 gross revenue of the business does not exceed the limitation under par. (d), if the
19 small commercial establishment is not located in an area served by a sewer, and if
20 a determination of failure is made prior to the rehabilitation or replacement of the
21 private on-site wastewater treatment system.

22 3. A person who owns a principal residence or small commercial establishment
23 which is served by a category 1 or 2 failing private on-site wastewater treatment
24 system may submit an application for grant funds during the 3-year period after the
25 determination of failure is made. Grant funds may be awarded after work is

1 completed if rehabilitation or replacement of the system meets all requirements of
2 this section and rules promulgated under this section.

3 (b) Each principal residence or small commercial establishment may receive
4 only one grant under this section.

5 (c) 1. In order to be eligible for grant funds under this section, the annual family
6 income of the person who owns the principal residence may not exceed \$45,000.
7 Beginning July 1, 2024, and annually on July 1 thereafter, the department shall
8 adjust the dollar amount specified in this subdivision by an amount equal to that
9 dollar amount multiplied by the percentage change in the U.S. consumer price index
10 for urban wage earners and clerical workers, U.S. city average, for the prior year,
11 rounded to the nearest dollar. The department shall publish the dollar amounts on
12 its website. Notwithstanding s. 227.10, the adjusted dollar amounts need not be
13 promulgated as rules under ch. 227.

14 2. Except as provided under subd. 4., annual family income shall be based upon
15 the federal adjusted gross income of the owner and the owner's spouse, if any, as
16 computed for the taxable year prior to the year in which the determination of failure
17 is made.

18 3. In order to be eligible for grant funds under this section, a person shall
19 submit a copy of the federal income tax returns upon which the determination of
20 federal adjusted gross income under subd. 2. was made together with any application
21 required by the governmental unit.

22 4. A governmental unit may disregard the federal income tax return that is
23 submitted under subd. 3. and may determine annual family income based upon
24 satisfactory evidence of federal adjusted gross income or projected federal adjusted
25 gross income of the owner and the owner's spouse in the current year. The

1 department shall promulgate rules establishing criteria for determining what
2 constitutes satisfactory evidence of federal adjusted gross income or projected
3 federal adjusted gross income in a current year.

4 (d) 1. In order to be eligible for grant funds under this section, the annual gross
5 revenue of the business that owns the small commercial establishment may not
6 exceed \$362,500.

7 2. Except as provided in subd. 4., annual gross revenue shall be based upon the
8 gross revenue of the business for the taxable year prior to the year in which the
9 determination of failure is made. The department shall promulgate rules
10 establishing criteria for determining what constitutes satisfactory evidence of gross
11 revenue in a prior taxable year.

12 3. In order to be eligible for grant funds under this section, a business shall
13 submit documentation required by the department under subd. 2. together with any
14 application required by the governmental unit.

15 4. A governmental unit may disregard the documentation of gross revenue for
16 the taxable year prior to the year in which the determination of failure is made and
17 may determine annual gross revenue based upon satisfactory evidence of gross
18 revenue of the business in the current year. The department shall promulgate rules
19 establishing criteria for determining what constitutes satisfactory evidence of gross
20 revenue in a current year.

21 (e) The department of revenue shall, upon request by the department, verify
22 the income information submitted by an applicant or grant recipient.

23 **(4) DENIAL OF APPLICATION.** (a) The department or a governmental unit shall
24 deny a grant application under this section if the applicant or a person who would
25 be directly benefited by the grant intentionally caused the conditions which resulted

1 in a category 1 or 2 failing private on-site wastewater treatment system. The
2 department or governmental unit shall notify the applicant in writing of a denial,
3 including the reason for the denial.

4 (b) The department shall notify a governmental unit if an individual's name
5 appears on the statewide support lien docket under s. 49.854 (2) (b). The department
6 or a governmental unit shall deny an application under this section if the name of
7 the applicant or an individual who would be directly benefited by the grant appears
8 on the statewide support lien docket under s. 49.854 (2) (b), unless the applicant or
9 individual who would be benefited by the grant provides to the department or
10 governmental unit a payment agreement that has been approved by the county child
11 support agency under s. 59.53 (5) and that is consistent with rules promulgated
12 under s. 49.858 (2) (a).

13 **(5) USE OF FUNDS.** (a) Except for grants under par. (b), funds available under
14 a grant under this section shall be applied to the rehabilitation or replacement of the
15 private on-site wastewater treatment system. An existing private on-site
16 wastewater treatment system may be replaced by an alternative private on-site
17 wastewater treatment system or by a system serving more than one principal
18 residence.

19 (b) Funds available under a grant under this section for experimental private
20 on-site wastewater treatment systems shall be applied to the installation and
21 monitoring of the experimental private on-site wastewater treatment systems.

22 **(6) ALLOWABLE COSTS; STATE SHARE.** (a) Except as provided in par. (e), costs
23 allowable in determining grant funding under this section may not exceed the costs
24 of rehabilitating or replacing a private on-site wastewater treatment system that

1 would be necessary to allow the rehabilitated system or new system to meet the
2 minimum requirements of the state plumbing code promulgated under s. 145.02.

3 (b) Except as provided in par. (e), costs allowable in determining grant funding
4 under this section may not exceed the costs of rehabilitating or replacing a private
5 on-site wastewater treatment system by the least costly methods, except that a
6 holding tank may not be used as the measure of the least costly method for
7 rehabilitating or replacing a private on-site wastewater treatment system other
8 than a holding tank.

9 (c) Except as provided in pars. (d) and (e), the state grant share under this
10 section is limited to \$7,000 for each principal residence or small commercial
11 establishment to be served by the private on-site wastewater treatment system or
12 to the amount determined by the department based upon private on-site wastewater
13 treatment system grant funding tables, whichever is less. The department shall
14 prepare and publish private on-site wastewater treatment system grant funding
15 tables which specify the maximum state share limitation for various components and
16 costs involved in the rehabilitation or replacement of a private on-site wastewater
17 treatment system based upon minimum size and other requirements specified in the
18 state plumbing code promulgated under s. 145.02. The maximum state share
19 limitations shall be designed to pay approximately 60 percent of the average
20 allowable cost of private on-site wastewater treatment system rehabilitation or
21 replacement based upon estimated or actual costs of that rehabilitation or
22 replacement. The department shall revise the grant funding tables when it
23 determines that 60 percent of current costs of private on-site wastewater treatment
24 system rehabilitation or replacement exceed the amounts in the grant funding tables

1 by more than 10 percent, except that the department may not revise the grant
2 funding tables more often than once every 2 years.

3 (d) Except as provided in par. (e), if the income of a person who owns a principal
4 residence that is served by a category 1 or 2 failing private on-site wastewater
5 treatment system is greater than \$32,000, the amount of the grant under this section
6 is limited to the amount determined under par. (c) less 30 percent of the amount by
7 which the person's income exceeds \$32,000.

8 (e) Costs allowable for experimental private on-site wastewater treatment
9 systems shall include the costs of installing and monitoring experimental private
10 on-site wastewater treatment systems installed under s. 145.02 (3) (b) and this
11 section. The department shall promulgate rules that specify how the department
12 will select, monitor, and allocate the state share for experimental private on-site
13 wastewater treatment systems that the department funds under this section.

14 **(7) APPLICATION.** (a) In order to be eligible for a grant under this section, a
15 governmental unit shall make an application for replacement or rehabilitation of
16 private on-site wastewater treatment systems of principal residences or small
17 commercial establishments and shall submit an application for participation to the
18 department. The application shall be in the form and include the information the
19 department prescribes. In order to be eligible for funds available in a fiscal year, an
20 application is required to be received by the department prior to February 1 of the
21 previous fiscal year.

22 (b) An American Indian tribe or band may submit an application for
23 participation for any Indian lands under its jurisdiction.

24 **(8) CONDITIONS; GOVERNMENTAL UNITS.** As a condition for obtaining grant
25 funding under this section, a governmental unit shall do all of the following:

1 (a) Adopt and administer the maintenance program established under s.
2 145.20 (5).

3 (b) Certify that grants will be used for private on-site wastewater treatment
4 system replacement or rehabilitation for a principal residence or small commercial
5 establishment owned by a person who meets the eligibility requirements under sub.
6 (3), that the funds will be used as provided under sub. (5) and that allowable costs
7 will not exceed the amount permitted under sub. (6).

8 (c) Certify that grants will be used for private on-site wastewater treatment
9 systems which will be properly installed and maintained.

10 (d) Certify that grants provided to the governmental unit will be disbursed to
11 eligible owners.

12 (e) Establish a process for regulation and inspection of private on-site
13 wastewater treatment systems.

14 (f) Establish a system of user charges and cost recovery if the governmental
15 unit considers this system to be appropriate. User charges and cost recovery may
16 include the cost of the grant application fee and the cost of supervising installation
17 and maintenance.

18 (g) Establish a system which provides for the distribution of grant funds
19 received among eligible applicants based on the amount requested in the application
20 as approved by the department. If the amount received by a county is insufficient
21 to fully fund all grants, the county shall prorate grant funds on the same basis as sub.
22 (12).

23 **(9) ASSISTANCE.** The department shall make its staff available to provide
24 technical assistance to each governmental unit. The department shall prepare and

1 distribute to each participating governmental unit a manual of procedures for the
2 grant program under this section.

3 (10) DISTRIBUTION OF LITERATURE. The department shall prepare literature that
4 describes the eligibility for receiving a grant under this section for a principal
5 residence. The department shall supply the literature to counties, and counties shall
6 distribute the literature to recipients of public benefits.

7 (11) ALLOCATION OF FUNDS. (a) *Determination of eligible applications.* At the
8 beginning of each fiscal year the department shall determine the state grant share
9 for applications from eligible owners received by participating governmental units.
10 The department may revise this determination if a governmental unit does not meet
11 the conditions specified under sub. (8) or if it determines that individuals do not meet
12 eligibility requirements under sub. (3).

13 (b) *Allocation.* The department shall allocate available funds for grants to each
14 participating governmental unit according to the total amount of the state grant
15 share for all eligible applications received by that governmental unit.

16 (c) *Limitation; commercial establishments.* The department may not allocate
17 more than 10 percent of the funds available under this subsection each fiscal year
18 for grants for small commercial establishments.

19 (d) *Limitation; experimental private on-site wastewater treatment systems.*
20 The department may not allocate more than 10 percent of the funds available under
21 this subsection each fiscal year for grants for the installation and monitoring of
22 experimental private on-site wastewater treatment systems.

23 (12) PRORATING. (a) Except as provided in par. (d), the department shall prorate
24 available funds under this subsection if funds are not sufficient to fully fund all
25 applications. A prorated payment shall be deemed full payment of the grant.

1 (b) Except as provided in par. (d), if funds are sufficient to fully fund all category
2 1 but not all category 2 failing private on-site wastewater treatment systems, the
3 department shall fully fund all category 1 systems and prorate the funds for category
4 2 systems on a proportional basis.

5 (c) Except as provided in par. (d), if funds are not sufficient to fully fund all
6 category 1 failing private on-site wastewater treatment systems, the department
7 shall fund the category 1 systems on a proportional basis and deny the grant
8 applications for all category 2 systems.

9 (d) The department is not required to prorate available funds for grants for the
10 installation and monitoring of experimental private on-site wastewater treatment
11 systems.

12 **(13) DETERMINATION OF ELIGIBILITY; DISBURSEMENT OF GRANTS.** (a) The
13 department shall review applications for participation in the state program
14 submitted under sub. (7). The department shall determine if a governmental unit
15 submitting an application meets the conditions specified under sub. (8).

16 (b) The department shall promulgate rules which shall define payment
17 mechanisms to be used to disburse grants to a governmental unit.

18 **(14) INSPECTION.** Agents of the department or the governmental unit may enter
19 premises where private on-site wastewater treatment systems are located pursuant
20 to a special inspection warrant as required under s. 66.0119 to collect samples,
21 records, and information and to ascertain compliance with the rules and orders of the
22 department or the governmental unit.

23 **(15) ENFORCEMENT.** (a) If the department has reason to believe that a violation
24 of this section or any rule promulgated under this section has occurred, it may do any
25 of the following:

1 1. Cause written notice to be served upon the alleged violator. The notice shall
2 specify the alleged violation and contain the findings of fact on which the charge of
3 violation is based and may include an order that necessary corrective action be taken
4 within a reasonable time. This order shall become effective unless, no later than 30
5 days after the date the notice and order are served, the person named in the notice
6 and order requests in writing a hearing before the department. Upon this request
7 and after due notice, the department shall hold a hearing. Instead of an order, the
8 department may require that the alleged violator appear before the department for
9 a hearing at a time and place specified in the notice and answer the charges
10 complained of.

11 2. Initiate action under sub. (16).

12 (b) If after the hearing the department finds that a violation has occurred, it
13 shall affirm or modify its order previously issued or issue an appropriate order for
14 the prevention, abatement, or control of the violation or for other corrective action.
15 If the department finds that no violation has occurred, it shall rescind its order. Any
16 order issued as part of a notice or after hearing may prescribe one or more dates by
17 which necessary action shall be taken in preventing, abating, or controlling the
18 violation.

19 (c) Additional grants under this section to a governmental unit previously
20 awarded a grant under this section may be suspended or terminated if the
21 department finds that a private on-site wastewater treatment system previously
22 funded in the governmental unit is not being or has not been properly rehabilitated,
23 constructed, installed, or maintained.

24 **(16) PENALTIES.** Any person who violates this section or a rule or order
25 promulgated under this section shall forfeit not less than \$10 nor more than \$5,000

1 for each violation. Each day of continued violation is a separate offense. While an
2 order is suspended, stayed, or enjoined, this penalty does not accrue.

3 **SECTION 1048.** 281.57 (7) (c) 1. of the statutes, as affected by 2017 Wisconsin
4 Act 59, is amended to read:

5 281.57 (7) (c) 1. Metropolitan sewerage districts that serve 1st class cities are
6 limited in each fiscal year to receiving total grant awards not to exceed 33 percent
7 of the sum of the amounts in the schedule for that fiscal year for the appropriation
8 under s. 20.165 (2) (kf) and the amount authorized under sub. (10) for that fiscal year
9 plus the unencumbered balance at the end of the preceding fiscal year for the amount
10 authorized under sub. (10). This subdivision is not applicable to grant awards
11 provided during fiscal years 1985-86, 1986-87, 1988-89 and 1989-90.

12 **SECTION 9238. Fiscal changes; Safety and Professional Services.**

13 (1) PRIVATE SEPTIC SYSTEM PLAN REVIEW. In the schedule under s. 20.005 (3) for
14 the appropriation to the department of safety and professional services under s.
15 20.165 (2) (j), the dollar amount for fiscal year 2023-24 is increased by \$123,000 to
16 increase the authorized FTE positions for the public service commission by 2.0 PR
17 positions, for private septic system plan review. In the schedule under s. 20.005 (3)
18 for the appropriation to the department of safety and professional services under s.
19 20.165 (2) (j), the dollar amount for fiscal year 2024-25 is increased by \$159,000 to
20 provide funding for the positions authorized under this subsection.”.

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

22 “**SECTION 1049.** 101.022 of the statutes is amended to read:

23 **101.022 Certain laws applicable to occupational licenses.** Sections
24 440.03 (1), (3m), (4), (11m), and (13) (a), (am), and (b) 75., 440.05 (1) (a) and (2) (b),

1 440.07 (2) (b), 440.075, 440.09 (2), 440.11, 440.12, 440.121, 440.13, 440.14, 440.15,
2 440.19, 440.20 (1), (3), (4) (a), and (5) (a), 440.205, 440.21, and 440.22, and the
3 requirements imposed on the department under those statutes, apply to
4 occupational licenses, as defined in s. 101.02 (1) (a) 2., in the same manner as those
5 statutes apply to credentials, as defined in s. 440.01 (2) (a).

6 **SECTION 1050.** 145.02 (4) (a) of the statutes is amended to read:

7 145.02 (4) (a) The department shall prescribe rules as to the qualifications,
8 examination and licensing of master and journeyman plumbers and restricted
9 plumber licensees, for the licensing of utility contractors, for the registration of
10 plumbing apprentices and pipe layers and for the registration and training of
11 registered learners. The department may approve, in whole or in part, an
12 examination prepared, administered, and graded by a test service provider. The
13 plumbers council, created under s. 15.407 (16), shall advise the department in
14 formulating the rules.

15 **SECTION 1051.** 145.07 (2) of the statutes is amended to read:

16 145.07 (2) Application for a master or journeyman plumber's ~~examination,~~
17 temporary permit or license shall be made to the department with fees. Unless the
18 applicant is entitled to a renewal of license, a license shall be issued only after the
19 applicant passes a satisfactory examination showing fitness. No such license or
20 permit shall be transferable.

21 **SECTION 9238. Fiscal changes; Safety and Professional Services.**

22 (1) TRADE EXAMINATION PROVIDERS. In the schedule under s. 20.005 (3) for the
23 appropriation to the department of safety and professional services under s. 20.165
24 (2) (j), the dollar amount for fiscal year 2023-24 is increased by \$500,000 to procure
25 3rd-party trade examination services. In the schedule under s. 20.005 (3) for the

1 appropriation to the department of safety and professional services under s. 20.165
2 (2) (j), the dollar amount for fiscal year 2024-25 is increased by \$500,000 to procure
3 3rd-party trade examination services.”.

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

5 **“SECTION 9242. Fiscal changes; Technical College System.**

6 (1) YOUTH VOLUNTEER FIREFIGHTER TRAINING GRANT PROGRAM. In the schedule
7 under s. 20.005 (3) for the appropriation to the technical college system board under
8 s. 20.292 (1) (gr), the dollar amount for fiscal year 2023-24 is increased by \$100,000
9 for the purpose for which the appropriation is made. In the schedule under s. 20.005
10 (3) for the appropriation to the technical college system board under s. 20.292 (1) (gr),
11 the dollar amount for fiscal year 2024-25 is increased by \$100,000 for the purpose
12 for which the appropriation is made.”.

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

14 **“SECTION 1052.** 71.07 (5m) (e) of the statutes is created to read:

15 71.07 (5m) (e) *Sunset.* No credit may be claimed under this subsection for
16 taxable years beginning after December 31, 2022.

17 **SECTION 1053.** 71.07 (5me) of the statutes is created to read:

18 71.07 (5me) FAMILY AND INDIVIDUAL REINVESTMENT CREDIT. (a) *Definitions.* In
19 this subsection:

20 1. “Claimant” means an individual who is eligible to claim the credit under this
21 subsection.

22 2. “Household” means a claimant and an individual related to the claimant as
23 husband or wife.

1 3. “Net tax liability” means a claimant’s income tax liability after he or she
2 completes the computations for nonrefundable credits listed in s. 71.10 (4) (a) to (gy).

3 (b) *Filing claims.* For taxable years beginning after December 31, 2022, and
4 subject to the limitations provided in this subsection, a claimant may claim as a
5 credit against the tax imposed under s. 71.02, up to the amount of those taxes, one
6 of the following amounts:

7 1. If the claimant is single or files as a head of household and his or her adjusted
8 gross income is less than \$100,000 in the year to which the claim relates, the greater
9 of \$100 or an amount equal to 10 percent of his or her net tax liability.

10 2. If the claimant is single or files as a head of household and his or her adjusted
11 gross income is at least \$100,000 but less than \$120,000 in the year to which the
12 claim relates, an amount that is calculated as follows:

13 a. Calculate the value of a fraction, the denominator of which is \$20,000 and
14 the numerator of which is the difference between the claimant’s adjusted gross
15 income and \$100,000.

16 b. Subtract from 1.0 the amount that is calculated under subd. 2. a.

17 c. Multiply the amount that is calculated under subd. 2. b. by 10 percent.

18 d. Multiply the amount of the claimant’s net income tax liability by the amount
19 that is calculated under subd. 2. c.

20 3. If the claimant is married and filing jointly and the sum of the claimant’s
21 adjusted gross income and his or her spouse’s adjusted gross income is less than
22 \$150,000 in the year to which the claim relates, the greater of \$100 or an amount
23 equal to 10 percent of the married couple’s net tax liability.

24 4. If the claimant is married and filing jointly and the sum of the claimant’s
25 adjusted gross income and his or her spouse’s adjusted gross income is at least

1 \$150,000 but less than \$175,000 in the year to which the claim relates, an amount
2 that is calculated as follows:

3 a. Calculate the value of a fraction, the denominator of which is \$25,000 and
4 the numerator of which is the difference between the married couple's adjusted gross
5 income and \$150,000.

6 b. Subtract from 1.0 the amount that is calculated under subd. 4. a.

7 c. Multiply the amount that is calculated under subd. 4. b. by 10 percent.

8 d. Multiply the amount of the married couple's net income tax liability by the
9 amount that is calculated under subd. 4. c.

10 5. If the claimant is married and filing separately and his or her adjusted gross
11 income is less than \$75,000 in the year to which the claim relates, the greater of \$50
12 or an amount equal to 10 percent of his or her net tax liability.

13 6. If the claimant is married and filing separately and his or her adjusted gross
14 income is at least \$75,000 but less than \$87,500 in the year to which the claim relates,
15 an amount that is calculated as follows:

16 a. Calculate the value of a fraction, the denominator of which is \$12,500 and
17 the numerator of which is the difference between the claimant's adjusted gross
18 income and \$75,000.

19 b. Subtract from 1.0 the amount that is calculated under subd. 6. a.

20 c. Multiply the amount that is calculated under subd. 6. b. by 10 percent.

21 d. Multiply the amount of the claimant's net income tax liability by the amount
22 that is calculated under subd. 6. c.

23 (c) *Limitations.* 1. No credit may be allowed under this subsection unless it
24 is claimed within the period under s. 71.75 (2).

1 2. Part-year residents and nonresidents of this state are not eligible for the
2 credit under this subsection.

3 3. Except as provided in subd. 4., only one credit per household is allowed each
4 year.

5 4. If a married couple files separately, each spouse may claim the credit
6 calculated under par. (b) 5. or 6., except a married person living apart from the other
7 spouse and treated as single under section 7703 (b) of the Internal Revenue Code may
8 claim the credit under par. (b) 1. or 2.

9 5. The credit under this subsection may not be claimed by a person who may
10 be claimed as a dependent on the individual income tax return of another taxpayer.

11 (d) *Administration.* The department of revenue may enforce the credit under
12 this subsection and may take any action, conduct any proceeding, and proceed as it
13 is authorized in respect to taxes under this chapter. The income tax provisions in this
14 chapter relating to assessments, refunds, appeals, collection, interest, and penalties
15 apply to the credit under this subsection.

16 **SECTION 1054.** 71.10 (4) (gye) of the statutes is created to read:

17 71.10 (4) (gye) Family and individual reinvestment credit under s. 71.07
18 (5me).”.

19 **183.** Page 374, line 11: after that line insert:

20 “**SECTION 1055.** 71.07 (8p) of the statutes is created to read:

21 71.07 (8p) FAMILY CAREGIVER TAX CREDIT. (a) *Definitions.* In this subsection:

22 1. “Claimant” means an individual who files a claim under this subsection for
23 amounts paid for qualified expenses to benefit a qualified family member.

24 2. “Physician” has the meaning given in s. 36.60 (1) (b).

1 3. “Qualified expenses” means amounts paid by a claimant in the year to which
2 the claim relates for items that relate directly to the care or support of a qualified
3 family member, including the following:

4 a. The improvement or alteration of the claimant’s primary residence to enable
5 or assist the qualified family member to be mobile, safe, or independent.

6 b. The purchase or lease of equipment to enable or assist the qualified family
7 member to carry out one or more activities of daily living.

8 c. The acquisition of goods or services, or support, to assist the claimant in
9 caring for the qualified family member, including employing a home care aide or
10 personal care attendant, adult day care, specialized transportation, legal or financial
11 services, or assistive care technology.

12 4. “Qualified family member” means an individual to whom all of the following
13 apply:

14 a. The individual is at least 18 years of age during the taxable year to which
15 the claim relates.

16 b. The individual requires assistance with one or more daily living activities,
17 as certified in writing by a physician.

18 c. The individual is the claimant’s family member, as defined in s. 46.2805 (6m).

19 (b) *Filing claims.* For taxable years beginning after December 31, 2022, and
20 subject to the limitations provided in this subsection, a claimant may claim as a
21 credit against the tax imposed under s. 71.02, up to the amount of those taxes, 50
22 percent of the claimant’s qualified expenses.

23 (c) *Limitations.* 1. Subject to subds. 2. and 3., the maximum credit that may
24 be claimed under this subsection each taxable year with regard to a particular
25 qualified family member is \$500 or, if a claimant is married and filing a separate

1 return, \$250. If more than one individual may file a claim under this subsection for
2 a particular qualified family member, the maximum credit specified in this
3 subdivision shall be apportioned among all eligible claimants based on the ratio of
4 their qualified expenses to the total amount of all qualified expenses incurred on
5 behalf of that particular qualified family member, as determined by the department.

6 2. If the claimant is married and filing jointly and the couple's federal adjusted
7 gross income in the taxable year exceeds \$170,000, no credit may be claimed under
8 this subsection. If the claimant is married and filing jointly and the couple's federal
9 adjusted gross income in the taxable year exceeds \$150,000, but does not exceed
10 \$170,000, the credit claimed under this subsection may not exceed the amount
11 determined as follows:

12 a. Determine the amount allowed under par. (b) without regard to this
13 subdivision but with regard to subd. 1.

14 b. Subtract \$150,000 from the couple's federal adjusted gross income.

15 c. Divide the amount determined under subd. 2. b. by \$20,000.

16 d. Multiple the amount determined under subd. 2. a. by the amount determined
17 under subd. 2. c.

18 e. Subtract the amount determined under subd. 2. d. from the amount
19 determined under subd. 2. a.

20 3. If the claimant files as a single individual or head of household, or is married
21 and files separately, and the claimant's federal adjusted gross income in the taxable
22 year exceeds \$85,000, no credit may be claimed under this subsection. If the claimant
23 files as a single individual or head of household, or is married and files separately,
24 and the claimant's federal adjusted gross income in the taxable year exceeds \$75,000,

1 but does not exceed \$85,000, the credit claimed under this subsection may not exceed
2 the amount determined as follows:

3 a. Determine the amount allowed under par. (b) without regard to this
4 subdivision but with regard to subd. 1.

5 b. Subtract \$75,000 from the claimant's federal adjusted gross income.

6 c. Divide the amount determined under subd. 3. b. by \$10,000.

7 d. Multiple the amount determined under subd. 3. a. by the amount determined
8 under subd. 3. c.

9 e. Subtract the amount determined under subd. 3. d. from the amount
10 determined under subd. 3. a.

11 4. No credit may be allowed under this subsection unless it is claimed within
12 the period specified under s. 71.75 (2).

13 5. No credit may be claimed under this subsection by nonresidents or part-year
14 residents of this state.

15 6. Qualified expenses may not include any of the following:

16 a. General food, clothing, or transportation expenses.

17 b. Ordinary household maintenance or repair expenses that are not directly
18 related or necessary for the care of the qualified family member.

19 c. Any amount that is paid or reimbursed by insurance or other means.

20 7. No credit may be allowed under this subsection for a taxable year covering
21 a period of less than 12 months, except for a taxable year closed by reason of the death
22 of the taxpayer.

23 (d) *Administration.* Subsection (9e) (d), to the extent that it applies to the credit
24 under that subsection, applies to the credit under this subsection.

25 **SECTION 1056.** 71.10 (4) (hd) of the statutes is created to read:

1 71.10 (4) (hd) Family caregiver tax credit under s. 71.07 (8p).”.

2 **184.** Page 374, line 11: after that line insert:

3 “**SECTION 1057.** 71.05 (6) (a) 15. of the statutes is amended to read:

4 71.05 (6) (a) 15. The amount of the credits computed under s. 71.07 (2dm),
5 (2dx), (2dy), (3g), (3h), (3n), (3q), (3s), (3t), (3w), (3wm), (3y), (4k), (4n), (5e), (5i), (5j),
6 (5k), (5r), (5rm), (6n), (8m), and (10) and not passed through by a partnership, limited
7 liability company, or tax-option corporation that has added that amount to the
8 partnership’s, company’s, or tax-option corporation’s income under s. 71.21 (4) or
9 71.34 (1k) (g).

10 **SECTION 1058.** 71.07 (8m) of the statutes is created to read:

11 71.07 (8m) UNIVERSAL CHANGING STATION CREDIT. (a) *Definitions.* In this
12 subsection:

13 1. “Claimant” means a sole proprietor, a partner of a partnership, a member
14 of a limited liability company, or a shareholder of a tax-option corporation who files
15 a claim under this subsection and meets either of the following conditions during the
16 preceding taxable year:

17 a. Had gross receipts that did not exceed \$1,000,000.

18 b. Employed no more than 30 full-time employees.

19 2. “Full-time employee” means an individual who is employed for at least 30
20 hours per week for 20 or more calendar weeks during a taxable year.

21 3. “Universal changing station” means a powered and height-adjustable adult
22 changing table that is either floor mounted or wall mounted with a safety rail and
23 can be used by an individual with a disability of either sex and the individual’s care
24 provider for personal hygiene and that satisfies all of the following:

1 a. The changing table can lower to a height of 8 inches and raise to a height of
2 34 inches.

3 b. The changing table is at least 31 inches wide by 72 inches long.

4 c. The changing table supports at least 350 pounds.

5 (b) *Filing claims.* For taxable years beginning after December 31, 2022, subject
6 to the limitations provided in this subsection, a claimant may claim as a credit
7 against the tax imposed under s. 71.02, up to the amount of those taxes, an amount
8 equal to 50 percent of the amount the claimant paid during the taxable year to install
9 a universal changing station.

10 (c) *Limitations.* 1. No credit may be claimed under this subsection unless the
11 universal changing station is installed in a single-occupant restroom that measures
12 at least 8 feet by 10 feet, with adequate space for a wheelchair and a care provider
13 to maneuver; that is equipped with a waste receptacle, a toilet, a lavatory, a soap
14 dispenser, and a paper towel dispenser; and that complies with accessibility
15 standards under the federal Americans with Disabilities Act.

16 2. The credit claimed under this subsection may not exceed \$5,125.

17 3. Partnerships, limited liability companies, and tax-option corporations may
18 not claim the credit under this subsection, but the eligibility for, and the amount of,
19 the credit are based on the amounts paid by the entity. A partnership, limited
20 liability company, or tax-option corporation shall compute the amount of credit that
21 each of its partners, members, or shareholders may claim and shall provide that
22 information to each of them. Partners, members, and shareholders may claim the
23 credit in proportion to their ownership interests.

24 (d) *Administration.* Section 71.28 (4) (e) to (h), as it applies to the credit under
25 s. 71.28 (4), applies to the credit under this subsection.

1 **SECTION 1059.** 71.10 (4) (ha) of the statutes is created to read:

2 71.10 (4) (ha) Universal changing station credit under s. 71.07 (8m).

3 **SECTION 1060.** 71.21 (4) (a) of the statutes is amended to read:

4 71.21 (4) (a) The amount of the credits computed by a partnership under s.
5 71.07 (2dm), (2dx), (2dy), (3g), (3h), (3n), (3q), (3s), (3t), (3w), (3wm), (3y), (4k), (4n),
6 (5e), (5g), (5i), (5j), (5k), (5r), (5rm), (6n), (8m), and (10) and passed through to
7 partners shall be added to the partnership's income.

8 **SECTION 1061.** 71.26 (2) (a) 4. of the statutes is amended to read:

9 71.26 (2) (a) 4. Plus the amount of the credit computed under s. 71.28 (1dm),
10 (1dx), (1dy), (3g), (3h), (3n), (3q), (3t), (3w), (3wm), (3y), (5e), (5g), (5i), (5j), (5k), (5r),
11 (5rm), (6n), (8m), and (10) and not passed through by a partnership, limited liability
12 company, or tax-option corporation that has added that amount to the partnership's,
13 limited liability company's, or tax-option corporation's income under s. 71.21 (4) or
14 71.34 (1k) (g).

15 **SECTION 1062.** 71.28 (8m) of the statutes is created to read:

16 71.28 (8m) UNIVERSAL CHANGING STATION CREDIT. (a) *Definitions.* In this
17 subsection:

18 1. "Claimant" means a person who files a claim under this subsection and meets
19 either of the following conditions during the preceding taxable year:

20 a. Had gross receipts that did not exceed \$1,000,000.

21 b. Employed no more than 30 full-time employees.

22 2. "Full-time employee" means an individual who is employed for at least 30
23 hours per week for 20 or more calendar weeks during a taxable year.

24 3. "Universal changing station" has the meaning given in s. 71.07 (8m) (a) 3.

1 (b) *Filing claims.* For taxable years beginning after December 31, 2022, subject
2 to the limitations provided in this subsection, a claimant may claim as a credit
3 against the tax imposed under s. 71.23, up to the amount of those taxes, an amount
4 equal to 50 percent of the amount the claimant paid during the taxable year to install
5 a universal changing station.

6 (c) *Limitations.* 1. No credit may be claimed under this subsection unless the
7 universal changing station is installed in a single-occupant restroom that measures
8 at least 8 feet by 10 feet, with adequate space for a wheelchair and a care provider
9 to maneuver; that is equipped with a waste receptacle, a toilet, a lavatory, a soap
10 dispenser, and a paper towel dispenser; and that complies with accessibility
11 standards under the federal Americans with Disabilities Act.

12 2. The credit claimed under this subsection may not exceed \$5,125.

13 3. Partnerships, limited liability companies, and tax-option corporations may
14 not claim the credit under this subsection, but the eligibility for, and the amount of,
15 the credit are based on the amounts paid by the entity. A partnership, limited
16 liability company, or tax-option corporation shall compute the amount of credit that
17 each of its partners, members, or shareholders may claim and shall provide that
18 information to each of them. Partners, members, and shareholders may claim the
19 credit in proportion to their ownership interests.

20 (d) *Administration.* Sub. (4) (e) to (h), as it applies to the credit under sub. (4),
21 applies to the credit under this subsection.

22 **SECTION 1063.** 71.30 (3) (cu) of the statutes is created to read:

23 71.30 (3) (cu) Universal changing station credit under s. 71.28 (8m).

24 **SECTION 1064.** 71.34 (1k) (g) of the statutes is amended to read:

1 71.34 **(1k)** (g) An addition shall be made for credits computed by a tax-option
2 corporation under s. 71.28 (1dm), (1dx), (1dy), (3), (3g), (3h), (3n), (3q), (3t), (3w),
3 (3wm), (3y), (4), (5), (5e), (5g), (5i), (5j), (5k), (5r), (5rm), (6n), (8m), and (10) and
4 passed through to shareholders.

5 **SECTION 1065.** 71.45 (2) (a) 10. of the statutes is amended to read:

6 71.45 **(2)** (a) 10. By adding to federal taxable income the amount of credit
7 computed under s. 71.47 (1dm) to (1dy), (3g), (3h), (3n), (3q), (3w), (3y), (5e), (5g), (5i),
8 (5j), (5k), (5r), (5rm), (6n), (8m), and (10) and not passed through by a partnership,
9 limited liability company, or tax-option corporation that has added that amount to
10 the partnership's, limited liability company's, or tax-option corporation's income
11 under s. 71.21 (4) or 71.34 (1k) (g) and the amount of credit computed under s. 71.47
12 (3), (3t), (4), (4m), and (5).

13 **SECTION 1066.** 71.47 (8m) of the statutes is created to read:

14 71.47 **(8m)** UNIVERSAL CHANGING STATION CREDIT. (a) *Definitions.* In this
15 subsection:

16 1. "Claimant" means a person who files a claim under this subsection and meets
17 either of the following conditions during the preceding taxable year:

18 a. Had gross receipts that did not exceed \$1,000,000.

19 b. Employed no more than 30 full-time employees.

20 2. "Full-time employee" means an individual who is employed for at least 30
21 hours per week for 20 or more calendar weeks during a taxable year.

22 3. "Universal changing station" has the meaning given in s. 71.07 (8m) (a) 3.

23 (b) *Filing claims.* For taxable years beginning after December 31, 2022, subject
24 to the limitations provided in this subsection, a claimant may claim as a credit
25 against the tax imposed under s. 71.43, up to the amount of those taxes, an amount

1 equal to 50 percent of the amount the claimant paid during the taxable year to install
2 a universal changing station.

3 (c) *Limitations.* 1. No credit may be claimed under this subsection unless the
4 universal changing station is installed in a single-occupant restroom that measures
5 at least 8 feet by 10 feet, with adequate space for a wheelchair and a care provider
6 to maneuver; that is equipped with a waste receptacle, a toilet, a lavatory, a soap
7 dispenser, and a paper towel dispenser; and that complies with accessibility
8 standards under the federal Americans with Disabilities Act.

9 2. The credit claimed under this subsection may not exceed \$5,125.

10 3. Partnerships, limited liability companies, and tax-option corporations may
11 not claim the credit under this subsection, but the eligibility for, and the amount of,
12 the credit are based on the amounts paid by the entity. A partnership, limited
13 liability company, or tax-option corporation shall compute the amount of credit that
14 each of its partners, members, or shareholders may claim and shall provide that
15 information to each of them. Partners, members, and shareholders may claim the
16 credit in proportion to their ownership interests.

17 (d) *Administration.* Section 71.28 (4) (e) to (h), as it applies to the credit under
18 s. 71.28 (4), applies to the credit under this subsection.

19 **SECTION 1067.** 71.49 (1) (cu) of the statutes is created to read:

20 71.49 (1) (cu) Universal changing station credit under s. 71.47 (8m).”.

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

22 “**SECTION 1068.** 71.26 (3) (j) of the statutes is amended to read:

23 71.26 (3) (j) Sections 243, 244, 245, 245A, 246 and 246A are excluded and
24 replaced by the rule that corporations may deduct from income dividends received

1 from a corporation with respect to its common stock if the corporation receiving the
2 dividends owns, directly or indirectly, during the entire taxable year at least 70
3 percent of the total combined voting stock of the payor corporation. In this
4 paragraph, “dividends received” means gross dividends minus taxes on those
5 dividends paid to a foreign nation and claimed as a deduction under this chapter. The
6 same dividends may not be deducted more than once and may not be used in the
7 determination of a net business loss under ss. 71.26 (4) and 71.45 (4).

8 **SECTION 1069.** 71.26 (4) (a) of the statutes is amended to read:

9 71.26 (4) (a) Except as provided in par. (b) and s. 71.80 (25), a corporation,
10 except a tax-option corporation or an insurer to which s. 71.45 (4) applies, may offset
11 against its Wisconsin net business income any Wisconsin net business loss incurred
12 in any of the 20 immediately preceding taxable years, if the corporation was subject
13 to taxation under this chapter in the taxable year in which the loss was incurred, to
14 the extent not offset by other items of Wisconsin income in the loss year and by
15 Wisconsin net business income of any year between the loss year and the taxable year
16 for which an offset is claimed. For purposes of this subsection, Wisconsin net
17 business income or loss shall consist of all the income attributable to the operation
18 of a trade or business in this state, less the business expenses allowed as deductions
19 in computing net income, except that the dividends received deduction under sub. (3)
20 (j) may not be used in the determination of a net business loss. The Wisconsin net
21 business income or loss of corporations engaged in business within and without the
22 state shall be determined under s. 71.25 (6) and (10) to (12). Nonapportionable losses
23 having a Wisconsin situs under s. 71.25 (5) (b) shall be included in Wisconsin net
24 business loss; and nonapportionable income having a Wisconsin situs under s. 71.25

1 (5) (b), whether taxable or exempt, shall be included in other items of Wisconsin
2 income and Wisconsin net business income for purposes of this subsection.

3 **SECTION 1070.** 71.45 (4) (a) of the statutes is amended to read:

4 71.45 (4) (a) Except as provided in par. (b) and s. 71.80 (25), insurers computing
5 tax under this subchapter may subtract from Wisconsin net income any Wisconsin
6 net business loss incurred in any of the 20 immediately preceding taxable years, if
7 the insurer was subject to taxation under this chapter in the taxable year in which
8 the loss was incurred, to the extent not offset by Wisconsin net business income of
9 any year between the loss year and the taxable year for which an offset is claimed
10 and computed without regard to sub. (2) (a) 8. and 9. and this subsection and limited
11 to the amount of net income, but no loss incurred for a taxable year before taxable
12 year 1987 by a nonprofit service plan of sickness care under ch. 148, or dental care
13 under s. 447.13 may be treated as a net business loss of the successor service insurer
14 under ch. 613 operating by virtue of s. 148.03 or 447.13. For purposes of this
15 paragraph, the dividends received deduction under s. 71.26 (3) (j) may not be used
16 in the determination of a net business loss.”

17 **SECTION 9337. Initial applicability; Revenue.**

18 (1) DIVIDENDS RECEIVED DEDUCTION. The treatment of ss. 71.26 (3) (j) and (4) (a)
19 and 71.45 (4) (a) first applies to taxable years beginning after December 31, 2022.”.

20 **186.** Page 374, line 11: after that line insert:

21 “**SECTION 1071.** 71.05 (8) (a) of the statutes is amended to read:

22 71.05 (8) (a) ~~The carry back of losses to reduce income of prior years may be~~
23 ~~permitted for 2 taxable years.~~ There shall be added any amount deducted as a federal
24 net operating loss ~~carry-back or carry-over~~ and there shall be subtracted for the first

1 taxable year for which the subtraction may be made any Wisconsin net operating loss
2 ~~carry-back or~~ carry-forward allowable under par. (b) in an amount not in excess of
3 the Wisconsin taxable income computed before the deduction of the Wisconsin net
4 operating loss ~~carry-back or~~ carry-forward.

5 **SECTION 1072.** 71.05 (8) (b) 1. of the statutes is renumbered 71.05 (8) (b) and
6 amended to read:

7 71.05 (8) (b) Except as provided in s. 71.80 (25), a Wisconsin net operating loss
8 may be ~~carried back against Wisconsin taxable income of the previous 2 years and~~
9 ~~then~~ carried forward against Wisconsin taxable incomes of the next 20 taxable years,
10 if the taxpayer was subject to taxation under this chapter in the taxable year in which
11 the loss was incurred, to the extent not offset against other income of the year of loss
12 and to the extent not offset against Wisconsin modified taxable income ~~of the 2 years~~
13 ~~preceding the loss and~~ of any year between the loss year and the taxable year for
14 which the loss carry-forward is claimed. In this paragraph, “Wisconsin modified
15 taxable income” means Wisconsin taxable income with the following exceptions: a
16 net operating loss deduction or offset for the loss year or any taxable year ~~before or~~
17 thereafter is not allowed, the deduction for long-term capital gains under subs. (6)
18 (b) 9. and 9m., (25), and (25m) is not allowed, the amount deductible for losses from
19 sales or exchanges of capital assets may not exceed the amount includable in income
20 for gains from sales or exchanges of capital assets and “Wisconsin modified taxable
21 income” may not be less than zero.

22 **SECTION 1073.** 71.05 (8) (b) 2. of the statutes is repealed.

23 **SECTION 1074.** 71.05 (8) (c) of the statutes is repealed.

24 **SECTION 1075.** 71.80 (25) (a) of the statutes is renumbered 71.80 (25) and
25 amended to read:

1 71.80 (25) NET OPERATING AND BUSINESS LOSS CARRY-FORWARD AND CARRY-BACK.
2 No offset of Wisconsin income may be made under s. 71.05 (8) (b) ~~1~~, 71.26 (4) (a), or
3 71.45 (4) (a) unless the incurred loss was computed on a return that was filed within
4 4 years of the unextended due date for filing the original return for the taxable year
5 in which the loss was incurred.

6 **SECTION 1076.** 71.80 (25) (b) of the statutes is repealed.

7 **SECTION 9337. Initial applicability; Revenue.**

8 (1) NET OPERATING LOSSES. The treatment of ss. 71.05 (8) (a), (b) 1. and 2., and
9 (c) and 71.80 (25) (a) and (b) first applies to taxable years beginning after December
10 31, 2022.”.

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

12 “**SECTION 1077.** 71.05 (6) (b) 4. (intro.) of the statutes is amended to read:

13 71.05 (6) (b) 4. (intro.) Disability For taxable years beginning before January
14 1, 2023, disability payments other than disability payments that are paid from a
15 retirement plan, the payments from which are exempt under ~~subd. subds. 54. and~~
16 54m. and sub. (1) (am) and (an), if the individual either is single or is married and
17 files a joint return and is under 65 years of age before the close of the taxable year
18 to which the subtraction relates, retired on disability, and, when the individual
19 retired, was permanently and totally disabled. In this subdivision, “permanently
20 and totally disabled” means an individual who is unable to engage in any substantial
21 gainful activity by reason of any medically determinable physical or mental
22 impairment that can be expected to result in death or which has lasted or can be
23 expected to last for a continuous period of not less than 12 months. An individual
24 shall not be considered permanently and totally disabled for purposes of this

1 subdivision unless proof is furnished in such form and manner, and at such times,
2 as prescribed by the department. The exclusion under this subdivision shall be
3 determined as follows:

4 **SECTION 1078.** 71.05 (6) (b) 4m. of the statutes is created to read:

5 71.05 **(6)** (b) 4m. For taxable years beginning after December 31, 2022,
6 disability payments other than disability payments that are paid from a retirement
7 plan, the payments from which are exempt under subds. 54. and 54m. and sub. (1)
8 (am) and (an), if the individual is under 65 years of age before the close of the taxable
9 year to which the subtraction relates, retired on disability, and, when the individual
10 retired, was permanently and totally disabled. In this subdivision, “permanently
11 and totally disabled” means an individual who is unable to engage in any substantial
12 gainful activity by reason of any medically determinable physical or mental
13 impairment that can be expected to result in death or which has lasted or can be
14 expected to last for a continuous period of not less than 12 months. An individual
15 shall not be considered permanently and totally disabled for purposes of this
16 subdivision unless proof is furnished in such form and manner, and at such times,
17 as prescribed by the department. The exclusion under this subdivision shall be
18 determined as follows:

19 a. If the individual is single or files as a head of household and the individual’s
20 federal adjusted gross income in the year to which the subtraction relates is less than
21 \$30,000, the maximum subtraction is \$5,500 or the amount of disability pay reported
22 as income, whichever is less.

23 b. If the individual is married and is a joint filer and the couple’s federal
24 adjusted gross income in the year to which the subtraction relates is less than

1 \$60,000, the maximum subtraction is \$5,500 per spouse that is disabled or the
2 amount of disability pay reported as income, whichever is less.

3 c. If the individual is married and files a separate return and the sum of both
4 spouses' federal adjusted gross income in the year to which the subtraction relates
5 is less than \$60,000, the maximum subtraction is \$5,500 or the amount of disability
6 pay reported as income, whichever is less.”.

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

8 “SECTION 1079. 77.54 (62) of the statutes is repealed.

9 **SECTION 9437. Effective dates; Revenue.**

10 (1) SALES AND USE TAX EXEMPTION FOR FARM-RAISED DEER. The treatment of s.
11 77.54 (62) takes effect on the first day of the 3rd month beginning after publication.”.

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

13 “SECTION 1080. 238.399 (3) (a) of the statutes is amended to read:

14 238.399 (3) (a) The corporation may designate ~~any number of~~ not more than
15 30 enterprise zones in this state.

16 **SECTION 1081.** 238.399 (3) (am) of the statutes is repealed.

17 **SECTION 1082.** 238.399 (3) (em) of the statutes is created to read:

18 238.399 (3) (em) If the corporation revokes all certifications for tax benefits
19 within a designated enterprise zone or all certifications for tax benefits within a
20 designated enterprise zone expire, the corporation may cancel the designation of that
21 enterprise zone. After canceling the designation of an enterprise zone, the
22 corporation may designate a new enterprise zone subject to the limits under this
23 subsection.

1 **SECTION 9149. Nonstatutory provisions; Wisconsin Economic**
2 **Development Corporation.**

3 (1) ENTERPRISE ZONE DESIGNATION LIMIT. The treatment of s. 238.399 (3) (a) may
4 not be construed to require that the Wisconsin Economic Development Corporation
5 revoke a certification for tax benefits under s. 238.399 that is in effect on the effective
6 date of this subsection.”.

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

8 “**SECTION 1.** 139.44 (4) of the statutes is amended to read:

9 139.44 (4) Any person who refuses to permit the examination or inspection
10 authorized in s. 139.39 (2) or 139.83 (1) may be fined not more than \$500 or
11 imprisoned not more than 90 days or both. Such refusal shall be cause for immediate
12 suspension or revocation of permit by the secretary.

13 **SECTION 2.** 139.75 (1m) of the statutes is created to read:

14 139.75 (1m) “Cigar” means a roll, of any size or shape, of tobacco for smoking
15 that is made wholly or in part of tobacco, regardless of whether the tobacco is pure,
16 flavored, adulterated, or mixed with an ingredient, if the roll has a wrapper made
17 wholly or in part of tobacco.

18 **SECTION 3.** 139.75 (4t) of the statutes is created to read:

19 139.75 (4t) “Little cigar” means a cigar that has an integrated cellulose acetate
20 filter and is wrapped in a substance containing tobacco.

21 **SECTION 4.** 139.75 (12) of the statutes is amended to read:

22 139.75 (12) “Tobacco products” means cigars; little cigars; cheroots; stogies;
23 periques; granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco;
24 snuff, including moist snuff; snuff flour; cavendish; plug and twist tobacco; fine cut

1 and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings
2 of tobacco and other kinds and forms of tobacco prepared in such manner as to be
3 suitable for chewing or smoking in a pipe or otherwise, or both for chewing and
4 smoking; but “tobacco products” does not include cigarettes, as defined under s.
5 139.30 (1m).

6 **SECTION 5.** 139.76 (1) of the statutes is amended to read:

7 139.76 (1) An excise tax is imposed upon the sale, offering or exposing for sale,
8 possession with intent to sell or removal for consumption or sale or other disposition
9 for any purpose of tobacco products by any person engaged as a distributor of them
10 at the rate, for tobacco products, not including moist snuff and vapor products, of 71
11 percent of the manufacturer’s established list price to distributors without
12 diminution by volume or other discounts on domestic products and, for moist snuff,
13 at the rate of 100 percent of the manufacturer’s established list price to distributors
14 without diminution by volume or other discounts on domestic products. The tax
15 imposed under this subsection on cigars shall not exceed an amount equal to 50 cents
16 for each cigar. ~~On products imported from another country, not including moist snuff
17 and vapor products, the rate of tax is 71 percent of the amount obtained by adding
18 the manufacturer’s list price to the federal tax, duties and transportation costs to the
19 United States. On moist snuff imported from another country, the rate of the tax is
20 100 percent of the amount obtained by adding the manufacturer’s list price to the
21 federal tax, duties, and transportation costs to the United States. The tax attaches
22 at the time the tobacco products are received by the distributor in this state. The tax
23 shall be passed on to the ultimate consumer of the tobacco products. All tobacco
24 products received in this state for sale or distribution within this state, except
25 tobacco products actually sold as provided in sub. (2), shall be subject to such tax.~~

1 **SECTION 6u.** 139.76 (1) of the statutes, as affected by 2023 Wisconsin Act ...
2 (this act), is amended to read:

3 139.76 (1) An excise tax is imposed upon the sale, offering or exposing for sale,
4 possession with intent to sell or removal for consumption or sale or other disposition
5 for any purpose of tobacco products by any person engaged as a distributor of them
6 at the rate, for tobacco products, not including moist snuff and ~~vapor products~~ little
7 cigars, of 71 percent of the manufacturer's list price and, for moist snuff, at the rate
8 of 100 percent of the manufacturer's list price. The tax imposed under this
9 subsection on cigars, except little cigars, shall not exceed an amount equal to 50 cents
10 for each cigar. The tax attaches at the time the tobacco products are received by the
11 distributor in this state. The tax shall be passed on to the ultimate consumer of the
12 tobacco products. All tobacco products received in this state for sale or distribution
13 within this state, except tobacco products actually sold as provided in sub. (2), shall
14 be subject to such tax.

15 **SECTION 7.** 139.76 (1b) of the statutes is created to read:

16 139.76 (1b) The tax under sub. (1) is imposed on little cigars at the rate of 126
17 mills on each little cigar, regardless of weight. To evidence payment of the tax
18 imposed under this section on little cigars, the department shall provide stamps. A
19 person who has paid the tax shall affix stamps of the proper denomination to each
20 package in which little cigars are packed, prior to the first sale within this state.
21 Section 139.32 as it applies to the tax under s. 139.31 applies to the tax imposed
22 under this section on little cigars.

23 **SECTION 8.** 139.78 (1) of the statutes is amended to read:

24 139.78 (1) A tax is imposed upon the use or storage by consumers of tobacco
25 products in this state at the rate, for tobacco products, not including moist snuff and

1 vapor products, of 71 percent of the ~~cost of the tobacco products~~ manufacturer's list
2 price and, for moist snuff, at the rate of 100 percent of the manufacturer's established
3 list price ~~to distributors without diminution by volume or other discounts on~~
4 ~~domestic products~~. The tax imposed under this subsection on cigars shall not exceed
5 an amount equal to 50 cents for each cigar. The tax does not apply if the tax imposed
6 by s. 139.76 (1) on the tobacco products has been paid or if the tobacco products are
7 exempt from the tobacco products tax under s. 139.76 (2).

8 **SECTION 9u.** 139.78 (1) of the statutes, as affected by 2023 Wisconsin Act
9 (this act), is amended to read:

10 139.78 (1) A tax is imposed upon the use or storage by consumers of tobacco
11 products in this state at the rate, for tobacco products, not including moist snuff and
12 ~~vapor products~~ little cigars, of 71 percent of the manufacturer's list price and, for
13 moist snuff, at the rate of 100 percent of the manufacturer's list price. The tax
14 imposed under this subsection on cigars, except little cigars, shall not exceed an
15 amount equal to 50 cents for each cigar. The tax does not apply if the tax imposed
16 by s. 139.76 (1) on the tobacco products has been paid or if the tobacco products are
17 exempt from the tobacco products tax under s. 139.76 (2).

18 **SECTION 10.** 139.78 (1b) of the statutes is created to read:

19 139.78 (1b) A tax is imposed and levied upon the use or storage of little cigars
20 in this state by any person for any purpose. The tax is levied and shall be collected
21 at the same rate as provided for in s. 139.76 (1b). The tax under this subsection does
22 not apply if the tax imposed by s. 139.76 (1) has been paid or if the little cigars are
23 exempt from tax under s. 139.76 (2).

24 **SECTION 11.** 139.83 of the statutes is renumbered 139.83 (1).

25 **SECTION 12.** 139.83 (2) of the statutes is created to read:

1 139.83 (2) Sections 139.315, 139.32, 139.321, 139.322, 139.34, 139.35, 139.36,
2 139.362, 139.363, 139.38, 139.395, 139.41, 139.42, 139.43, and 139.44 (8), as they
3 apply to the taxes under subch. II, apply to the administration and enforcement of
4 this subchapter for little cigars.

5 **SECTION 9437. Effective dates; Revenue.**

6 (1) LITTLE CIGARS. The treatment of ss. 139.44 (4), 139.75 (1m), (4t), and (12),
7 139.76 (1) (by SECTION 6u) and (1b), and 139.78 (1) (by SECTION 9u) and (1b), the
8 renumbering of s. 139.83, and the creation of s. 139.83 (2) take effect on the first day
9 of the 3rd month beginning after publication.”

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

11 “**SECTION 1083.** 71.07 (3w) (a) 2m. of the statutes is created to read:

12 71.07 (3w) (a) 2m. “Contract” means the contract between the claimant and the
13 Wisconsin Economic Development Corporation under s. 238.399.

14 **SECTION 1084.** 71.07 (3w) (a) 6. of the statutes is renumbered 71.07 (3w) (a) 6.

15 a. and amended to read:

16 71.07 (3w) (a) 6. a. “Zone payroll” means the amount of state payroll that is
17 attributable to wages paid to full-time employees for services that are performed in
18 an enterprise zone. ~~“Zone~~ Except as provided in subd. 6. b., “zone payroll” does not
19 include the amount of wages paid to any full-time employees that exceeds \$100,000.

20 **SECTION 1085.** 71.07 (3w) (a) 6. b. of the statutes is created to read:

21 71.07 (3w) (a) 6. b. For a claimant whose contract is executed after December
22 31, 2023, “zone payroll” does not include the amount of wages paid to any full-time
23 employees that exceeds \$141,300.

24 **SECTION 1086.** 71.07 (3w) (b) (intro.) of the statutes is amended to read:

1 71.07 (3w) (b) *Filing claims under pre-2024 contracts; payroll.* (intro.) Subject
2 to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats.,
3 a claimant whose contract is executed prior to January 1, 2024, may claim as a credit
4 against the tax imposed under s. 71.02 or 71.08 an amount calculated as follows:

5 **SECTION 1087.** 71.07 (3w) (bd) of the statutes is created to read:

6 71.07 (3w) (bd) *Filing claims under post-2023 contracts; payroll.* Subject to the
7 limitations provided in this subsection and s. 238.399, a claimant whose contract is
8 executed after December 31, 2023, may claim as a credit against the tax imposed
9 under s. 71.02 an amount calculated as follows:

10 1. Determine the amount that is the lesser of:

11 a. The number of full-time employees whose annual wages are greater than
12 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county
13 or municipality and who the claimant employed in the enterprise zone in the taxable
14 year, minus the number of full-time employees whose annual wages were greater
15 than \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II
16 county or municipality and who the claimant employed in the area that comprises
17 the enterprise zone in the base year.

18 b. The number of full-time employees whose annual wages are greater than
19 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county
20 or municipality and who the claimant employed in the state in the taxable year,
21 minus the number of full-time employees whose annual wages were greater than
22 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county
23 or municipality and who the claimant employed in the state in the base year.

24 2. Determine the claimant's average zone payroll by dividing total wages for
25 full-time employees whose annual wages are greater than \$32,000 in a tier I county

1 or municipality or greater than \$42,390 in a tier II county or municipality and who
2 the claimant employed in the enterprise zone in the taxable year by the number of
3 full-time employees whose annual wages are greater than \$32,000 in a tier I county
4 or municipality or greater than \$42,390 in a tier II county or municipality and who
5 the claimant employed in the enterprise zone in the taxable year.

6 3. For employees in a tier I county or municipality, subtract \$32,000 from the
7 amount determined under subd. 2. and for employees in a tier II county or
8 municipality, subtract \$42,390 from the amount determined under subd. 2.

9 4. Multiply the amount determined under subd. 3. by the amount determined
10 under subd. 1.

11 5. Multiply the amount determined under subd. 4. by the percentage
12 determined by under s. 238.399, not to exceed 7 percent.

13 **SECTION 1088.** 71.07 (3w) (bm) 1. of the statutes is amended to read:

14 71.07 (3w) (bm) 1. In addition to the credits under ~~par.~~ pars. (b) and (bd) and
15 subds. 2., ~~3., and 4.~~ to 5., and subject to the limitations provided in this subsection
16 and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the
17 tax imposed under s. 71.02 or 71.08 an amount equal to a percentage, as determined
18 under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount
19 the claimant paid in the taxable year to upgrade or improve the job-related skills of
20 any of the claimant's full-time employees, to train any of the claimant's full-time
21 employees on the use of job-related new technologies, or to provide job-related
22 training to any full-time employee whose employment with the claimant represents
23 the employee's first full-time job. This subdivision does not apply to employees who
24 do not work in an enterprise zone.

1 **SECTION 1089.** 71.07 (3w) (bm) 2. of the statutes is renumbered 71.07 (3w) (bm)
2 2. (intro.) and amended to read:

3 71.07 (**3w**) (bm) 2. (intro.) In addition to the credits under ~~par. pars. (b) and (bd)~~
4 and subs. 1., 3., ~~and 4., and 5.,~~ and subject to the limitations provided in this
5 subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit
6 against the tax imposed under s. 71.02 or 71.08 one of the following amounts:

7 a. For a claimant whose contract is executed prior to January 1, 2024, an
8 amount equal to the percentage, as determined under s. 238.399 or s. 560.799, 2009
9 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year
10 to all of the claimant's full-time employees whose annual wages are greater than the
11 amount determined by multiplying 2,080 by 150 percent of the federal minimum
12 wage in a tier I county or municipality, not including the wages paid to the employees
13 determined under par. (b) 1., or greater than \$30,000 in a tier II county or
14 municipality, not including the wages paid to the employees determined under par.
15 (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if
16 the total number of such employees is equal to or greater than the total number of
17 such employees in the base year. ~~A claimant may claim a credit under this~~
18 ~~subdivision for no more than 5 consecutive taxable years.~~

19 **SECTION 1090.** 71.07 (3w) (bm) 2. b. of the statutes is created to read:

20 71.07 (**3w**) (bm) 2. b. For a claimant whose contract is executed after December
21 31, 2023, an amount equal to the percentage, as determined under s. 238.399, not to
22 exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the
23 claimant's full-time employees whose annual wages are greater than \$32,000 in a
24 tier I county or municipality, not including the wages paid to the employees
25 determined under par. (bd) 1., or greater than \$42,390 in a tier II county or

1 municipality, not including the wages paid to the employees determined under par.
2 (bd) 1., and who the claimant employed in the enterprise zone in the taxable year, if
3 the total number of such employees is equal to or greater than the total number of
4 such employees in the base year.

5 **SECTION 1091.** 71.07 (3w) (bm) 3. of the statutes is amended to read:

6 71.07 **(3w)** (bm) 3. In addition to the credits under ~~par.~~ pars. (b) and (bd) and
7 subds. 1., 2., ~~and 4., and 5.,~~ and subject to the limitations provided in this subsection
8 and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December
9 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.02 or
10 71.08 up to 10 percent of the claimant's significant capital expenditures, as
11 determined under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

12 **SECTION 1092.** 71.07 (3w) (bm) 4. of the statutes is amended to read:

13 71.07 **(3w)** (bm) 4. In addition to the credits under ~~par.~~ pars. (b) and (bd) and
14 subds. 1., 2., ~~and 3., and 5.,~~ and subject to the limitations provided in this subsection
15 and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December
16 31, 2009, a claimant may claim as a credit against the tax imposed under s. 71.02 or
17 71.08, up to 1 percent of the amount that the claimant paid in the taxable year to
18 purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b),
19 (c), or (d), or services from Wisconsin vendors, as determined under s. 238.399 (5) (e)
20 or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit
21 under this subdivision and subd. 3. for the same expenditures.

22 **SECTION 1093.** 71.07 (3w) (bm) 5. of the statutes is renumbered 71.07 (3w) (bm)
23 5. (intro.) and amended to read:

24 71.07 **(3w)** (bm) 5. (intro.) In addition to the credits under ~~par.~~ pars. (b) and (bd)
25 and subds. 1. to 4., and subject to the limitations provided in this subsection and s.

1 238.399 or s. 560.799, 2009 stats., a claimant that has retained the minimum number
2 of full-time employees determined under s. 238.399 (5) (f) and maintained average
3 zone payroll for the taxable year equal to or greater than the base year may claim
4 as a credit against the tax imposed under s. 71.02 or 71.08 one of the following
5 amounts:

6 a. For a claimant whose contract is executed prior to January 1, 2024, an
7 amount equal to the percentage, as determined by the Wisconsin Economic
8 Development Corporation, of the claimant's zone payroll paid in the 12 months prior
9 to the certification date to the claimant's full-time employees in the enterprise zone
10 whose annual wages are greater than the amount determined by multiplying 2,080
11 by 150 percent of the federal minimum wage in a tier I county or municipality or
12 greater than \$30,000 in a tier II county or municipality. ~~The amount that the~~
13 ~~claimant may claim as credit under this subdivision for a taxable year shall not~~
14 ~~exceed \$2,000,000. A claimant may claim a credit under this subdivision for no more~~
15 ~~than 5 consecutive taxable years.~~

16 **SECTION 1094.** 71.07 (3w) (bm) 5. b. of the statutes is created to read:

17 71.07 (3w) (bm) 5. b. For a claimant whose contract is executed after December
18 31, 2023, an amount equal to the percentage, as determined by the Wisconsin
19 Economic Development Corporation, of the claimant's zone payroll paid in the 12
20 months prior to the certification date to the claimant's full-time employees in the
21 enterprise zone whose annual wages are greater than \$32,000 in a tier I county or
22 municipality or greater than \$42,390 in a tier II county or municipality.

23 **SECTION 1095.** 71.07 (3w) (c) 5. of the statutes is created to read:

24 71.07 (3w) (c) 5. A claimant may claim a credit under par. (bm) 2. for no more
25 than 5 consecutive taxable years.

1 **SECTION 1096.** 71.07 (3w) (c) 6. of the statutes is created to read:

2 71.07 (3w) (c) 6. The amount that a claimant may claim as credit under par.
3 (bm) 5. for a taxable year may not exceed \$2,000,000. A claimant may claim a credit
4 under par. (bm) 5. for no more than 5 consecutive taxable years.

5 **SECTION 1097.** 71.07 (3w) (cm) of the statutes is created to read:

6 71.07 (3w) (cm) *Inflation adjustments.* For taxable years beginning after
7 December 31, 2024, the dollar amounts in pars. (a) 6. b., (bd) 1. a. and b., 2., and 3.,
8 and (bm) 2. b. and 5. b. shall be increased each year by a percentage equal to the
9 percentage change between the U.S. consumer price index for all urban consumers,
10 U.S. city average, for the month of August of the previous year and the U.S. consumer
11 price index for all urban consumers, U.S. city average, for the month of August of the
12 year before the previous year, as determined by the federal department of labor.
13 Each amount that is revised under this paragraph shall be rounded to the nearest
14 multiple of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount
15 is a multiple of \$5, such an amount shall be increased to the next higher multiple of
16 \$10.

17 **SECTION 1098.** 71.28 (3w) (a) 2m. of the statutes is created to read:

18 71.28 (3w) (a) 2m. “Contract” means a contract between the claimant and the
19 Wisconsin Economic Development Corporation under s. 238.399.

20 **SECTION 1099.** 71.28 (3w) (a) 6. of the statutes is renumbered 71.28 (3w) (a) 6.
21 a. and amended to read:

22 71.28 (3w) (a) 6. a. “Zone payroll” means the amount of state payroll that is
23 attributable to wages paid to full-time employees for services that are performed in
24 an enterprise zone. “Zone Except as provided in subd. 6. b.,” “zone payroll” does not
25 include the amount of wages paid to any full-time employees that exceeds \$100,000.

1 **SECTION 1100.** 71.28 (3w) (a) 6. b. of the statutes is created to read:

2 71.28 (3w) (a) 6. b. For a claimant whose contract is executed after December
3 31, 2023, “zone payroll” does not include the amount of wages paid to any full-time
4 employees that exceeds \$141,300.

5 **SECTION 1101.** 71.28 (3w) (b) (intro.) of the statutes is amended to read:

6 71.28 (3w) (b) *Filing claims under pre-2024 contracts; payroll.* (intro.) Subject
7 to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats.,
8 a claimant whose contract is executed prior to January 1, 2024, may claim as a credit
9 against the tax imposed under s. 71.23 an amount calculated as follows:

10 **SECTION 1102.** 71.28 (3w) (bd) of the statutes is created to read:

11 71.28 (3w) (bd) *Filing claims under post-2023 contracts; payroll.* Subject to the
12 limitations provided in this subsection and s. 238.399, a claimant whose contract is
13 executed after December 31, 2023, may claim as a credit against the tax imposed
14 under s. 71.23 an amount calculated as follows:

15 1. Determine the amount that is the lesser of:

16 a. The number of full-time employees whose annual wages are greater than
17 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county
18 or municipality and who the claimant employed in the enterprise zone in the taxable
19 year, minus the number of full-time employees whose annual wages were greater
20 than \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II
21 county or municipality and who the claimant employed in the area that comprises
22 the enterprise zone in the base year.

23 b. The number of full-time employees whose annual wages are greater than
24 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county
25 or municipality and who the claimant employed in the state in the taxable year,

1 minus the number of full-time employees whose annual wages were greater than
2 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county
3 or municipality and who the claimant employed in the state in the base year.

4 2. Determine the claimant's average zone payroll by dividing total wages for
5 full-time employees whose annual wages are greater than \$32,000 in a tier I county
6 or municipality or greater than \$42,390 in a tier II county or municipality and who
7 the claimant employed in the enterprise zone in the taxable year by the number of
8 full-time employees whose annual wages are greater than \$32,000 in a tier I county
9 or municipality or greater than \$42,390 in a tier II county or municipality and who
10 the claimant employed in the enterprise zone in the taxable year.

11 3. For employees in a tier I county or municipality, subtract \$32,000 from the
12 amount determined under subd. 2. and for employees in a tier II county or
13 municipality, subtract \$42,390 from the amount determined under subd. 2.

14 4. Multiply the amount determined under subd. 3. by the amount determined
15 under subd. 1.

16 5. Multiply the amount determined under subd. 4. by the percentage
17 determined under s. 238.399, not to exceed 7 percent.

18 **SECTION 1103.** 71.28 (3w) (bm) 1. of the statutes is amended to read:

19 71.28 (3w) (bm) 1. In addition to the credits under ~~par.~~ pars. (b) and (bd) and
20 subds. 2., ~~3., and 4.~~ to 5., and subject to the limitations provided in this subsection
21 and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the
22 tax imposed under s. 71.23 an amount equal to a percentage, as determined under
23 s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the
24 claimant paid in the taxable year to upgrade or improve the job-related skills of any
25 of the claimant's full-time employees, to train any of the claimant's full-time

1 employees on the use of job-related new technologies, or to provide job-related
2 training to any full-time employee whose employment with the claimant represents
3 the employee's first full-time job. This subdivision does not apply to employees who
4 do not work in an enterprise zone.

5 **SECTION 1104.** 71.28 (3w) (bm) 2. of the statutes is renumbered 71.28 (3w) (bm)
6 2. (intro.) and amended to read:

7 71.28 (3w) (bm) 2. (intro.) In addition to the credits under ~~par.~~ pars. (b) and (bd)
8 and subds. 1., 3., and 4., and 5., and subject to the limitations provided in this
9 subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit
10 against the tax imposed under s. 71.23 one of the following amounts:

11 a. For a claimant whose contract is executed prior to January 1, 2024, an
12 amount equal to the percentage, as determined under s. 238.399 or s. 560.799, 2009
13 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year
14 to all of the claimant's full-time employees whose annual wages are greater than the
15 amount determined by multiplying 2,080 by 150 percent of the federal minimum
16 wage in a tier I county or municipality, not including the wages paid to the employees
17 determined under par. (b) 1., or greater than \$30,000 in a tier II county or
18 municipality, not including the wages paid to the employees determined under par.
19 (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if
20 the total number of such employees is equal to or greater than the total number of
21 such employees in the base year. ~~A claimant may claim a credit under this~~
22 ~~subdivision for no more than 5 consecutive taxable years.~~

23 **SECTION 1105.** 71.28 (3w) (bm) 2. b. of the statutes is created to read:

24 71.28 (3w) (bm) 2. b. For a claimant whose contract is executed after December
25 31, 2023, an amount equal to the percentage, as determined under s. 238.399, not to

1 exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the
2 claimant's full-time employees whose annual wages are greater than \$32,000 in a
3 tier I county or municipality, not including the wages paid to the employees
4 determined under par. (bd) 1., or greater than \$42,390 in a tier II county or
5 municipality, not including the wages paid to the employees determined under par.
6 (bd) 1., and who the claimant employed in the enterprise zone in the taxable year, if
7 the total number of such employees is equal to or greater than the total number of
8 such employees in the base year.

9 **SECTION 1106.** 71.28 (3w) (bm) 3. of the statutes is amended to read:

10 71.28 (3w) (bm) 3. In addition to the credits under ~~par.~~ pars. (b) and (bd) and
11 subds. 1., 2., ~~and 4.,~~ and 5., and subject to the limitations provided in this subsection
12 and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December
13 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.23 up
14 to 10 percent of the claimant's significant capital expenditures, as determined under
15 s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

16 **SECTION 1107.** 71.28 (3w) (bm) 4. of the statutes is amended to read:

17 71.28 (3w) (bm) 4. In addition to the credits under ~~par.~~ pars. (b) and (bd) and
18 subds. 1., 2., ~~and 3.,~~ and 5., and subject to the limitations provided in this subsection
19 and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December
20 31, 2009, a claimant may claim as a credit against the tax imposed under s. 71.23,
21 up to 1 percent of the amount that the claimant paid in the taxable year to purchase
22 tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d),
23 or services from Wisconsin vendors, as determined under s. 238.399 (5) (e) or s.
24 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under
25 this subdivision and subd. 3. for the same expenditures.

1 **SECTION 1108.** 71.28 (3w) (bm) 5. of the statutes is renumbered 71.28 (3w) (bm)
2 5. (intro.) and amended to read:

3 71.28 **(3w)** (bm) 5. (intro.) In addition to the credits under ~~par. pars. (b) and (bd)~~
4 and subs. 1. to 4., and subject to the limitations provided in this subsection and s.
5 238.399 or s. 560.799, 2009 stats., a claimant that has retained the minimum number
6 of full-time employees determined under s. 238.399 (5) (f) and maintained average
7 zone payroll for the taxable year equal to or greater than the base year may claim
8 as a credit against the tax imposed under s. 71.23 one of the following amounts:

9 a. For a claimant whose contract is executed prior to January 1, 2024, an
10 amount equal to the percentage, as determined by the Wisconsin Economic
11 Development Corporation, of the claimant's zone payroll paid in the 12 months prior
12 to the certification date to the claimant's full-time employees in the enterprise zone
13 whose annual wages are greater than the amount determined by multiplying 2,080
14 by 150 percent of the federal minimum wage in a tier I county or municipality or
15 greater than \$30,000 in a tier II county or municipality. ~~The amount that the~~
16 ~~claimant may claim as credit under this subdivision for a taxable year shall not~~
17 ~~exceed \$2,000,000. A claimant may claim a credit under this subdivision for no more~~
18 ~~than 5 consecutive taxable years.~~

19 **SECTION 1109.** 71.28 (3w) (bm) 5. b. of the statutes is created to read:

20 71.28 **(3w)** (bm) 5. b. For a claimant whose contract is executed after December
21 31, 2023, an amount equal to the percentage, as determined by the Wisconsin
22 Economic Development Corporation, of the claimant's zone payroll paid in the 12
23 months prior to the certification date to the claimant's full-time employees in the
24 enterprise zone whose annual wages are greater than \$32,000 in a tier I county or
25 municipality or greater than \$42,390 in a tier II county or municipality.

1 **SECTION 1110.** 71.28 (3w) (c) 5. of the statutes is created to read:

2 71.28 (3w) (c) 5. A claimant may claim a credit under par. (bm) 2. for no more
3 than 5 consecutive taxable years.

4 **SECTION 1111.** 71.28 (3w) (c) 6. of the statutes is created to read:

5 71.28 (3w) (c) 6. The amount that a claimant may claim as credit under par.
6 (bm) 5. for a taxable year may not exceed \$2,000,000. A claimant may claim a credit
7 under par. (bm) 5. for no more than 5 consecutive taxable years.

8 **SECTION 1112.** 71.28 (3w) (cm) of the statutes is created to read:

9 71.28 (3w) (cm) *Inflation adjustments.* For taxable years beginning after
10 December 31, 2024, the dollar amounts in pars. (a) 6. b., (bd) 1. a. and b., 2., and 3.,
11 and (bm) 2. b. and 5. b. shall be increased each year by a percentage equal to the
12 percentage change between the U.S. consumer price index for all urban consumers,
13 U.S. city average, for the month of August of the previous year and the U.S. consumer
14 price index for all urban consumers, U.S. city average, for the month of August of the
15 year before the previous year, as determined by the federal department of labor.
16 Each amount that is revised under this paragraph shall be rounded to the nearest
17 multiple of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount
18 is a multiple of \$5, such an amount shall be increased to the next higher multiple of
19 \$10.

20 **SECTION 1113.** 71.47 (3w) (a) 2m. of the statutes is created to read:

21 71.47 (3w) (a) 2m. “Contract” means a contract between the claimant and the
22 Wisconsin Economic Development Corporation under s. 238.399.

23 **SECTION 1114.** 71.47 (3w) (a) 6. of the statutes is renumbered 71.47 (3w) (a) 6.
24 a. and amended to read:

1 71.47 (3w) (a) 6. a. “Zone payroll” means the amount of state payroll that is
2 attributable to wages paid to full-time employees for services that are performed in
3 an enterprise zone. ~~“Zone~~ Except as provided in subd. 6. b., “zone payroll” does not
4 include the amount of wages paid to any full-time employees that exceeds \$100,000.

5 **SECTION 1115.** 71.47 (3w) (a) 6. b. of the statutes is created to read:

6 71.47 (3w) (a) 6. b. For a claimant whose contract is executed after December
7 31, 2023, “zone payroll” does not include the amount of wages paid to any full-time
8 employees that exceeds \$141,300.

9 **SECTION 1116.** 71.47 (3w) (b) (intro.) of the statutes is amended to read:

10 71.47 (3w) (b) *Filing claims under pre-2024 contracts; payroll.* (intro.) Subject
11 to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats.,
12 a claimant whose contract is executed prior to January 1, 2024, may claim as a credit
13 against the tax imposed under s. 71.43 an amount calculated as follows:

14 **SECTION 1117.** 71.47 (3w) (bd) of the statutes is created to read:

15 71.47 (3w) (bd) *Filing claims under post-2023 contracts; payroll.* Subject to the
16 limitations provided in this subsection and s. 238.399, a claimant whose contract is
17 executed after December 31, 2023, may claim as a credit against the tax imposed
18 under s. 71.43 an amount calculated as follows:

19 1. Determine the amount that is the lesser of:

20 a. The number of full-time employees whose annual wages are greater than
21 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county
22 or municipality and who the claimant employed in the enterprise zone in the taxable
23 year, minus the number of full-time employees whose annual wages were greater
24 than \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II

1 county or municipality and who the claimant employed in the area that comprises
2 the enterprise zone in the base year.

3 b. The number of full-time employees whose annual wages are greater than
4 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county
5 or municipality and who the claimant employed in the state in the taxable year,
6 minus the number of full-time employees whose annual wages were greater than
7 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county
8 or municipality and who the claimant employed in the state in the base year.

9 2. Determine the claimant's average zone payroll by dividing total wages for
10 full-time employees whose annual wages are greater than \$32,000 in a tier I county
11 or municipality or greater than \$42,390 in a tier II county or municipality and who
12 the claimant employed in the enterprise zone in the taxable year by the number of
13 full-time employees whose annual wages are greater than \$32,000 or greater than
14 \$42,390 in a tier II county or municipality and who the claimant employed in the
15 enterprise zone in the taxable year.

16 3. For employees in a tier I county or municipality, subtract \$32,000 from the
17 amount determined under subd. 2. and for employees in a tier II county or
18 municipality, subtract \$42,390 from the amount determined under subd. 2.

19 4. Multiply the amount determined under subd. 3. by the amount determined
20 under subd. 1.

21 5. Multiply the amount determined under subd. 4. by the percentage
22 determined under s. 238.399, not to exceed 7 percent.

23 **SECTION 1118.** 71.47 (3w) (bm) 1. of the statutes is amended to read:

24 71.47 (3w) (bm) 1. In addition to the credits under ~~par.~~ pars. (b) and (bd) and
25 subds. 2., 3., and 4., and subject to the limitations provided in this subsection and s.

1 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax
2 imposed under s. 71.43 an amount equal to a percentage, as determined under s.
3 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the
4 claimant paid in the taxable year to upgrade or improve the job-related skills of any
5 of the claimant's full-time employees, to train any of the claimant's full-time
6 employees on the use of job-related new technologies, or to provide job-related
7 training to any full-time employee whose employment with the claimant represents
8 the employee's first full-time job. This subdivision does not apply to employees who
9 do not work in an enterprise zone.

10 **SECTION 1119.** 71.47 (3w) (bm) 2. of the statutes is renumbered 71.47 (3w) (bm)
11 2. (intro.) and amended to read:

12 71.47 (3w) (bm) 2. (intro.) In addition to the credits under ~~par.~~ pars. (b) and (bd)
13 and subs. 1., 3., and 4., and subject to the limitations provided in this subsection and
14 s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax
15 imposed under s. 71.43 one of the following amounts:

16 a. For a claimant whose contract is executed prior to January 1, 2024, an
17 amount equal to the percentage, as determined under s. 238.399 or s. 560.799, 2009
18 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year
19 to all of the claimant's full-time employees whose annual wages are greater than the
20 amount determined by multiplying 2,080 by 150 percent of the federal minimum
21 wage in a tier I county or municipality, not including the wages paid to the employees
22 determined under par. (b) 1., or greater than \$30,000 in a tier II county or
23 municipality, not including the wages paid to the employees determined under par.
24 (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if
25 the total number of such employees is equal to or greater than the total number of

1 such employees in the base year. ~~A claimant may claim a credit under this~~
2 ~~subdivision for no more than 5 consecutive taxable years.~~

3 **SECTION 1120.** 71.47 (3w) (bm) 2. b. of the statutes is created to read:

4 71.47 (3w) (bm) 2. b. For a claimant whose contract is executed after December
5 31, 2023, an amount equal to the percentage, as determined under s. 238.399, not to
6 exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the
7 claimant's full-time employees whose annual wages are greater than \$32,000 in a
8 tier I county or municipality, not including the wages paid to the employees
9 determined under par. (bd) 1., or greater than \$42,390 in a tier II county or
10 municipality, not including the wages paid to the employees determined under par.
11 (bd) 1., and who the claimant employed in the enterprise zone in the taxable year, if
12 the total number of such employees is equal to or greater than the total number of
13 such employees in the base year.

14 **SECTION 1121.** 71.47 (3w) (bm) 3. of the statutes is amended to read:

15 71.47 (3w) (bm) 3. In addition to the credits under ~~par. pars.~~ (b) and (bd) and
16 subds. 1., 2., and 4., and subject to the limitations provided in this subsection and s.
17 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31,
18 2008, a claimant may claim as a credit against the tax imposed under s. 71.43 up to
19 10 percent of the claimant's significant capital expenditures, as determined under
20 s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

21 **SECTION 1122.** 71.47 (3w) (bm) 4. of the statutes is amended to read:

22 71.47 (3w) (bm) 4. In addition to the credits under ~~par. pars.~~ (b) and (bd) and
23 subds. 1., 2., and 3., and subject to the limitations provided in this subsection and s.
24 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31,
25 2009, a claimant may claim as a credit against the tax imposed under s. 71.43, up to

1 1 percent of the amount that the claimant paid in the taxable year to purchase
2 tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d),
3 or services from Wisconsin vendors, as determined under s. 238.399 (5) (e) or s.
4 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under
5 this subdivision and subd. 3. for the same expenditures.

6 **SECTION 1123.** 71.47 (3w) (c) 5. of the statutes is created to read:

7 71.47 (3w) (c) 5. A claimant may claim a credit under par. (bm) 2. for no more
8 than 5 consecutive taxable years.

9 **SECTION 1124.** 71.47 (3w) (cm) of the statutes is created to read:

10 71.47 (3w) (cm) *Inflation adjustments.* For taxable years beginning after
11 December 31, 2024, the dollar amounts in pars. (a) 6. b., (bd) 1. a. and b., 2., and 3.,
12 and (bm) 2. b. shall be increased each year by a percentage equal to the percentage
13 change between the U.S. consumer price index for all urban consumers, U.S. city
14 average, for the month of August of the previous year and the U.S. consumer price
15 index for all urban consumers, U.S. city average, for the month of August of the year
16 before the previous year, as determined by the federal department of labor. Each
17 amount that is revised under this paragraph shall be rounded to the nearest multiple
18 of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount is a
19 multiple of \$5, such an amount shall be increased to the next higher multiple of \$10.

20 **SECTION 1125.** 238.30 (2m) (a) of the statutes is amended to read:

21 238.30 (2m) (a) Except as provided in par. (b) and s. 238.308 (1) (b), “full-time
22 job” means a regular, nonseasonal full-time position in which an individual, as a
23 condition of employment, is required to work at least 2,080 hours per year, including
24 paid leave and holidays, and for which the individual receives pay that is equal to
25 at least 150 percent of the federal minimum wage and benefits that are not required

1 by federal or state law. “Full-time job” does not include initial training before an
2 employment position begins.

3 **SECTION 1126.** 238.308 (1) of the statutes is renumbered 238.308 (1) (intro.) and
4 amended to read:

5 238.308 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section,;

6 (a) “~~eligible~~ Eligible employee” means a person employed in a full-time job by
7 a person certified under sub. (2).

8 **SECTION 1127.** 238.308 (1) (b) of the statutes is created to read:

9 238.308 (1) (b) 1. Except as provided in subd. 2., “full-time job” has the meaning
10 given in s. 238.30 (2m).

11 2. For contracts executed by the corporation under this section after December
12 31, 2023, “full-time job” means a regular, nonseasonal full-time position for which
13 an individual receives pay that is equal to at least \$32,000 and benefits that are not
14 required by federal or state law. “Full-time job” does not include initial training
15 before an employment position begins.

16 **SECTION 1128.** 238.308 (4) (a) 1. of the statutes is amended to read:

17 238.308 (4) (a) 1. An amount equal to up to 10 percent of the amount of wages
18 that the person paid to an eligible employee in the taxable year. For contracts
19 executed by the corporation after December 31, 2023, the amount of wages taken into
20 account under this subdivision may not exceed \$141,300 per eligible employee per
21 year. Beginning on January 1, 2025, the dollar amount under this subdivision shall
22 be increased each year by a percentage equal to the percentage change between the
23 U.S. consumer price index for all urban consumers, U.S. city average, for the month
24 of August of the previous year and the U.S. consumer price index for all urban
25 consumers, U.S. city average, for the month of August of the year before the previous

1 year, as determined by the federal department of labor. Each amount that is revised
2 under this subdivision shall be rounded to the nearest multiple of \$10 if the revised
3 amount is not a multiple of \$10 or, if the revised amount is a multiple of \$5, such an
4 amount shall be increased to the next higher multiple of \$10.

5 **SECTION 1129.** 238.399 (1) (am) 2. of the statutes is repealed and recreated to
6 read:

7 238.399 (1) (am) 2. For contracts executed by the corporation under this section
8 after December 31, 2023, the individual is employed in a regular, nonseasonal
9 full-time position for which the individual receives annual pay that is more than
10 \$32,000 in a tier I county or municipality or more than 42,390 in a tier II county or
11 municipality and benefits that are not required by federal or state law.

12 **SECTION 1130.** 238.399 (6) (h) of the statutes is created to read:

13 238.399 (6) (h) Beginning on January 1, 2025, the dollar amount in sub. (1) (am)
14 2. shall be increased each year by a percentage equal to the percentage change
15 between the U.S. consumer price index for all urban consumers, U.S. city average,
16 for the month of August of the previous year and the U.S. consumer price index for
17 all urban consumers, U.S. city average, for the month of August of the year before
18 the previous year, as determined by the federal department of labor. Each amount
19 that is revised under this paragraph shall be rounded to the nearest multiple of \$10
20 if the revised amount is not a multiple of \$10 or, if the revised amount is a multiple
21 of \$5, such an amount shall be increased to the next higher multiple of \$10.”.

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

23 “**SECTION 1131.** 76.07 (3) of the statutes is amended to read:

1 76.07 (3) ASSESSMENT. For the purpose of determining the full market value of
2 the property of each company appearing on the assessment roll, the department may
3 view and inspect the property of such ~~the~~ the company and shall consider the reports
4 filed in compliance with s. 76.04 and the reports and returns of the company filed in
5 the office of any officer of this state, and other evidence or information bearing upon
6 the full market value of the property of the company assessed. ~~In case of~~ For
7 companies ~~which~~ that own or use property lying partly within and partly without the
8 state, the department shall value and assess only the property within this state,
9 using the methods under subs. (4g) and (4r). When the full market value of the
10 property of a company within this state has been determined, the amount shall be
11 entered upon the assessment roll opposite the name of the company and shall be the
12 assessment of the entire property of such ~~the~~ the company within this state for the levy
13 of taxes thereon, subject to review and correction. The department shall thereupon
14 give notice ~~by certified mail~~ to each company assessed of the amount of its
15 assessment as entered upon such ~~the~~ the roll.

16 **SECTION 1132.** 76.08 (1) of the statutes is amended to read:

17 76.08 (1) Notice of the assessments determined under s. 76.07 and of
18 adjustments under s. 76.075 shall be given ~~by certified mail~~ to each company the
19 property of which has been assessed, and the notice of assessment shall be ~~mailed~~
20 provided on or before the assessment date specified in s. 76.07 (1). Any company
21 aggrieved by the assessment or adjustment of its property thus made may have its
22 assessment or adjustment redetermined by the Dane County circuit court if, within
23 30 days after notice of assessment or adjustment is ~~mailed~~ provided to the company
24 under s. 76.07 (3), an action for the redetermination is commenced by filing a
25 summons and complaint with that court, and service of authenticated copies of the

1 summons and complaint is made upon the department of revenue. No answer need
2 be filed by the department and the allegations of the complaint in opposition to the
3 assessment or adjustment shall be deemed denied. Upon the filing of the summons
4 and complaint, the court shall set the matter for hearing without a jury. If the
5 plaintiff fails to file the summons and complaint within 5 days of service upon the
6 department, the department may file a copy thereof with the court in lieu of the
7 original. The department may be named as the defendant in any such action and
8 shall appear and be represented by its counsel in all proceedings connected with the
9 action but, on the request of the secretary of revenue, the attorney general may
10 participate with or serve in lieu of departmental counsel. In an action for
11 redetermination of an adjustment, only the issues raised in the department's
12 adjustment under s. 76.075 may be raised.

13 **SECTION 1133.** 76.10 (1) of the statutes is amended to read:

14 76.10 (1) Every company defined in s. 76.02 shall, on or before October 1 in each
15 year, be entitled, on its own motion, to present evidence before the department
16 relating to the state assessment made in the preceding year pursuant to s. 70.575.
17 On written request, ~~in writing~~, for such hearing or presentation, the department
18 shall fix a time therefor within 60 days after ~~such~~ the application is filed, the same
19 to be conducted in such manner as the department directs. Notice of ~~such~~ the hearing
20 shall be ~~mailed~~ provided to any company requesting a hearing and shall be published
21 in the official state paper. Within 30 days after the conclusion of ~~such~~ the hearing,
22 the department shall enter an order either affirming the state assessment or
23 ordering correction thereof as provided in sub. (2). A copy of ~~such~~ the order shall be
24 ~~sent by certified mail~~ provided to the company or companies requesting ~~such~~ the
25 hearing and to any interested party who has made an appearance in ~~such~~ the

1 proceeding. The department may, on its own motion, correct ~~such~~ the state
2 assessment. Any company having filed application for review of the state
3 assessment pursuant to this section, or any other interested party participating in
4 ~~such~~ the hearing, if aggrieved by the order entered by the department, may bring an
5 action in the circuit court for Dane County within 30 days after the entry of ~~such~~ the
6 order to have said order set aside and a redetermination made of the state
7 assessment. In any such action or in any hearing before the department pursuant
8 to this section, any interested party may appear and be heard. An interested party
9 includes any division of government whose revenues would be affected by any
10 adjustment of the state assessment.

11 **SECTION 1134.** 76.13 (2) of the statutes is amended to read:

12 76.13 (2) Every tax roll upon completion shall be delivered to the secretary of
13 administration. The department shall notify, ~~by certified mail,~~ all companies listed
14 on the tax roll of the amount of tax due, which shall be paid to the department. The
15 payment dates provided for in sub. (2a) shall apply. The payment of one-fourth of
16 the tax of any company may, if the company has brought an action in the Dane
17 County circuit court under s. 76.08, be made without delinquent interest as provided
18 in s. 76.14 any time prior to the date upon which the appeal becomes final, but any
19 part of the tax ultimately required to be paid shall bear interest from the original due
20 date to the date the appeal became final at the rate of 12 percent per year and at 1.5
21 percent per month thereafter until paid. The taxes extended against any company
22 after the same become due, with interest, shall be a lien upon all the property of the
23 company prior to all other liens, claims, and demands ~~whatsoever,~~ except as provided
24 in ss. 292.31 (8) (i) and 292.81, ~~which~~ and the lien may be enforced in an action in

1 the name of the state in any court of competent jurisdiction against the property of
2 the company within the state as an entirety.

3 **SECTION 1135.** 76.15 (2) of the statutes is amended to read:

4 76.15 (2) The power to reassess the property of any company defined in s. 76.02
5 and the general property of the state, and to redetermine the average rate of
6 taxation, may be exercised under sub. (1) as often as ~~may be~~ necessary until the
7 amount of taxes legally due from any such company for any year under ss. 76.01 to
8 76.26 has been finally and definitely determined. Whenever any sum or part thereof,
9 levied upon any property subject to taxation under ss. 76.01 to 76.26 so set aside has
10 been paid and not refunded, the payment ~~so made~~ shall be applied upon the
11 reassessment upon the property, and the reassessment of taxes to that extent shall
12 be deemed to be satisfied. When the tax roll on the reassessment is completed and
13 delivered to the secretary of administration, the department shall immediately
14 notify ~~by certified mail~~ each of the several companies taxed to pay the amount of the
15 taxes extended on the tax roll within 30 days.”.

16 **193.** Page 374, line 11: after that line insert:

17 “**SECTION 1136.** 71.07 (9e) (aj) (intro.) of the statutes is amended to read:

18 71.07 (9e) (aj) (intro.) For taxable years beginning after December 31, 2010,
19 and before January 1, 2023, an individual may credit against the tax imposed under
20 s. 71.02 an amount equal to one of the following percentages of the federal basic
21 earned income credit for which the person is eligible for the taxable year under
22 section 32 of the Internal Revenue Code:

23 **SECTION 1137.** 71.07 (9e) (ak) of the statutes is created to read:

1 71.07 **(9e)** (ak) For taxable years beginning after December 31, 2022, an
2 individual may credit against the tax imposed under s. 71.02 an amount equal to one
3 of the following percentages of the federal basic earned income credit for which the
4 individual is eligible for the taxable year under section 32 of the Internal Revenue
5 Code:

6 1. If the individual has one qualifying child who has the same principal place
7 of abode as the individual, 16 percent.

8 2. If the individual has 2 qualifying children who have the same principal place
9 of abode as the individual, 25 percent.

10 3. If the individual has 3 or more qualifying children who have the same
11 principal place of abode as the individual, 34 percent.

12 **SECTION 1138.** 73.03 (73) (f) 1. of the statutes is amended to read:

13 73.03 **(73)** (f) 1. Subject to subd. 2., for taxable years beginning after December
14 31, 2020, the department shall make the pilot program described under par. (b)
15 permanent and applicable to all eligible claimants of the earned income tax credit
16 under s. 71.07 (9e) ~~(aj)~~, based on the specifications described under pars. (b) and (c)
17 2.”.

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

19 “**SECTION 1139.** 71.54 (1) (g) (intro.) of the statutes is amended to read:

20 71.54 **(1)** (g) *2012 and thereafter to 2023*. (intro.) The amount of any claim filed
21 in 2012 ~~and thereafter to 2023~~ and based on property taxes accrued or rent
22 constituting property taxes accrued during the previous year is limited as follows:

23 **SECTION 1140.** 71.54 (1) (g) 4. of the statutes is amended to read:

1 71.54 (1) (g) 4. ~~Except as provided in subds. 5. and 7., for~~ For claims filed in 2018
2 and thereafter and based on property taxes accrued or rent constituting property
3 taxes accrued during the previous year, no credit may be allowed under this
4 paragraph if the claimant has no earned income in the taxable year to which the
5 claim relates unless the claimant is disabled and provides the proof required under
6 subd. 6. or the claimant or the claimant's spouse is over the age of 61 at the close of
7 the year to which the claim relates.

8 **SECTION 1141.** 71.54 (1) (g) 5. of the statutes is repealed.

9 **SECTION 1142.** 71.54 (1) (g) 6. (intro.) of the statutes is amended to read:

10 71.54 (1) (g) 6. (intro.) ~~With regard to a claimant who is disabled, the~~ A claimant
11 who is disabled shall provide with his or her return proof that his or her disability
12 is in effect for the taxable year to which the claim relates. Proof of disability may be
13 demonstrated by any of the following:

14 **SECTION 1143.** 71.54 (1) (g) 7. of the statutes is repealed.

15 **SECTION 1144.** 71.54 (1) (h) of the statutes is created to read:

16 71.54 (1) (h) *2024 and thereafter.* Subject to sub. (2m), the amount of any claim
17 filed in 2024 and thereafter and based on property taxes accrued or rent constituting
18 property taxes accrued during the previous year is limited as follows:

19 1. If the household income was \$8,060 or less in the year to which the claim
20 relates, the claim is limited to 80 percent of the property taxes accrued or rent
21 constituting property taxes accrued or both in that year on the claimant's homestead.

22 2. If the household income was more than \$8,060 in the year to which the claim
23 relates, the claim is limited to 80 percent of the amount by which the property taxes
24 accrued or rent constituting property taxes accrued or both in that year on the

1 claimant's homestead exceeds 5.614 percent of the household income exceeding
2 \$8,060.

3 3. No credit may be allowed if the household income exceeds \$35,000.

4 4. Notwithstanding the time limitations described in par. (g) (intro.), the
5 provisions of par. (g) 4. apply to claims filed under this paragraph.

6 **SECTION 1145.** 71.54 (2) (b) 4. of the statutes is amended to read:

7 71.54 (2) (b) 4. In calendar years 2011 ~~or any subsequent calendar year to 2022,~~
8 \$1,460.

9 **SECTION 1146.** 71.54 (2) (b) 5. of the statutes is created to read:

10 71.54 (2) (b) 5. Subject to sub. (2m), in calendar year 2023 or any subsequent
11 calendar year, \$1,460.

12 **SECTION 1147.** 71.54 (2m) of the statutes is amended to read:

13 71.54 (2m) INDEXING FOR INFLATION; ~~2010~~ 2024 AND THEREAFTER. (a) For calendar
14 years beginning after December 31, 2009, ~~and before January 1, 2011~~ 2023, the dollar
15 amounts of the threshold income under sub. (1) (f) (h) 1. and 2., the maximum
16 household income under sub. (1) (f) (h) 3., and the maximum property taxes under
17 sub. (2) (b) ~~3.~~ 5. shall be increased each year by a percentage equal to the percentage
18 change between the U.S. consumer price index for all urban consumers, U.S. city
19 average, for the 12-month average of the U.S. consumer price index for the month
20 of August of the year before the previous year through the month of July of the
21 previous year and the U.S. consumer price index for all urban consumers, U.S. city
22 average, for the 12-month average of the U.S. consumer price index for August ~~2007~~
23 2021 through July ~~2008~~ 2022, as determined by the federal department of labor,
24 except that the adjustment may occur only if the percentage is a positive number.
25 Each amount that is revised under this paragraph shall be rounded to the nearest

1 multiple of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount
2 is a multiple of \$5, such an amount shall be increased to the next higher multiple of
3 \$10. The department of revenue shall annually adjust the changes in dollar amounts
4 required under this paragraph and incorporate the changes into the income tax
5 forms and instructions.

6 (b) The department of revenue shall annually adjust the slope under sub. (1)
7 ~~(f)~~ (h) 2. ~~such so~~ that, as a claimant's income increases from the threshold income as
8 calculated adjusted under par. (a), to an amount that exceeds the maximum
9 household income as calculated adjusted under par. (a), the credit that may be
10 claimed is reduced to \$0, and the department of revenue shall incorporate the
11 changes into the income tax forms and instructions.

12 **SECTION 9337. Initial applicability; Revenue.**

13 (1e) HOMESTEAD TAX CREDIT. The treatment of s. 71.54 (1) (h) first applies to
14 claims filed for taxable years beginning after December 31, 2022.”.

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

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

17 (1) ENTERPRISE ZONE TAX CREDIT FUNDING REESTIMATE. The secretary of
18 administration shall reestimate the sum sufficient appropriation under s. 20.835 (2)
19 (co) by increasing funding for the enterprise zone program by \$525,000 in the
20 2024-25 fiscal year.”.

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

22 **“SECTION 1148.** 71.07 (3y) (b) 5. of the statutes is amended to read:

23 71.07 (3y) (b) 5. An For taxable years beginning before January 1, 2023, an
24 amount, as determined by the Wisconsin Economic Development Corporation under

1 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant
2 paid to an eligible employee in the taxable year if the position in which the eligible
3 employee was employed was created or retained in connection with the claimant's
4 location or retention of the claimant's corporate headquarters in Wisconsin and the
5 job duties associated with the eligible employee's position involve the performance
6 of corporate headquarters functions.

7 **SECTION 1149.** 71.07 (3y) (b) 5m. of the statutes is created to read:

8 71.07 (3y) (b) 5m. For taxable years beginning after December 31, 2022, an
9 amount, as determined by the Wisconsin Economic Development Corporation under
10 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant
11 paid to an eligible employee in the taxable year if the position in which the eligible
12 employee was employed was created or retained in connection with the claimant's
13 location or retention of the claimant's corporate headquarters in Wisconsin.

14 **SECTION 1150.** 71.28 (3y) (b) 5. of the statutes is amended to read:

15 71.28 (3y) (b) 5. An For taxable years beginning before January 1, 2023, an
16 amount, as determined by the Wisconsin Economic Development Corporation under
17 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant
18 paid to an eligible employee in the taxable year if the position in which the eligible
19 employee was employed was created or retained in connection with the claimant's
20 location or retention of the claimant's corporate headquarters in Wisconsin and the
21 job duties associated with the eligible employee's position involve the performance
22 of corporate headquarters functions.

23 **SECTION 1151.** 71.28 (3y) (b) 5m. of the statutes is created to read:

24 71.28 (3y) (b) 5m. For taxable years beginning after December 31, 2022, an
25 amount, as determined by the Wisconsin Economic Development Corporation under

1 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant
2 paid to an eligible employee in the taxable year if the position in which the eligible
3 employee was employed was created or retained in connection with the claimant's
4 location or retention of the claimant's corporate headquarters in Wisconsin.

5 **SECTION 1152.** 71.47 (3y) (b) 5. of the statutes is amended to read:

6 71.47 (3y) (b) 5. An For taxable years beginning before January 1, 2023, an
7 amount, as determined by the Wisconsin Economic Development Corporation under
8 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant
9 paid to an eligible employee in the taxable year if the position in which the eligible
10 employee was employed was created or retained in connection with the claimant's
11 location or retention of the claimant's corporate headquarters in Wisconsin and the
12 job duties associated with the eligible employee's position involve the performance
13 of corporate headquarters functions.

14 **SECTION 1153.** 71.47 (3y) (b) 5m. of the statutes is created to read:

15 71.47 (3y) (b) 5m. For taxable years beginning after December 31, 2022, an
16 amount, as determined by the Wisconsin Economic Development Corporation under
17 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant
18 paid to an eligible employee in the taxable year if the position in which the eligible
19 employee was employed was created or retained in connection with the claimant's
20 location or retention of the claimant's corporate headquarters in Wisconsin.

21 **SECTION 1154.** 238.308 (4) (a) 3. of the statutes is amended to read:

22 238.308 (4) (a) 3. An amount equal to up to 50 percent of the person's training
23 costs incurred to undertake activities to ~~enhance an eligible employee's general~~
24 ~~knowledge, employability, and flexibility in the workplace; to develop skills unique~~
25 ~~to the person's workplace or equipment; or to develop skills that will increase the~~

1 ~~quality of the person's product~~ upgrade or improve the job-related skills of an eligible
2 employee, train an eligible employee on the use of job-related new technologies, or
3 provide job-related training to an eligible employee whose employment with the
4 person represents the employee's first full-time job.

5 **SECTION 1155.** 238.308 (4) (a) 5. of the statutes is amended to read:

6 238.308 (4) (a) 5. An amount, as determined by the corporation, equal to a
7 percentage of the amount of wages that the person paid to an eligible employee in the
8 taxable year, if the position in which the eligible employee was employed was created
9 or retained in connection with the person's location or retention of the person's
10 corporate headquarters in Wisconsin ~~and the job duties associated with the eligible~~
11 ~~employee's position involve the performance of corporate headquarters functions."~~.

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

13 **"SECTION 1156.** 71.07 (3y) (b) 6. of the statutes is created to read:

14 71.07 (3y) (b) 6. For taxable years beginning after December 31, 2023, an
15 amount, as determined by the Wisconsin Economic Development Corporation under
16 s. 238.308 (4) (a) 6., equal to a percentage, not to exceed 25 percent, of the claimant's
17 energy efficiency or renewable energy project expenditures on real or personal
18 property located in this state.

19 **SECTION 1157.** 71.28 (3y) (b) 6. of the statutes is created to read:

20 71.28 (3y) (b) 6. For taxable years beginning after December 31, 2023, an
21 amount, as determined by the Wisconsin Economic Development Corporation under
22 s. 238.308 (4) (a) 6., equal to a percentage, not to exceed 25 percent, of the claimant's
23 energy efficiency or renewable energy project expenditures on real or personal
24 property located in this state.

1 **SECTION 1158.** 71.47 (3y) (b) 6. of the statutes is created to read:

2 71.47 (3y) (b) 6. For taxable years beginning after December 31, 2023, an
3 amount, as determined by the Wisconsin Economic Development Corporation under
4 s. 238.308 (4) (a) 6., equal to a percentage, not to exceed 25 percent, of the claimant's
5 energy efficiency or renewable energy project expenditures on real or personal
6 property located in this state.

7 **SECTION 1159.** 238.308 (4) (a) 6. of the statutes is created to read:

8 238.308 (4) (a) 6. An amount equal to up to 25 percent of the person's energy
9 efficiency or renewable energy project expenditures on real or personal property
10 located in this state. When making an award under this subdivision, the corporation
11 shall ensure that the percentage of expenditures taken into account positively
12 correlates to the scale of the project.

13 **SECTION 9349. Initial applicability; Wisconsin Economic Development**
14 **Corporation.**

15 (1) ENERGY EFFICIENCY AND RENEWABLE ENERGY PROJECT EXPENDITURES FOR
16 BUSINESS DEVELOPMENT TAX CREDIT. The treatment of s. 238.308 (4) (a) 6. first applies
17 to credits awarded under s. 238.308 on January 1, 2024.”.

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

19 “**SECTION 1160.** 71.07 (5n) (d) 2. of the statutes is amended to read:

20 71.07 (5n) (d) 2. For Except as provided in subd. 2m., for purposes of
21 determining a claimant's eligible qualified production activities income under this
22 subsection, the claimant shall multiply the claimant's qualified production activities
23 income from property manufactured by the claimant by the manufacturing property
24 factor and qualified production activities income from property produced, grown, or

1 extracted by the claimant by the agriculture property factor. This subdivision does
2 not apply if the claimant's entire qualified production activities income results from
3 the sale of tangible personal property that was manufactured, produced, grown, or
4 extracted wholly in this state by the claimant.

5 **SECTION 1161.** 71.07 (5n) (d) 2m. of the statutes is created to read:

6 71.07 (5n) (d) 2m. For taxable years beginning after December 31, 2022, for
7 purposes of determining a claimant's eligible qualified production activities income
8 from manufacturing under this subsection, the claimant shall multiply the
9 claimant's qualified production activities income, not exceeding \$300,000, from
10 property manufactured by the claimant by the manufacturing property factor. This
11 subdivision does not apply if the claimant's entire qualified production activities
12 income results from the sale of tangible personal property that was manufactured,
13 produced, grown, or extracted wholly in this state by the claimant.

14 **SECTION 1162.** 71.28 (5n) (d) 2. of the statutes is amended to read:

15 71.28 (5n) (d) 2. Except as provided in ~~subd.~~ subds. 2m. and 3., for purposes of
16 determining a claimant's eligible qualified production activities income under this
17 subsection, the claimant shall multiply the claimant's qualified production activities
18 income from property manufactured by the claimant by the manufacturing property
19 factor and qualified production activities income from property produced, grown, or
20 extracted by the claimant by the agriculture property factor. This subdivision does
21 not apply if the claimant's entire qualified production activities income results from
22 the sale of tangible personal property that was manufactured, produced, grown, or
23 extracted wholly in this state by the claimant.

24 **SECTION 1163.** 71.28 (5n) (d) 2m. of the statutes is created to read:

1 71.28 (5n) (d) 2m. Except as provided in subd. 3., for taxable years beginning
2 after December 31, 2022, for purposes of determining a claimant's eligible qualified
3 production activities income from manufacturing under this subsection, the
4 claimant shall multiply the claimant's qualified production activities income, not
5 exceeding \$300,000, from property manufactured by the claimant by the
6 manufacturing property factor. This subdivision does not apply if the claimant's
7 entire qualified production activities income results from the sale of tangible
8 personal property that was manufactured, produced, grown, or extracted wholly in
9 this state by the claimant.

10 **SECTION 1164.** 71.28 (5n) (d) 3. a. of the statutes is amended to read:

11 71.28 (5n) (d) 3. a. The eligible qualified production activities income
12 determined under subd. 2. or 2m.”.

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

14 **“SECTION 1165.** 71.07 (4k) (e) 2. a. of the statutes is amended to read:

15 71.07 (4k) (e) 2. a. For taxable years beginning before January 1, 2021, the
16 amount of the claim not used to offset the tax due, not to exceed 10 percent of the
17 allowable amount of the claim under par. (b) 4., 5., or 6., shall be certified by the
18 department of revenue to the department of administration for payment by check,
19 share draft, or other draft drawn from the appropriation account under s. 20.835 (2)
20 (d). For subsequent taxable years beginning after December 31, 2020 and before
21 January 1, 2024, the amount of the claim not used to offset the tax due, up to 15
22 percent of the allowable amount of the claim under par. (b) 4., 5., or 6., shall be
23 certified by the department of revenue to the department of administration for

1 payment by check, share draft, or other draft drawn from the appropriation account
2 under s. 20.835 (2) (d).

3 **SECTION 1166.** 71.07 (4k) (e) 2. ad. of the statutes is created to read:

4 71.07 (4k) (e) 2. ad. For taxable years beginning after December 31, 2023, the
5 amount of the claim not used to offset the tax due, not to exceed 50 percent of the
6 allowable amount of the claim under par. (b) 4., 5., or 6., shall be certified by the
7 department of revenue to the department of administration for payment by check,
8 share draft, or other draft drawn from the appropriation account under s. 20.835 (2)
9 (d).

10 **SECTION 1167.** 71.07 (4k) (e) 2. b. of the statutes is amended to read:

11 71.07 (4k) (e) 2. b. The amount of the claim not used to offset the tax due and
12 not certified for payment under subd. 2. a. or 2. ad. may be carried forward and
13 credited against Wisconsin income taxes otherwise due for the following 15 taxable
14 years to the extent not offset by these taxes otherwise due in all intervening years
15 between the year in which the expense was incurred and the year in which the
16 carry-forward credit is claimed.

17 **SECTION 1168.** 71.28 (4) (k) 1. b. of the statutes is amended to read:

18 71.28 (4) (k) 1. b. For taxable years beginning after December 31, 2020 and
19 before January 1, 2024, the amount of the claim not used to offset the tax due, up to
20 15 percent of the allowable amount of the claim under par. (ad) 4., 5., or 6., shall be
21 certified by the department of revenue to the department of administration for
22 payment by check, share draft, or other draft drawn from the appropriation account
23 under s. 20.835 (2) (d).

24 **SECTION 1169.** 71.28 (4) (k) 1. c. of the statutes is created to read:

1 71.28 (4) (k) 1. c. For taxable years beginning after December 31, 2023, the
2 amount of the claim not used to offset the tax due, not to exceed 50 percent of the
3 allowable amount of the claim under par. (ad) 4., 5., or 6., shall be certified by the
4 department of revenue to the department of administration for payment by check,
5 share draft, or other draft drawn from the appropriation account under s. 20.835 (2)
6 (d).

7 **SECTION 1170.** 71.47 (4) (k) 1. b. of the statutes is amended to read:

8 71.47 (4) (k) 1. b. For taxable years beginning after December 31, 2020 and
9 before January 1, 2024, the amount of the claim not used to offset the tax due, up to
10 15 percent of the allowable amount of the claim under par. (ad) 4., 5., or 6., shall be
11 certified by the department of revenue to the department of administration for
12 payment by check, share draft, or other draft drawn from the appropriation account
13 under s. 20.835 (2) (d).

14 **SECTION 1171.** 71.47 (4) (k) 1. c. of the statutes is created to read:

15 71.47 (4) (k) 1. c. For taxable years beginning after December 31, 2023, the
16 amount of the claim not used to offset the tax due, not to exceed 50 percent of the
17 allowable amount of the claim under par. (ad) 4., 5., or 6., shall be certified by the
18 department of revenue to the department of administration for payment by check,
19 share draft, or other draft drawn from the appropriation account under s. 20.835 (2)
20 (d).”.

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

22 **“SECTION 1172.** 20.115 (7) (gc) of the statutes is amended to read:

1 20.115 (7) (gc) *Industrial hemp and marijuana*. All moneys received under s.
2 94.55 for regulation of activities relating to industrial hemp under s. 94.55 and to
3 marijuana under s. 94.56.

4 **SECTION 1173.** 20.115 (7) (ge) of the statutes is created to read:

5 20.115 (7) (ge) *Marijuana producers and processors; official logotype*. All
6 moneys received under s. 94.56 for regulation of activities relating to marijuana
7 under s. 94.56, for conducting public awareness campaigns under s. 94.56, and for
8 the creation of a logotype under s. 100.145.

9 **SECTION 1174.** 20.435 (5) (q) of the statutes is created to read:

10 20.435 (5) (q) *Payments to counties*. From the community reinvestment fund,
11 all moneys received under subch. IV of ch. 139 for grants to counties under s. 250.22.

12 **SECTION 1175.** 20.566 (1) (bn) of the statutes is created to read:

13 20.566 (1) (bn) *Administration and enforcement of marijuana tax and*
14 *regulation*. The amounts in the schedule for the purposes of administering the
15 marijuana tax imposed under subch. IV of ch. 139 and for the costs incurred in
16 enforcing the taxing and regulation of marijuana producers, marijuana processors,
17 and marijuana retailers under subch. IV of ch. 139.

18 **SECTION 1176.** 20.835 (2) (eq) of the statutes is created to read:

19 20.835 (2) (eq) *Marijuana tax refunds*. A sum sufficient to pay refunds under
20 subch. IV of ch. 139.

21 **SECTION 1177.** 25.316 of the statutes is created to read:

22 **25.316 Community reinvestment fund.** There is established a separate
23 nonlapsible trust fund, designated the community reinvestment fund consisting of
24 all moneys received under subch. IV of ch. 139, including interest and penalties.

25 **SECTION 1178.** 49.148 (4) (a) of the statutes is amended to read:

1 49.148 (4) (a) A Wisconsin ~~works~~ Works agency shall require a participant in
2 a community service job or transitional placement who, after August 22, 1996, was
3 convicted in any state or federal court of a felony that had as an element possession,
4 use or distribution of a controlled substance to submit to a test for use of a controlled
5 substance as a condition of continued eligibility. If the test results are positive, the
6 Wisconsin ~~works~~ Works agency shall decrease the presanction benefit amount for
7 that participant by not more than 15 percent for not fewer than 12 months, or for the
8 remainder of the participant's period of participation in a community service job or
9 transitional placement, if less than 12 months. If, at the end of 12 months, the
10 individual is still a participant in a community service job or transitional placement
11 and submits to another test for use of a controlled substance and if the results of the
12 test are negative, the Wisconsin ~~works~~ Works agency shall discontinue the reduction
13 under this paragraph. In this subsection, "controlled substance" does not include
14 tetrahydrocannabinols in any form, including tetrahydrocannabinols contained in
15 marijuana, obtained from marijuana, or chemically synthesized.

16 **SECTION 1179.** 49.79 (1) (b) of the statutes is amended to read:

17 49.79 (1) (b) "Controlled substance" has the meaning given in 21 USC 802 (6),
18 except that "controlled substance" does not include tetrahydrocannabinols in any
19 form, including tetrahydrocannabinols contained in marijuana, obtained from
20 marijuana, or chemically synthesized.

21 **SECTION 1180.** 59.54 (25) (title) of the statutes is amended to read:

22 59.54 (25) (title) POSSESSION REGULATION OF MARIJUANA.

23 **SECTION 1181.** 59.54 (25) (a) (intro.) of the statutes is amended to read:

24 59.54 (25) (a) (intro.) The board may enact and enforce an ordinance to prohibit
25 ~~the possession of marijuana, as defined in s. 961.01 (14), subject to the exceptions in~~

1 ~~s. 961.41 (3g) (intro.), and provide a forfeiture for a violation of the ordinance that~~
2 ~~is consistent with s. 961.71 or 961.72;~~ except that if a complaint is issued regarding
3 an allegation of possession of more than 25 grams of marijuana, or possession of any
4 amount of marijuana following a conviction in this state for possession of marijuana
5 alleging a violation of s. 961.72 (2) (b) 2. or (c) 3., the subject of the complaint may
6 not be prosecuted under this subsection for the same action that is the subject of the
7 complaint unless all of the following occur:

8 **SECTION 1182.** 66.0107 (1) (bm) of the statutes is amended to read:

9 66.0107 (1) (bm) Enact and enforce an ordinance ~~to prohibit the possession of~~
10 marijuana, as defined in s. 961.01 (14), ~~subject to the exceptions in s. 961.41 (3g)~~
11 ~~(intro.), and provide a forfeiture for a violation of the ordinance that is consistent~~
12 with s. 961.71 or 961.72; except that if a complaint is issued regarding an allegation
13 of possession of more than 25 grams of marijuana, or possession of any amount of
14 marijuana following a conviction in this state for possession of marijuana alleging
15 a violation of s. 961.72 (2) (b) 2. or (c) 3., the subject of the complaint may not be
16 prosecuted under this paragraph for the same action that is the subject of the
17 complaint unless the charges are dismissed or the district attorney declines to
18 prosecute the case.

19 **SECTION 1183.** 66.04185 of the statutes is created to read:

20 **66.04185 Cultivation of tetrahydrocannabinols.** No city, village, town, or
21 county may prohibit cultivating tetrahydrocannabinols outdoors if the cultivation is
22 by an individual who has no more than 6 marijuana plants at one time for his or her
23 personal use.

24 **SECTION 1184.** 73.17 of the statutes is created to read:

1 **73.17 Medical marijuana registry program. (1) DEFINITIONS.** In this
2 section:

3 (a) “Debilitating medical condition or treatment” means any of the following:

4 1. Cancer; glaucoma; acquired immunodeficiency syndrome; a positive test for
5 the presence of HIV, antigen or nonantigenic products of HIV, or an antibody to HIV;
6 inflammatory bowel disease, including ulcerative colitis or Crohn’s disease; a
7 hepatitis C virus infection; Alzheimer’s disease; amyotrophic lateral sclerosis; nail
8 patella syndrome; Ehlers–Danlos Syndrome; post-traumatic stress disorder; or the
9 treatment of these conditions.

10 2. A chronic or debilitating disease or medical condition or the treatment of
11 such a disease or condition that causes cachexia, severe pain, severe nausea,
12 seizures, including those characteristic of epilepsy, or severe and persistent muscle
13 spasms, including those characteristic of multiple sclerosis.

14 (b) “Department” means the department of revenue.

15 (c) “Physician” means a person licensed under s. 448.04 (1) (a).

16 (d) “Qualifying patient” means a person who has been diagnosed by a physician
17 as having or undergoing a debilitating medical condition or treatment but does not
18 include a person under the age of 18 years.

19 (e) “Tax exemption certificate” means a certificate to claim the exemption under
20 s. 77.54 (71).

21 (f) “Usable marijuana” has the meaning given in s. 139.97 (13).

22 (g) “Written certification” means means a statement made by a person’s
23 physician if all of the following apply:

24 1. The statement indicates that, in the physician’s professional opinion, the
25 person has or is undergoing a debilitating medical condition or treatment and the

1 potential benefits of the person's use of usable marijuana would likely outweigh the
2 health risks for the person.

3 2. The statement indicates that the opinion described in subd. 1. was formed
4 after a full assessment of the person's medical history and current medical condition
5 that was conducted no more than 6 months prior to making the statement and that
6 was made in the course of a bona fide physician-patient relationship.

7 3. The statement is signed by the physician or is contained in the person's
8 medical records.

9 4. The statement contains an expiration date that is no more than 48 months
10 after issuance and the statement has not expired.

11 **(2) APPLICATION.** An adult who is claiming to be a qualifying patient may apply
12 for a registry identification card by submitting to the department a signed
13 application form containing or accompanied by all of the following:

14 (a) His or her name, address, and date of birth.

15 (b) A written certification.

16 (c) The name, address, and telephone number of the person's current physician,
17 as listed in the written certification.

18 **(3) PROCESSING THE APPLICATION.** The department shall verify the information
19 contained in or accompanying an application submitted under sub. (2) and shall
20 approve or deny the application within 30 days after receiving it. The department
21 may deny an application submitted under sub. (2) only if the required information
22 has not been provided or if false information has been provided.

23 **(4) ISSUING A REGISTRY IDENTIFICATION CARD AND TAX EXEMPTION CERTIFICATE.** The
24 department shall issue to the applicant a registry identification card and tax
25 exemption certificate within 5 days after approving an application under sub. (3).

1 Unless voided under sub. (5) (b) or revoked under rules issued by the department
2 under sub. (7), a registry identification card and tax exemption certificate shall
3 expire 4 years from the date of issuance. A tax exemption certificate shall contain
4 the information determined by the department. A registry identification card shall
5 contain all of the following:

6 (a) The name, address, and date of birth of the registrant.

7 (b) The date of issuance and expiration date of the registry identification card.

8 (c) A photograph of the registrant.

9 (d) Other information the department may require by rule.

10 **(5) ADDITIONAL INFORMATION TO BE PROVIDED BY REGISTRANT.** (a) A registrant
11 shall notify the department of any change in the registrant's name and address. A
12 registrant who is a qualifying patient shall notify the department of any change in
13 his or her physician or of any significant improvement in his or her health as it
14 relates to his or her debilitating medical condition or treatment.

15 (b) If a registrant fails to notify the department within 10 days after any change
16 for which notification is required under par. (a), his or her registry identification card
17 and tax exemption certificate is void.

18 **(6) RECORDS.** (a) The department shall maintain a list of all registrants.

19 (b) Notwithstanding s. 19.35 and except as provided in par. (c), the department
20 may not disclose information from an application submitted or a registry
21 identification card issued under this section.

22 (c) The department may disclose to state or local law enforcement agencies
23 information from an application submitted by, or from a registry identification card
24 issued to, a specific person under this section for the purpose of verifying that the
25 person possesses a valid registry identification card.

1 **(7) RULES.** The department shall promulgate rules to implement this section.

2 **SECTION 1185.** 77.54 (71) of the statutes is created to read:

3 **77.54 (71)** The sales price from the sale of and the storage, use, or other
4 consumption of usable marijuana, as defined in s. 139.97 (13), purchased by an
5 individual who holds a valid certificate issued under s. 73.17 (4).

6 **SECTION 1186.** 94.55 (2t) of the statutes is repealed.

7 **SECTION 1187.** 94.56 of the statutes is created to read:

8 **94.56 Marijuana producers and processors. (1) DEFINITIONS.** In this
9 section:

10 (a) “Labor peace agreement” means an agreement between a person applying
11 for a permit under this section and a labor organization, as defined in s. 5.02 (8m),
12 that does all of the following:

13 1. Prohibits labor organizations and its members from engaging in picketing,
14 work stoppages, boycotts, and any other economic interference with persons doing
15 business in this state.

16 2. Prohibits the applicant from disrupting the efforts of the labor organization
17 to communicate with and to organize and represent the applicant’s employees.

18 3. Provides the labor organization access at reasonable times to areas in which
19 the applicant’s employees work for the purpose of meeting with employees to discuss
20 their right to representation, employment rights under state law, and terms and
21 conditions of employment.

22 (b) “Marijuana” has the meaning given in s. 961.70 (2).

23 (c) “Marijuana processor” has the meaning given in s. 139.97 (6).

24 (d) “Marijuana producer” has the meaning given in s. 139.97 (7).

25 (e) “Usable marijuana” has the meaning given in s. 139.97 (13).

1 (f) "Permittee" means a marijuana producer or marijuana processor who is
2 issued a permit under this section.

3 (2) PERMIT REQUIRED. (a) No person may operate in this state as a marijuana
4 producer or marijuana processor without a permit from the department. A person
5 who acts as a marijuana producer and a marijuana processor shall obtain a separate
6 permit for each activity. A permit issued under this section is not transferable from
7 one person to another or from one premises to another. A separate permit is required
8 for each place in this state where the operations of a marijuana producer or
9 marijuana processor occur. A person is not required to obtain a permit under this
10 section if the person produces or processes only industrial hemp and holds a valid
11 license under s. 94.55.

12 (b) This subsection applies to all officers, directors, agents, and stockholders
13 holding 5 percent or more of the stock of any corporation applying for a permit under
14 this section.

15 (c) Subject to ss. 111.321, 111.322, and 111.335, a permit under this section may
16 not be granted to any person to whom any of the following applies:

17 1. The person has been convicted of a violent misdemeanor, as defined in s.
18 941.29 (1g) (b), at least 3 times.

19 2. The person has been convicted of a violent felony, as defined in s. 941.29 (1g)
20 (a), unless pardoned.

21 3. During the preceding 3 years, the person has been committed under s. 51.20
22 for being drug dependent.

23 4. The person chronically and habitually uses alcohol beverages or other
24 substances to the extent that his or her normal faculties are impaired. A person is
25 presumed to chronically and habitually use alcohol beverages or other substances to

1 the extent that his or her normal faculties are impaired if, within the preceding 3
2 years, any of the following applies:

3 a. The person has been committed for involuntary treatment under s. 51.45
4 (13).

5 b. The person has been convicted of a violation of s. 941.20 (1) (b).

6 c. In 2 or more cases arising out of separate incidents, a court has found the
7 person to have committed a violation of s. 346.63 or a local ordinance in conformity
8 with that section; a violation of a law of a federally recognized American Indian tribe
9 or band in this state in conformity with s. 346.63; or a violation of the law of another
10 jurisdiction, as defined in s. 340.01 (41m), that prohibits use of a motor vehicle while
11 intoxicated, while under the influence of a controlled substance, a controlled
12 substance analog, or a combination thereof, with an excess or specified range of
13 alcohol concentration, or while under the influence of any drug to a degree that
14 renders the person incapable of safely driving, as those or substantially similar
15 terms are used in that jurisdiction's laws.

16 5. The person has income that comes principally from gambling or has been
17 convicted of 2 or more gambling offenses.

18 6. The person has been convicted of crimes relating to prostitution.

19 7. The person has been convicted of crimes relating to loaning money or
20 anything of value to persons holding licenses or permits pursuant to ch. 125.

21 8. The person is under the age of 21.

22 9. The person has not been a resident of this state continuously for at least 90
23 days prior to the application date.

24 (cm) An applicant with 20 or more employees may not receive a permit under
25 this section unless the applicant certifies to the department that the applicant has

1 entered into a labor peace agreement and will abide by the terms of the agreement
2 as a condition of maintaining a valid permit under this section. The applicant shall
3 submit to the department a copy of the page of the labor peace agreement that
4 contains the signatures of the labor organization representative and 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 may deny a permit to an
11 applicant with a low score as determined under this paragraph. The department
12 may request that the applicant provide any information or documentation that the
13 department deems necessary for purposes of making a determination under this
14 paragraph.

15 (d) 1. Before the department issues a new or renewed permit under this section,
16 the department shall give notice of the permit application to the governing body of
17 the municipality where the permit applicant intends to operate the premises of a
18 marijuana producer or marijuana processor. No later than 30 days after the
19 department submits the notice, the governing body of the municipality may file with
20 the department a written objection to granting or renewing the permit. At the
21 municipality's request, the department may extend the period for filing objections.

22 2. A written objection filed under subd. 1. shall provide all the facts on which
23 the objection is based. In determining whether to grant or deny a permit for which
24 an objection has been filed under this paragraph, the department shall give
25 substantial weight to objections from a municipality based on chronic illegal activity

1 associated with the premises for which the applicant seeks a permit or the premises
2 of any other operation in this state for which the applicant holds or has held a valid
3 permit or license, the conduct of the applicant's patrons inside or outside the
4 premises of any other operation in this state for which the applicant holds or has held
5 a valid permit or license, and local zoning ordinances. In this subdivision, "chronic
6 illegal activity" means a pervasive pattern of activity that threatens the public
7 health, safety, and welfare of the municipality, including any crime or ordinance
8 violation, and that is documented in crime statistics, police reports, emergency
9 medical response data, calls for service, field data, or similar law enforcement agency
10 records.

11 (e) After denying a permit, the department shall immediately notify the
12 applicant in writing of the denial and the reasons for the denial. After making a
13 decision to grant or deny a permit for which a municipality has filed an objection
14 under par. (d), the department shall immediately notify the governing body of the
15 municipality in writing of its decision and the reasons for the decision.

16 (f) 1. The department's denial of a permit under this section is subject to judicial
17 review under ch. 227.

18 2. The department's decision to grant a permit under this section regardless of
19 an objection filed under par. (d) is subject to judicial review under ch. 227.

20 (g) The department shall not issue a permit under this section to any person
21 who does not hold a valid certificate under s. 73.03 (50).

22 **(3) FEES; TERM.** (a) Each person who applies for a permit under this section
23 shall submit with the application a \$250 fee. A permit issued under this section is
24 valid for one year and may be renewed, except that the department may revoke or
25 suspend a permit prior to its expiration. A person is not entitled to a refund of the

1 fees paid under this subsection if the person's permit is denied, revoked, or
2 suspended.

3 (b) A permittee shall annually pay to the department a fee for as long as the
4 person holds a valid permit under this section. The annual fee for a marijuana
5 processor permittee is \$2,000. The annual fee for a marijuana producer permittee
6 is one of the following, unless the department, by rule, establishes a higher amount:

7 1. If the permittee plants, grows, cultivates, or harvests not more than 1,800
8 marijuana plants, \$1,800.

9 2. If the permittee plants, grows, cultivates, or harvests more than 1,800 but
10 not more than 3,600 marijuana plants, \$2,900.

11 3. If the permittee plants, grows, cultivates, or harvests more than 3,600 but
12 not more than 6,000 marijuana plants, \$3,600.

13 4. If the permittee plants, grows, cultivates, or harvests more than 6,000 but
14 not more than 10,200 marijuana plants, \$5,100.

15 5. If the permittee plants, grows, cultivates, or harvests more than 10,200
16 marijuana plants, \$7,100 plus \$800 for every 3,600 marijuana plants over 10,200.

17 (4) SCHOOLS. The department may not issue a permit under this section to
18 operate any premises that are within 500 feet of the perimeter of the grounds of any
19 elementary or secondary school, playground, recreation facility, child care facility,
20 public park, public transit facility, or library.

21 (5) EDUCATION AND AWARENESS CAMPAIGN. The department shall develop and
22 make available training programs for marijuana producers on how to safely and
23 efficiently plant, grow, cultivate, harvest, and otherwise handle marijuana, and for
24 marijuana processors on how to safely and efficiently produce and handle marijuana
25 products and test marijuana for contaminants. The department shall conduct an

1 awareness campaign to inform potential marijuana producers and marijuana
2 processors of the availability and viability of marijuana as a crop or product in this
3 state.

4 (6) RULES. The department shall promulgate rules necessary to administer and
5 enforce this section, including rules relating to the inspection of the plants, facilities,
6 and products of permittees; training requirements for employees of permittees; and
7 the competitive scoring system for determining which applicants are eligible to
8 receive a permit under this section.

9 (7) PENALTIES. (a) Unless another penalty is prescribed for the violation, any
10 person who violates sub. (2), fails to pay the required fee under sub. (3), or violates
11 any of the requirements established by the rules promulgated under sub. (6) shall
12 be fined not less than \$100 nor more than \$500 or imprisoned not more than 6 months
13 or both.

14 (b) In addition to the penalties imposed under par. (a), the department shall
15 revoke the permit of any person convicted of any violation described under par. (a)
16 and not issue another permit to that person for a period of 2 years following the
17 revocation. The department may suspend or revoke the permit of any permittee who
18 violates s. 100.30, any provision of this section, or any rules promulgated under sub.
19 (6). The department shall revoke the permit of any permittee who violates s. 100.30
20 3 or more times within a 5-year period.

21 **SECTION 1188.** 94.57 of the statutes is created to read:

22 **94.57 Testing laboratories.** The department shall register entities as
23 tetrahydrocannabinols testing laboratories. The laboratories may possess or
24 manufacture tetrahydrocannabinols or drug paraphernalia and shall perform the
25 following services:

1 (1) Test marijuana produced for the medical use of tetrahydrocannabinols for
2 potency and for mold, fungus, pesticides, and other contaminants.

3 (2) Collect information on research findings and conduct research related to
4 the medical use of tetrahydrocannabinols, including research that identifies
5 potentially unsafe levels of contaminants.

6 (3) Provide training on the following:

7 (a) The safe and efficient cultivation, harvesting, packaging, labeling, and
8 distribution of marijuana for the medical use of tetrahydrocannabinols.

9 (b) Security and inventory accountability procedures.

10 (c) The most recent research on the use of tetrahydrocannabinols.

11 **SECTION 1189.** 100.145 of the statutes is created to read:

12 **100.145 Recreational marijuana logotype.** The department shall design
13 an official logotype appropriate for including on a label affixed to recreational
14 marijuana under s. 139.973 (10) (a).

15 **SECTION 1190.** 108.02 (18r) of the statutes is created to read:

16 108.02 (18r) MARIJUANA. “Marijuana” has the meaning given in s. 111.32 (11m).

17 **SECTION 1191.** 108.04 (5m) of the statutes is created to read:

18 108.04 (5m) DISCHARGE FOR USE OF MARIJUANA. (a) Notwithstanding sub. (5),
19 “misconduct,” for purposes of sub. (5), does not include the employee’s use of
20 marijuana off the employer’s premises during nonworking hours or a violation of the
21 employer’s policy concerning such use, unless termination of the employee because
22 of that use is permitted under s. 111.35.

23 (b) Notwithstanding sub. (5g), “substantial fault,” for purposes of sub. (5g), does
24 not include the employee’s use of marijuana off the employer’s premises during

1 nonworking hours or a violation of the employer's policy concerning such use, unless
2 termination of the employee because of that use is permitted under s. 111.35.

3 **SECTION 1192.** 111.32 (9m) of the statutes is created to read:

4 111.32 (9m) "Lawful product" includes marijuana.

5 **SECTION 1193.** 111.32 (11m) of the statutes is created to read:

6 111.32 (11m) "Marijuana" means all parts of the plants of the genus Cannabis,
7 whether growing or not; the seeds thereof; the resin extracted from any part of the
8 plant; and every compound, manufacture, salt, derivative, mixture, or preparation
9 of the plant, its seeds or resin, including tetrahydrocannabinols.

10 **SECTION 1194.** 111.35 (2) (e) of the statutes is amended to read:

11 111.35 (2) (e) Conflicts with any federal or state statute, rule or regulation.

12 This paragraph does not apply with respect to violations concerning marijuana or
13 tetrahydrocannabinols under 21 USC 841 to 865.

14 **SECTION 1195.** 114.09 (2) (bm) 1. (intro.) of the statutes is amended to read:

15 114.09 (2) (bm) 1. (intro.) Except as provided in subd. 1. a. or b., the court shall
16 order the person violating sub. (1) (b) 1. or 1m. to submit to and comply with an
17 assessment by an approved public treatment facility as defined in s. 51.45 (2) (c) for
18 examination of the person's use of alcohol, tetrahydrocannabinols, controlled
19 substances, or controlled substance analogs and development of an airman safety
20 plan for the person. The court shall notify the person, the department, and the proper
21 federal agency of the assessment order. The assessment order shall:

22 **SECTION 1196.** 114.09 (2) (bm) 4. of the statutes is amended to read:

23 114.09 (2) (bm) 4. The assessment report shall order compliance with an
24 airman safety plan. The report shall inform the person of the fee provisions under
25 s. 46.03 (18) (f). The safety plan may include a component that makes the person

1 aware of the effect of his or her offense on a victim and a victim's family. The safety
2 plan may include treatment for the person's misuse, abuse, or dependence on alcohol,
3 tetrahydrocannabinols, controlled substances, or controlled substance analogs. If
4 the plan requires inpatient treatment, the treatment shall not exceed 30 days. An
5 airman safety plan under this paragraph shall include a termination date consistent
6 with the plan that shall not extend beyond one year. The county department under
7 s. 51.42 shall assure notification of the department of transportation and the person
8 of the person's compliance or noncompliance with assessment and treatment.

9 **SECTION 1197.** 115.35 (1) of the statutes is renumbered 115.35 (1) (a) (intro.)
10 and amended to read:

11 115.35 (1) (a) (intro.) A critical health problems education program is
12 established in the department. The program shall be a systematic and integrated
13 program designed to provide appropriate learning experiences based on scientific
14 knowledge of the human organism as it functions within its environment and
15 designed to favorably influence the health, understanding, attitudes and practices
16 of the individual child which will enable him or her to adapt to changing health
17 problems of our society. The program shall be designed to educate youth with regard
18 to critical health problems and shall include, but not be limited to, the following
19 topics as the basis for comprehensive education curricula in all elementary and
20 secondary schools: ~~controlled~~

21 1. Controlled substances, as defined in s. 961.01 (4); controlled substance
22 analogs, as defined in s. 961.01 (4m); alcohol; and tobacco; ~~mental.~~

23 2. Mental health; ~~sexually.~~

24 3. Sexually transmitted diseases, including acquired immunodeficiency
25 syndrome; ~~human.~~

1 retail outlets, and sells at wholesale or otherwise transfers usable marijuana to
2 marijuana distributors.

3 (7) “Marijuana producer” means a person in this state who produces marijuana
4 and sells it at wholesale or otherwise transfers it to marijuana processors.

5 (8) “Marijuana retailer” means a person in this state that sells usable
6 marijuana at a retail outlet.

7 (9) “Microbusiness” means a marijuana producer that produces marijuana in
8 one area that is less than 10,000 square feet and who also operates as any 2 of the
9 following:

10 (a) A marijuana processor.

11 (b) A marijuana distributor.

12 (c) A marijuana retailer.

13 (10) “Permittee” means a marijuana producer, marijuana processor, marijuana
14 distributor, marijuana retailer, or microbusiness that is issued a permit under s.
15 139.972.

16 (11) “Retail outlet” means a location for the retail sale of usable marijuana.

17 (12) “Sales price” has the meaning given in s. 77.51 (15b).

18 (13) “Usable marijuana” means marijuana that has been processed for human
19 consumption and includes dried marijuana flowers, marijuana-infused products,
20 and marijuana edibles.

21 **139.971 Marijuana tax.** (1) (a) An excise tax is imposed on a marijuana
22 producer at the rate of 15 percent of the sales price on each wholesale sale or transfer
23 in this state of marijuana to a marijuana processor. This paragraph applies to a
24 microbusiness that transfers marijuana to a processing operation within the
25 microbusiness.

1 (b) An excise tax is imposed on a marijuana retailer at the rate of 10 percent
2 of the sales price on each retail sale in this state of usable marijuana, except that the
3 tax does not apply to sales of usable marijuana to an individual who holds a valid tax
4 exemption certificate issued under s. 73.17 (4).

5 (2) Each person liable for the taxes imposed under sub. (1) shall pay the taxes
6 to the department no later than the 15th day of the month following the month in
7 which the person's tax liability is incurred and shall include with the payment a
8 return on a form prescribed by the department.

9 (3) For purposes of this section, a marijuana producer may not sell marijuana
10 directly to a marijuana distributor or marijuana retailer, and a marijuana retailer
11 may purchase usable marijuana for resale only from a marijuana distributor. This
12 subsection does not apply to a microbusiness that transfers marijuana or usable
13 marijuana to another operation with the microbusiness.

14 **139.972 Permits required.** (1) (a) No person may operate in this state as a
15 marijuana producer, marijuana processor, marijuana distributor, marijuana
16 retailer, or microbusiness without first filing an application for and obtaining the
17 proper permit from the department to perform such operations. In addition, no
18 person may operate in this state as a marijuana producer or marijuana processor
19 without first filing an application for and obtaining the proper permit under s. 94.56.

20 (b) This section applies to all officers, directors, agents, and stockholders
21 holding 5 percent or more of the stock of any corporation applying for a permit under
22 this section.

23 (c) Subject to ss. 111.321, 111.322, and 111.335, a permit under this section may
24 not be granted to any person to whom any of the following applies:

1 1. The person has been convicted of a violent misdemeanor, as defined in s.
2 941.29 (1g) (b), at least 3 times.

3 2. The person has been convicted of a violent felony, as defined in s. 941.29 (1g)
4 (a), unless pardoned.

5 3. During the preceding 3 years, the person has been committed under s. 51.20
6 for being drug dependent.

7 4. The person chronically and habitually uses alcohol beverages or other
8 substances to the extent that his or her normal faculties are impaired. A person is
9 presumed to chronically and habitually use alcohol beverages or other substances to
10 the extent that his or her normal faculties are impaired if, within the preceding 3
11 years, any of the following applies:

12 a. The person has been committed for involuntary treatment under s. 51.45
13 (13).

14 b. The person has been convicted of a violation of s. 941.20 (1) (b).

15 c. In 2 or more cases arising out of separate incidents, a court has found the
16 person to have committed a violation of s. 346.63 or a local ordinance in conformity
17 with that section; a violation of a law of a federally recognized American Indian tribe
18 or band in this state in conformity with s. 346.63; or a violation of the law of another
19 jurisdiction, as defined in s. 340.01 (41m), that prohibits use of a motor vehicle while
20 intoxicated, while under the influence of a controlled substance, a controlled
21 substance analog, or a combination thereof, with an excess or specified range of
22 alcohol concentration, or while under the influence of any drug to a degree that
23 renders the person incapable of safely driving, as those or substantially similar
24 terms are used in that jurisdiction's laws.

1 5. The person has income that comes principally from gambling or has been
2 convicted of 2 or more gambling offenses.

3 6. The person has been convicted of crimes relating to prostitution.

4 7. The person has been convicted of of crimes relating to loaning money or
5 anything of value to persons holding licenses or permits pursuant to ch. 125.

6 8. The person is under the age of 21.

7 9. The person has not been a resident of this state continuously for at least 90
8 days prior to the application date.

9 (cm) An applicant with 20 or more employees may not receive a permit under
10 this section to operate as a marijuana distributor or marijuana retailer unless the
11 applicant certifies to the department that the applicant has entered into a labor
12 peace agreement, as defined in s. 94.56 (1) (a), and will abide by the terms of the
13 agreement as a condition of maintaining a valid permit under this section. The
14 applicant shall submit to the department a copy of the page of the labor peace
15 agreement that contains the signatures of the labor organization representative and
16 the applicant.

17 (cn) The department shall use a competitive scoring system to determine which
18 applicants are eligible to receive a permit under this section. The department shall
19 issue permits to the highest scoring applicants that it determines will best protect
20 the environment; provide stable, family-supporting jobs to local residents; ensure
21 worker and consumer safety; operate secure facilities; and uphold the laws of the
22 jurisdictions in which they operate. The department shall, using criteria established
23 by rule, score an applicant for a permit to operate as a marijuana retailer on the
24 applicant's ability to articulate a social equity plan related to the operation of a
25 marijuana retail establishment. The department may deny a permit to an applicant

1 with a low score as determined under this paragraph. The department may request
2 that the applicant provide any information or documentation that the department
3 deems necessary for purposes of making a determination under this 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, marijuana processor, marijuana distributor, marijuana
8 retailer, or microbusiness. No later than 30 days after the department submits the
9 notice, the governing body of the municipality may file with the department a written
10 objection to granting or renewing the permit. At the municipality's request, the
11 department may extend the period for filing objections.

12 2. A written objection filed under subd. 1. shall provide all the facts on which
13 the objection is based. In determining whether to grant or deny a permit for which
14 an objection has been filed under this paragraph, the department shall give
15 substantial weight to objections from a municipality based on chronic illegal activity
16 associated with the premises for which the applicant seeks a permit or the premises
17 of any other operation in this state for which the applicant holds or has held a valid
18 permit or license, the conduct of the applicant's patrons inside or outside the
19 premises of any other operation in this state for which the applicant holds or has held
20 a valid permit or license, and local zoning ordinances. In this subdivision, "chronic
21 illegal activity" means a pervasive pattern of activity that threatens the public
22 health, safety, and welfare of the municipality, including any crime or ordinance
23 violation, and that is documented in crime statistics, police reports, emergency
24 medical response data, calls for service, field data, or similar law enforcement agency
25 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 **(2)** Each person who applies for a permit under this section shall submit with
13 the application a \$250 fee. Each person who is granted a permit under this section
14 shall annually pay to the department a \$2,000 fee for as long as the person holds a
15 valid permit under this section. A permit issued under this section is valid for one
16 year and may be renewed, except that the department may revoke or suspend a
17 permit prior to its expiration. A person is not entitled to a refund of the fees paid
18 under this subsection if the person's permit is denied, revoked, or suspended.

19 **(3)** The department may not issue a permit under this section to operate any
20 premises which are within 500 feet of the perimeter of the grounds of any elementary
21 or secondary school, playground, recreation facility, child care facility, public park,
22 public transit facility, or library.

23 **(4)** Under this section, a separate permit is required for and issued to each class
24 of permittee, and the permit holder may perform only the operations authorized by
25 the permit. A permit issued under this section is not transferable from one person

1 to another or from one premises to another. A separate permit is required for each
2 place in this state where the operations of a marijuana producer, marijuana
3 processor, marijuana distributor, marijuana retailer, or microbusiness occur,
4 including each retail outlet. No person who has been issued a permit to operate as
5 a marijuana retailer, or who has any direct or indirect financial interest in the
6 operation of a marijuana retailer, shall be issued a permit to operate as a marijuana
7 producer, marijuana processor, or marijuana distributor. A person who has been
8 issued a permit to operate as a microbusiness is not required to hold separate permits
9 to operate as a marijuana processor, marijuana distributor, or marijuana retailer,
10 but shall specify on the person's application for a microbusiness permit the activities
11 that the person will be engaged in as a microbusiness.

12 (5) Each person issued a permit under this section shall post the permit in a
13 conspicuous place on the premises to which the permit relates.

14 **139.973 Regulation.** (1) (a) No permittee may employ an individual who is
15 under the age of 21 to work in the business to which the permit relates.

16 (b) Subject to ss. 111.321, 111.322, and 111.335, no permittee may employ an
17 individual if any of the conditions under s. 139.972 (1) (c) 1. to 7. applies to the
18 individual.

19 (2) A retail outlet shall sell no products or services other than usable marijuana
20 or paraphernalia intended for the storage or use of usable marijuana.

21 (3) No marijuana retailer may allow a person who is under the age of 21 to enter
22 or be on the premises of a retail outlet in violation of s. 961.71 (2m), unless that person
23 is a qualifying patient, as defined in s. 73.17 (1) (d).

1 **(4)** The maximum amount of usable marijuana that a retail outlet may sell to
2 an individual consumer in a single transaction may not exceed a permissible amount,
3 as defined in s. 961.70 (3).

4 **(4m)** A marijuana retailer may not collect, retain, or distribute personal
5 information regarding the retailer's customers except that which is necessary to
6 complete a sale of usable marijuana.

7 **(5)** No marijuana retailer may display any signage in a window, on a door, or
8 on the outside of the premises of a retail outlet that is visible to the general public
9 from a public right-of-way, other than a single sign that is no larger than 1,600
10 square inches identifying the retail outlet by the permittee's business or trade name.

11 **(6)** No marijuana retailer may display usable marijuana in a manner that is
12 visible to the general public from a public right-of-way.

13 **(7)** No marijuana retailer or employee of a retail outlet may consume, or allow
14 to be consumed, any usable marijuana on the premises of the retail outlet.

15 **(7m)** A marijuana retailer may operate a retail outlet only between the hours
16 of 8 a.m. and 8 p.m.

17 **(8)** Except as provided under sub. (5), no marijuana producer, marijuana
18 processor, marijuana distributor, marijuana retailer, or microbusiness may place or
19 maintain, or cause to be placed or maintained, an advertisement of usable marijuana
20 in any form or through any medium.

21 **(9)** (a) On a schedule determined by the department, every marijuana
22 producer, marijuana processor, or microbusiness shall submit representative
23 samples of the marijuana and usable marijuana produced or processed by the
24 marijuana producer, marijuana processor, or microbusiness to a testing laboratory
25 registered under s. 94.57 for testing marijuana and usable marijuana in order to

1 certify that the marijuana and usable marijuana comply with standards prescribed
2 by the department by rule, including testing for potency and for mold, fungus,
3 pesticides, and other contaminants. The laboratory testing the sample shall destroy
4 any part of the sample that remains after the testing.

5 (b) Marijuana producers, marijuana processors, and microbusinesses shall
6 submit the results of the testing provided under par. (a) to the department in the
7 manner prescribed by the department by rule.

8 (c) If a representative sample tested under par. (a) does not meet the standards
9 prescribed by the department, the department shall take the necessary action to
10 ensure that the entire lot from which the sample was taken is destroyed. The
11 department shall promulgate rules to determine lots and lot numbers for purposes
12 of this subsection and for the reporting of lots and lot numbers to the department.

13 **(10)** (a) A marijuana processor or a microbusiness that operates as a marijuana
14 processor shall affix a label to all usable marijuana that the marijuana processor or
15 microbusiness sells to marijuana distributors. The label may not be designed to
16 appeal to persons under the age of 18. The label shall include all of the following:

- 17 1. The ingredients and the tetrahydrocannabinols concentration in the usable
18 marijuana.
- 19 2. The producer's business or trade name.
- 20 3. The producer's permit number.
- 21 4. The harvest batch number of the marijuana.
- 22 5. The harvest date.
- 23 6. The strain name and product identity.
- 24 7. The net weight.
- 25 8. The activation time.

1 9. The name of laboratory performing any test, the test batch number, and the
2 test analysis dates.

3 10. The logotype for recreational marijuana developed by the department of
4 agriculture, trade and consumer protection under s. 100.145.

5 11. Warnings about the risks of marijuana use and pregnancy and risks of
6 marijuana use by persons under the age of 18.

7 (b) No marijuana processor or microbusiness that operates as a marijuana
8 processor may make usable marijuana using marijuana grown outside this state.
9 The label on each package of usable marijuana may indicate that the usable
10 marijuana is made in this state.

11 (11) (a) No permittee may sell marijuana or usable marijuana that contains
12 more than 3 parts tetrahydrocannabinols to one part cannabidiol.

13 (b) No permittee may sell marijuana or usable marijuana that tests positive
14 under sub. (9) (a) for mold, fungus, pesticides, or other contaminants if the
15 contaminants, or level of contaminants, are identified by a testing laboratory to be
16 potentially unsafe to the consumer.

17 (12) Immediately after beginning employment with a permittee, every
18 employee of a permittee shall receive training, approved by the department, on the
19 safe handling of marijuana and usable marijuana and on security and inventory
20 accountability procedures.

21 (13) The department shall deposit all moneys received under this subchapter
22 into the community reinvestment fund.

23 **139.974 Records and reports.** (1) Every permittee shall keep accurate and
24 complete records of the production and sales of marijuana and usable marijuana in
25 this state. The records shall be kept on the premises described in the permit and in

1 such manner as to ensure permanency and accessibility for inspection at reasonable
2 hours by the department's authorized personnel. The department shall prescribe
3 reasonable and uniform methods of keeping records and making reports and shall
4 provide the necessary forms to permittees.

5 (2) If the department determines that any permittee's records are not kept in
6 the prescribed form or are in such condition that the department requires an unusual
7 amount of time to determine from the records the amount of the tax due, the
8 department shall give notice to the permittee that the permittee is required to revise
9 the permittee's records and keep them in the prescribed form. If the permittee fails
10 to comply within 30 days, the permittee shall pay the expenses reasonably
11 attributable to a proper examination and tax determination at the rate of \$30 a day
12 for each auditor used to make the examination and determination. The department
13 shall send a bill for such expenses, and the permittee shall pay the amount of such
14 bill within 10 days.

15 (3) If any permittee fails to file a report when due, the permittee shall be
16 required to pay a late filing fee of \$10. A report that is mailed is filed on time if it is
17 mailed in a properly addressed envelope with postage prepaid, the envelope is
18 officially postmarked, or marked or recorded electronically as provided under section
19 7502 (f) (2) (c) of the Internal Revenue Code, on the date due, and the report is
20 actually received by the department or at the destination that the department
21 prescribes within 5 days of the due date. A report that is not mailed is timely if it
22 is received on or before the due date by the department or at the destination that the
23 department prescribes. For purposes of this subsection, "mailed" includes delivery
24 by a delivery service designated under section 7502 (f) of the Internal Revenue Code.

1 (4) Sections 71.78 (1), (1m), and (4) to (9) and 71.83 (2) (a) 3. and 3m., relating
2 to confidentiality of income, franchise, and gift tax returns, apply to any information
3 obtained from any permittee under this subchapter on a tax return, report, schedule,
4 exhibit, or other document or from an audit report relating to any of those documents,
5 except that the department shall publish production and sales statistics.

6 **139.975 Administration and enforcement.** (1) The department shall
7 administer and enforce this subchapter and promulgate rules necessary to
8 administer and enforce this subchapter.

9 (2) The duly authorized employees of the department have all necessary police
10 powers to prevent violations of this subchapter.

11 (3) Authorized personnel of the department of justice and the department of
12 revenue, and any law enforcement officer, within their respective jurisdictions, may
13 at all reasonable hours enter the premises of any permittee and examine the books
14 and records to determine whether the tax imposed by this subchapter has been fully
15 paid and may enter and inspect any premises where marijuana or usable marijuana
16 is produced, processed, made, sold, or stored to determine whether the permittee is
17 complying with this subchapter.

18 (4) The department may suspend or revoke the permit of any permittee who
19 violates s. 100.30, any provision of this subchapter, or any rules promulgated under
20 sub. (1). The department shall revoke the permit of any permittee who violates s.
21 100.30 3 or more times within a 5-year period.

22 (5) No suit shall be maintained in any court to restrain or delay the collection
23 or payment of the tax levied in s. 139.971. The aggrieved taxpayer shall pay the tax
24 when due and, if paid under protest, may at any time within 90 days from the date
25 of payment sue the state to recover the tax paid. If it is finally determined that any

1 part of the tax was wrongfully collected, the secretary of administration shall pay the
2 amount wrongfully collected. A separate suit need not be filed for each separate
3 payment made by any taxpayer, but a recovery may be had in one suit for as many
4 payments as may have been made.

5 (6) (a) Any person may be compelled to testify in regard to any violation of this
6 subchapter of which the person may have knowledge, even though such testimony
7 may tend to incriminate the person, upon being granted immunity from prosecution
8 in connection with the testimony, and upon the giving of such testimony, the person
9 shall not be prosecuted because of the violation relative to which the person has
10 testified.

11 (b) The immunity provided under par. (a) is subject to the restrictions under
12 s. 972.085.

13 (7) The provisions on timely filing under s. 71.80 (18) apply to the tax imposed
14 under this subchapter.

15 (8) Sections 71.74 (1), (2), (10), (11), and (14), 71.77, 71.91 (1) (a) and (c) and
16 (2) to (7), 71.92, and 73.0301 as they apply to the taxes under ch. 71 apply to the taxes
17 under this subchapter. Section 71.74 (13) as it applies to the collection of the taxes
18 under ch. 71 applies to the collection of the taxes under this subchapter, except that
19 the period during which notice of an additional assessment shall be given begins on
20 the due date of the report under this subchapter.

21 (9) Any building or place of any kind where marijuana or usable marijuana is
22 sold, possessed, stored, or manufactured without a lawful permit or in violation of
23 s. 139.972 or 139.973 is declared a public nuisance and may be closed and abated as
24 such.

1 **(10)** At the request of the secretary of revenue, the attorney general may
2 represent this state or assist a district attorney in prosecuting any case arising under
3 this subchapter.

4 **139.976 Theft of tax moneys.** All marijuana tax moneys received by a
5 permittee for the sale of marijuana or usable marijuana on which the tax under this
6 subchapter has become due and has not been paid are trust funds in the permittee's
7 possession and are the property of this state. Any permittee who fraudulently
8 withholds, appropriates, or otherwise uses marijuana tax moneys that are the
9 property of this state is guilty of theft under s. 943.20 (1), whether or not the
10 permittee has or claims to have an interest in those moneys.

11 **139.977 Seizure and confiscation. (1)** All marijuana and usable marijuana
12 produced, processed, made, kept, stored, sold, distributed, or transported in violation
13 of this subchapter, and all tangible personal property used in connection with the
14 marijuana or usable marijuana, is unlawful property and subject to seizure by the
15 department or a law enforcement officer. Except as provided in sub. (2), all
16 marijuana and usable marijuana seized under this subsection shall be destroyed.

17 **(2)** If marijuana or usable marijuana on which the tax has not been paid is
18 seized as provided under sub. (1), it may be given to law enforcement officers to use
19 in criminal investigations or sold to qualified buyers by the department, without
20 notice. If the department finds that the marijuana or usable marijuana may
21 deteriorate or become unfit for use in criminal investigations or for sale, or that those
22 uses would otherwise be impractical, the department may order it destroyed.

23 **(3)** If marijuana or usable marijuana on which the tax has been paid is seized
24 as provided under sub. (1), it shall be returned to the true owner if ownership can be
25 ascertained and the owner or the owner's agent is not involved in the violation

1 resulting in the seizure. If the ownership cannot be ascertained or if the owner or
2 the owner's agent was guilty of the violation that resulted in the seizure of the
3 marijuana or usable marijuana, it may be sold or otherwise disposed of as provided
4 in sub. (2).

5 (4) If tangible personal property other than marijuana or usable marijuana is
6 seized as provided under sub. (1), the department shall advertise the tangible
7 personal property for sale by publication of a class 2 notice under ch. 985. If no person
8 claiming a lien on, or ownership of, the property has notified the department of the
9 person's claim within 10 days after last insertion of the notice, the department shall
10 sell the property. If a sale is not practical the department may destroy the property.
11 If a person claiming a lien on, or ownership of, the property notifies the department
12 within the time prescribed in this subsection, the department may apply to the
13 circuit court in the county where the property was seized for an order directing
14 disposition of the property or the proceeds from the sale of the property. If the court
15 orders the property to be sold, all liens, if any, may be transferred from the property
16 to the sale proceeds. Neither the property seized nor the proceeds from the sale shall
17 be turned over to any claimant of lien or ownership unless the claimant first
18 establishes that the property was not used in connection with any violation under
19 this subchapter or that, if so used, it was done without the claimant's knowledge or
20 consent and without the claimant's knowledge of facts that should have given the
21 claimant reason to believe it would be put to such use. If no claim of lien or ownership
22 is established as provided under this subsection the property may be ordered
23 destroyed.

24 **139.978 Interest and penalties.** (1) Any person who makes or signs any
25 false or fraudulent report under this subchapter or who attempts to evade the tax

1 imposed by s. 139.971, or who aids in or abets the evasion or attempted evasion of
2 that tax, may be fined not more than \$10,000 or imprisoned for not more than 9
3 months or both.

4 (2) Any permittee who fails to keep the records required by s. 139.974 (1) and
5 (2) shall be fined not less than \$100 nor more than \$500 or imprisoned not more than
6 6 months or both.

7 (3) Any person who refuses to permit the examination or inspection authorized
8 under s. 139.975 (3) may be fined not more than \$500 or imprisoned not more than
9 6 months or both. The department shall immediately suspend or revoke the permit
10 of any person who refuses to permit the examination or inspection authorized under
11 s. 139.975 (3).

12 (4) Any person who violates any of the provisions of this subchapter for which
13 no other penalty is prescribed shall be fined not less than \$100 nor more than \$1,000
14 or imprisoned not less than 10 days nor more than 90 days or both.

15 (5) Any person who violates any of the rules promulgated in accordance with
16 this subchapter shall be fined not less than \$100 nor more than \$500 or imprisoned
17 not more than 6 months or both.

18 (6) In addition to the penalties imposed for violating the provisions of this
19 subchapter or any of the department's rules, the department shall revoke the permit
20 of any person convicted of such a violation and not issue another permit to that
21 person for a period of 2 years following the revocation.

22 (7) Unpaid taxes bear interest at the rate of 12 percent per year from the due
23 date of the return until paid or deposited with the department, and all refunded taxes
24 bear interest at the rate of 3 percent per year from the due date of the return to the
25 date on which the refund is certified on the refund rolls.

1 (8) All nondelinquent payments of additional amounts owed shall be applied
2 in the following order: penalties, interest, tax principal.

3 (9) Delinquent marijuana taxes bear interest at the rate of 1.5 percent per
4 month until paid. The taxes imposed by this subchapter shall become delinquent if
5 not paid:

6 (a) In the case of a timely filed return, no return filed or a late return, on or
7 before the due date of the return.

8 (b) In the case of a deficiency determination of taxes, within 2 months after the
9 date of demand.

10 (10) If due to neglect an incorrect return is filed, the entire tax finally
11 determined is subject to a penalty of 25 percent of the tax exclusive of interest or
12 other penalty. A person filing an incorrect return has the burden of proving that the
13 error or errors were due to good cause and not due to neglect.

14 **139.979 Personal use.** An individual who possesses no more than 6
15 marijuana plants that have reached the flowering stage at any one time is not subject
16 to the tax imposed under s. 139.971. An individual who possesses more than 6
17 marijuana plants that have reached the flowering stage at any one time shall apply
18 for the appropriate permit under s. 139.972 and pay the appropriate tax imposed
19 under s. 139.971.

20 **139.980 Agreement with tribes.** The department may enter into an
21 agreement with a federally recognized American Indian tribe in this state for the
22 administration and enforcement of this subchapter and to provide refunds of the tax
23 imposed under s. 139.971 on marijuana sold on tribal land by or to enrolled members
24 of the tribe residing on the tribal land.

25 **SECTION 1199.** 157.06 (11) (hm) of the statutes is created to read:

1 157.06 (11) (hm) Unless otherwise required by federal law, a hospital,
2 physician, procurement organization, or other person may not determine the
3 ultimate recipient of an anatomical gift based solely upon a positive test for the use
4 of marijuana by a potential recipient.

5 **SECTION 1200.** 157.06 (11) (i) of the statutes is amended to read:

6 157.06 (11) (i) Except as provided under ~~par.~~ pars. (a) 2. and (hm), nothing in
7 this section affects the allocation of organs for transplantation or therapy.

8 **SECTION 1201.** 250.22 of the statutes is created to read:

9 **250.22 Payments to counties.** The department shall promulgate rules to
10 establish grants to counties to support mental health and substance use disorder
11 services. The department shall fund all grants established under this section from
12 the appropriation under s. 20.435 (5) (q).

13 **SECTION 1202.** 289.33 (3) (d) of the statutes is amended to read:

14 289.33 (3) (d) “Local approval” includes any requirement for a permit, license,
15 authorization, approval, variance or exception or any restriction, condition of
16 approval or other restriction, regulation, requirement or prohibition imposed by a
17 charter ordinance, general ordinance, zoning ordinance, resolution or regulation by
18 a town, city, village, county or special purpose district, including without limitation
19 because of enumeration any ordinance, resolution or regulation adopted under s.
20 91.73, 2007 stats., s. 59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2),
21 (5), (6), (7), (8), (9), (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24),
22 (25), (26) and (27), 59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19),
23 (20) and (23), 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10),
24 (11), (12), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25) (a), and (26), 59.55 (3),
25 (4), (5) and (6), 59.56 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16),

1 59.57 (1), 59.58 (1) and (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70
2 (1), (2), (3), (5), (7), (8), (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (5), (7), (8),
3 and (10), 59.792 (2) and (3), 59.80, 59.82, 60.10, 60.22, 60.23, 60.54, 60.77, 61.34,
4 61.35, 61.351, 61.353, 61.354, 62.11, 62.23, 62.231, 62.233, 62.234, 66.0101, 66.0415,
5 87.30, 196.58, 200.11 (8), 236.45, 281.43 or 349.16, subch. VIII of ch. 60, or subch. III
6 of ch. 91.

7 **SECTION 1203.** 349.02 (2) (b) 4. of the statutes is amended to read:

8 349.02 (2) (b) 4. Local ordinances enacted under s. 59.54 (25) (a) or (25m) or
9 66.0107 (1) (bm).

10 **SECTION 1204.** 961.01 (14) of the statutes is renumbered 961.70 (2) and
11 amended to read:

12 961.70 (2) “Marijuana” means all parts of the plants of the genus Cannabis,
13 whether growing or not; the seeds thereof; the resin extracted from any part of the
14 plant; and every compound, manufacture, salt, derivative, mixture, or preparation
15 of the plant, its seeds or resin, including if the tetrahydrocannabinols concentration
16 of the plant part, seeds, resin, compound, manufacture, salt, derivative, mixture, or
17 preparation is greater than 0.3 percent on a dry weight basis. “Marijuana” does
18 include the mature stalks if mixed with other parts of the plant, but does not include
19 fiber produced from the stalks, oil or cake made from the seeds of the plant, any other
20 compound, manufacture, salt, derivative, mixture, or preparation of the mature
21 stalks (except the resin extracted therefrom), fiber, oil, or cake or the sterilized seed
22 of the plant which is incapable of germination. “Marijuana” does not include hemp,
23 as defined in s. 94.55 (1).

24 **SECTION 1205.** 961.11 (4g) of the statutes is repealed.

25 **SECTION 1206.** 961.14 (4) (t) of the statutes is repealed.

1 **SECTION 1207.** 961.32 (2m) of the statutes is repealed.

2 **SECTION 1208.** 961.34 of the statutes is renumbered 961.75, and 961.75 (title),
3 as renumbered, is amended to read:

4 **961.75 (title) ~~Controlled substances~~ Marijuana therapeutic research.**

5 **SECTION 1209.** 961.38 (1n) of the statutes is repealed.

6 **SECTION 1210.** 961.41 (1) (h) of the statutes is repealed.

7 **SECTION 1211.** 961.41 (1m) (h) of the statutes is repealed.

8 **SECTION 1212.** 961.41 (1q) of the statutes is repealed.

9 **SECTION 1213.** 961.41 (1r) of the statutes is amended to read:

10 **961.41 (1r) DETERMINING WEIGHT OF SUBSTANCE.** In determining amounts under
11 s. 961.49 (2) (b), 1999 stats., and subs. (1) and (1m), an amount includes the weight
12 of cocaine, cocaine base, fentanyl, a fentanyl analog, heroin, phencyclidine, lysergic
13 acid diethylamide, psilocin, psilocybin, amphetamine, methamphetamine,
14 ~~tetrahydrocannabinols~~, synthetic cannabinoids, or substituted cathinones, or any
15 controlled substance analog of any of these substances together with any compound,
16 mixture, diluent, plant material or other substance mixed or combined with the
17 controlled substance or controlled substance analog. ~~In addition, in determining~~
18 ~~amounts under subs. (1) (h) and (1m) (h), the amount of tetrahydrocannabinols~~
19 ~~means anything included under s. 961.14 (4) (t) and includes the weight of any~~
20 ~~marijuana.~~

21 **SECTION 1214.** 961.41 (1x) of the statutes is amended to read:

22 **961.41 (1x) CONSPIRACY.** Any person who conspires, as specified in s. 939.31,
23 to commit a crime under sub. (1) (cm) to ~~(h)~~ (g) or (1m) (cm) to ~~(h)~~ (g) is subject to the
24 applicable penalties under sub. (1) (cm) to ~~(h)~~ (g) or (1m) (cm) to ~~(h)~~ (g).

25 **SECTION 1215.** 961.41 (3g) (c) of the statutes is amended to read:

1 961.41 **(3g)** (c) *Cocaine and cocaine base*. If a person possesses or attempts to
2 possess cocaine or cocaine base, or a controlled substance analog of cocaine or cocaine
3 base, the person shall be fined not more than \$5,000 and may be imprisoned for not
4 more than one year in the county jail upon a first conviction and is guilty of a Class
5 I felony for a 2nd or subsequent offense. For purposes of this paragraph, an offense
6 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the
7 offense, the offender has at any time been convicted of any felony or misdemeanor
8 under this chapter or under any statute of the United States or of any state relating
9 to controlled substances, controlled substance analogs, narcotic drugs, ~~marijuana,~~
10 or depressant, stimulant, or hallucinogenic drugs.

11 **SECTION 1216.** 961.41 (3g) (d) of the statutes is amended to read:

12 961.41 **(3g)** (d) *Certain hallucinogenic and stimulant drugs*. If a person
13 possesses or attempts to possess lysergic acid diethylamide, phencyclidine,
14 amphetamine, 3,4-methylenedioxymethamphetamine, methcathinone, cathinone,
15 N-benzylpiperazine, a substance specified in s. 961.14 (4) (a) to (h), (m) to (q), (sm),
16 (u) to (xb), or (7) (L), psilocin, or psilocybin, or a controlled substance analog of
17 lysergic acid diethylamide, phencyclidine, amphetamine,
18 3,4-methylenedioxymethamphetamine, methcathinone, cathinone,
19 N-benzylpiperazine, a substance specified in s. 961.14 (4) (a) to (h), (m) to (q), (sm),
20 (u) to (xb), or (7) (L), psilocin, or psilocybin, the person may be fined not more than
21 \$5,000 or imprisoned for not more than one year in the county jail or both upon a first
22 conviction and is guilty of a Class I felony for a 2nd or subsequent offense. For
23 purposes of this paragraph, an offense is considered a 2nd or subsequent offense if,
24 prior to the offender's conviction of the offense, the offender has at any time been
25 convicted of any felony or misdemeanor under this chapter or under any statute of

1 the United States or of any state relating to controlled substances, controlled
2 substance analogs, narcotic drugs, ~~marijuana~~, or depressant, stimulant, or
3 hallucinogenic drugs.

4 **SECTION 1217.** 961.41 (3g) (e) of the statutes is repealed.

5 **SECTION 1218.** 961.41 (3g) (em) of the statutes is amended to read:

6 961.41 **(3g)** (em) *Synthetic cannabinoids*. If a person possesses or attempts to
7 possess a controlled substance specified in s. 961.14 (4) (tb), or a controlled substance
8 analog of a controlled substance specified in s. 961.14 (4) (tb), the person may be fined
9 not more than \$1,000 or imprisoned for not more than 6 months or both upon a first
10 conviction and is guilty of a Class I felony for a 2nd or subsequent offense. For
11 purposes of this paragraph, an offense is considered a 2nd or subsequent offense if,
12 prior to the offender's conviction of the offense, the offender has at any time been
13 convicted of any felony or misdemeanor under this chapter or under any statute of
14 the United States or of any state relating to controlled substances, controlled
15 substance analogs, narcotic drugs, ~~marijuana~~, or depressant, stimulant, or
16 hallucinogenic drugs.

17 **SECTION 1219.** 961.47 (1) of the statutes is amended to read:

18 961.47 **(1)** Whenever any person who has not previously been convicted of any
19 offense under this chapter, or of any offense under any statute of the United States
20 or of any state or of any county ordinance relating to controlled substances or
21 controlled substance analogs, narcotic drugs, ~~marijuana~~ or stimulant, depressant,
22 or hallucinogenic drugs, pleads guilty to or is found guilty of possession or attempted
23 possession of a controlled substance or controlled substance analog under s. 961.41
24 (3g) (b), the court, without entering a judgment of guilt and with the consent of the
25 accused, may defer further proceedings and place him or her on probation upon terms

1 and conditions. Upon violation of a term or condition, the court may enter an
2 adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the
3 terms and conditions, the court shall discharge the person and dismiss the
4 proceedings against him or her. Discharge and dismissal under this section shall be
5 without adjudication of guilt and is not a conviction for purposes of disqualifications
6 or disabilities imposed by law upon conviction of a crime, including the additional
7 penalties imposed for 2nd or subsequent convictions under s. 961.48. There may be
8 only one discharge and dismissal under this section with respect to any person.

9 **SECTION 1220.** 961.48 (3) of the statutes is amended to read:

10 961.48 (3) For purposes of this section, a felony offense under this chapter is
11 considered a 2nd or subsequent offense if, prior to the offender's conviction of the
12 offense, the offender has at any time been convicted of any felony or misdemeanor
13 offense under this chapter or under any statute of the United States or of any state
14 relating to controlled substances or controlled substance analogs, narcotic drugs,
15 marijuana or depressant, stimulant, or hallucinogenic drugs.

16 **SECTION 1221.** 961.48 (5) of the statutes is amended to read:

17 961.48 (5) This section does not apply if the person is presently charged with
18 a felony under s. 961.41 (3g) (c), (d), ~~(e)~~, or (g).

19 **SECTION 1222.** 961.49 (1m) (intro.) of the statutes is amended to read:

20 961.49 (1m) (intro.) If any person violates s. 961.41 (1) (cm), (d), (dm), (e), (f),
21 or (g) ~~or (h)~~ by delivering or distributing, or violates s. 961.41 (1m) (cm), (d), (dm), (e),
22 (f), or (g) ~~or (h)~~ by possessing with intent to deliver or distribute, cocaine, cocaine
23 base, fentanyl, a fentanyl analog, heroin, phencyclidine, lysergic acid diethylamide,
24 psilocin, psilocybin, amphetamine, methamphetamine, or methcathinone ~~or any~~
25 ~~form of tetrahydrocannabinols~~ or a controlled substance analog of any of these

1 substances and the delivery, distribution or possession takes place under any of the
2 following circumstances, the maximum term of imprisonment prescribed by law for
3 that crime may be increased by 5 years:

4 **SECTION 1223.** 961.571 (1) (a) 7. of the statutes is repealed.

5 **SECTION 1224.** 961.571 (1) (a) 11. (intro.) of the statutes is amended to read:

6 961.571 (1) (a) 11. (intro.) Objects used, designed for use or primarily intended
7 for use in ingesting, inhaling, or otherwise introducing ~~marijuana~~, cocaine, hashish
8 or hashish oil into the human body, such as:

9 **SECTION 1225.** 961.571 (1) (a) 11. e. of the statutes is repealed.

10 **SECTION 1226.** 961.571 (1) (a) 11. k. and L. of the statutes are repealed.

11 **SECTION 1227.** Subchapter VIII of chapter 961 [precedes 961.70] of the statutes
12 is created to read:

13 **CHAPTER 961**

14 **SUBCHAPTER VIII**

15 **REGULATION OF MARIJUANA**

16 **961.70 Definitions.** In this subchapter:

17 **(1)** “Extreme measure to avoid detection” means any of the following:

18 (a) A system that aims to alert a person if law enforcement approaches an area
19 that contains marijuana plants if the system exceeds a security system that would
20 be used by a reasonable person in the person’s region.

21 (b) A method of intimidating individuals who approach an area that contains
22 marijuana plants if the method exceeds a method that would be used by a reasonable
23 person in the person’s region.

24 (c) A system that is designed so that an individual approaching the area that
25 contains marijuana plants may be injured or killed by the system.

1 **(1m)** “Legal age” means 21 years of age, except that in the case of a qualifying
2 patient, as defined in s. 73.17 (1) (d), “legal age” means 18 years of age.

3 **(3)** “Permissible amount” means one of the following:

4 (a) For a person who is a resident of Wisconsin, an amount that does not exceed
5 2 ounces of usable marijuana.

6 (b) For a person who is not a resident of Wisconsin, an amount that does not
7 exceed one-quarter ounce of usable marijuana.

8 **(4)** “Permittee” has the meaning given under s. 139.97 (10).

9 **(5)** “Retail outlet” has the meaning given in s. 139.97 (11).

10 **(6)** “Tetrahydrocannabinols concentration” means the percent of
11 tetrahydrocannabinol content per dry weight of any part of the plant Cannabis, or
12 per volume or weight of marijuana product, or the combined percent of
13 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant
14 Cannabis regardless of moisture content.

15 **(7)** “Underage person” means a person who has not attained the legal age.

16 **(8)** “Usable marijuana” has the meaning given in s. 139.97 (13).

17 **961.71 Underage persons prohibitions; penalties. (1)** (a) 1. No permittee
18 may sell, distribute, or deliver marijuana to any underage person.

19 2. No permittee may directly or indirectly permit an underage person to violate
20 sub. (2m).

21 (b) A permittee that violates par. (a) 1. or 2. may be subject to a forfeiture of not
22 more than \$500 and to a suspension of the permittee’s permit for an amount of time
23 not to exceed 30 days.

24 (c) In determining whether a permittee has violated par. (a) 2., all relevant
25 circumstances surrounding the presence of the underage person may be considered.

1 In determining whether a permittee has violated par. (a) 1., all relevant
2 circumstances surrounding the selling, distributing, or delivering of marijuana may
3 be considered. In addition, proof of all of the following facts by the permittee is a
4 defense to any prosecution for a violation under par. (a):

5 1. That the underage person falsely represented that he or she had attained the
6 legal age.

7 2. That the appearance of the underage person was such that an ordinary and
8 prudent person would believe that the underage person had attained the legal age.

9 3. That the action was made in good faith and in reliance on the representation
10 and appearance of the underage person in the belief that the underage person had
11 attained the legal age.

12 4. That the underage person supported the representation under subd. 1. with
13 documentation that he or she had attained the legal age.

14 **(2)** Any underage person who does any of the following is subject to a forfeiture
15 of not less than \$250 nor more than \$500:

16 (a) Procures or attempts to procure marijuana from a permittee.

17 (b) Falsely represents his or her age for the purpose of receiving marijuana from
18 a permittee.

19 (c) Knowingly possesses or consumes marijuana.

20 (d) Violates sub. (2m).

21 **(2m)** An underage person not accompanied by his or her parent, guardian, or
22 spouse who has attained the legal age may not enter, knowingly attempt to enter, or
23 be on the premises of a retail outlet.

24 **(3)** An individual who has attained the legal age and who knowingly does any
25 of the following may be subject to a forfeiture that does not exceed \$1,000:

1 (a) Permits or fails to take action to prevent a violation of sub. (2) (c) on premises
2 owned by the individual or under the individual's control.

3 (b) Encourages or contributes to a violation of sub. (2) (a).

4 **961.72 Restrictions; penalties. (1)** No person except a permittee may sell,
5 or possess with the intent to sell, marijuana. No person may distribute or deliver,
6 or possess with the intent to distribute or deliver, marijuana except a permittee. Any
7 person who violates a prohibition under this subsection is guilty of the following:

8 (a) Except as provided in par. (b), a Class I felony.

9 (b) If the individual to whom the marijuana is, or is intended to be, sold,
10 distributed, or delivered has not attained the legal age and the actual or intended
11 seller, distributor, or deliverer is at least 3 years older than the individual to whom
12 the marijuana is, or is intended to be, sold, distributed, or delivered, a Class H felony.

13 **(2)** (a) A person that is not a permittee who possesses an amount of marijuana
14 that exceeds the permissible amount by not more than one ounce is subject to a civil
15 forfeiture not to exceed \$1,000.

16 (b) A person who is not a permittee who possesses an amount of marijuana that
17 exceeds the permissible amount by more than one ounce is one of the following:

18 1. Except as provided in subd. 2., subject to a fine not to exceed \$1,000 or
19 imprisonment not to exceed 90 days, or both.

20 2. Guilty of a Class I felony if the person has taken action to hide how much
21 marijuana the person possesses and has in place an extreme measure to avoid
22 detection.

23 (c) A person who is not a permittee that possesses more than 6 marijuana plants
24 that have reached the flowering stage at one time must apply for a permit under s.
25 139.972 and is one of the following:

1 1. Except as provided in subds. 2. and 3., subject to a civil forfeiture that is not
2 more than twice the permitting fee under s. 139.972.

3 2. Except as provided in subd. 3., subject to a fine not to exceed \$1,000 or
4 imprisonment not to exceed 90 days, or both, if the number of marijuana plants that
5 have reached the flowering stage is more than 12.

6 3. Guilty of a Class I felony if the number of marijuana plants that have reached
7 the flowering stage is more than 12, if the individual has taken action to hide the
8 number of marijuana plants that have reached the flowering stage and if the person
9 has in place an extreme measure to avoid detection.

10 (d) Whoever uses or displays marijuana in a public space is subject to a civil
11 forfeiture of not more than \$100.

12 **(3)** Any person who sells or attempts to sell marijuana via mail, telephone, or
13 Internet is subject to a fine not to exceed \$10,000 or imprisonment not to exceed 9
14 months, or both.

15 **SECTION 1228.** 967.055 (1m) (b) 5. of the statutes is repealed.

16 **SECTION 1229.** 971.365 (1) (a) of the statutes is amended to read:

17 971.365 **(1)** (a) In any case under s. 961.41 (1) (em), 1999 stats., or s. 961.41 (1)
18 (cm), (d), (dm), (e), (f), or (g) ~~or~~ (h) involving more than one violation, all violations
19 may be prosecuted as a single crime if the violations were pursuant to a single intent
20 and design.

21 **SECTION 1230.** 971.365 (1) (b) of the statutes is amended to read:

22 971.365 **(1)** (b) In any case under s. 961.41 (1m) (em), 1999 stats., or s. 961.41
23 (1m) (cm), (d), (dm), (e), (f), or (g) ~~or~~ (h) involving more than one violation, all
24 violations may be prosecuted as a single crime if the violations were pursuant to a
25 single intent and design.

1 **SECTION 1231.** 971.365 (1) (c) of the statutes is amended to read:

2 971.365 (1) (c) In any case under s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41
3 (3g) (dm), 1999 stats., or s. 961.41 (3g) (am), (c), (d), ~~(e)~~, or (g) involving more than
4 one violation, all violations may be prosecuted as a single crime if the violations were
5 pursuant to a single intent and design.

6 **SECTION 1232.** 971.365 (2) of the statutes is amended to read:

7 971.365 (2) An acquittal or conviction under sub. (1) does not bar a subsequent
8 prosecution for any acts in violation of s. 961.41 (1) (em), 1999 stats., s. 961.41 (1m)
9 (em), 1999 stats., s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41 (3g) (dm), 1999 stats.,
10 or s. 961.41 (1) (cm), (d), (dm), (e), (f), or (g), ~~or (h)~~, (1m) (cm), (d), (dm), (e), (f), or (g),
11 ~~or (h)~~ or (3g) (am), (c), (d), ~~(e)~~, or (g) on which no evidence was received at the trial
12 on the original charge.

13 **SECTION 1233.** 973.016 of the statutes is created to read:

14 **973.016 Special disposition for marijuana-related crimes. (1)**
15 **RESENTENCING PERSONS SERVING A SENTENCE OR PROBATION.** (a) A person serving a
16 sentence or on probation may request resentencing or dismissal as provided under
17 par. (b) if all of the following apply:

18 1. The sentence or probation period was imposed for a violation of s. 961.41 (1)
19 (h), 2021 stats., s. 961.41 (1m) (h), 2021 stats., or s. 961.41 (3g) (e), 2021 stats.

20 2. One of the following applies:

21 a. The person would not have been guilty of a crime had the violation occurred
22 on or after the effective date of this subd. 2. a. [LRB inserts date].

23 b. The person would have been guilty of a lesser crime had the violation
24 occurred on or after the effective date of this subd. 2. b. [LRB inserts date].

1 (b) 1. A person to whom par. (a) applies shall file a petition with the sentencing
2 court to request resentencing, adjustment of probation, or dismissal.

3 2. If the court receiving a petition under subd. 1. determines that par. (a)
4 applies, the court shall schedule a hearing to consider the petition. At the hearing,
5 if the court determines that par. (a) 2. b. applies, the court shall resentence the person
6 or adjust the probation and change the record to reflect the lesser crime, and, if the
7 court determines that par. (a) 2. a. applies, the court shall dismiss the conviction and
8 expunge the record. Before resentencing, adjusting probation, or dismissing a
9 conviction under this subdivision, the court shall determine that the action does not
10 present an unreasonable risk of danger to public safety.

11 3. If the court resentsences the person or adjusts probation, the person shall
12 receive credit for time or probation served for the relevant offense.

13 **(2) REDESIGNATING OFFENSE FOR PERSONS WHO COMPLETED A SENTENCE OR**
14 **PROBATION.** (a) A person who has completed his or her sentence or period of probation
15 may request under par. (b) expungement of the conviction because the conviction is
16 legally invalid or redesignation to a lesser crime if all of the following apply:

17 1. The sentence or probation period was imposed for a violation of s. 961.41 (1)
18 (h), 2021 stats., s. 961.41 (1m) (h), 2021 stats., or s. 961.41 (3g) (e), 2021 stats.

19 2. One of the following applies:

20 a. The person would not have been guilty of a crime had the violation occurred
21 on or after the effective date of this subd. 2. a. [LRB inserts date].

22 b. The person would have been guilty of a lesser crime had the violation
23 occurred on or after the effective date of this subd. 2. b. [LRB inserts date].

24 (b) 1. A person to whom par. (a) applies shall file a petition with the sentencing
25 court to request expungement or redesignation.

1 2. If the court receiving a petition under subd. 1. determines that par. (a)
2 applies, the court shall schedule a hearing to consider the petition. At the hearing,
3 if the court determines that par. (a) 2. b. applies, the court shall redesignate the crime
4 to a lesser crime and change the record to reflect the lesser crime, and if the court
5 determines that par. (a) 2. a. applies, the court shall expunge the conviction. Before
6 redesignating or expunging under this subdivision, the court shall determine that
7 the action does not present an unreasonable risk of danger to public safety.

8 **(3) EFFECT OF RESENTENCING, DISMISSAL, REDESIGNATION, OR EXPUNGEMENT.** If the
9 court changes or expunges a record under this section, a conviction that was changed
10 or expunged is not considered a conviction for any purpose under state or federal law,
11 including for purposes of s. 941.29 or 18 USC 921.

12 **SECTION 9128. Nonstatutory provisions; Legislature.**

13 (1) **JOINT LEGISLATIVE COUNCIL STUDY.** The joint legislative council shall study
14 the implementation of the marijuana tax and regulation provided under subch. IV
15 of ch. 139 and identify uses for the revenues generated by the tax. The joint
16 legislative council shall report its findings, conclusions, and recommendations to the
17 joint committee on finance no later than 2 years after the effective date of this
18 subsection.”.

19 **201.** Page 374, line 11: after that line insert:

20 **“SECTION 1234.** 71.05 (1) (am) of the statutes is amended to read:

21 71.05 (1) (am) *Military retirement systems.* All retirement payments received
22 from the U.S. military employee retirement system, to the extent that such payments
23 are not exempt under par. (a) or sub. (6) (b) 54. or 54m.

24 **SECTION 1235.** 71.05 (1) (an) of the statutes is amended to read:

1 71.05 (1) (an) *Uniformed services retirement benefits*. All retirement payments
2 received from the U.S. government that relate to service with the coast guard, the
3 commissioned corps of the national oceanic and atmospheric administration, or the
4 commissioned corps of the public health service, to the extent that such payments are
5 not exempt under par. (a) or (am) or sub. (6) (b) 54. or 54m.

6 **SECTION 1236.** 71.05 (6) (b) 54. (intro.) of the statutes is amended to read:

7 71.05 (6) (b) 54. (intro.) Except for a payment that is exempt under sub. (1) (a),
8 (am), or (an), or that is exempt as a railroad retirement benefit, for taxable years
9 beginning after December 31, 2020, and before January 1, 2023, up to \$5,000 of
10 payments or distributions received each year by an individual from a qualified
11 retirement plan under the Internal Revenue Code or from an individual retirement
12 account established under 26 USC 408, if all of the following conditions apply:

13 **SECTION 1237.** 71.05 (6) (b) 54m. of the statutes is created to read:

14 71.05 (6) (b) 54m. Except for a payment that is exempt under sub. (1) (a), (am),
15 or (an), or that is exempt as a railroad retirement benefit, for taxable years beginning
16 after December 31, 2022, up to \$5,500 of payments or distributions received each
17 year by an individual from a qualified retirement plan under the Internal Revenue
18 Code or from an individual retirement account established under 26 USC 408, if all
19 of the following conditions apply:

20 a. The individual is at least 65 years of age before the close of the taxable year
21 to which the exemption claim relates.

22 b. If the individual is single or files as head of household, his or her federal
23 adjusted gross income in the year to which the exemption claim relates is less than
24 \$30,000.

1 c. If the individual is married and is a joint filer, the couple's federal adjusted
2 gross income in the year to which the exemption claim relates is less than \$60,000.

3 d. If the individual is married and files a separate return, the sum of both
4 spouses' federal adjusted gross income in the year to which the exemption claim
5 relates is less than \$60,000.

6 **SECTION 1238.** 71.83 (1) (a) 6. of the statutes is amended to read:

7 71.83 (1) (a) 6. 'Retirement plans.' Any natural person who is liable for a
8 penalty for federal income tax purposes under section 72 (m) (5), (q), (t), and (v), 4973,
9 4974, 4975, or 4980A of the Internal Revenue Code is liable for 33 percent of the
10 federal penalty unless the income received is exempt from taxation under s. 71.05
11 (1) (a) or (6) (b) 54. or 54m. The penalties provided under this subdivision shall be
12 assessed, levied, and collected in the same manner as income or franchise taxes.”.

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

14 “**SECTION 1239.** 71.07 (9g) (b) of the statutes is renumbered 71.07 (9g) (b) 1. and
15 amended to read:

16 71.07 (9g) (b) 1. For taxable years beginning after December 31, 2021, and
17 before January 1, 2023, and subject to the limitations provided in this subsection, a
18 claimant may claim as a credit against the tax imposed under s. 71.02, up to the
19 amount of those taxes, an amount equal to 50 percent of the federal child and
20 dependent care tax credit claimed by the claimant on his or her federal income tax
21 return for the taxable year to which the claim under this subsection relates.

22 **SECTION 1240.** 71.07 (9g) (b) 2. of the statutes is created to read:

23 71.07 (9g) (b) 2. For taxable years beginning after December 31, 2022, and
24 subject to the limitations provided in this subsection, a claimant may claim as a

1 credit against the tax imposed under s. 71.02, up to the amount of those taxes, an
2 amount equal to the federal child and dependent care tax credit claimed by the
3 claimant on his or her federal income tax return for the taxable year to which the
4 claim under this subsection relates.”.

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

6 “**SECTION 1241.** 71.98 (10) of the statutes is created to read:

7 71.98 (10) FEDERAL TAX CUTS AND JOBS ACT. For taxable years beginning after
8 December 31, 2022, sections 11012, 13221, 13301, 13304 (a), (b), and (d), 13531, and
9 13601 of P.L. 115-97.”.

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

11 “**SECTION 1242.** 71.05 (6) (b) 49. a. of the statutes is amended to read:

12 71.05 (6) (b) 49. a. Subject to the definitions provided in subd. 49. b. to g. and
13 the limitations specified in subd. 49. h. to j. for taxable years beginning after
14 December 31, 2013, and subject to the limitation in subd. 49. k. for taxable years
15 beginning after December 31, 2017, and subject to the limitation in subd. 49. m. for
16 taxable years beginning after December 31, 2022, tuition expenses that are paid by
17 a claimant for tuition for a pupil to attend an eligible institution.

18 **SECTION 1243.** 71.05 (6) (b) 49. m. of the statutes is created to read:

19 71.05 (6) (b) 49. m. For taxable years beginning after December 31, 2022, no
20 modification may be made under this subdivision unless the adjusted gross income
21 of the claimant is less than \$100,000 if the claimant is filing as single or head of
22 household, \$150,000 if the claimant is married and filing jointly, or \$75,000 if the
23 claimant is married and filing separately.”.

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

1 **SECTION 1244.** 71.05 (6) (a) 30. of the statutes is created to read:

2 71.05 (6) (a) 30. For an account holder, as defined in s. 71.10 (10) (a) 1., or an
3 account holder's estate:

4 a. Any amount distributed under s. 71.10 (10) (d) 2. or 3.

5 b. Any amount withdrawn from the account created under s. 71.10 (10) (b) 1.
6 for any reason other than payment or reimbursement of eligible costs, as defined in
7 s. 71.10 (10) (a) 4., except that this subd. 30. b. does not apply to the transfer of funds
8 to another account as described in s. 71.10 (10) (c) 4. or to the disbursement of funds
9 pursuant to a filing for bankruptcy protection under 11 USC 101 et seq.

10 **SECTION 1245.** 71.05 (6) (b) 57. of the statutes is created to read:

11 71.05 (6) (b) 57. For each account an account holder, as defined in s. 71.10 (10)
12 (a) 1., creates under s. 71.10 (10) (b) 1., and subject to s. 71.10 (10) (d), the amount
13 deposited, limited to \$5,000, by the account holder into the account during the
14 taxable year and any interest, dividends, and other gains that accrue in the account
15 and are redeposited into it. If the account holder is married and files a joint return,
16 the \$5,000 limitation shall be increased to \$10,000. The subtraction under this
17 subdivision does not apply to the transfer of funds from another account as described
18 in s. 71.10 (10) (c) 4.

19 **SECTION 1246.** 71.10 (4) (k) of the statutes is created to read:

20 71.10 (4) (k) Any amount computed under s. 71.83 (1) (ch).

21 **SECTION 1247.** 71.10 (10) of the statutes is created to read:

22 71.10 (10) FIRST-TIME HOME BUYER SAVINGS ACCOUNTS. (a) *Definitions.* In this
23 subsection:

24 1. "Account holder" means an individual who creates, individually or jointly
25 with his or her spouse, an account under par. (b) 1.

1 2. “Allowable closing costs” means disbursements listed in a settlement
2 statement for the purchase of a single-family residence by a beneficiary.

3 3. “Beneficiary” means a first-time home buyer who is designated by an
4 account holder as the beneficiary of an account created under par. (b) 1.

5 4. “Eligible costs” means the down payment and allowable closing costs for the
6 purchase of a single-family residence in this state by a beneficiary.

7 5. “Financial institution” means a bank, trust company, savings institution,
8 savings bank, savings and loan association, industrial loan association, consumer
9 finance company, credit union, benefit association, insurance company, safe deposit
10 company, money market mutual fund, or similar entity authorized to do business in
11 this state.

12 6. “First-time home buyer” means an individual who resides in this state and
13 did not have, either individually or jointly, a present ownership interest in a
14 single-family residence during the 36 months before the month in which the
15 individual purchases a single-family residence in this state.

16 7. “Single-family residence” means a residence intended for occupation by a
17 single family unit that is purchased by a beneficiary for use as his or her principal
18 residence.

19 (b) *Creation of account.* 1. An individual may create an account and become
20 the account holder by opening an account at a financial institution for the purpose
21 of paying or reimbursing the eligible costs of a first-time home buyer. The account
22 holder shall designate a beneficiary when the account is created and may designate
23 himself or herself as the beneficiary. An account may have only one beneficiary at
24 any one time. An individual may be the beneficiary of more than one account, and
25 an individual may be the account holder of more than one account, but an account

1 holder may not have more than one account that designates the same beneficiary.

2 The account holder may change the beneficiary at any time.

3 2. An individual may jointly own an account created under subd. 1 with his or
4 her spouse.

5 3. Only cash and marketable securities may be contributed to an account
6 created under subd. 1.

7 4. Persons other than an account holder may contribute to an account created
8 under subd. 1, but the subtraction under s. 71.05 (6) (b) 57. may be made only by the
9 account holder.

10 (c) *Account holder rights and responsibilities.* 1. An account holder may
11 withdraw funds from an account created under par. (b) 1. to pay eligible costs for the
12 benefit of the beneficiary or to reimburse the beneficiary for eligible costs the
13 beneficiary incurs and has paid.

14 2. An account holder may not use funds in an account created under par. (b) 1.
15 to pay any expenses he or she incurs in administering the account, although a
16 financial institution may deduct a service fee from the account.

17 3. Annually, an account holder shall submit to the department with his or her
18 income tax return, on forms prepared by the department, information regarding the
19 account created under par. (b) 1. The information submitted shall include all of the
20 following:

21 a. A list of transactions in the account during the taxable year to which the
22 return relates, including the beginning and ending balances of the account.

23 b. The 1099 form issued by the financial institution that relates to the account.

24 c. A list of eligible costs, and other costs, for which funds from the account were
25 withdrawn during the taxable year to which the return relates.

1 4. An account holder may withdraw funds from an account created under par.
2 (b) 1. with no penalty due under s. 71.83 (1) (ch) and no responsibility to make an
3 addition under s. 71.05 (6) (a) 30. if he or she immediately transfers the funds to a
4 different financial institution and deposits the funds into an account created under
5 par. (b) 1. at that financial institution.

6 (d) *Limitations on accounts, dissolution.* 1. An account holder may not claim
7 a subtraction under s. 71.05 (6) (b) 57. for more than a total of \$50,000 of deposits into
8 any account created under par. (b) 1. for each beneficiary.

9 2. An account holder shall dissolve an account created under par. (b) 1. no later
10 than 120 months after it is created. The financial institution shall distribute any
11 funds in the account at dissolution to the account holder.

12 3. If an account holder dies while funds remain in an account created under par.
13 (b) 1., the account shall be dissolved and the financial institution shall distribute the
14 funds to the account holder's estate.

15 (e) *Department responsibilities.* The department shall:

16 1. Prepare and distribute any forms that an account holder is required to
17 submit under par. (c) 3. and any other forms necessary to administer this subsection
18 and the adjustments to income under s. 71.05 (6) (a) 30. and (b) 57.

19 2. Prepare and distribute to financial institutions and potential home buyers
20 informational materials about the accounts described in this subsection.

21 **SECTION 1248.** 71.83 (1) (ch) of the statutes is created to read:

22 71.83 (1) (ch) *First-time home buyer savings account withdrawals.* If an
23 account holder, as defined under s. 71.10 (10) (a) 1., or an account holder's estate is
24 required to add any amount to federal adjusted gross income under s. 71.05 (6) (a)
25 30., the account holder or the account holder's estate shall also pay an amount equal

1 to 10 percent of the amount that is added to income under s. 71.05 (6) (a) 30. The
2 department of revenue shall assess, levy, and collect the penalty under this
3 paragraph as it assesses, levies, and collects taxes under this chapter.

4 **SECTION 9337. Initial applicability; Revenue.**

5 (6s) FIRST-TIME HOME BUYER SAVINGS ACCOUNT. The treatment of ss. 71.05 (6) (a)
6 30. and (b) 57., 71.10 (4) (k) and (10), and 71.83 (1) (ch) first applies to taxable years
7 beginning on January 1, 2023.”.

8 **206.** Page 374, line 11: after that line insert:

9 “SECTION 1. 71.98 (1) (c) of the statutes is created to read:

10 71.98 (1) (c) *Consolidated Appropriations Act of 2023*. For taxable years
11 beginning after December 31, 2022, division T of P.L. 117-328.”.

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

13 “SECTION 1249. 71.07 (8b) (a) 5. of the statutes is amended to read:

14 71.07 (8b) (a) 5. “Credit period” means the period of ~~6~~ 10 taxable years
15 beginning with the taxable year in which a qualified development is placed in
16 service. For purposes of this subdivision, if a qualified development consists of more
17 than one building, the qualified development is placed in service in the taxable year
18 in which the last building of the qualified development is placed in service.

19 **SECTION 1250.** 71.07 (8b) (a) 7. of the statutes is amended to read:

20 71.07 (8b) (a) 7. “Qualified development” means a qualified low-income
21 housing project under section 42 (g) of the Internal Revenue Code that is financed
22 with tax-exempt bonds, ~~pursuant to section 42 (i) (2) described in section 42 (h) (4)~~
23 (A) of the Internal Revenue Code, allocated the credit under section 42 of the Internal
24 Revenue Code, and located in this state; except that the authority may waive, in the

1 qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code,
2 the requirements of tax-exempt bond financing and federal credit allocation to the
3 extent the authority anticipates that sufficient volume cap under section 146 of the
4 Internal Revenue Code will not be available to finance low-income housing projects
5 in any year.

6 **SECTION 1251.** 71.28 (8b) (a) 5. of the statutes is amended to read:

7 71.28 (8b) (a) 5. “Credit period” means the period of ~~6~~ 10 taxable years
8 beginning with the taxable year in which a qualified development is placed in
9 service. For purposes of this subdivision, if a qualified development consists of more
10 than one building, the qualified development is placed in service in the taxable year
11 in which the last building of the qualified development is placed in service.

12 **SECTION 1252.** 71.28 (8b) (a) 7. of the statutes is amended to read:

13 71.28 (8b) (a) 7. “Qualified development” means a qualified low-income
14 housing project under section 42 (g) of the Internal Revenue Code that is financed
15 with tax-exempt bonds, pursuant to ~~section 42 (i) (2)~~ described in section 42 (h) (4)
16 (A) of the Internal Revenue Code, allocated the credit under section 42 of the Internal
17 Revenue Code, and located in this state; except that the authority may waive, in the
18 qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code,
19 the requirements of tax-exempt bond financing and federal credit allocation to the
20 extent the authority anticipates that sufficient volume cap under section 146 of the
21 Internal Revenue Code will not be available to finance low-income housing projects
22 in any year.

23 **SECTION 1253.** 71.47 (8b) (a) 5. of the statutes is amended to read:

24 71.47 (8b) (a) 5. “Credit period” means the period of ~~6~~ 10 taxable years
25 beginning with the taxable year in which a qualified development is placed in

1 service. For purposes of this subdivision, if a qualified development consists of more
2 than one building, the qualified development is placed in service in the taxable year
3 in which the last building of the qualified development is placed in service.

4 **SECTION 1254.** 71.47 (8b) (a) 7. of the statutes is amended to read:

5 71.47 **(8b)** (a) 7. “Qualified development” means a qualified low-income
6 housing project under section 42 (g) of the Internal Revenue Code that is financed
7 with tax-exempt bonds, ~~pursuant to section 42 (i) (2) described in section 42 (h) (4)~~
8 (A) of the Internal Revenue Code, allocated the credit under section 42 of the Internal
9 Revenue Code, and located in this state; except that the authority may waive, in the
10 qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code,
11 the requirements of tax-exempt bond financing and federal credit allocation to the
12 extent the authority anticipates that sufficient volume cap under section 146 of the
13 Internal Revenue Code will not be available to finance low-income housing projects
14 in any year.

15 **SECTION 1255.** 76.639 (1) (e) of the statutes is amended to read:

16 76.639 **(1)** (e) “Credit period” means the period of ~~6- 10~~ taxable years beginning
17 with the taxable year in which a qualified development is placed in service. For
18 purposes of this paragraph, if a qualified development consists of more than one
19 building, the qualified development is placed in service in the taxable year in which
20 the last building of the qualified development is placed in service.

21 **SECTION 1256.** 76.639 (1) (g) of the statutes is amended to read:

22 76.639 **(1)** (g) “Qualified development” means a qualified low-income housing
23 project under section 42 (g) of the Internal Revenue Code that is financed with
24 tax-exempt bonds, ~~pursuant to section 42 (i) (2) described in section 42 (h) (4) (A)~~ of
25 the Internal Revenue Code, allocated the credit under section 42 of the Internal

1 Revenue Code, and located in this state; except that the authority may waive, in the
2 qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code,
3 the requirements of tax-exempt bond financing and federal credit allocation to the
4 extent the authority anticipates that sufficient volume cap under section 146 of the
5 Internal Revenue Code will not be available to finance low-income housing projects
6 in any year.

7 **SECTION 1257.** 234.45 (1) (c) of the statutes is amended to read:

8 234.45 (1) (c) “Credit period” means the period of ~~6~~ 10 taxable years beginning
9 with the taxable year in which a qualified development is placed in service. For
10 purposes of this paragraph, if a qualified development consists of more than one
11 building, the qualified development is placed in service in the taxable year in which
12 the last building of the qualified development is placed in service.

13 **SECTION 1258.** 234.45 (1) (e) of the statutes is amended to read:

14 234.45 (1) (e) “Qualified development” means a qualified low-income housing
15 project under section 42 (g) of the Internal Revenue Code that is financed with
16 tax-exempt bonds, ~~pursuant to section 42 (i) (2)~~ described in section 42 (h) (4) (A) of
17 the Internal Revenue Code, allocated the credit under section 42 of the Internal
18 Revenue Code, and located in this state; except that the authority may waive, in the
19 qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code,
20 the requirements of tax-exempt bond financing and federal credit allocation to the
21 extent the authority anticipates that sufficient volume cap under section 146 of the
22 Internal Revenue Code will not be available to finance low-income housing projects
23 in any year.

24 **SECTION 1259.** 234.45 (4) of the statutes is amended to read:

1 234.45 (4) ALLOCATION LIMITS. In any calendar year, the aggregate amount of
2 all state tax credits for which the authority certifies persons in allocation certificates
3 issued under sub. (3) in that year may not exceed ~~\$42,000,000~~ \$100,000,000,
4 including all amounts each person is eligible to claim for each year of the credit
5 period, plus the total amount of all unallocated state tax credits from previous
6 calendar years and plus the total amount of all previously allocated state tax credits
7 that have been revoked or cancelled or otherwise recovered by the authority.”.

8 **208.** Page 374, line 11: after that line insert:

9 “**SECTION 1260.** 77.51 (3h) of the statutes is created to read:

10 77.51 (3h) “Diaper” means an absorbent garment worn by humans who are
11 incapable of, or have difficulty controlling their bladder or bowel movements.

12 **SECTION 1261.** 77.51 (3pq) of the statutes is created to read:

13 77.51 (3pq) “Feminine hygiene products” means tampons, panty liners,
14 menstrual cups, sanitary napkins, and other similar tangible personal property
15 designed for feminine hygiene in connection with the human menstrual cycle.
16 “Feminine hygiene products” do not include grooming and hygiene products.

17 **SECTION 1262.** 77.51 (4f) of the statutes is created to read:

18 77.51 (4f) “Grooming and hygiene products” means soaps and cleaning
19 solutions, shampoo, toothpaste, mouthwash, antiperspirants, and suntan lotions
20 and screens.

21 **SECTION 1263.** 77.52 (13) of the statutes is amended to read:

22 77.52 (13) For the purpose of the proper administration of this section and to
23 prevent evasion of the sales tax it shall be presumed that all receipts are subject to
24 the tax until the contrary is established. The burden of proving that a sale of tangible

1 personal property, or items, property, or goods under sub. (1) (b), (c), or (d), or services
2 is not a taxable sale at retail is upon the person who makes the sale unless that
3 person takes from the purchaser an electronic or a paper certificate, in a manner
4 prescribed by the department, to the effect that the property, item, good, or service
5 is purchased for resale or is otherwise exempt, except that no certificate is required
6 for the sale of tangible personal property, or items, property, or goods under sub. (1)
7 (b), (c), or (d), or services that are exempt under s. 77.54 (5) (a) 3., (7), (7m), (8), (10),
8 (11), (14), (15), (17), (20n), (21), (22b), (31), (32), (35), (36), (37), (42), (44), (45), (46),
9 (51), (52), (66), and (67), (71), (72), and (73).

10 **SECTION 1264.** 77.53 (10) of the statutes is amended to read:

11 77.53 (10) For the purpose of the proper administration of this section and to
12 prevent evasion of the use tax and the duty to collect the use tax, it is presumed that
13 tangible personal property, or items, property, or goods under s. 77.52 (1) (b), (c), or
14 (d), or taxable services sold by any person for delivery in this state is sold for storage,
15 use, or other consumption in this state until the contrary is established. The burden
16 of proving the contrary is upon the person who makes the sale unless that person
17 takes from the purchaser an electronic or paper certificate, in a manner prescribed
18 by the department, to the effect that the property, or items, property, or goods under
19 s. 77.52 (1) (b), (c), or (d), or taxable service is purchased for resale, or otherwise
20 exempt from the tax, except that no certificate is required for the sale of tangible
21 personal property, or items, property, or goods under s. 77.52 (1) (b), (c), or (d), or
22 services that are exempt under s. 77.54 (7), (7m), (8), (10), (11), (14), (15), (17), (20n),
23 (21), (22b), (31), (32), (35), (36), (37), (42), (44), (45), (46), (51), (52), and (67), (71), (72)
24 and (73).

25 **SECTION 1265.** 77.54 (71) of the statutes is created to read:

1 77.54 (71) The sales price from the sale of and the storage, use, or other
2 consumption of diapers and feminine hygiene products.

3 **SECTION 1266.** 77.54 (72) of the statutes is created to read:

4 77.54 (72) The sales price from the sale of and the storage, use, or other
5 consumption of breast pumps, breast pump kits, and breast pump storage and
6 collection supplies.

7 **SECTION 1267.** 77.54 (73) of the statutes is created to read:

8 77.54 (73) (a) The sales price from the sale of and the storage, use, or other
9 consumption of gun safes that are specifically designed for the storage of guns, but
10 not other items used for gun storage, such as locking gun cabinets and racks.

11 (b) The sales price from the sale of and the storage, use, or other consumption
12 of trigger locks and gun barrel locks.”.

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

14 “**SECTION 1.** 71.98 (10) of the statutes is created to read:

15 71.98 (10) 529 ACCOUNTS. For taxable years beginning after December 31, 2022,
16 section 529 of the Internal Revenue Code, relating to qualified tuition programs.”.

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

18 “**SECTION 1268.** 77.54 (56) (a) of the statutes is repealed.

19 **SECTION 1269.** 77.54 (56) (ad) of the statutes is created to read:

20 77.54 (56) (ad) 1. The sales price from the sale of and the storage, use, or other
21 consumption of a solar power system or wind energy system that produces usable
22 electrical or heat energy directly from the sun or wind, if the system is capable of
23 continuously producing at least 200 watts of alternating current or 600 British
24 thermal units. A solar power system or wind energy system described under this

1 subdivision includes tangible personal property sold with the system that is used
2 primarily to store or facilitate the storage of the electrical or heat energy produced
3 by the system, but does not include an uninterruptible power source that is designed
4 primarily for computers. The exemption under this subdivision does not apply to
5 tangible personal property designed for any use other than for a solar power system
6 or wind energy system described in this subdivision.

7 2. The sales price from the sale of and the storage, use, or other consumption
8 of a waste energy system that produces usable electrical or heat energy directly from
9 gas generated from anaerobic digestion of animal manure and other agricultural
10 waste if the system is capable of continuously producing at least 200 watts of
11 alternating current or 600 British thermal units. A system described under this
12 subdivision includes tangible personal property sold with the system that is used
13 primarily to store or facilitate the storage of the electrical or heat energy produced
14 by the system, but does not include an uninterruptible power source that is designed
15 primarily for computers. The exemption under this subdivision does not apply to
16 tangible personal property designed for any use other than for a waste energy system
17 described in this subdivision.

18 **SECTION 1270.** 77.54 (56) (b) of the statutes is amended to read:

19 77.54 **(56)** (b) Except for the sale of electricity or energy that is exempt from
20 taxation under sub. (30), ~~beginning on July 1, 2011,~~ the sales price from the sale of
21 and the storage, use, or other consumption of electricity or heat energy produced by
22 a product system described under par. (a) (ad).”

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

24 “**SECTION 1271.** 77.51 (11d) of the statutes is amended to read:

1 77.51 **(11d)** For purposes of subs. (1ag), (1f), (3pf), (7j), ~~and (9p), and (17g)~~ and
2 ss. 77.52 (20) and (21), 77.522, 77.54 (9g), (51), (52), and (60), and 77.59 (5r), “product”
3 includes tangible personal property, and items, property, and goods under s. 77.52
4 (1) (b), (c), and (d), and services.

5 **SECTION 1272.** 77.51 (17g) of the statutes is created to read:

6 77.51 **(17g)** “Separate and optional fee” means a fee charged to receive a
7 distinct and identifiable product if either of the following applies:

8 (a) The fee is in addition to fees that the seller charges for other distinct and
9 identifiable products sold to the same buyer, the fee is separately set forth on the
10 invoice given by the seller to the buyer, and the seller does not require the buyer to
11 pay the fee if the buyer chooses not to receive the additional distinct and identifiable
12 product for which the fee applies.

13 (b) The seller charges a single amount for multiple distinct and identifiable
14 products and offers the buyer the option of paying a lower amount if the buyer
15 chooses not to receive one or more of the distinct and identifiable products. For
16 purposes of this paragraph, the separate and optional fee is the single amount the
17 seller charges for the multiple distinct and identifiable products less the reduced
18 amount the seller charges to the buyer because the buyer chooses not to receive one
19 or more of the products.

20 **SECTION 1273.** 77.52 (2) (a) 20. of the statutes is amended to read:

21 77.52 **(2)** (a) 20. The sale of landscaping and lawn maintenance services
22 including landscape planning and counseling, lawn and garden services such as
23 planting, mowing, spraying and fertilizing, and shrub and tree services. For
24 purposes of this subdivision, landscaping and lawn maintenance services do not
25 include planning and counseling services for the restoration, reclamation, or

1 revitalization of prairie, savanna, or wetlands to improve biodiversity, the quality of
2 land, soils, or water, or other ecosystem functions if the planning and counseling
3 services are provided for a separate and optional fee from any other services.

4 **SECTION 1274.** 77.52 (2m) (a) of the statutes is amended to read:

5 77.52 (2m) (a) With respect to the services subject to tax under sub. (2), no part
6 of the charge for the service may be deemed a sale or rental of tangible personal
7 property or items, property, or goods under sub. (1) (b), (c), or (d) if the property, items,
8 or goods transferred by the service provider are incidental to the selling, performing
9 or furnishing of the service, except as provided in ~~par.~~ pars. (b) and (c).

10 **SECTION 1275.** 77.52 (2m) (c) of the statutes is created to read:

11 77.52 (2m) (c) With respect to services subject to tax under sub. (2) (a) 7., 10.,
12 11., and 20. that are provided for a separate and optional fee from the planning and
13 counseling services described under sub. (2) (a) 20., all tangible personal property or
14 items, property, or goods under sub. (1) (b), (c), or (d) physically transferred, or
15 transferred electronically, to the customer in conjunction with the provision of the
16 services subject to tax under sub. (2) (a) 7., 10., 11., and 20. is a sale of tangible
17 personal property or items, property, or goods separate from the selling, performing,
18 or furnishing of the services.”.

19 **212.** Page 374, line 11: after that line insert:

20 **“SECTION 1276.** 77.25 (15) of the statutes is amended to read:

21 77.25 (15) Between a corporation and its shareholders if all of the stock is
22 owned by persons who are related to each other as spouses, as lineal ascendants,
23 lineal descendants, an uncle and his nieces or nephews, an aunt and her nieces or
24 nephews, first cousins, or siblings, whether by blood or by adoption, or as spouses of

1 siblings, if the transfer is for no consideration except the assumption of debt or stock
2 of the corporation and if the corporation owned the property for at least 3 years.

3 **SECTION 1277.** 77.25 (15m) of the statutes is amended to read:

4 77.25 (15m) Between a partnership and one or more of its partners if all of the
5 partners are related to each other as spouses, as lineal ascendants, lineal
6 descendants, an uncle and his nieces or nephews, an aunt and her nieces or nephews,
7 first cousins, or siblings, whether by blood or by adoption, or as spouses of siblings
8 and if the transfer is for no consideration other than the assumption of debt or an
9 interest in the partnership.

10 **SECTION 1278.** 77.25 (15s) of the statutes is amended to read:

11 77.25 (15s) Between a limited liability company and one or more of its members
12 if all of the members are related to each other as spouses, as lineal ascendants, lineal
13 descendants, an uncle and his nieces or nephews, an aunt and her nieces or nephews,
14 first cousins, or siblings, whether by blood or by adoption, or as spouses of siblings
15 and if the transfer is for no consideration other than the assumption of debt or an
16 interest in the limited liability company.

17 **SECTION 9337. Initial applicability; Revenue.**

18 (1n) REAL ESTATE TRANSFER FEE. The treatment of s. 77.25 (15), (15m), and (15s)
19 first applies to a real estate transfer return filed on the effective date of this
20 subsection.”.

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

22 “**SECTION 1279.** 71.07 (6e) (a) 6. of the statutes is created to read:

23 71.07 (6e) (a) 6. “Rent constituting property taxes” has the meaning given in
24 sub. (9) (a) 4.

1 **SECTION 1280.** 71.07 (6e) (b) of the statutes is amended to read:

2 71.07 **(6e)** (b) *Filing claims.* Subject to the limitations provided in this
3 subsection, a claimant may claim as a credit against the tax imposed under s. 71.02
4 the amount of the claimant's property taxes or rent constituting property taxes. If
5 the allowable amount of the claim exceeds the income taxes otherwise due on the
6 claimant's income, the amount of the claim not used as an offset against those taxes
7 shall be certified by the department of revenue to the department of administration
8 for payment to the claimant by check, share draft, or other draft from the
9 appropriation under s. 20.835 (2) (em).

10 **SECTION 1281.** 71.07 (6e) (c) 3. of the statutes is amended to read:

11 71.07 **(6e)** (c) 3. If an eligible veteran and an eligible spouse file separate
12 returns, each spouse may claim a credit under this subsection for property taxes
13 based on their respective ownership interest in the eligible veteran's principal
14 dwelling or for rent constituting property taxes based on 50 percent of the total rent
15 constituting property taxes paid during the taxable year for the eligible veteran's
16 principal dwelling.

17 **SECTION 9337. Initial applicability; Revenue.**

18 (1) VETERANS AND SURVIVING SPOUSES PROPERTY TAX CREDIT. The treatment of s.
19 71.07 (6e) (a) 6., (b), and (c) 3. first applies to taxable years beginning after December
20 31, 2022.”.

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

22 “**SECTION 1282.** Subchapter III (title) of chapter 139 [precedes 139.75] of the
23 statutes is amended to read:

24

CHAPTER 139

1 SUBCHAPTER III

2 TOBACCO PRODUCTS TAX AND3 VAPOR PRODUCTS TAXES

4 **SECTION 1283.** 139.75 (14) of the statutes is renumbered 139.75 (14) (a) and
5 amended to read:

6 139.75 (14) (a) “Vapor product” means a noncombustible product that produces
7 vapor or aerosol for inhalation from the application of a heating element to a liquid
8 or other substance that is depleted as the product is used, regardless of whether the
9 liquid or other substance contains nicotine, which may or may not contain nicotine,
10 that employs a heating element, power source, electronic circuit, or other electronic,
11 chemical, or mechanical means, regardless of shape or size, that can be used to
12 produce vapor from a solution or other substance.

13 **SECTION 1284.** 139.75 (14) (b) and (c) of the statutes are created to read:

14 139.75 (14) (b) “Vapor product” includes all of the following:

15 1. An electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe,
16 or similar product or device.

17 2. Any cartridge or other container of a solution or other substance, which may
18 or may not contain nicotine, that is intended to be used with or in an electronic
19 cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or
20 device.

21 (c) “Vapor product” does not include a product regulated as a drug or device
22 under sections 501 to 524A of the federal food, drug, and cosmetic act, 21 USC 351
23 to 360n-1.

24 **SECTION 1285.** 139.76 (1m) of the statutes is amended to read:

1 139.76 **(1m)** An excise tax is imposed upon the sale, offering or exposing for
2 sale, possession with intent to sell or removal for consumption or sale or other
3 disposition for any purpose of vapor products by any person engaged as a distributor
4 of them at the rate of ~~5 cents per milliliter of the liquid or other substance based on~~
5 ~~the volume as listed by the manufacturer and at a proportionate rate for any other~~
6 ~~quantity or fractional part thereof~~ 71 percent of the manufacturer's established list
7 price to distributors without diminution by volume or other discounts on domestic
8 products. On vapor products imported from another country, the rate of tax is 71
9 percent of the amount obtained by adding the manufacturer's list price to the federal
10 tax, duties, and transportation costs to the United States. The tax attaches at the
11 time the vapor products are received by the distributor in this state. The tax shall
12 be passed on to the ultimate consumer of the vapor products. All vapor products
13 received in this state for sale or distribution within this state, except those actually
14 sold as provided in sub. (2), shall be subject to such tax.

15 **SECTION 1286.** 139.77 (1) of the statutes is amended to read:

16 139.77 **(1)** On or before the 15th day of each month, every distributor with a
17 place of business in this state shall file a return showing the quantity, ~~including~~
18 ~~milliliters in the case of a vapor product,~~ and taxable price of each tobacco product
19 or vapor product brought, or caused to be brought, into this state for sale; or made,
20 manufactured or fabricated in this state for sale in this state, during the preceding
21 month. Every distributor outside this state shall file a return showing the quantity,
22 ~~including milliliters in the case of a vapor product,~~ and taxable price of each tobacco
23 product or vapor product shipped or transported to retailers in this state to be sold
24 by those retailers during the preceding month. At the time that the return is filed,
25 the distributor shall pay the tax.

1 **SECTION 1287.** 139.78 (1m) of the statutes is amended to read:

2 139.78 **(1m)** A tax is imposed upon the use or storage by consumers of vapor
3 products in this state at the rate of ~~5 cents per milliliter of the liquid or other~~
4 ~~substance based on the volume as listed by the manufacturer and at a proportionate~~
5 ~~rate for any other quantity or fractional part thereof~~ 71 percent of the manufacturer's
6 established list price to distributors without diminution by volume or other discounts
7 on domestic products. The tax does not apply if the tax imposed by s. 139.76 (1m) on
8 the vapor products has been paid or if the vapor products are exempt from the vapor
9 products tax under s. 139.76 (2).

10 **SECTION 9437. Effective dates; Revenue.**

11 (1) VAPOR PRODUCTS. The treatment of subch. III (title) of ch. 139 and ss. 139.76
12 (1m), 139.77 (1), and 139.78 (1m), the renumbering and amendment of s. 139.75 (14),
13 and the creation of s. 139.75 (14) (b) and (c) take effect on the first day of the 3rd
14 month beginning after publication.”.

15 **215.** Page 420, line 1: delete lines 1 to 6.

16 **216.** Page 430, line 19: after that line insert:

17 “(4p) ENERGY SYSTEMS. The treatment of s. 77.54 (56) (a), (ad), and (b) takes
18 effect on the first day of the 3rd month beginning after publication.

19 (5p) PRAIRIE AND WETLAND COUNSELING SERVICES. The treatment of ss. 77.51 (11d)
20 and (17g) and 77.52 (2) (a) 20. and (2m) (a) and (c) takes effect on the first day of the
21 3rd month beginning after publication.

22 (5q) PREWRITTEN COMPUTER SOFTWARE. The treatment of s. 77.52 (2) (a) 21. takes
23 effect on the first day of the 6th month beginning after publication.

