

---

# Wisconsin Legislative Council

## ACT MEMO

---



**Prepared by:** Steve McCarthy, Senior Staff Attorney

March 26, 2024

### 2023 Wisconsin Act 206 [2023 Assembly Bill 1079]

### Elements of Sexual Assault Under the Wisconsin Code of Military Justice, Eligibility for Burial in Veterans Cemeteries, and Employment of Direct-Care Employees by Veterans Homes

## 2023 WISCONSIN ACT 206

2023 Wisconsin Act 206 does all of the following:

- Corrects an inadvertent error in 2023 Wisconsin Act 47 by modifying the elements of sexual assault under the Wisconsin Code of Military Justice to align with the elements of the offense under the Uniform Code of Military Justice.
- Removes the Wisconsin residency eligibility requirements in determining whether an individual or his or her spouse or children may be buried in a state veterans cemetery, and directs from which appropriation account some eligible individuals' burial expenses may be paid.
- Makes a number of changes to employment at veterans homes, including all of the following:
  - Beginning on April 1, 2025, the act requires that veterans home employees who provide direct care to residents of a veterans home must be paid on a weekly basis if they so request.
  - Sunsetting on January 1, 2029, the act does all of the following:
    - Exempts nonsupervisory positions providing direct care to residents of veterans homes from resume rating panels and interview panels under the state civil service system.
    - Allows a veterans home to fill permanent vacant positions without using the state civil service procedures for nurses, nurse aides, medical assistants, and dietitians who are graduates of an institution of higher education or completed an instructional or training program **if the employment offer is made before and contingent upon graduation or completion of the training program**, and other profession-specific criteria are satisfied.
    - Requires that a register of eligible applicants for vacant permanent positions at a state veterans home must be certified by the Department of Administration (DOA) within seven business days after the Department of Veterans Affairs (DVA) makes a request. Prior law generally required certification be made within 30 days.
    - Requires the register of certified eligible applicants for vacant permanent positions at veterans homes be maintained by DOA until notified by DVA that the agency no longer needs the register. Prior law generally required that a register expire after six months.

**Effective date:** March 24, 2024

For a full history of the bill, visit the Legislature's [bill history page](#).

SM:ksm