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# State of Misconsin 2021 - 2022 **LEGISLATURE**

LRB-4696/1 EAW:skw

## **2021 SENATE BILL 604**

October 8, 2021 - Introduced by Senators Ballweg, Marklein and Johnson, cosponsored by Representatives J. Rodriguez, Kerkman, Doyle, Billings, DITTRICH, TUSLER, SINICKI, SNYDER and THIESFELDT. Referred to Committee on Judiciary and Public Safety.

AN ACT to renumber and amend 767.54; to amend 767.553 (1) (c); and to 1 2 create 767.54 (1) (a) to (d) and 767.54 (2) of the statutes; relating to: the 3 required annual exchange of financial information in an order for family support, child support, or maintenance.

### Analysis by the Legislative Reference Bureau

Under current law, in an order for family support, child support, or maintenance, the court must require the parties to annually exchange financial information. This bill specifies the types of financial information that must be included in this exchange and also allows the parties to redact certain personally identifying information from the documents that are exchanged. The bill also specifies that the information must be exchanged no later than May 1st of each year, unless a different date is agreed upon in writing by both of the parties.

#### The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**Section 1.** 767.54 of the statutes, as affected by 2021 Wisconsin Act 35, is renumbered 767.54 (1) (intro.) and amended to read:

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767.54 (1) (intro.) In an action in which the court has ordered a party to pay
family support under s. 767.225, 2019 stats., or s. 767.531, 2019 stats., or child
support or maintenance under this chapter, including an action to revise a judgment
or order under s. 767.59, the court shall require the parties annually to exchange
financial information. <u>Information required under this section shall be exchanged</u>
no later than May 1 of each calendar year, unless otherwise agreed upon in writing

8 <u>following:</u>

(3) Information disclosed under this section is subject to s. 767.127 (3). A party who fails to furnish information required by the court under this section may be proceeded against for contempt of court under ch. 785. If the court finds that a party has failed to furnish information required under this section, the court may award to the party bringing the action costs and, notwithstanding s. 814.04 (1), reasonable attorney fees.

by the parties. The information required to be exchanged shall include all of the

- **SECTION 2.** 767.54 (1) (a) to (d) of the statutes are created to read:
- 767.54 (1) (a) A complete copy of the party's federal and state income tax return for the prior calendar year, including all W-2 forms and 1099 forms.
  - (b) A year-end paycheck stub from all sources of employment for the prior calendar year.
  - (c) The party's most recent paycheck stub from all sources of employment showing year-to-date gross and net income.
  - (d) Any other documentation of the party's income from all sources for the12-month period preceding the exchange of information.
    - **SECTION 3.** 767.54 (2) of the statutes is created to read:

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(END)		
767.54.		
specify the manner and timing of the information exchange in accordance with s.		
must ex	change to determine whether the payer's income has changed, and shall	
767	7.553 (1) (c) In the order the court shall specify what information the parties	
SEC	CTION 4. 767.553 (1) (c) of the statutes is amended to read:	
determi	ne the income or financial status of the party.	
(j)	Any other personally identifying information that is not required to	
access se	ervices, funds, or benefits of any kind to which an individual is entitled.	
(i)	Any other personally identifying information that is intended to be used to	
(h)	A military identification number.	
personal	lly identifying number related to any investment tool.	
(g)	Any depository account number, investment account number, or other	
federal i	nternal revenue service.	
(f)	A taxpayer identification number assigned by the department of revenue or	
(e)	An identification number assigned by an employer.	
(d)	Any social security number.	
minor ch	nild not related to the other party.	
(c)	The name, date of birth, and other personally identifying information of a	
(b)	The name, date of birth, and address of the party's spouse.	
program	under s. 165.68, or if the party's address is otherwise protected or sealed.	
(a)	The party's home or work address, if the party is participating in the	
court:		
informat	tion from documents provided under sub. (1) unless otherwise ordered by the	
767	7.54 (2) A party may redact or remove the following personally identifying	