

# SUMMARY OF THE WISCONSIN LEGISLATIVE SESSION 2023–2024



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# SUMMARY OF THE WISCONSIN LEGISLATIVE SESSION 2023–2024

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# **Abbreviations**

AB Assembly Bill

DATCP Department of Agriculture, Trade and Consumer Protection

DCF Department of Children and Families

DFI Department of Financial Institutions

DHS Department of Health Services

DMA Department of Military Affairs

DNR Department of Natural Resources

DOA Department of Administration

DOC Department of Corrections

DOJ Department of Justice

DOR Department of Revenue

DOT Department of Transportation

DPI Department of Public Instruction

DSPS Department of Safety and Professional Services

DVA Department of Veterans Affairs

DWD Department of Workforce Development

GPR General Purpose Revenue

**HEAB** Higher Educational Aids Board

JCF Joint Committee on Finance

LAB Legislative Audit Bureau

LFB Legislative Fiscal Bureau

OCI Office of the Commissioner of Insurance

SB Senate Bill

UW University of Wisconsin

WEDC Wisconsin Economic Development Corporation

WHEDA Wisconsin Housing and Economic Development Authority

# **Agriculture**

**Act 19** (SB-70) does all of the following:

- 1. Provides \$7,000,000 for cost-sharing grants to landowners under the soil and water resource management program, to assist in implementing best management practices at agricultural sites.
- 2. Provides funding for additional grants to counties to support land and water conservation staff.
- 3. Provides \$1,800,000 annually for the commercial nitrogen optimization pilot program and the cover crop insurance premium rebate program.
- 4. Provides \$1,000,000 annually for producer-led watershed protection grants.
- 5. Provides \$1,000,000 annually for clean sweep grants that reimburse government entities for collecting and disposing of certain hazardous wastes and pesticides.
- 6. Provides additional one-time funding of \$1,600,000 for grants to facilities that slaughter animals or process meat or meat products.
- 7. Provides \$1,500,000 annually for grants to nonprofit food assistance organizations that purchase and distribute food to tribal elders.
- 8. Provides \$1,000,000 annually to support agricultural export promotion through the Wisconsin Initiative for Agricultural Exports (WIAE).
- 9. Provides \$500,000 annually for grants to dairy processors.
- 10. Provides \$100,000 annually for farmer mental health assistance programming.

**Act 244** (SB-311) increases from \$10,000 to \$20,000 the amount of state aid that DATCP may give to a local fair to cover the cost of prizes paid out to exhibitors and prohibits DATCP from restricting the number of fairs at which an exhibitor may participate in order to be eligible for a prize paid for with state aid.

# **Beverages**

**Act 73** (SB-268) makes significant changes to the regulation of alcohol beverages, including the following:

1. Creating the Division of Alcohol Beverages attached

- to DOR and transferring DOR's alcohol beverage functions to the division.
- 2. Modifying the retail sales authority of brewers, wineries, and liquor manufacturers to expand, if certain requirements are met, the number of permissible retail outlets and the types of alcohol beverages that may be sold at them, to eliminate local licensing of wineries, and to specify or change the hours during which retail sales may be made.
- 3. Beginning January 1, 2026, modifying provisions relating to the consumption of alcohol beverages in a public place, creating a no-sale event venue permit that allows a property owner, on limited occasions, to rent property for use as an event venue at which beer and wine are consumed, and creating a liquor license quota exception for certain event venues.
- 4. Creating an operator's permit issued by the division that is similar to an operator's license (bartender's license).
- 5. Allowing wine-only retail licenses to be issued to establishments other than restaurants.
- 6. Modifying common ownership interest restrictions applicable to producers, wholesalers, and retailers.
- 7. Creating provisions governing production arrangements between producers.
- 8. Creating permits for, and imposing requirements on, fulfillment houses and common carriers involved in direct-to-consumer wine shipping and modifying provisions governing wineries engaged in such wine shipping.
- 9. Allowing cooperative wholesalers to distribute distilled spirits.
- 10. Expanding the definition of "fermented malt beverages."
- 11. Making other changes related to the authorized activities of brewers, brewpubs, wineries, and liquor manufacturers.

See also Trade and Consumer Protection.

# **Buildings and Safety**

**Act 19** (SB-70) delays the elimination of the DSPS

private on-site wastewater treatment systems grant program until June 2025. Prior law eliminated the grant program on June 30, 2023.

**Act 76** (SB-324) prohibits DSPS from promulgating any rule establishing building codes that prohibit or limit the use of a refrigerant that the U.S. Environmental Protection Agency has designated as acceptable for use.

**Act 163** (SB-768) prohibits DSPS from prohibiting the general public from self-service dispensing of compressed natural gas or propane autogas. The act also prohibits DSPS from requiring a person to be trained to self-service dispense such fuels. The act requires DSPS to promulgate rules that ensure that safety requirements are satisfied during self-service dispensing of those fuels.

### **Business and Consumer Law**

**Act 151** (AB-912) increases, for a charitable organization registered with DFI, the contribution thresholds above which the charitable organization must provide a reviewed or audited financial statement to DFI.

**Act 246** (SB-450) renames the Uniform Fraudulent Transfer Act—which allows a creditor to challenge a debtor's asset transfers under certain circumstances—as the Uniform Voidable Transactions Law and modifies some of its procedural provisions.

**Act 252** (SB-687) updates an entity name in a provision related to the incorporation of religious organizations.

### Children

**Act 19** (SB-70) does all of the following:

- 1. Increases the monthly basic maintenance rates paid to foster parents and the monthly kinship care payments made to relatives who provide care for children.
- 2. Changes the income eligibility requirement for child care subsidies under Wisconsin Shares from 185 percent to 200 percent of the federal poverty level

- and changes the increase in copayments above that threshold to \$1 for every \$5 increase in household income instead of \$1 for every \$3 increase.
- 3. Allows DCF to enter into an agreement with a tribal government to allow that government to administer subsidized guardianships. Under the agreement the tribe must comply with all subsidized guardianship requirements that apply to counties, and DCF must reimburse the tribe for subsidized guardianship payments in the same way that it reimburses counties.
- 4. Allocates funding to programs and subsidies from federal moneys received under Temporary Assistance for Needy Families.
- 5. Extends by two years, until June 30, 2025, the five-county pilot program to provide parents counsel in a Child in Need of Protection or Services (CHIPS) proceeding.
- 6. Increases the per-person daily rates that are assessed on counties for state-provided juvenile correctional services from \$1,178 to \$1,246 in fiscal year 2023–24 and \$1,268 in fiscal year 2024–25.

**Act 79** (SB-369) authorizes the installation of newborn infant safety devices in hospitals, fire stations, and law enforcement buildings and allows a parent to relinquish a child under the age of 72 hours in such a device under the safe haven law.

**Act 118** (SB-381) allows a proposed adoptive parent to complete 6 out of 25 hours of preadoption training through a live videoconference instead of in person.

**Act 119** (SB-520) allows a juvenile court to place a child in out-of-home care with an individual without a foster home license who qualifies as "like-kin," which means someone who has a significant emotional relationship with a child or the child's family that is similar to a familial relationship and, for an Indian child, includes an individual who is identified by the child's tribe as kin or like-kin according to tribal tradition, custom or resolution, code, or law. Prior law allowed such placement of children only with family members.

**Act 191** (SB-707) requires DCF to establish a grant program to award grants to partially reimburse nonprofit organizations that mail books to young children.

### **Corrections**

**Act 31** (AB-47) requires DOC to post on its website information about parole decisions, including the aggregate number of individuals who were granted or denied parole, or returned to prison following parole revocation, and guidance documents the Parole Commission uses when making parole decisions. The act also changes the deadline by which the Parole Commission must notify courts, district attorneys, and victims about an inmate's application for parole from three weeks before the hearing or interview on the application to 90 days before the hearing or interview.

**Act 229** (SB-722) requires correctional officers to undergo training to identify symptoms of active psychosis and training on how to report such symptoms among prisoners to the superintendent of the correctional institution and appropriate medical personnel. The act also requires DOC or the sheriff to authorize an emergency transfer of a prisoner to a mental health treatment facility or the Wisconsin Resource Center if there is cause to believe that the prisoner is in active psychosis, is a danger to someone, and has remained in active psychosis for more than 72 hours and not been stabilized.

**Act 230** (AB-237) expands a victim's statutory right to participate in a hearing before a prisoner is released on parole or extended supervision so that the victim may make an oral statement or use visual aids, changes the victim's statutory right to notice of release from 7 days before the prisoner is released to 30 days, and specifies that a police chief or sheriff may disseminate information to the general public regarding a person who was convicted of a serious violent crime who is being released from prison to reside in the chief's or sheriff's jurisdiction.

**Act 233** (SB-172) requires DOC to contract with at least one nonprofit organization, for-profit entity, or public agency to establish a community reentry center. A community reentry center is a community site offering individuals who are being released from a state correctional institution initial points of contact for health services, identification services, financial

services, housing services, employment services, education services, and supervision services.

Act 254 (SB-874) codifies the attorney general opinion, OAG-02-17, regarding the interpretation of the statutory phrase "two or more separate occasions" as it pertains to the sex offender registry and notification requirements. Under the act, each conviction for a sex offense or finding of not guilty of a sex offense by reason of mental disease or defect is counted as a separate occasion even if they were part of the same proceeding, occurred on the same date, or were included in the same complaint. A person who has been convicted or been the subject of such a finding on two or more separate occasions must register as a sex offender for life and be tracked by lifetime global positioning system tracking.

**Act 256** (AB-1097) changes the name of Lincoln County Correctional Institution to Lincoln Correctional Institution.

# **Courts and Legal Process**

**Act 19** (SB-70) adds to the statutory list the eight new circuit court branches allocated by the director of state courts, four of which were authorized to begin operation in August 2022 and four of which were authorized to begin operation in August 2023.

**Act 127** (SB-759) makes the following changes to the administration of trusts, the distribution of property under powers of appointment, and the classification of digital property under the state's marital property laws:

- 1. Modifies the administration of trusts, mostly consistent with updates to the Uniform Trust Code, including expanding who may represent and bind another in a trust proceeding and allowing a trust to be created without initial funding.
- 2. Adopts the Uniform Trust Decanting Act. "Decanting" means modifying the terms of a trust or transferring assets from one trust to a second trust.
- 3. Adopts the Uniform Powers of Appointment Act. A power of appointment allows an owner of property to appoint a third party to direct its distribution.

4. For the purposes of classifying an electronic account and the digital property held in the account, including the content of electronic communications, as marital property or individual property under the state's marital property law, establishes that both the electronic account and the digital property held in the account are classified as individual property unless either the account or the digital property was not originally created, acquired, or used for personal, noneconomic purposes.

**Act 130** (SB-898) allows a person who is executing a declaration to health care professionals, an authorization for final disposition, a power of attorney for health care or for finances and property, or a will to meet the notorization and witness requirements remotely using two-way, real-time audiovisual communication. The act also requires witnesses to a declaration to health care professionals to be at least 18 years old.

**Act 220** (AB-576) establishes, with certain exceptions, a privilege for communications with peer support and critical incident stress management (CISM) services team members. Under the act, a person receiving either peer support or CISM services has a privilege to refuse to disclose and to prevent others from disclosing peer support or CISM services communications. The person receiving the services or the guardian or conservator of that person may claim the privilege, and a person who was a peer support or CISM services team member at the time of the communication is presumed to have authority during the life of the recipient to claim the privilege on the recipient's behalf. See also Justice.

**Act 232** (AB-960) requires a wireless communications provider to provide wireless device location information to law enforcement without a warrant under certain circumstances. Under preexisting law, a warrant is generally required for a law enforcement officer to track or obtain the location of a wireless device. However, there was an exception that allowed but did not require a wireless communications provider to provide wireless device location information if the customer or subscriber consented or if the wireless communications provider believed in good faith that an emergency involving the danger of death

or serious physical injury to any person existed and disclosure of the location information was relevant to preventing the death or injury or to mitigating the injury. The act requires disclosure of wireless device location information under those circumstances and additionally requires disclosure if the wireless communications provider receives a written request from a law enforcement agency attesting that the disclosure is needed to respond with emergency services or to an emergency situation that involves the danger of death or serious physical injury and that the disclosure is necessary to prevent or mitigate that danger.

**Act 235** (AB-966) provides privacy protections for judicial officers by limiting access to their personal information on nomination papers and statements of economic interest and on certain documents maintained by commercial entities.

**Act 236** (AB-967) exempts a judicial security profile form from disclosure under the public records law. Under the act, a judicial security profile form is a form completed by a current or former judicial officer and used to develop an emergency response plan.

**Act 245** (SB-29) modifies Wisconsin's version of the Uniform Unsworn Foreign Declarations Act to adopt the Uniform Unsworn Declarations Act in its place. Specifically, the act allows a declarant to make an unsworn declaration, which is a declaration in a signed record that is not given under oath, even if the declarant is within the jurisdiction of the United States.

### **Crime and Criminal Procedure**

**Act 3** (SB-75) enacts two provisions of enabling legislation for the constitutional amendment that was ratified by the voters in April 2023 regarding preconviction release, including bail. First, the constitutional amendment provided that defendants are eligible for preconviction release under reasonable conditions that protect the community from "serious harm as defined by the legislature by law." The act defines "serious harm" as personal physical pain or injury, illness, impairment of physical condition, or death, including mental anguish or emotional harm attendant to the pain or injury; damage to property that is over \$2,500;

or economic loss over \$2,500. Second, the constitutional amendment expanded the reasons for which the court may impose monetary bail as a condition of preconviction release if a defendant is accused of a "violent crime as defined by the legislature by law." The act defines "violent crime" to include homicide, aggravated and special circumstances battery, mayhem, sexual assault, human trafficking, carjacking, and other crimes. See also Constitutional Amendments: Second Consideration, Senate Joint Resolution 2.

**Act 10** (SB-76) increases the felony classification for carjacking with a weapon from a Class C felony to a Class B felony. The act also reorganizes carjacking crimes so they appear under a separate statutory provision entitled "Carjacking."

**Act 29** (SB-101) increases the felony classification from a Class C to a Class B felony for the crime of causing the death of a human being by the manufacture, distribution, or delivery of, or by administering or assisting in administering, certain Schedule I or Schedule II controlled substances.

**Act 61** (AB-166) expands the definition of "sexual contact," for purposes of crimes against children and the crime of sexual assault, to include when a victim is made to touch human ejaculate, urine, or feces upon instruction, upon use or threat of force or violence, or upon an intentional act of the perpetrator, if the purpose is to sexually degrade or humiliate the victim or to sexually arouse or gratify the perpetrator.

**Act 133** (SB-485) changes the elements of the crime of robbery of a financial institution to include taking property "by creating circumstances that would cause a reasonable person to believe use of force was imminent." Prior law required the use of or threat to use force.

**Act 166** (AB-637) provides that it is a Class I felony to remove the catalytic converter from a vehicle without the owner's consent.

**Act 198** (SB-111) expands the definition of "strip search" for the purposes of the prohibition against a school conducting a strip search of a pupil so that "strip search" includes a search in which a person's

underwear-clad genitalia, anus, buttocks, or female areola or nipple is uncovered and either exposed or touched by the person conducting the search. Under former law, if the body part was covered by underwear, it was not a strip search for purposes of the prohibition.

**Act 200** (SB-333) makes it a Class I felony for an employee or volunteer at a school to commit sexual misconduct, defined as verbal or physical conduct of a sexual nature that is intended to gratify, arouse, degrade, or humiliate, against a student who is enrolled at the school. *See also* Education: Primary and Secondary Education.

**Act 217** (SB-875) decriminalizes the use of xylazine testing products; prior law classified them as prohibited drug paraphernalia. The act provides that any person who distributes a xylazine testing product is immune from civil or criminal liability for a death or injury caused by the administration of the xylazine testing product and that any person who administers a xylazine testing product according to manufacturer instructions is immune from civil or criminal liability for the act, except for civil liability for negligence in performing the act.

**Act 224** (SB-314) makes it a Class D felony for an adult to possess virtual child pornography and a Class I felony for a minor to possess virtual child pornography. The act defines "virtual child pornography" as obscene material that contains visual representations appearing to depict an actual child engaged in sexually explicit conduct. The penalty structure for the new crime generally parallels the structure for the crime of possessing child pornography.

**Act 225** (SB-321) criminalizes the possession of a child sex doll. The act defines "child sex doll" as an anatomically correct doll, mannequin, or robot with features that resemble a minor that is intended for use in sex acts, for sexual gratification, or for manipulating children into participating in sex acts, instructing children how to participate in sex acts, or normalizing sexual behavior with children. The penalties for the crime range from a Class I felony to a Class C felony depending on whether the violation is a repeat offense, how many such dolls are possessed, and past convictions for other crimes against children.

**Act 231** (AB-556) requires a court to expedite proceedings in cases involving a victim or witness who is an elder person and creates a process by which a court may conduct a hearing for the purpose of preserving the testimony of a victim or witness who is an elder person.

**Act 234** (AB-965) creates the crime of picketing or parading at the residence of a judge. The act provides that it is a Class A misdemeanor to picket, parade, or demonstrate at or near any residence occupied by a judge with the intent to interfere with, obstruct, or impede the administration of justice or with the intent to influence any judge in the discharge of his or her duty.

**Act 238** (AB-976) provides that, in a prosecution for a human trafficking crime, the testimony of a child witness who is under 18 years old may be taken in a room other than the courtroom and simultaneously televised in the courtroom, if the court makes certain findings relating to emotional distress and trauma to the child. This provision is an exception to preexisting law that provides that, in any criminal prosecution, the testimony of a child witness who is under 12 years old, or under 16 years old if the interest of justice so requires, can be taken in a room other than the courtroom and simultaneously televised in the courtroom if the court makes those same findings.

# **Economic Development**

**Act 7** (SB-36) makes minor and technical changes to the Department of Tourism's requirements for reports to the legislature and repeals promotional requirements of the department related to donating cheese and using famous Wisconsin residents in marketing.

**Act 19** (SB-70) does the following:

- 1. Eliminates a requirement that the Department of Tourism maintain a marketing clearinghouse to provide tourism marketing services to state agencies.
- 2. Requires the Department of Tourism to award grants to Visit Milwaukee and Experience Greater Green Bay.
- 3. Creates an appropriation to WEDC for child care providers.

**Act 96** (SB-894) provides \$7,500,000 for a grant to BioForward, Inc., in its capacity as the lead member of a consortium formed for purposes of Wisconsin's designation by the federal government as eligible for a federal regional technology and innovation hub grant.

**Act 143** (AB-627) makes technical changes to the business development tax credit and enterprise zone jobs tax credit and lowers the eligibility threshold for tax benefits for a capital investment project under the business development tax credit. *See also* Taxation.

**Act 144** (AB-932) modifies the certification criteria to be a qualified new business venture for the purposes of the angel investment tax credit and early stage seed investment tax credit.

**Act 145** (AB-933) allows a person to sell or otherwise transfer the angel investment tax credit. Under the act, a person may not sell or otherwise transfer the applicable tax credit more than once in a 12-month period.

**Act 169** (SB-810) requires WEDC to establish and administer a grant program for the purpose of attracting major opportunities and events to Wisconsin.

**Act 170** (AB-548) creates a Wisconsin-Ireland trade commission within WEDC to promote the advancement of trade, mutual policy interests, business and academic exchanges, and mutual economic support between Wisconsin and the Republic of Ireland.

### **Education**

# **Higher Education**

**Act 2** (AB-67) eliminates the sunset date for the award of Wisconsin merit scholarships to UW System students.

**Act 19** (SB-70) provides funding to the Medical College of Wisconsin for a psychiatry and behavioral health residency program.

**Act 80** (SB-380) makes changes to the Wisconsin grant program and other financial aid changes, including

(1) allowing a student enrolled less than half time to receive a Wisconsin grant and applying the student's semester eligibility limit on a pro rata basis; (2) changing the way of calculating the amount of a private college student's Wisconsin grant and the way of establishing minimum and maximum grant amounts for all students; (3) incorporating the current federal need analysis formula (instead of the FAFSA) in awarding financial aid; (4) expanding eligibility for financial emergency grants to include UW System students at four-year campuses and increasing the maximum amount of these grants; and (5) repealing certain financial aid requirements related to federal Selective Service registration.

Act 89 (SB-702) creates a procedure and limitations for JCF to utilize \$20 million in supplemental funding set aside, as part of the 2023–25 budget process, for technical college oral health care programs. Under the act, the Technical College System Board's request for this supplemental funding must include a plan that specifies the amount and purpose of funding requested for each technical college. JCF may approve funding only for certain expenditures—such as those for equipment, facility improvements, instructional materials, and bonuses for newly hired instructors—made to create a new oral health care program at the technical college or to expand an existing oral health care program that has reached its capacity limit.

**Act 90** (SB-706) modifies a scholarship awarded by HEAB for students who agree to practice, upon graduation, in a health shortage area so that it applies exclusively to students enrolled in the Marquette University School of Dentistry (MUSD) who agree to practice in a dental health shortage area. The act also requires HEAB to fund MUSD programs that recruit and train students in rural dentistry.

**Act 95** (SB-367) requires the Board of Regents of the UW System to establish a guaranteed admission program for UW System institutions. With limited exceptions, to be eligible for the program, an applicant must be enrolled in a Wisconsin high school and be ranked in the top 10 percent of the applicant's class, or in the top 5 percent for UW–Madison, based on grade point average. *See also* Primary and Secondary Education.

**Act 103** (SB-896) specifies that a UW System appropriation is the funding mechanism for a Minnesota-UW System reciprocity agreement waiving nonresident tuition. *See also* Act 104.

**Act 104** (SB-161) requires the UW System to enter into, administer, and renegotiate with Minnesota a tuition reciprocity agreement that guarantees that in-state tuition be charged to residents of either state who are enrolled in public higher education institutions in the other state, and requires the UW System to ensure that each UW System institution is allocated its proportional share of tuition charged to Minnesota residents attending that institution. Under the act, HEAB must enter into a similar agreement with Minnesota regarding in-state tuition charged at public vocational schools in each state. See also Act 103.

**Act 117** (SB-744) makes changes to DMA's tuition grant program for national guard members. Among the changes, the act allows a guard member to receive the grant before or during a course instead of as reimbursement and requires DMA to disburse grant funds directly to the guard member's school within a specified period.

**Act 152** (SB-163) clarifies that the dean of UW–Madison's Division of Extension is a member of the Agricultural Education and Workforce Development Council.

**Act 250** (SB-518) requires WEDC to award grants to political subdivisions for redevelopment of former UW System branch campuses.

# Primary and Secondary Education

**Act 11** (SB-330) increases the revenue limit ceiling that applies to school districts in the 2023–24 school year and thereafter. The act also increases the per pupil amount paid in the 2023–24 school year to participating private schools under the parental choice programs and the Special Needs Scholarship Program and the per pupil amount paid in the 2023–24 school year to independent charter schools.

**Act 12** (AB-245) requires all of the following:

1. Milwaukee Public Schools to ensure that there are at least 25 school resource officers present at schools

within the school district and that the school resource officers complete a 40—hour course sponsored by the National Association of School Resource Officers.

2. Public high schools, including independent charter high schools, and private high schools that participate in a choice program to collect statistics regarding certain safety-related incidents that (a) occur on property owned or leased by the school or governing body of the school; (b) occur during school hours, at a school-sanctioned event, or during transportation of pupils to or from school; and (c) are reported to law enforcement and result in the filing of a charge or citation. DPI must include information related to these statistics on school and school district report cards.

*See also* Employment: Public Employment; Local Government; Shared Revenue; Taxation.

**Act 19** (SB-70) makes the following changes to the laws governing primary and secondary education:

- 1. Provides a \$325 annual per pupil revenue limit adjustment until 2425.
- 2. Eliminates the cap that applied to high cost transportation payments to school districts that qualified for aid in the previous year but not in the current year.
- 3. Increases the pupil transportation aid reimbursement rate for pupils transported over 12 miles to school.
- 4. Modifies the school-based mental health services grant program.
- 5. Increases the maximum amount of a robotics league participation grant.
- 6. Creates an appropriation in DPI for grants to recovery high schools.
- 7. Provides funding for Recollection Wisconsin.
- 8. Eliminates the expired information technology infrastructure grant program administered by DOA.

**Act 20** (AB-321) makes the following changes to early literacy instruction. In the act, "public schools" includes independent charter schools.

1. Creates the Office of Literacy in DPI and establishes an early literacy coaching program, under which the office assigns literacy coaches to work with public schools and private schools participating in a choice program. Literacy coaches support school personnel to build capacity to teach reading using science-based early reading instruction.

- 2. Creates the Council on Early Literacy Curricula and requires the council to annually make recommendations to DPI on science-based early literacy curricula and instructional materials for use in kindergarten to third grade. DPI must then submit recommendations on the curricula and materials to JCF for passive review. The act also requires DPI to award grants to partially reimburse schools for the costs of purchasing the curricula and materials approved through the JCF process after January 1, 2024. Both public schools and private schools participating in a choice program are eligible for the grants.
- 3. Creates an early literacy screening process for public schools beginning in the 2024–25 school year. The process includes two fundamental screening assessments in 4K; three universal screening assessments per school year in 5K to third grade; and a diagnostic screening assessment for pupils in 5K to third grade who either score at-risk on a universal screening or whose parents or teacher requests the screening. The act requires public schools to use the fundamental skills screening assessment and universal screening assessment selected by DPI.
- 4. Requires public schools to create a personal reading plan for a pupil who is identified as at-risk on a universal screening assessment or diagnostic screening assessment and to provide the pupil's parent with the plan. The school must provide reading interventions specified in the plan to the pupil and must notify parents of the pupil's progress after 10 weeks of interventions.
- 5. Requires school boards, operators of independent charter schools, and governing bodies of private schools participating in a parental choice program to adopt policies regarding the promotion from third to fourth grade that include services and supports for pupils struggling with reading at the end of third grade.
- 6. Requires each teacher preparatory program to demonstrate to DPI that it provides instruction that prepares teachers to teach reading and language arts using science-based early reading instruction and

does not provide instruction that includes three-cueing. After June 30, 2025, DPI may not grant a license to teach to an applicant who did not receive these standards of instruction.

7. By July 1, 2025, requires all of the following individuals to receive certain professional development training in science-based reading instruction: (a) educators who teach a grade from kindergarten to third grade; (b) principals of schools that offer grades kindergarten to third grade; (c) DPI-certified reading specialists; and (d) UW System faculty and academic staff members who teach a course that includes reading instruction designed for educators.

See also Acts 100 and 192.

**Act 26** (AB-233) allows a school board member to serve as a volunteer bus driver.

**Act 60** (AB-109) requires pupils, beginning with those who will graduate in 2028, to earn at least 0.5 credit of personal financial literacy to receive a high school diploma from a school board.

**Act 72** (SB-267) creates a grant program for operating or planning high schools that are specifically designed for pupils in recovery from a substance use disorder, commonly known as "recovery high schools."

**Act 95** (SB-367) requires high schools to prepare annual class rankings for pupils at the end of 11th grade. The class ranking, based solely on grade point average, must identify pupils in the top 5 percent and top 10 percent of their high school class. A pupil's high school transcript must indicate that the pupil is ranked in the top 5 percent or top 10 percent, as applicable, of the pupil's class. *See also* Higher Education.

**Act 100** (SB-971) creates a structure for DPI to expend funds appropriated in the biennial budget for early literacy and reading improvement. *See also* Acts 20 and 192.

**Act 192** (SB-990) expands who can offer the professional development training required under Act 20 and exempts schools from administering the first early literacy screening of the 2024–25 school year as required under Act 20. *See also* Acts 20 and 100.

**Act 193** (SB-447) allows the governing body of a school to obtain a prescription for and maintain a supply of undesignated glucagon. The act also allows certain school personnel to administer undesignated glucagon to a pupil whose prescribed glucagon is not available on-site or has expired. *See also* Health and Human Services: Health.

**Act 194** (AB-223) provides immunity from liability to elementary and secondary schools and their designated school personnel, physicians, advanced practice nurse prescribers, and physician assistants for providing or administering an opioid antagonist.

**Act 195** (AB-914) allows the governing body of a school to adopt a plan to manage pupils who have asthma; obtain a prescription or standing order for a shortacting bronchodilator or components; and maintain a supply of short-acting bronchodilators and components. The act also allows certain school personnel to administer a short-acting bronchodilator to a pupil in accordance with that pupil's prescription or to any person the school personnel believes is experiencing respiratory distress. *See also* Health and Human Services: Health.

**Act 196** (AB-251) modifies DPI administrative rules to create a tier I clinically trained mental health professional license.

**Act 197** (SB-742) removes the requirement that an alternative teacher certification program completed for purposes of an initial license to teach be a program that is operated by a nonstock, nonprofit organization.

**Act 200** (SB-333) expands the list of crimes for which DPI must revoke any license issued by DPI, including sexual misconduct by a school staff member or volunteer, and prohibits DPI from reinstating a license that was automatically revoked because of certain criminal convictions. *See also* Crime and Criminal Procedure.

**Act 248** (SB-833) provides annual financial support to the Nathan and Esther Pelz Holocaust Education Resource Center.

**Act 262** (AB-1103) makes minor and technical changes to the laws relating to teaching licenses and school breakfast reimbursement.

**Act 266** (AB-232) requires school boards to provide instruction on Hmong Americans and Asian Americans.

### **Elections**

**Act 52** (AB-335) provides for the dissolution of a candidate's campaign committee and the disposition of campaign funds if a candidate is convicted of certain felonies related to campaign finance or election fraud.

**Act 53** (SB-283) requires a municipality or county that live broadcasts canvassing on election night to record the broadcast.

**Act 54** (SB-433) requires municipal clerks to provide absentee ballots for the presidential preference primary to voters other than military and overseas voters at least 21 days before the primary. Under prior law, the deadline was 47 days before the primary.

**Act 94** (SB-488) establishes a legislative redistricting plan.

**Act 105** (SB-408) narrows the time frame in which a state representative or a state senator who becomes a candidate at an election for partisan office is prohibited from using public funds for the cost of materials or distribution, in the case of a representative, for 50 or more pieces of substantially identical material or, in the case of a senator, for 150 or more pieces of substantially identical material. Under the act, the prohibition applies only after the last day authorized by law for filing nomination papers for that election rather than after the first day for filing nomination papers.

**Act 123** (AB-664) requires that certain audio or video political advertisements that contain content generated using artificial intelligence include a statement disclosing that the content was generated by Al.

**Act 124** (AB-298) prohibits a municipality from closing more than one-half of its polling places within 30 days before an election. The act also prohibits a municipality from closing any polling place within 30 days before an election unless a majority of the memberselect of the governing body make a finding of emergency and both a majority of the members-elect and the municipal clerk approve the closure.

**Act 125** (AB-330) requires a person who reviews a candidate's nomination papers to count any signatures beyond the maximum required amount to the extent necessary to determine whether the candidate has collected enough signatures to have his or her name on the ballot.

**Act 126** (SB-822) does all of the following related to elections and campaign financing:

- 1. Requires that candidates for local office file campaign finance reports with the Ethics Commission rather than with the local filing officer.
- 2. Prohibits the unauthorized disclosure of the personal information of election officials.
- 3. Prohibits an election official who reports what he or she believes to be election fraud or irregularities from being discharged or disciplined for making such a report.
- 4. Increases the penalty for causing bodily harm from a Class A misdemeanor to a Class I felony if the bodily harm is committed against an election official who is acting in an official capacity.

# **Employment**

# **Collective Bargaining**

**Act 4** (AB-28) provides that, for purposes of collective bargaining, a county jailer is a general municipal employee unless the county treats jailers as public safety employees on January 1, 2024.

**Act 21** (AB-322) ratifies the 2021–23 biennium collective bargaining agreement between the State of Wisconsin and the Wisconsin Law Enforcement Association, covering employees in the public safety collective bargaining unit.

**Act 22** (AB-323) ratifies the 2022–23 fiscal year collective bargaining agreement between the State of Wisconsin and the Wisconsin State Attorneys Association, covering employees in the professional legal collective bargaining unit.

**Act 23** (AB-324) ratifies the 2022–23 fiscal year collective bargaining agreement between UW–Madison

and the Wisconsin State Building Trades Negotiating Committee, covering employees in the building trades crafts collective bargaining unit.

**Act 24** (AB-325) ratifies the 2022–23 fiscal year collective bargaining agreement between the Board of Regents of the UW System and the Wisconsin State Building Trades Negotiating Committee, covering employees in the building trades crafts collective bargaining unit.

**Act 25** (AB-326) ratifies the 2022–23 fiscal year collective bargaining agreement between the State of Wisconsin and the Wisconsin State Building Trades Negotiating Committee, covering employees in the building trades crafts collective bargaining unit.

**Act 34** (SB-120) specifies that for purposes of the prohibited subject of collective bargaining for public safety employees related to "the design and selection of health care coverage plans by the municipal employer," the term "design" does not include the decision as to who is covered by a health care coverage plan selected by the municipal employer. The legislative intent of the act is to clarify the intent of 2011 Wisconsin Acts 10 and 32 and restate current law.

**Act 38** (SB-554) ratifies the 2023–25 biennium collective bargaining agreement between the State of Wisconsin and the Wisconsin Law Enforcement Association, covering employees in the public safety collective bargaining unit.

**Act 39** (SB-555) ratifies the 2023–24 fiscal year collective bargaining agreement between the State of Wisconsin and the Wisconsin State Building Trades Negotiating Committee, covering employees in the building trades crafts collective bargaining unit.

**Act 92** (SB-846) ratifies the 2023–24 fiscal year collective bargaining agreement between UW–Madison and the Wisconsin State Building Trades Negotiating Committee, covering employees in the building trades crafts collective bargaining unit.

**Act 93** (SB-847) ratifies the 2023–24 fiscal year collective bargaining agreement between the Board of Regents of the UW System and the Wisconsin State Building Trades Negotiating Committee, covering employees in the building trades crafts collective bargaining unit.

# **Public Employment**

**Act 4** (AB-28) does all of the following with respect to the classification of county jailers as protective occupation participants under the Wisconsin Retirement System:

- 1. Classifies county jailers as protective occupation participants unless the jailer irrevocably opts out of the classification.
- 2. Requires county jailers who are employed or hired in a county that did not classify jailers as protective occupation participants on January 1, 2024, and who opt to be classified as protective occupation participants to pay the additional employer costs associated with protective occupation participants.
- 3. Allows counties that classified jailers as protective occupation participants on January 1, 2024, to reclassify jailers as general employees, and gives jailers the irrevocable opportunity to opt out of being classified as protective occupation participants. Jailers who do not opt out of the classification must pay the additional employer costs associated with protective occupation participants.

**Act 12** (AB-245) closes the Employes' Retirement System of the City of Milwaukee and the Milwaukee County Employes' Retirement System to newly hired and previously separated employees and requires them to participate in the Wisconsin Retirement System. The act requires the City of Milwaukee and Milwaukee County to use certain sales and use tax revenue to pay the unfunded actuarial accrued liability of the city and county retirement systems. If, in any year, the city or county does not make the required contribution to the unfunded actuarial accrued liability of its respective retirement system, DOR will deduct the amount owed from the city's or county's shared revenue payment and use that amount to pay the unfunded actuarial accrued liability. See also Education: Primary and Secondary Education; Local Government; Shared Revenue; Taxation.

**Act 19** (SB-70) does all of the following:

1. Continues length-of-service incentives for DOC and DHS protective status employees through the 2023–24 fiscal year.

Requires increases to the pay progression plan for deputy and assistant district attorneys and the pay progression plan for assistant state public defenders.

**Act 206** (AB-1079) provides exemptions from certain civil service hiring requirements for nonsupervisory positions that provide direct care to residents of veterans homes. *See also* Veterans and Military Affairs.

**Act 257** (AB-1098) corrects a statutory reference to a date for the purposes of contributions to the Wisconsin Retirement System for certain county jailers.

## **General Employment**

**Act 153** (SB-271) establishes a grant program under which DWD awards grants to offset the costs of training people how to operate commercial motor vehicles.

**Act 165** (AB-550) makes changes to the technical education equipment grant program under DWD, including increasing the maximum amount of awards and expanding the purposes for which grants may be awarded.

**Act 213** (AB-1073) does the following with respect to workers' compensation benefits:

- 1. Increases the maximum weekly rate of compensation for permanent partial disability.
- 2. Increases the amount of a claim for which the underinsured employers fund is used to pay the claim.
- 3. Allows a lump sum payment of unaccrued compensation for permanent partial disability in undisputed claims.
- 4. Clarifies some duties of the Division of Hearings and Appeals in DOA and DWD with respect to closing claims for compensation, including that DWD has exclusive authority to close a case for a claim of compensation.

**Act 228** (SB-169) requires DWD to maintain a telephone hotline to assist employers that are interested in hiring individuals with a conviction record.

Act 237 (AB-973) requires that all of the following

individuals receive biennial training in identifying and preventing human trafficking crimes:

- 1. Employees that DWD determines are likely to interact with the public and vulnerable individuals.
- 2. Private security officers.
- 3. Public transit managers.
- 4. Owners and managers of adult entertainment establishments.
- 5. On-site managers and certain employees of a bed and breakfast, hotel, motel, rooming house, short-term rental property, or campground.
- 6. Employees of a community—based residential facility who have regular, direct contact with residents who are on probation, extended supervision, or parole.

### **Environment**

**Act 5** (AB-65) expands eligibility for producer-led watershed protection grants from DATCP and for lake protection and river protection grants from DNR.

**Act 6** (SB-13) eliminates the defunct land recycling loan program, which provided financial assistance for remediating certain contaminated properties.

**Act 19** (SB-70) does all of the following:

- 1. Creates a segregated trust fund for addressing and preventing perfluoroalkyl and polyfluoroalkyl substances (PFAS) contamination in this state.
- 2. Provides GPR funding for removing contaminated sediments in Lake Michigan, Lake Superior, and their tributaries.
- 3. Provides GPR funding for well compensation and well abandonment grants.
- 4. Provides GPR funding for dam safety grants.
- 5. Provides GPR funding for the urban nonpoint source and storm water management and municipal flood control and riparian restoration programs.
- Provides GPR funding for rural nonpoint source water pollution abatement grants.
- Reauthorizes funding for the cleanup of electronic waste.

**Act 32** (AB-131) removes the requirement that each county land conservation committee must include a person who is from that county's USDA farm service agency committee.

**Act 106** (SB-99) provides that projects to reduce the infiltration and inflow in connecting laterals and sewer lines are eligible for funding under the Clean Water Fund program in DNR.

**Act 107** (SB-624) provides an additional method for a municipality to establish the proof of financial responsibility required for a solid waste facility and allows DNR, under certain circumstances, to pay costs associated with the closure and long-term care of certain solid or hazardous waste storage, treatment, and disposal facilities.

**Act 108** (SB-866) makes changes to DNR's electronic waste recycling program, known as E-Cycle Wisconsin, including changing the way a manufacturer of electronic devices calculates its annual recycling targets and changing the amount of annual fees paid by manufacturers.

**Act 261** (AB-1102) provides that the exam required for a well drilling, heat exchange drilling, or pump installing license, which is currently administered by DNR, may also be administered by a DNR representative.

### **Financial Institutions**

**Act 37** (SB-259) exempts from payday loan regulation any transaction in which no finance charge or other fee is imposed on the loan recipient.

**Act 128** (SB-773) makes various changes relating to the authorized operations of financial institutions, including the following:

- 1. Expands the ability of a credit union to purchase, lease, and sell real property.
- 2. Authorizes credit unions' supplemental capital if approved by DFI.
- 3. Creates the crime of interfering with an automated teller machine.

- 4. Eliminates certain lender disclosure requirements applicable to residential mortgage loans and variable rate loans.
- 5. Eliminates a geographical lending restriction for savings and loan associations.

**Act 129** (SB-626) allows a notary public to perform a notarial act for a remotely located individual involving a power of attorney for a real estate transaction.

**Act 131** (AB-574) regulates companies that, on the basis of employer data, provide individuals with access to their earned but unpaid income (earned wage access services). The act requires these companies to be licensed by DFI and imposes various requirements on them, including that they offer consumers a no-cost option for receiving earned wage access services. The act also prohibits certain conduct by these companies, requires them to submit an annual report to DFI, and allows DFI to take action against their licenses under certain circumstances.

**Act 132** (SB-628) provides a process by which a state-licensed financial services provider, including a financial institution, and a vulnerable adult may create a list of persons to be contacted if the financial services provider suspects the vulnerable adult is being financially exploited. The financial services provider may convey its suspicions of financial exploitation to the persons on this list and certain other persons and is immune from liability for doing so or not doing so.

**Act 258** (AB-1099) updates obsolete provisions administered by DFI and clarifies provisions relating to notaries public, including the information to be included on a notary public's stamp.

**Act 267** (SB-668) makes many changes related to DFI's regulation of licensed financial services providers, which includes consumer lenders, payday lenders, collection agencies, money transmitters, check cashers, debt settlement companies, and other providers of lending-related services. Among these changes, the act does the following:

1. Requires DFI to utilize the Nationwide Multistate Licensing System and Registry (NMLSR) in administering its licensing system and standardizes DFI's renewal,

reporting, and other administrative procedures applicable to licensed financial services providers.

- 2. Allows DFI to take administrative action against licensed financial services providers for making false statements to the NMLSR or DFI.
- 3. Replaces the regulatory framework for businesses that sell or issue checks, money orders, or other written or digital forms of payment or that receive money for transmission (money transmitters, formerly known as sellers of checks), including specifying licensing requirements and exemptions, allowing a licensed money transmitter to conduct business through an unlicensed delegate, and imposing operational, financial, reporting, and record-keeping requirements on licensed money transmitters.
- 4. Makes changes relating to collection agencies, including eliminating the separate licensing requirement for their employees and specifying entities that are exempt from regulation.
- 5. Makes changes relating to lenders that assess a finance charge greater than 18 percent on a consumer loan (licensed lenders), including defining "consumer loan" and expressly allowing prepaid finance charges and loan servicing contracts.
- Requires DFI to implement an ABLE savings program allowing tax-exempt accounts for qualified expenses incurred by individuals with disabilities.

### **Health and Human Services**

### Health

**Act 19** (SB-70) does all of the following:

- 1. Requires DHS to award a grant of \$150,000 to the Surgical Collaborative of Wisconsin in fiscal years 2023–24 and 2024–25.
- 2. Requires DHS to submit a plan to JCF to increase licensing fees for assisted living facilities and outpatient mental health clinics to cover staffing costs in the Bureau of Assisted Living.
- 3. Adjusts the allocation for services to persons with Alzheimer's disease and their caregivers from not more than \$2,808,900 in each fiscal year to not more than \$3,058,900 in each fiscal year.

- 4. Establishes an appropriation for a complex patient pilot program to facilitate the discharge of difficult-to-place individuals from hospitals into post-acute care settings and sets aside \$5 million in the JCF supplemental appropriation that DHS may request for this purpose.
- 5. Allows registered nurses to be included within the definition of "allied health professionals" for purposes of allied health professional education and training grants to hospitals, health systems, and educational entities that form health care education and training consortia.

**Act 27** (SB-7) allows authorized school personnel, school nurses, and other authorized entities and individuals to provide or administer epinephrine delivery systems to pupils and other individuals; allows pupils to possess and use any epinephrine delivery system in certain circumstances while in school, participating in a school-sponsored activity, or under supervision by a school; allows prescribers to prescribe epinephrine delivery systems in the name of a school or an authorized entity or individual; and allows a prescriber to issue a standing order or a statewide standing order for the dispensing of epinephrine delivery systems.

**Act 30** (SB-157) creates an appropriation for making payments from the ambulance service provider trust fund to eligible ambulance service providers. The act also requires DHS to transfer moneys from the trust fund annually to cover administrative costs associated with administering the ambulance assessment imposed on each private ambulance service provider under preexisting law and making supplemental reimbursements to ambulance service providers.

**Act 71** (SB-263) allows SeniorCare participants to purchase a 100-day supply of certain prescription drugs authorized under DHS administrative rules and otherwise covered through the SeniorCare program if authorized by a health care provider's prescription order. The act requires DHS to apply for any waiver of federal Medicaid laws necessary for DHS to implement the act and, contingent upon that approval, modifies a DHS administrative rule to expand the drugs that may be dispensed in a 100-day supply to include any drug, as determined by DHS on the basis of clinical considerations, safety, costs, and other factors.

**Act 84** (SB-440) requires DHS to design a cremation permit application form and requires coroners and medical examiners to issue a cremation permit within 24 hours of viewing a corpse or submission of a medical certification for the death.

**Act 97** (SB-1015) transfers \$15 million from the state building trust fund to the general fund and eliminates a previous appropriation in that amount for a grant in fiscal year 2021–22 that was not used by a health system to expand psychiatric bed space. The act increases the appropriation to JCF for supplemental appropriations by \$15 million for fiscal year 2023–24 for grants to support hospital services.

Act 175 (SB-178) establishes a requirement that if a physician, authority of certain medical institutions, or other person who is required to report certain deaths, including homicides and suicides, has knowledge of an individual's death occurring within 24 hours after that individual either has presented at or is admitted to a hospital or certain other institutions, the person must notify the medical examiner or coroner of the county where the death took place to allow the medical examiner or coroner to determine whether he or she must investigate the death.

**Act 176** (AB-224) modifies ambulance staffing requirements for the transfer of a pediatric patient from one hospital to another when the ambulance is an air ambulance. Under preexisting law, a certified respiratory care practitioner may fulfill one of the ambulance staffing positions when the air ambulance is a fixed-wing airplane; under the act, such staffing is allowed when the air ambulance is any type of aircraft.

**Act 178** (SB-318) allows certain search and rescue organization or recovery teams that use human remains detection canines to receive anatomical gifts.

**Act 181** (SB-526) adds two voting members to the Emergency Medical Services Board and requires that at least two members of the board are emergency medical services providers that have a local credentialing agreement solely with a volunteer department that services a rural area. The act requires that the two new members appointed as a result of the

act are members that meet the rural area service requirement.

**Act 183** (SB-671) allows a nurse aide student to work as a nurse aide if the student has a preceptor; is employed part-time as a nurse's assistant, home health aide, or hospice aide in a hospital, nursing home, intermediate care facility for persons with an intellectual disability, home health agency, or hospice; and passes an approved nurse aide competency evaluation exam within 120 calendar days of starting work as a nurse aide. The act requires DHS to request any necessary federal approval.

**Act 185** (SB-643) requires DHS to automatically renew grants awarded to hospitals each year to fund graduate medical training programs and removes an annual cap on the amount DHS can award to a hospital under the grant program. The act also requires DHS to annually award up to \$375,000 under a new grant program to support graduate medical training consortia, which are independent, nonprofit organizations formed by two or more entities to oversee, support, and administer accredited graduate medical training programs at rural hospitals.

**Act 193** (SB-447) allows a prescriber to issue a prescription for undesignated glucagon to a school. *See also* Education: Primary and Secondary Education.

**Act 195** (AB-914) allows a prescriber to issue a prescription or standing order for a short-acting bronchodilator and components to a school that has adopted a plan for the management of pupils who have asthma. *See also* Education: Primary and Secondary Education.

**Act 219** (AB-573) requires DHS to establish a pilot program to implement virtual behavioral health crisis care services and to award grants to certified county crisis agencies to provide these services and connect law enforcement officers who encounter persons in crisis to these services. Under the act, grant recipients may contract with local law enforcement to provide telehealth equipment and develop virtual behavioral health care, and may contract for services with a private entity for purposes of training, equipment, or decision-making support.

**Act 259** (AB-1100) makes minor and technical changes to the laws relating to long-term care advisory committees, local health officers, and admissions to state mental health institutes.

### Medical Assistance

**Act 19** (SB-70) makes the following changes:

- 1. Extends from three years to five years the maximum term for grants awarded by DHS to assist rural hospitals in developing graduate medical training programs.
- 2. Increases the supplemental payment, known as the "rural critical care access supplement," that DHS must pay annually to hospitals that do not qualify as disproportionate share hospitals and for which Medical Assistance (MA) patients account for at least 6 percent of total charges for services performed by the hospital.
- 3. Imposes a deadline of October 1, 2023, for DHS to implement the MA reimbursement rate increase for dental services rendered by facilities that provide at least 90 percent of their dental services to individuals with cognitive and physical disabilities that was included under 2017 Wisconsin Act 59, the 2017 biennial budget.
- 4. Increases from \$45 to \$55 the amount of unearned income an MA beneficiary who is in a public medical institution, hospital, skilled nursing facility, or intermediate care facility may retain for personal expenses each month.
- 5. Increases to \$2,250,000 the amount DHS must award in grants to free and charitable clinics.
- 6. Requires DHS to increase by \$200 the reimbursement rate under the MA program for each day of care a facility provides to residents of the facility who are ventilator dependent.
- 7. For purposes of reimbursement for nursing homes, requires DHS to establish and implement a rate for nursing home support services that matches the median facility rate implemented by DHS for direct care nursing services.
- 8. For purposes of the methodology for setting nursing home payment rates, requires DHS to exclude

- provider incentives when determining the total rate adjustment to allowable costs.
- 9. Eliminates certain mental health pilot projects, including the behavioral health care coordination pilot projects and the psychiatric consultation reimbursement pilot project.
- 10. Requires DHS to pay hospitals that serve a disproportionate share of low-income patients an additional amount as the state share of MA payments and the matching federal share of payments.

Act 83 (SB-434) prohibits DHS from requiring a prescription and prior authorization before reimbursing a provider for the repair of complex rehabilitation technology under the MA program if the complex rehabilitation technology was previously prescribed and reimbursed under the MA program, unless the complex rehabilitation technology is intended for use by an individual who is enrolled in a managed care organization. "Complex rehabilitation technology" is defined to mean items classified within Medicare as durable medical equipment that are individually configured for individuals to meet their specific and unique medical, physical, and functional needs and capacities for basic activities of daily living and instrumental activities of daily living identified as medically necessary.

**Act 177** (AB-616) requires DHS to submit a request to the federal Department of Health and Human Services for any waiver or approval necessary to provide MA coverage for short-term stays for acute care in an institution for mental disease. The act also requires DHS to provide MA coverage for services provided in an institution for mental disease to individuals who are 21 to 64 years old, if federal funding participation is available and if permitted by federal law or any necessary waiver or approval.

**Act 180** (SB-476) prohibits DHS from requiring health care providers, and provider groups with health care providers, that are licensed, certified, registered, or otherwise authorized to provide health care services in this state and that exclusively offer health care services in this state through telehealth to maintain a physical address or site in this state to be eligible for enrollment as a certified provider

or for enrollment as a provider group under the MA program.

**Act 182** (SB-592) requires DHS to apply a reimbursement rate under the MA program for complex rehabilitation technology wheelchair repair and accessories that is equal to the maximum fee paid in Wisconsin under the federal Medicare program, including certain fees. The act's reimbursement rate first applies to a third-party payer that contracts with DHS to provide health care under the MA program when that payer's contract is established, extended, modified, or renewed.

**Act 184** (SB-672) allows DHS to enter into a value-based purchasing arrangement with a drug manufacturer for the MA program on the basis of agreed-upon metrics to which DHS and the drug manufacturer agree in writing. The purchasing arrangement may include rebates, discounts, and price reductions, among other things.

### Mental and Behavioral Health

**Act 19** (SB-70) does all of the following:

- 1. Establishes an appropriation for grants to support crisis urgent care and observation facilities and sets aside \$10 million in the JCF supplemental appropriation that DHS may request to transfer for the purpose of funding such grants.
- 2. Eliminates the school-based mental health consultation pilot program.

**Act 68** (SB-248) specifies that the county of residence for an individual who is placed in a facility for long-term care by a county department, agency of a county department, or care management organization remains the county in which the individual resided immediately before placement for purposes of determining the county that is responsible for paying for the care under the Family Care benefit, the Family Care Partnership benefit, or the benefit under the Program of All-Inclusive Care for the Elderly (PACE). Former law provided that the county of residence for these purposes was the county of the county department or agency that made the placement.

Act 85 (SB-527) requires DHS to award grants of up to

\$25,000 from federal funds set aside from a federal community mental health services block grant to organizations for suicide prevention programming. The act requires a grant recipient to contribute matching funds or in-kind services having a value equal to at least 20 percent of the grant amount. DHS must set aside \$250,000 each fiscal year for the grants.

**Act 249** (SB-462) requires DHS to establish a certification process for crisis urgent care and observation facilities—which admit individuals to prevent, deescalate, or treat a mental health or substance use disorder—as well as a grant program to develop and support these facilities. The act requires DHS to request any necessary federal approval of a waiver or state plan amendment to provide reimbursement under the Medical Assistance program for services provided by these facilities. The act also establishes a certification requirement for crisis hostels, which provide voluntary crisis stabilization services to prevent or de-escalate an adult's mental health crisis and avoid admission to a more restrictive setting.

### **Public Assistance**

**Act 19** (SB-70) increases, beginning in the 2023–24 fiscal year, the monthly payment for the support of the dependent children of recipients of supplemental security income to \$275 per month for one dependent child and \$165 per month for each additional dependent child.

**Act 201** (AB-1013) requires DHS to contract with one or more nonprofit organizations to administer a healthy food incentive program statewide that allows Food-Share recipients who use benefits for purchases at a retailer included in the program to receive up to a matching amount for the purpose of purchasing fruits and vegetables from that retailer. Under the act, an administering nonprofit organization must prioritize retailers that source fruits and vegetables primarily from Wisconsin growers. The act redirects funding that had been appropriated for a healthy eating incentive pilot program to the healthy food incentive program and requires DHS to seek any available matching funds from the federal Gus Schumacher Nutrition Incentive Program.

### Vital Records

**Act 171** (SB-173) requires that, beginning on September 1, 2025, death records include data on the decedent's usual occupation in a format directed by the state registrar that allows inclusion of up to two additional occupations, if applicable, in addition to other statistical-use information required under preexisting law, such as race, educational background, and health risk behavior.

**Act 172** (SB-174) requires, beginning on March 23, 2026, that any person who completes a medical certification for a death record must use the state registrar's electronic system of vital records to present the certification to the party required to file the death record. The act also requires DHS, within a reasonable time, to implement nationally recognized health information exchange standards to ensure interoperability of its electronic system of vital records and other electronic health record software with respect to medical certifications for death records.

**Act 173** (SB-175) requires DHS to promote and encourage appropriate training for any person who is authorized to complete a medical certification of death, a document required for death records that includes the cause of death. The act requires DHS to compile a recommended set of training materials and resources related to medical certification of deaths and make these materials and resources available to any person authorized to complete a medical certification of death.

**Act 174** (SB-176) requires DHS, in consultation with organizations of coroners, medical examiners, forensic pathologists, and any other organization DHS determines appropriate, to establish best practices for coroners and medical examiners to complete medical certifications and investigate reportable deaths. The act requires DHS to make the best practices available to a coroner or medical examiner, to encourage their use, and to periodically review and update the best practices.

# Housing

**Act 14** (AB-264) establishes a residential housing infrastructure revolving loan program under which

WHEDA awards revolving loans to residential housing developers for eligible housing infrastructure projects supporting workforce and senior housing, as defined in the act. *See also* Act 209.

**Act 15** (AB-265) establishes a main street housing rehabilitation revolving loan program under which WHEDA awards loans for funding certain rental housing rehabilitation projects supporting workforce housing, as defined in the act.

**Act 17** (AB-267) makes a number of changes to the existing housing rehabilitation loan program administered by WHEDA, including applicable loan terms.

**Act 18** (AB-268) establishes a commercial-to-housing conversion revolving loan program under which WHEDA awards loans to developers for the conversion of vacant commercial buildings to new residential developments consisting of workforce or senior housing, as defined in the act.

**Act 19** (SB-70) increases WHEDA's capital reserve fund bonding authorization by \$200,000. WHEDA's capital reserve funds are used to secure its bonds.

**Act 209** (AB-1075) for purposes of administrative efficiency, adjusts the regional allocation requirement for revolving loans WHEDA awards to residential housing developers for eligible housing infrastructure projects supporting workforce and senior housing. *See also* Act 14.

### **Insurance**

**Act 19** (SB-70) prohibits fraudulent insurance acts, for purposes of the administration of insurance, such as knowingly presenting a false or fraudulent claim for payment of a loss or benefit or knowingly presenting false information in an application for insurance. The act allows the commissioner of insurance to refer the results of investigations into criminal violations to DOJ or the district attorney for prosecution.

**Act 78** (SB-362) allows an insurer or health maintenance organization to deliver all communications related to an applicable employer-sponsored health insurance policy or plan by electronic means when an

employer consents to electronic delivery and meets certain conditions. To consent to electronic delivery, the employer must confirm that each covered employee routinely uses electronic communications during the normal course of employment, that each employee was given an opportunity to opt out of delivery by electronic means, and that each employee will be given an opportunity to opt out of delivery by electronic means on an annual basis.

**Act 91** (AB-62) allows an individual insured under a health insurance plan that includes coverage of dental services to assign reimbursement for dental services directly to a dental provider. If the insurer knows such an assignment when it receives a claim, the act requires the insurer to directly pay the dental provider the amount of the claim using the same criteria and payment schedule it would have used to reimburse the insured.

**Act 212** (AB-437) makes minor and technical changes to the laws relating to insurance that are generally administered by OCI.

### **Justice**

**Act 58** (AB-36) provides a specific timeline for the state crime laboratories to process sexual assault kits. The act requires that the state crime laboratories process a sexual assault kit within six months of receipt. The act expedites that process if a sexual assault has been reported, the suspect is unknown, and there is a threat to public safety; in that case, the crime laboratories must begin processing the kit within five business days of receipt and complete processing it 60 calendar days after that.

**Act 199** (SB-303) defines the term "interactive critical mapping data" to be interactive representations of a specific location that are verifiable, digital, shareable, and shown in real time. The term is used for the purpose of grants that DOJ awards to public and private schools to assist them in complying with the requirement to submit such data to law enforcement agencies and the Office of School Safety in DOJ.

**Act 218** (SB-829) requires the Law Enforcement

Standards Board in DOJ to establish minimum training standards for a tactical emergency medical services professional, including the same annual handgun operation qualification course required for law enforcement officers. Under the act, a tactical emergency medical services professional, operating as part of a law enforcement tactical team and with written approval from the sheriff or police chief, may carry a firearm in otherwise prohibited places, such as school zones, jails, or courthouses.

**Act 220** (AB-576) requires DOJ to establish a program under which certain public safety entities may establish peer support teams and critical incident stress management (CISM) services teams. Under the act, the entities include a law enforcement agency or a tribal law enforcement agency, a fire protection or emergency medical services agency, and any other agency or entity that employs, represents, or serves law enforcement officers, correctional officers, jail officers, juvenile detention officers, fire fighters, dispatchers, emergency medical responders, emergency medical services practitioners, public safety personnel, or ambulance service provider personnel. The act requires DOJ to organize a training program for membership on a peer support team to provide peer support services and requires that, in order to qualify as a peer support or CISM services team member, an individual must meet certain training requirements and that an individual may not provide peer support or CISM services without first completing a peer support or CISM services training program. See also Courts and Legal Process.

**Act 227** (SB-573) requires the Law Enforcement Standards Board in DOJ to pay law enforcement agencies, versus political subdivisions as under former law, for approved expenses incurred while providing preparatory training for officer recruits and annual recertification training for officers the law enforcement agency employs. The act also changes the approved minimum amount for annual recertification training from \$160 per officer to \$320 per officer.

**Act 239** (AB-978) creates the Human Trafficking Council in DOJ and requires the council to do all of the following:

- 1. Compile an inventory of human trafficking prevention programs and services and maintain an online database to share information about human trafficking.
- 2. Assess the efficacy of using state funds to prevent human trafficking.
- 3. Compile data about human trafficking arrests and prosecutions.
- 4. Assess sex trafficking activities in each county, establish criteria to be used as the basis for recommendations to counties, and make recommendations to counties as to whether a task force should be established in a county or that a law enforcement agency designate an officer to coordinate the human trafficking prevention and enforcement efforts.
- 5. Assess the regulation and oversight of facilities that provide residential care in a congregate living environment.
- 6. Assess the use of social media platforms for human trafficking purposes in the state and develop recommendations on how to stop, reduce, or prevent such use.
- 7. Develop a state strategic plan for preventing human trafficking.
- 8. Develop protocols for interaction with human trafficking victims.
- 9. Develop a model training program for counties relating to reducing interest in solicitation.
- 10. Annually submit a report that summarizes the data collected by, activities of, and obstacles faced by the council during the previous year.

The act also requires the Law Enforcement Standards Board to recommend training courses for law enforcement officers relating to human trafficking prevention and enforcement.

**Act 240** (AB-1050) funds 14.2 project positions at DOJ that support and enhance school safety initiatives. The positions are currently funded with federal funds. The federal funds will not be available after January 1, 2025, so the act authorizes the positions to be funded between January 1, 2025, and October 1, 2025, using fees DOJ collects for licenses to carry concealed weapons.

**Act 241** (AB-940) provides one-time funding for sexual assault victim services grants, child advocacy grants, and domestic abuse grants.

**Act 260** (AB-1101) changes the definition of "employee" for the purpose of DOJ's crime laboratories to include a division administrator.

**Act 272** (SB-981) expands the Silver Alert, which is an alert system administered by DOJ to disseminate information regarding missing adults at risk, to include a missing person under 18 years old if that person is not covered by an Amber Alert and either is incapable of returning home without assistance due to a physical or mental condition or disability or is under 10 years old.

### **Local Government**

**Act 8** (AB-94) eliminates obsolete exceptions applicable to Pleasant Prairie Tax Incremental District Number 2, which terminated in 2022.

**Act 12** (AB-245) does all of the following:

- 1. Requires certain political subdivisions to annually certify that the political subdivision is maintaining a level of police, fire, and emergency medical service that is at least equivalent to that provided in the previous year.
- 2. Changes the levy limit consequences of tax incremental districts (TIDs) in two respects. First, with regard to TIDs created after December 31, 2024, a political subdivision's annual "valuation factor" includes only 90 percent of new construction within TIDs but is not reduced for any improvements removed within TIDs. Second, for TIDs created after December 31, 2024, the levy increase upon TID termination or amendment is an amount equal to 10 percent, or if certain requirements are met, 25 percent, of the aggregate of the value of new construction in the district, for each year that the district was active.
- 3. Prohibits political subdivisions from conducting an advisory referendum except for certain referenda related to capital expenditures.
- 4. Limits the authority of political subdivisions to regulate quarries from which nonmetallic materials that

are used primarily for public transportation facilities, public infrastructure, or private construction or transportation projects are extracted.

- 5. Prohibits political subdivisions from discriminating against or granting preferential treatment in hiring or contracting on the basis of race, color, ancestry, national origin, or sexual orientation, unless required to receive federal aid.
- 6. Provides that levy limit modifications based on service transfers apply only if both political subdivisions involved in the service transfer agree to modify their levy limits.
- 7. Limits spending by Milwaukee County and the City of Milwaukee if the spending involves a new program, an increase in government positions, or cultural or entertainment matters.
- 8. Requires Milwaukee County to spend a minimum amount on a combination of the Milwaukee County circuit court, the Milwaukee County medical examiner, the Milwaukee County secure residential care for children and youth, and compensation of correctional workers.
- 9. Makes several changes to the administration of the City of Milwaukee's fire and police commission (FPC). First, the act requires that one FPC member be selected from a list provided by the employee association that represents nonsupervisory law enforcement officers and one from the employee association that represents fire fighters. Second, the act transfers the control and management of the police and fire departments from the FPC to the chief of each department. Third, the act prohibits an FPC member from continuing in the member's seat after his or her term expires.
- 10. Requires the City of Milwaukee to attain a level of 1,725 law enforcement officers and a daily staffing level of 218 fire department members within 10 years.
- 11. Prohibits the City of Milwaukee from using tax moneys to fund positions with the principal duties of promoting individuals or groups on the basis of race, color, ancestry, national origin, or sexual orientation.
- 12. Prohibits the City of Milwaukee from using tax moneys or TID tax increments to fund street cars.

See also Education: Primary and Secondary Education;

Employment: Public Employment; Shared Revenue; Taxation.

### **Act 16** (AB-266) does all of the following:

- 1. Specifies procedures that apply to judicial review of certain local determinations related to land use. These procedures include limitations on the type of judicial review available and the parties that may seek judicial review
- 2. Requires political subdivisions to approve certain permit applications related to residential housing developments if the applications are consistent with existing local requirements.
- 3. Limits the authority of a political subdivision to impose a supermajority requirement for a zoning ordinance amendment.

# **Acts 40 and 41** (AB-438 and AB-439) do all of the following:

- 1. Provide state and local funding for improvements to professional baseball park facilities located in the city of Milwaukee, i.e., American Family Field, subject to the following requirements:
- a. The professional baseball team enters into a lease and nonrelocation agreement through 2050.
- b. The team agrees to make \$32.6 million in contributions to the facility improvement segregated fund, \$50 million in discretionary capital expenditures, and \$60 million in rent payments to the professional baseball park district.
- c. The team disclaims any interest in the park facilities and facility improvement segregated fund upon expiration of the lease.
- 2. Require the district to create the facility improvement segregated fund, from which funds may be expended only for limited purposes, including park facilities improvements and repaying loans used for park facilities improvements. Moneys received from the state, the City of Milwaukee, and Milwaukee County and certain moneys received from the Milwaukee Brewers are deposited into the segregated fund.
- 3. Require the City of Milwaukee and Milwaukee County to each contribute \$67.5 million to the segregated fund.

- 4. Prohibit most expenditures from the segregated fund if the team notifies the district that the team is terminating the lease.
- 5. Require the district to impose a ticket surcharge on non-baseball events and deposit the receipts into the segregated fund.
- 6. Change the makeup of the district board. Under the acts, the board consists of four appointments by the governor, three appointments by the assembly speaker, three appointments by the senate majority leader, and one appointment by each the City of Milwaukee, Milwaukee County, and the Milwaukee Brewers.
- 7. Require the district to contract with a facility management company or employ an executive director to manage the park facilities and their improvement.
- 8. Eliminate the district's authority to borrow money, other than from the state.
- 9. Require the district to use a specified set of considerations in awarding contracts.
- 10. Require that LAB conduct biennial fiscal audits of the district.
- 11. Require the district to provide facility and financial reports to DOA, LAB, and LFB.
- 12. Require a study of the potential redevelopment of certain baseball park properties.

See also State Government: General State Government.

**Act 121** (SB-791) places restrictions on the ownership, operation, management, or leasing of an electric vehicle (EV) charging station by a local governmental unit and allows local governmental units to own, operate, manage, or lease an EV charging station to charge vehicles owned or leased by the local governmental unit. The act allows local governmental units to generally own, operate, manage, or lease an EV charging station at which a Level 1 or Level 2 charger, installed after the act takes effect, is available to the public if a reasonable fee is charged for the electricity consumed. *See also* Public Utilities; State Government: General State Government; Taxation.

**Act 134** (SB-451) allows the City of Wisconsin Dells and the Village of Lake Delton to use the proceeds from

their premier resort area taxes to pay for public safety expenses.

**Act 135** (SB-787) requires that Tax Incremental District Number 10 created by the City of Evansville be counted as exactly 4 percent of equalized value for purposes of the 12 percent rule. Under that rule, the equalized value of a newly created TID plus the value increment of all existing TIDs in a city or village may not exceed 12 percent of the total equalized value of taxable property in the city or village.

**Act 136** (SB-880) exempts Tax Incremental District Number 14 in the city of Stevens Point from certain requirements related to the maximum value of taxable property located within a jurisdiction's TID.

**Act 137** (SB-915) extends the maximum life and tax increment allocation period of Tax Incremental District Number 4 in the city of Antigo.

**Act 168** (AB-964) prohibits political subdivisions from requiring a license or permit for a business that is operated by a person under the age of 18 and that is operated only occasionally.

**Act 264** (SB-826) provides a procedure for towns to withdraw from coverage of a county zoning ordinance and standardizes statutory language related to the continuing effect of zoning requirements when the governmental authority with jurisdiction over zoning matters changes.

### **Natural Resources**

### Fish and Game

**Act 19** (SB-70) does all of the following:

- 1. Increases the fee for the nonresident deer hunting license from \$160 to \$200.
- 2. Increases the fees for other nonresident hunting and fishing licenses by \$5 and for nonresident combination licenses by \$20.

**Act 50** (SB-207) modifies the local wildlife control grant program so that grants may be provided to any city, village, or town with a population density of not less than 125 persons per square mile.

**Act 51** (SB-208) creates exceptions to various provisions regulating firearms for designated personnel at certain airports for the purpose of nuisance wildlife management and control conducted as authorized by state and federal permits.

**Act 66** (SB-159) requires DNR to create a biennial work plan that establishes and measures progress on priorities and goals for habitat work on lands managed by DNR.

**Act 99** (SB-780) increases the fee for the nonresident archer and crossbow hunting licenses to match the fee for a nonresident deer hunting license.

**Act 109** (SB-34) requires DNR to waive fishing approval requirements during the full weekend prior to the third Monday in January, which is Martin Luther King Jr. Day.

**Act 112** (SB-411) changes fish transportation restrictions such that a fish subject to a size limitation and taken by hook and line from inland or outlying waters may be transported only with the head or tail, or both, removed if the person transporting the fish provides upon request a photograph showing the fish before the head or tail was removed alongside a ruler or other method acceptable to DNR.

**Act 115** (SB-586) provides that a person may hunt an animal with an airgun in a season open to hunting that animal with a firearm.

**Act 116** (SB-587) defines "muzzle-loading firearm," as that term applies to hunting, to mean a firearm that shoots a projectile loaded exclusively from the muzzle.

# Navigable Waters and Wetlands

**Act 19** (SB-70) does all of the following:

- 1. Provides a grant to Sheboygan County to remove and reconstruct the dam on the Sheboygan River at Sheboygan Marsh.
- 2. Provides a grant to repair the dam on Steve Creek.
- 3. Provides a grant to the City of Plymouth to remove and restore the dam on Mill Pond.
- 4. Provides a grant to the Lake Mallalieu Lake Association for Lake Mallalieu in St. Croix County.

- 5. Provides a grant to the Lake Altoona Rehabilitation and Protection District in Eau Claire County for costs related to the acquisition and transport of a bed load sediment collector and for sediment dredging activities.
- 6. Provides a grant to the Buffalo Lake Protection and Rehabilitation District to assist with permitting and study requirements in Buffalo Lake in Marquette County.
- 7. Extends the time during which funding for the Arcadia municipal flood control stewardship project is available and authorizes additional funding if the project is designed, authorized, approved, or supervised by the U.S. Army Corps of Engineers.

**Act 62** (SB-85) authorizes email notice for public inland lake protection and rehabilitation district board business.

**Act 65** (SB-140) provides that the cost limits for dam safety projects do not apply to a project to remove a dam.

**Act 111** (SB-255) eliminates the requirement that wetlands that benefit from the in lieu fee subprogram administered by DNR be open to the public and requires DNR, in determining projects that benefit from the subprogram, to ensure that there is no net loss of public access to wetlands.

**Act 247** (SB-541) does all of the following:

- 1. Creates a process for a municipality to create a waterfront development plan with respect to parcels that may have been part of a river bed or a submerged bed of a Great Lakes water at the time of statehood.
- 2. Creates a process for a municipality to apply to DNR to change the uses allowed within an area of a Great Lakes water that was filled pursuant to a fill authorization or a submerged land lease.
- 3. Establishes that parcels of land meeting specified criteria are not part of the lake bed of a Great Lakes water.
- 4. Bars claims and counterclaims in certain court actions affecting the possession of or title to real estate that may have at one time been submerged beneath a Great Lakes water.

# Parks, Forestry, and Recreation

**Act 19** (SB-70) does all of the following:

- 1. Increases the per-mile reimbursement rate for local utility terrain vehicle (UTV) trail aids from \$200 to \$400.
- 2. Eliminates the statutory 35 percent cap on the number of state park campsites that may be electrified.
- 3. Authorizes DNR to collect a transaction fee on online parks admission sticker and trail pass sales.
- 4. Increases the cap on nonresident overnight camping fees from \$35 to \$45.
- 5. Eliminates the 3 cent surcharge applied to each seedling sold by the state tree nursery.
- 6. Requires DNR to obligate lapsed funding from the Warren Knowles-Gaylord Nelson Stewardship program to projects such as drilling wells, facility improvements and renovations, and construction of new buildings.
- 7. Provides a grant to the Mirror Lake Management District to dredge Mirror Lake in Sauk County and rehabilitate a gully near Mirror Lake State Park.
- 8. Provides a grant to the Friends of Lapham Peak to build a ski lodge in the Lapham Peak Unit of the Kettle Moraine State Forest.

**Act 63** (SB-105) provides a method for snowmobile clubs to erect signs that advertise certain nearby businesses along snowmobile trails on DNR land.

**Act 64** (SB-109) adds exemptions from restrictions on the operation of an all-terrain vehicle (ATV) or UTV on a freeway or highway if the vehicle is owned by an electric cooperative and if the operator is engaged in an emergency or the operation is directly related to the functions of the electric cooperative. The exemptions also apply regardless of ownership of the ATV or UTV if the operator is engaged in activities at the direction of and under contract with a municipality or electric cooperative.

**Act 67** (SB-239) authorizes DNR to administer grants to ATV and UTV groups to acquire digital information application software and communications equipment and to produce maps; these grants were previously administered by the Off-Road Vehicle Council.

**Act 110** (SB-136) modifies DNR administrative rules to increase the maximum per-mile supplemental snow-mobile trail aid amount.

**Act 113** (SB-415) provides that annual vehicle admission receipts (commonly called "park stickers") issued by DNR are valid for approximately one year, rather than only during the calendar year in which they were issued.

# **Occupational Regulation**

**Act 19** (SB-70) requires DSPS to award a grant of \$1,000,000 in fiscal year 2023–24 to the De Pere Greenwood Cemetery to address erosion that affects burials.

**Act 33** (AB-203) clarifies what constitutes a timely and sufficient application for a renewal of a credential issued by DSPS.

**Act 55** (SB-196) enters Wisconsin into the Counseling Compact, which allows professional counselors that are licensed in one state that is a party to the compact to practice in other member states. The compact provides for the creation of the Counseling Compact Commission, which is charged with administering the compact and includes delegates from each member state's licensing board. The act also contains provisions to implement the compact in Wisconsin.

**Act 56** (SB-197) enters Wisconsin into the Audiology and Speech-Language Pathology Interstate Compact, which allows speech-language pathologists or audiologists that are licensed in one state that is a party to the compact to practice in other member states. The compact provides for the creation of the Audiology and Speech-Language Pathology Compact Commission, which is charged with administering the compact and includes delegates from each member state's licensing board. The act also contains provisions to implement the compact in Wisconsin.

**Act 81** (SB-400) enters Wisconsin into the PA Licensure Compact, which allows physician assistants that are licensed in one state that is a party to the compact to practice in other member states. The compact

provides for the creation of the PA Licensure Compact Commission, which is charged with administering the compact and which includes delegates from each member state's licensing board. The act also contains provisions to implement the compact in Wisconsin.

**Act 82** (SB-419) requires the Hearing and Speech Examining Board to issue certificates to hearing instrument specialists to practice cerumen management and amends the definition of the practice of fitting and dealing in hearing aids to apply to the selection, adaptation, or sale of only prescription hearing aids and not over-the-counter hearing aids. Under former law, hearing instrument specialists could not practice cerumen management. To be certified to practice cerumen management, the act requires a hearing instrument specialist to complete a course on cerumen management identified by the board. *See also* Act 179.

**Act 87** (SB-689) allows the practice of dental therapy, a subset of the practice of dentistry, by individuals who have met certain educational requirements, passed examinations, and been granted a license by the Dentistry Examining Board. The act places various limitations on the practice of dental therapists and requires them to complete continuing education every two years.

Act 88 (SB-692) enters Wisconsin into the Dentist and Dental Hygienist Compact, which allows dentists and dental hygienists that are licensed in one state that is a party to the compact to practice in other member states. The compact provides for the creation of the Dentist and Dental Hygienist Compact Commission, which is charged with administering the compact and includes commissioners from each member state's licensing board. The act also contains provisions to implement the compact in Wisconsin.

**Act 179** (SB-373) amends the definition of the "practice of fitting and dealing in hearing aids" to include ordering the use of hearing aids to compensate for impaired hearing, provides that no license is required to sell or fit over-the-counter hearing aids, as defined under federal law, and provides that hearing instrument specialists and audiologists who engage in the practice of ordering, fitting, and dealing in hearing aids are not required to deliver a receipt to a person

supplied with a hearing aid if the hearing aid is an over-the-counter hearing aid. *See also* Act 82.

**Act 186** (SB-788) allows licensed chiropractors to delegate the performance of services that are preparatory or complementary to the practice of chiropractic, including taking and preparing preliminary patient histories and providing physiotherapy treatment, to individuals who have completed a training program for medical assistants accredited by the National Commission for Certifying Agencies, a national or state medical association, or another entity approved by the Chiropractic Examining Board.

**Act 190** (SB-261) requires the owner of a tanning facility to ensure that no customer who is 16 or 17 years old may use the tanning facility without written authorization from the customer's parent or guardian. The act prohibits tanning facilities from advertising or claiming that using a tanning device is safe or free from risk. The act provides that required warning signs be at least 11 inches by 17 inches and include a current telephone number to report an injury to DSPS.

**Act 208** (AB-918) makes certain changes related to the practice of real estate by real estate brokers and salespersons and the duties and authority of the Real Estate Examining Board with respect to discipline of brokers and salespersons. *See also* Real Estate.

**Act 211** (AB-514) prohibits enforcing a contract provision between the state or a political subdivision and a private entity that is engaged in design professional services that requires the private entity to indemnify the state or any political subdivision or that requires the private entity to defend the state or any political subdivision in a legal action. The prohibitions do not apply to certain contract provisions, including an indemnification provision in a civil contract in which the private entity's indemnification obligation is limited to losses proximately caused by the negligent performance of design professional services by the private entity and does not exceed the proportion of a loss caused by the negligent performance.

**Act 214** (AB-954) creates provisional licensing for internationally trained physicians who satisfy certain criteria, including having practiced as a fully licensed

or authorized physician in his or her country of practice for at least five years after completing a residency program or other similar postgraduate program. A provisional license to practice as a physician is automatically converted into a permanent license after the provisional license holder practices in Wisconsin and maintains good standing for three consecutive years. The act also creates provisional licensing for internationally trained physician assistants who satisfy certain criteria.

### **Public Records**

**Act 223** (SB-119) extends an existing public records nondisclosure requirement concerning the identity of confidential law enforcement informants to cover records maintained by any entity subject to the public records law, rather than just those maintained by law enforcement agencies.

**Act 253** (SB-789), subject to certain limitations, authorizes law enforcement and corrections agencies to charge a fee for the actual, necessary, and direct cost of redacting recorded video or audio content disclosed in response to a public records request to the extent redaction is necessary to comply with applicable constitutional, statutory, or common law.

### **Public Utilities**

**Act 77** (SB-325) changes eligibility standards under the broadband expansion grant program and changes which grant projects are prioritized. The act also creates a procedure by which an Internet service provider in or near a project area proposed in a grant application may challenge the awarding of that grant.

**Act 121** (SB-791) exempts from regulation as a public utility a person who supplies electricity to electric vehicles through an electric vehicle charging station if all of the electricity supplied is provided by the person's electric utility or retail electric cooperative and the person charges a fee for use of the charging station that is based on the amount of kilowatt-hours of electricity that the user consumes. *See also* Local Government; State Government: General State Government; Taxation.

**Act 242** (SB-812) increases the maximum penalties for gas pipeline safety violations. Under the act, a violator is subject to a forfeiture of up to the maximum penalty for such violations under federal regulations promulgated by the U.S. Department of Transportation.

### **Real Estate**

Act 208 (AB-918) requires real property wholesalers to make certain disclosures and defines "real property wholesaler" as a person that enters into a purchase agreement for certain residential real property as a buyer and intends to sell the person's rights as buyer to a third party. The act requires a real property wholesaler to provide written notice to the seller that the buyer is a real property wholesaler and, if notice is not given, allows the seller to rescind the purchase agreement and retain any deposits or option fees. The act also requires a real property wholesaler that contracts to sell its interest in the purchase agreement to a third party to provide written notice to the third party that the seller is a real property wholesaler that is selling its interest in the purchase agreement, not the property. Under the act, if the notice is not given, the third party may rescind the contract and is entitled to the return of any deposits or option fees. See also Occupational Regulation.

Act 210 (SB-439) does the following:

- 1. Prohibits including discriminatory restrictions in instruments that affect real property.
- 2. Declares void and unenforceable discriminatory restrictions in such instruments.
- 3. Prohibits the filing or recording of instruments that contain discriminatory restrictions with the register of deeds.
- 4. Allows property owners to discharge and release discriminatory restrictions from their properties and creates a statutory form for that purpose.

### **Shared Revenue**

**Act 12** (AB-245) does the following regarding shared revenue payments to counties and municipalities:

- 1. Creates a trust fund designated as the local government fund. See also Act 19.
- 2. Provides each county and municipality with an annual county and municipal aid payment from the local government fund.
- 3. Provides annual supplemental county and municipal aid payments from the local government fund to be used only for law enforcement, fire protection, emergency medical services, emergency response communications, public works, courts, and transportation. Generally, each county and municipality receives a payment equal to the greater of 20 percent of the amount of county and municipal aid received or the amount determined by a formula specified under the act.
- 4. Provides innovation grants to counties and municipalities from the local government fund for realizing savings from transferring services to another county, municipality, nonprofit organization, or private entity.
- 5. Provides annual payments to taxing jurisdictions from the local government fund to compensate for the elimination of the remaining personal property tax.

*See also* Education: Primary and Secondary Education; Employment: Public Employment; Local Government; Taxation.

**Act 19** (SB-70) does the following regarding shared revenue payments to counties and municipalities:

- 1. Provides for the transfer of funds to the local government fund, including an annual transfer of 20 percent of the revenues received from the state sales and use tax. *See also* Act 12.
- 2. Provides payments to compensate certain local governments for not being able to impose property taxes on real property exempt from taxation under the 1854 Treaty of La Pointe.
- 3. Increases utility aid incentive payments for power production plants that generate energy from an alternative energy resource or that are built on or adjacent to a site of an existing or decommissioned power plant or brownfield.
- 4. Increases funding for the school levy property tax credit.

### **State Government**

# State Building Program

Act 19 (SB-70) does all of the following:

- 1. Transfers approximately \$1.2 billion from the general fund to the capital improvement fund for the purpose of funding projects specified in the 2023–25 Authorized State Building Program and certain projects authorized in previous state building programs in lieu of general fund supported borrowing.
- 2. Authorizes \$10,750,000 in segregated revenue to assist the Marquette University School of Dentistry in carrying out construction and equipment upgrades to its main campus clinic and classrooms, affiliated clinics and classrooms statewide, and patient experience center.
- 3. Authorizes \$10 million in segregated revenue to assist the expansion of Versiti Wisconsin for purposes of blood research.
- 4. Authorizes \$7 million in segregated revenue to assist Marathon County in constructing a regional forensic science center.
- 5. Authorizes \$4,789,000 in segregated revenue to assist the Children's Hospital and Health System, Inc., to expand the dental clinic at its main Milwaukee campus.
- 6. Authorizes \$3 million in segregated revenue to assist Farming for the Future Foundation, Inc., with the construction of a Food and Farm Exploration Center.
- 7. Authorizes \$1 million in segregated revenue to assist Badgerland After School Enrichment Program, Inc., to purchase and renovate a building to serve as a facility to provide out-of-school care to youth.

**Act 102** (SB-895) transfers approximately \$423 million from the general fund to the capital improvement fund to provide funding for several UW System projects added by the act to the 2023–25 Authorized State Building Program, including the following:

- 1. A replacement engineering building at UW–Madison.
- 2. Additions and renovations to the Winther and Heide Residence Halls at UW–Whitewater.

The act also authorizes approximately \$69 million in borrowing for additions and renovations to the Kronshage, Humphrey, and Jorns Residence Halls at UW–Madison.

### **General State Government**

Act 19 (SB-70) does the following:

- 1. Provides funding to the State Historical Society for the planning and operation of the Wisconsin History Center.
- 2. Provides up to \$10 million for a grant from DOA to the WisconsinEye Public Affairs Network, Inc., for the establishment of a WisconsinEye endowment fund. WisconsinEye must at least match the grant amount from nonstate funding sources, and the grant is conditioned on WisconsinEye not charging access fees.
- 3. Establishes the nonpartisan Legislative Human Resources Office. The office's duties include providing human resources services to the legislative branch and investigating all allegations of harassment, discrimination, retaliation, violence, or bullying in the legislative branch.
- 4. Requires DOA to award grants from tribal gaming revenues to the Oneida Nation of Wisconsin for purposes specified in the act and to award other grants from tribal gaming revenues to Wisconsin American Indian tribes or bands generally.
- 5. Requires DOA to award a grant to the Walter Schroeder Aquatic Center in the village of Brown Deer and increases the amount appropriated to DOA for that purpose.

**Acts 40 and 41** (AB-438 and AB-439) provide state grants of not more than \$386.5 million for improvements to professional baseball park facilities in the city of Milwaukee subject to a number of requirements. *See also* Local Government.

**Act 98** (AB-890) makes various changes to the Badger Fund of Funds, including requiring reinvestment of the proceeds from the fund's investments, matching funding from nonstate sources, and annual reports to the legislature on the reinvested moneys.

Act 120 (SB-741) implements a number of technical

recommendations from the Ethics Commission regarding the operation of the commission. The act makes changes in the laws regarding campaign finance, lobbying, open records, and closed sessions.

**Act 121** (SB-791) places restrictions on the ownership, operation, management, or leasing of an electric vehicle (EV) charging station by a state agency and allows state agencies to own, operate, manage, or lease an EV charging station to charge vehicles owned or leased by a state agency. The act allows state agencies to generally own, operate, manage, or lease an EV charging station at which a Level 1 or Level 2 charger, installed after the act takes effect, is available to the public if a reasonable fee is charged for the electricity consumed. *See also* Local Government; Public Utilities; Taxation.

**Act 139** (SB-67) modifies the phase-out of state utility aid payments for decommissioned power plants so that no reduction in an aid payment occurs on the basis that one or more, but not all, of a plant's power generation units cease generating electricity.

**Act 263** (AB-1105) eliminates an obsolete provision relating to the duties of the state treasurer.

### **Taxation**

Act 12 (AB-245) does all of the following:

- 1. Repeals the personal property tax, including the tax on the personal property of a railroad company.
- 2. Allows Milwaukee County to impose sales and use taxes at the rate of 0.4 percent to pay the unfunded liability of its retirement system. The county may not impose the taxes unless the county elects to join the Wisconsin Retirement System for its new employees.
- 3. Allows the City of Milwaukee to impose sales and use taxes at the rate of 2 percent to pay the unfunded liability of its retirement system. The city may not impose the taxes unless the city elects to join the Wisconsin Retirement System for its new employees.

See also Education: Primary and Secondary Education; Employment: Public Employment; Local Government; Shared Revenue.

**Act 19** (SB-70) does all of the following:

- 1. Reduces from 4 percent to 3.5 percent the tax rate in the first individual income tax bracket beginning with the 2023 tax year.
- 2. Reduces from 5.21 percent to 4.4 percent the tax rate in the second individual income tax bracket beginning with the 2023 tax year.
- 3. Provides an income tax subtraction for the income of a financial institution derived from a commercial loan of no more than \$5,000,000 and used primarily for a business or agricultural purpose.
- 4. Changes the administrative code related to the tax apportionment of trading assets.
- 5. Provides a sales and use tax exemption for materials used to develop or operate a qualified data center, as certified by WEDC. The exemption also applies to the electricity used at a qualified data center.
- 6. Increases the retailer's allowance for collecting and reporting sales taxes from 0.5 percent to 0.75 percent of those taxes collected during the reporting period. The act also increases the maximum amount of the allowance for any reporting period from \$1,000 to \$8,000.
- 7. Increases from 0.8 percent to 1.25 percent the discount allowed on the purchase of cigarette tax stamps paid by persons who manufacture, market, or distribute cigarettes in this state.
- 8. Exempts the Wisconsin Cranberry Research Station from property taxes.

**Act 35** (AB-364) adopts, for state income tax purposes, federal tax law changes regarding contributions to a health savings account and telehealth services.

**Act 36** (AB-406) adopts, for state income tax purposes, changes to the federal Internal Revenue Code made in 2021 and 2022.

**Act 42** (AB-133) increases the amount that may be claimed for each qualifying acre of farmland under the farmland preservation tax credit. The act also makes farmland covered by an agricultural conservation easement eligible for the credit and decreases the minimum required length of farmland preservation agreements between DATCP and a farmland owner to 10 years from 15 years.

**Act 101** (AB-1023) expands the child and dependent care income tax credit so that a taxpayer may claim an amount equal to 100 percent of the federal child and dependent care tax credit that the taxpayer may claim, notwithstanding certain expense limitations under federal law.

**Act 121** (SB-791) imposes an excise tax of three cents per kilowatt-hour on electric vehicle (EV) charging, revenues from which are deposited into the transportation fund. The act also exempts the sale of electricity delivered by an EV charging station from the sales and use tax. *See also* Local Government; Public Utilities; State Government: General State Government.

**Act 138** (AB-742) eliminates obsolete statutory references regarding property, sales, and income taxes and makes technical changes to the administration of lottery games and the Uniform Unclaimed Property Act.

**Act 140** (SB-323) exempts personal property from the tax imposed on the property of a telecommunications company.

**Act 141** (SB-351) provides a sales and use tax exemption for memberships sold to licensed real estate brokers who, pursuant to the membership agreement, offer to compensate and cooperate with other real estate brokers in brokering the sale of real estate.

**Act 142** (SB-398) creates an individual income tax credit for certain costs of blind workers for transportation between the worker's residence and place of employment. The credit is equal to 50 percent of the cost of those transportation services paid during a tax year, and is limited to a maximum credit of \$1,500 per tax year.

**Act 143** (AB-627) expands the business development tax credit to allow credits of up to 15 percent of the investments made in workforce housing and in establishing child care programs for employees. *See also* Economic Development.

**Act 146** (SB-616) does the following with regard to laws administered by DOR:

1. Provides a sales and use tax exemption for portable

machinery and equipment used to process materials for road or commercial surface lot construction or resurfacing.

- 2. Increases the withholding thresholds for nonresident employees so that an employer is not required to withhold income taxes for nonresident employees if the total amount of annual wages attributable to this state is less than \$2,000.
- 3. Provides technical modifications to lottery provisions and to income tax provisions related to farming assets and qualified opportunity funds.

**Act 147** (SB-374) requires DOR, if the Minnesota Department of Revenue agrees, to conduct a study on the effects of instituting income tax reciprocity between Wisconsin and Minnesota and to submit the results to the elected legislative leaders and governor of each state by December 31, 2024. The act also requires that, to take effect, any income tax reciprocity agreement between Wisconsin and Minnesota must be approved by the governor and by the JCF passive review process.

**Act 148** (AB-793) modifies the tax treatment of college savings accounts and the employee college savings account contribution credit. The act increases the maximum individual contribution to \$5,000 for each beneficiary of a college saving account, adjusted annually for inflation. The act also increases the maximum credit for each employee to 50 percent of the amount the employer contributes to the account, not exceeding \$800, adjusted annually for inflation.

**Act 149** (AB-29) provides a sales and use tax exemption for precious metal bullion.

**Act 150** (AB-910) prohibits a person from making remote retail sales of cigars or pipe tobacco unless the person obtains a permit from DOR, verifies the age of purchasers, and collects the tobacco products tax on such sales based on the actual cost of the cigars and pipe tobacco to the remote retail seller.

**Act 187** (SB-868) requires DOR to place on income tax forms a method by which a resident of this state who is at least 15 years old may elect to include his or her name as a donor of an anatomical gift in the donor

registry maintained by DOT. Under the act, DOR must transmit to DOT information about tax filers who elect to be included in the registry.

**Act 207** (AB-969) does the following with regard to the sale of tax delinquent property acquired by a county:

- 1. Provides that no county may sell such property without first advertising the sale by publication on the county website and either by publication of a notice or by advertising on a multiple listing service.
- 2. Except for certain property located in Milwaukee County, requires a county to give notice of the sale no later than 240 days after acquiring the property or, beginning in 2026, no later than 180 days after acquiring the property.
- 3. Requires Milwaukee County to give notice of the sale of certain property, such as a vacant lot or abandoned industrial site, no later than 36 months after the day on which the county acquires the property.
- 4. With regard to the sale of single-family, owner-occupied property, requires a county to enact an ordinance allowing the former owner or the owner's heirs or beneficiaries to acquire the property by paying the county the costs incurred by the sale, the property taxes owed, and the amount of any other liens outstanding at the time of foreclosure.

### Trade and Consumer Protection

**Act 73** (SB-268) requires a person who sells electronic vaping devices to obtain a cigarette and tobacco products retailer license. *See also* Beverages.

**Act 75** (SB-290) requires a third-party food delivery service to obtain consent before listing a restaurant on its digital network, share order data with listed restaurants, remove a restaurant from its digital network upon request, and ensure that individuals delivering food for the service have knowledge of basic food safety principles.

**Act 189** (SB-728) provides that any dog that is individually trained or is being trained to do work or perform tasks for the benefit of an individual with a disability is exempt from the dog license tax and provides that

every person owning such a dog receives a free dog license annually. Under former law, only dogs that were specifically trained to provide support for blind, deaf, or mobility-impaired persons were exempt from the tax and received the free annual dog license.

**Act 243** (SB-531) prohibits caller ID spoofing. Under the act, no person may knowingly transmit misleading or inaccurate caller identification information through a telephone call or text message with the intent to defraud or wrongfully obtain anything of value, and the act prohibits telephone solicitors from knowingly transmitting misleading or inaccurate caller identification information for any purpose.

**Act 255** (AB-1096) changes statutory references to "Midwest Food Processors Association, Inc." to "Midwest Food Products Association, Inc." on the basis of the organization's name change in 2017.

**Act 271** (AB-917) prohibits the sale of counterfeit lighters and unsafe lighters.

## **Transportation**

### **Drivers and Motor Vehicles**

**Act 19** (SB-70) does all of the following:

- 1. Increases the surcharge for registration of nonhybrid electric vehicles by \$75.
- 2. Requires that electric vehicles bear registration plate decals issued by DOT indicating that the vehicle is an electric vehicle.

**Act 28** (SB-66) extends the seasonal period for an "F" or "farm service" operator's license endorsement from 180 days to 210 days.

**Act 43** (SB-60) waives certificate of title transfer fees when a vehicle is transferred upon a person's death to an immediate family member of the decedent.

**Act 44** (SB-123) creates an exception, for persons who are enlisted in the U.S. armed forces, from the requirement that persons who are issued their initial driver's license be issued a probationary license, allowing them instead to be issued a standard,

nonprobationary driver's license as an initial driver's license.

**Act 45** (SB-124) eliminates the requirement that DOT provide physical temporary operation plates and permits to motor vehicle dealers and instead requires DOT to issue these temporary operation plates and permits to motor vehicle dealers solely in an electronic format. The bill also provides penalties for dealers who misuse temporary operation plates or permits or who violate requirements related to the issuance of these plates or permits.

**Act 57** (SB-35) requires DOT to record specified emergency contact information, if supplied, for applicants for operator's licenses.

**Act 59** (AB-49) expands certain parking privileges relating to time limits and meter payments for vehicles with disabled parking plates or special identification cards to include parking spaces on UW System campuses.

**Act 160** (SB-591) requires that driver education courses include instruction regarding highway work zone safety.

**Act 161** (SB-654) provides that a nonresident insurance company may apply for any DOT-issued title for a vehicle acquired by the company through payment of a total loss claim.

**Act 167** (AB-869) authorizes snow removal vehicles to be equipped with lamps or other transmitters that allow the vehicle operator to request traffic control signals to provide or maintain a green signal to allow the vehicle to proceed through the intersection.

**Act 205** (AB-385) adds to the definition of "veteran" any person who was admitted to the United States under the Hmong Veterans' Naturalization Act, for the purpose of enabling such a person to indicate on his or her operator's license or identification card that he or she is a veteran.

**Act 226** (SB-514) increases the felony classifications for violations involving fleeing an officer in a manner that endangers other vehicles or pedestrians.

**Act 251** (SB-525) exempts police vehicles owned by the state or a county, city, village, or town from DOT administrative rules that limit the degree to which vehicle windows may be tinted.

## Highways and Local Assistance

**Act 13** (SB-247) establishes an agricultural roads improvement grant program. Under the program, DOT reimburses political subdivisions for projects that improve certain local highways and other highway facilities that provide access to agricultural lands and that had structural deficiencies that result in highway weight limitations.

**Act 19** (SB-70) does all of the following:

- 1. Provides an additional \$352.8 million in bonding authority to fund major interstate bridge projects.
- 2. Provides \$150 million in funding for local agricultural roads.
- 3. Provides \$100 million in additional funding for local roads improvement discretionary supplemental grants.
- 4. Increases general transportation aids payments to political subdivisions.
- 5. Increases allocations for local roads improvement discretionary grants.
- 6. Increases connecting highway aids payments to municipalities.
- 7. Establishes a program for counties to inventory and assess the condition of local bridges and culverts that are between 6 and 20 feet in length.

**Act 69** (SB-249) designates the entire route of STH 80 as the "Operations Desert Shield and Desert Storm Memorial Highway."

**Act 157** (SB-413) limits DOT's authority with regard to any highway setback requirements that DOT maintains.

**Act 162** (SB-753) allows towns to use certain countyprovided funds to satisfy the local match requirement for projects funded by DOT's local bridge program and clarifies that in such a situation DOT supervises the project. **Act 215** (SB-223) designates a portion of STH 11 as the "Corporal Benjamin H. Neal Memorial Highway."

**Act 216** (SB-633) directs DOT to designate and mark I-90 from the Minnesota-Wisconsin state line in La Crosse County to the intersection of I-90 and I-94 in Monroe County as the "Ho-Chunk World War II Code Talkers Memorial Highway."

**Act 268** (SB-399) directs DOT to designate and mark the bridge on USH 63 across the Mississippi River in Pierce County as the "Eisenhower Bridge of Valor."

**Act 269** (SB-452) directs DOT to designate and mark STH 128 from STH 64 to I-94 as the "Deputy Kaitie Leising Memorial Highway."

**Act 270** (AB-558) requires DOT to identify the location of the Mount Horeb Veterans Memorial on state highway maps.

## Traffic and Parking Regulation

**Act 1** (SB-92) allows a political subdivision to enact an ordinance authorizing law enforcement officers to impound vehicles used in reckless driving offenses if the person cited for reckless driving owns the vehicle and has a prior reckless driving conviction for which a forfeiture was imposed that has not been fully paid.

**Act 9** (AB-55) increases the penalties for various reckless driving offenses.

**Act 154** (SB-313) increases the penalties for failing to stop for a school bus that is stopped and displaying flashing red lights.

**Act 155** (SB-355) allows vehicles of certain utilities to be equipped with flashing green lights.

**Act 158** (SB-431) authorizes DOT to issue certain overweight operation permits for certain fluid milk products and prohibits DOT from differentiating between different types of fluid milk products when imposing the conditions for these permits.

**Act 159** (SB-460) increases the penalties for certain traffic violations that are committed where workers are present in a railroad construction or maintenance area and are at risk from traffic.

**Act 188** (SB-964) authorizes physical therapists to certify to DOT information necessary for a person to acquire a disabled parking plate or card.

### **General Transportation**

**Act 19** (SB-70) does all of the following:

- 1. Increases mass transit operating aids payments and changes the source of the payments from the transportation fund to the general fund.
- 2. Transfers \$555,523,900 from the general fund to the transportation fund.
- 3. Annually transfers the estimated amount of sales tax generated by the sale of electric vehicles from the general fund to the transportation fund.
- 4. Provides a \$10 million grant for the purpose of assisting in the construction of a fuel pipeline extension from Mitchell International Airport to the Port of Milwaukee.
- 5. Provides a \$7 million grant to the Appleton International Airport for the airport's terminal expansion project.
- 6. Provides a grant to the Harbor Commission of the Town of La Pointe for costs relating to the provision of ferry service.
- 7. Requires DOT to expend \$18.5 million from proceeds of transportation revenue bonds for administrative facility projects.

**Act 46** (SB-270) creates a process for a highway improvement contractor to seek damages for project delays that are the result of an uncompleted relocation or adjustment of a utility facility located in the right-of-way of the highway.

**Act 74** (SB-280) authorizes an American Indian tribe or band to erect and maintain a tribal nation welcome sign within a highway right-of-way.

**Act 86** (AB-394) requires DOT to establish a driver education grant program under which DOT may award grants to providers of driver education courses to fund driver education for persons who meet income eligibility requirements.

Act 114 (SB-310) provides that a person may use a

DOT-issued identification card to establish residency for DNR-issued approvals and requires DOT to provide DNR with access to DOT records for this purpose.

**Act 122** (SB-792) allows DOT to establish and administer a program to fund electric vehicle infrastructure.

**Act 156** (SB-363) modifies definitions applicable to the DOT-issued permit for the overweight or oversize transportation of metallic or nonmetallic scrap for the purpose of recycling or processing so that the permit includes the transport of pig iron.

**Act 164** (AB-230) imposes more regulations on recreational vehicle dealers, manufacturers, and distributors.

**Act 202** (AB-569) provides that the prohibition on a driver school being established within 1,500 feet of a DOT office where operator's licenses are issued or driving skills tests are given does not apply if the DOT office is located in a municipality that has a population under 15,000.

# **Veterans and Military Affairs**

**Act 19** (SB-70) does the following:

- 1. Increases by 25 percent the amount in grants that DVA makes to each county that employs a county veterans service officer for the purpose of improving county services to veterans.
- 2. Increases the maximum amount in total grants that DVA may make to local governments for providing fire and emergency medical services to the state veterans homes, includes fire districts in the list of eligible recipients for the grants, and specifies that the amounts distributed under the grant program cannot factor in the calculation of payments made under the payments for municipal services.
- 3. Requires DMA to provide a payment to the Town of Silver Cliff to rebuild its public safety building that was destroyed by a tornado.

**Act 47** (SB-166) makes a number of changes to the Wisconsin Code of Military Justice (WCMJ) and requires the adjutant general to implement a policy that

ensures that a victim of an offense under the WCMJ is treated with dignity, respect, courtesy, sensitivity, and fairness. With respect to the WCMJ, the act:

- 1. Clarifies the offenses over which courts-martial have primary jurisdiction.
- 2. Specifies the limits of punishment under the WCMJ.
- 3. Directs the adjutant general to prescribe rules of procedure for courts-martial arising under the WCMJ.
- 4. Codifies offenses related to retaliation, sexual harassment, and engagement in prohibited sexual activity with a recruit or trainee to reflect the inclusion of those offenses in the Uniform Code of Military Justice (UCMJ).
- 5. Modifies the elements of sexual assault to reflect changes to the elements of that offense under the UCMJ.
- 6. Removes certain gender-specific language from the WCMJ.

**Act 48** (SB-167) requires the adjutant general to submit an annual report to the governor and the legislature on various topics related to sexual assault and sexual harassment reported by members of the Wisconsin National Guard. The act also requires DMA to submit a report to the legislature describing any substantive changes to the UCMJ during the prior federal fiscal year.

**Act 49** (SB-168) requires DMA to establish and maintain a case management system that allows the National Guard to track and manage casework related to misconduct within the National Guard.

**Act 70** (SB-251) adds three member positions on the Council on Veterans Programs: one each for a veteran services coordinator who is employed at a Wisconsin technical college, a UW System institution, and a college or university that is a member of the Wisconsin Association of Independent Colleges and Universities. The act removes representatives of the following organizations as members of the council because the organizations they represent are inactive: the Navy Club of the U.S.A., the American Ex-prisoners of War, the Vietnam Veterans Against the War, Inc., the Catholic War Veterans of the U.S.A., the Army and Navy Union of the United States of America, the U.S. Submarine Veterans of World War II, and the Blinded Veterans Association of Wisconsin.

**Act 203** (SB-416) changes the requirements for eligibility for a grant to improve county veterans service office services. Instead of requiring that the county veterans service officer must have taken the civil service examination, the act requires that the county veterans service officer must be a Wisconsin resident who served on active duty under honorable conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces and meets certain other conditions.

**Act 204** (SB-546) allows spouses of veterans to be admitted as members to state veterans homes before the veteran spouse is admitted as a member.

**Act 206** (AB-1079) eliminates an element of sexual assault under the WCMJ to align the WCMJ with the UCMJ. *See also* Employment: Public Employment.

**Act 221** (SB-218) creates a program under which DMA awards grants for system upgrades to local units of government that use the statewide public safety interoperable communication system, which is a radio system that may be used for emergency communication by public safety agencies, public works and transportation agencies, hospitals, and volunteer emergency services agencies.

**Act 222** (AB-356) requires DMA to award grants to incumbent local exchange carriers that provide a service that may be used to generate a request for emergency assistance and that may connect to an emergency number system. The grants are awarded to reimburse the incumbent local exchange carriers' certain various costs associated with Next Generation 911.

**Act 265** (SB-222) creates a pre-disaster flood resilience program administered by DMA to award grants to local governmental units for projects aimed at identifying and improving local flood vulnerabilities and resilience priorities.

### **Constitutional Amendments**

#### First Consideration

The below proposed amendments to the Wisconsin Constitution were passed by the 2023 legislature on first consideration. With respect to each amendment, to become a part of the constitution, the 2025 legislature must concur in the amendment, and the amendment must then be ratified by the voters at a statewide referendum.

Assembly Joint Resolution 109 prohibits governmental entities from discriminating against, or granting preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in public employment, public education, public contracting, or public administration.

Assembly Joint Resolution 112 restricts the governor from using the partial veto power to create or increase or authorize the creation or increase of any tax or fee.

Senate Joint Resolution 54 provides that the state or a political subdivision of the state may not order the closure of or forbid gatherings in places of worship in response to a state of emergency, including a public health emergency.

Senate Joint Resolution 73 provides that a person may not vote in any election without presenting photographic identification verifying the person's identity. Acceptable forms of photographic identification must be specified by law.

#### Second Consideration

The below proposed amendments to the Wisconsin Constitution were concurred in by the 2023 legislature on second consideration after having been passed by the 2021 legislature on first consideration. Once a proposed constitutional amendment has been passed by two successive legislatures, the amendment becomes effective if it is ratified by the voters at a statewide referendum.

Assembly Joint Resolution 6 prohibits the legislature from delegating its sole power to determine how moneys may be appropriated and prohibits the governor from allocating any federal moneys that the governor accepts on behalf of the state without the approval of the legislature by joint resolution or as provided by legislative rule. The referendum to ratify the constitutional amendment is to be held on August 13, 2024, concurrent with the 2024 partisan primary.

Senate Joint Resolution 2 authorizes the imposition of monetary bail as a condition of release before conviction for a person accused of a violent crime only upon a finding that there is a reasonable basis to believe that it is necessary based on the totality of the circumstances, taking into account certain factors specified in the amendment. For a person accused of a nonviolent crime, monetary bail may be imposed as a condition of release before conviction only upon a finding that there is a reasonable basis to believe that it is necessary to assure the appearance of the accused in court. The amendment was ratified by the voters at a referendum held on April 4, 2023. See also Crime and Criminal Procedure, Act 3.

Senate Joint Resolution 71 provides that only a United States citizen who is at least 18 years old and a resident of an election district in Wisconsin is qualified to vote in that district in an election for national, state, or local office or at a statewide or local referendum. The referendum to ratify the constitutional amendment is to be held on November 5, 2024, concurrent with the 2024 general election.

Senate Joint Resolution 78 prohibits state and local governments from using privately sourced moneys or equipment in connection with the conduct of elections and specifies who may perform tasks related to the conduct of an election. The amendment was ratified by the voters at a referendum held on April 2, 2024.

# **Fully Vetoed Legislation**

Assembly Bill 34 would have provided that DNR administrative rules that ban baiting deer in counties on the basis of positive tests for chronic wasting disease or bovine tuberculosis must be based on tests performed on free-roaming animals.

Assembly Bill 57 would have prohibited a prosecutor from dismissing or amending a criminal charge absent court approval, and would have prevented a prosecutor from entering into a deferred prosecution agreement, if the defendant was charged with certain crimes, including crimes of domestic abuse, violating a specified temporary restraining order or injunction,

certain sexual assaults, crimes against children, and illegal possession of a firearm.

Assembly Bill 141 would have prohibited state agencies and local governmental units from restricting the use or sale of a device based on the energy source that is used to power the device or that is consumed by the device.

Assembly Bill 142 would have prohibited state agencies and local governmental units from restricting the use or sale of motor vehicles based on the energy source used to power the motor vehicle.

Assembly Bill 146 would have prohibited political subdivisions from expending moneys of the political subdivision under a program to provide individuals with regular periodic cash payments that are unearned and may be used for any purpose.

Assembly Bill 147 would have made changes to unemployment insurance (UI) law, including expanding the list of actions that are considered misconduct and that limit a claimant's eligibility for UI benefits; expanding work search requirements for DWD and claimants; and making federal enhanced unemployment benefit programs subject to the approval of JCF.

Assembly Bill 149 would have made changes to UI law, including expanding employer reporting opportunities when individuals decline or ignore job interview offers, fail to attend job interviews, or are unavailable for work; requiring DWD to investigate such reports; and expressly requiring DWD to recover UI benefit overpayments.

Assembly Bill 150 would have made changes to UI law, including changing the name of the UI program, expanding work search requirements for DWD and claimants, and requiring DWD to immediately promulgate rules to require drug testing for certain UI claimants.

Assembly Bill 151 would have required state agencies to track and report the performance of workforce development programs and activities using indicators specified under the federal Workforce Innovation and Opportunity Act.

Assembly Bill 152 would have allowed state employees

to be transferred to DWD to hear UI appeals. The bill also would have made changes to UI law, including requiring DWD to take actions related to fraud detection, education, and claimant assistance and to operate a call center for UI claim questions during periods of high claim activity.

Assembly Bill 200 would have required DSPS to include in its biennial report to the legislature certain information about the credential applications it receives and the time it takes to process them.

Assembly Bill 201 would have required DSPS to post on its website and update each month certain information about the credential applications it receives and the processing time.

Assembly Bill 377 would have required schools to designate athletic sports and teams on the basis of the biological sex of the participants and would have prohibited pupils of the male sex from participating in a sport or on a team designated for females.

Assembly Bill 386 would have done the following:

- 1. Decreased the individual income tax rate in the third tax bracket from 5.3 percent to 4.40 percent beginning with the 2023 tax year.
- 2. Modified the individual income tax subtraction for retirement income so that an individual who is at least 67 years old may subtract up to \$100,000 of retirement income from his or her taxable income.

Assembly Bill 388 would have authorized WEDC to make no-interest loans to child care providers for renovations to child care facilities.

Assembly Bill 395 would have required that peer-topeer motor vehicle sharing programs assume liability for the owners of shared vehicles and set certain other requirements on sharing programs.

Assembly Bill 396 would have capped at \$250 the fee for obtaining an electronic copy of the official voter registration list maintained by the Elections Commission.

Assembly Bill 398 would have exempted certain clinical trial participants from coverage under the UI law.

Assembly Bill 415 would have established legislative districts that first apply to the 2024 general election.

Assembly Bill 465 would have prohibited health care providers from engaging or causing engagement in, or making referrals for, certain medical practices done to change a minor's body to correspond to a sex that is discordant with the minor's biological sex.

Assembly Bill 476 would have eliminated the governor's authority to fill by appointment without senate confirmation all vacancies in the offices of secretary of state, treasurer, attorney general, and state superintendent of public instruction.

Assembly Bill 480 would have disallowed a person from claiming the farmland preservation tax credit for any part of the claimant's farmland on which is located a solar energy system that is not an integral part of an agricultural activity.

Assembly Bill 494 would have made changes to eligibility and application requirements for voters to obtain indefinitely confined status, including requiring that an applicant provide photo identification, subject to certain exceptions.

Assembly Bill 510 would have established a legal standard for state infringement on fundamental rights of parents and guardians, explicitly established a number of parental and guardian rights relating to a child's religion, medical care and records, and education, and created a cause of action for the violation of these rights.

Assembly Bill 512 would have repealed DNR administrative code provisions that prohibit certain types of hunting in May and June with the aid of a dog in a northern portion of the state and that restrict dog training and dog trialing while hunting in that area and during that period.

Assembly Bill 541 would have allowed a mental health care provider to provide mental health services by telehealth to patients in this state without becoming licensed, registered, certified, or otherwise approved to practice in this state if the mental health care provider satisfied certain conditions.

Assembly Bill 543 would have required election officials to provide election observers uniform and nondiscriminatory access to all stages of the election process and to provide an observation area that is no more than three feet from where the public aspects of the voting process occurs.

Assembly Bill 545 would have required that all the members of technical college district boards be U.S. citizens.

Assembly Bill 570 would have made a number of changes to election laws, including establishing requirements for handling defective absentee ballot certificates and altering absentee voting procedures at residential care facilities and qualified retirement homes during a public health emergency.

Assembly Bill 572 would have required a circuit court to timely notify the Wisconsin Elections Commission of any determination of an individual's incompetency or ineligibility to vote. The act also would have required a residential care facility or qualified retirement home to provide notice by email of the dates and times when special voting deputies would have been visiting the facility or home to each individual designated as a contact by the occupant who intends to vote by absentee ballot with the deputies.

Assembly Bill 603 would have required DOT to erect directional signs at the I-94 and CTH "K" interchange in Racine County displaying the words "The Prairie School" and "Wind Point Lighthouse."

Assembly Bill 610 would have required institutions of higher education that receive public funding to waive any immunization requirement for a student or prospective student if the student or prospective student objected to the immunization for reasons of health, religion, or personal conviction.

Assembly Bill 669 would have provided that a person who sells and transfers possession of a motor vehicle generally is immune from civil and criminal liability and is not responsible for local ordinance violations involving the vehicle if the parties legally transfer, or intend to transfer, ownership of the vehicle.

Assembly Bill 957 would have prohibited political subdivisions from adopting certain regulations for animal facilities in areas that are zoned for agricultural use, unless the regulated activity presents a substantial threat to public health or safety.

Assembly Bill 1020 would have expanded the second individual income tax bracket.

Assembly Bill 1021 would have increased and expanded the individual income tax exclusion for retirement income.

Assembly Bill 1022 would have increased the amount of the married persons individual income tax credit.

Assembly Bill 1030 would have imposed restrictions on DNR's regulation of deer hunting in the northern forest zone deer management area.

Assembly Bill 1065 would have prohibited UW System institutions and technical colleges from conditioning certain decisions, such as student admission, faculty hiring and promotion, and student organization funding, on a person's pledging allegiance to or making a statement of support for or opposition to a political ideology or movement, including diversity, equity, or inclusion (loyalty pledge). The bill would have created a private right of action, and mandatory employee discipline, for a loyalty pledge violation. The bill also would have required UW System institutions and technical colleges to make available to the public training materials as well as policies and guidance on matters of nondiscrimination, diversity, equity, inclusion, race, ethnicity, sex, or bias.

Assembly Bill 1089 would have decreased the interest rate applicable to late, nondelinquent taxes owed to DOR from 12 percent to 6 percent and would have increased the interest rate applicable to certain overpayments to DOR from 3 percent to 6 percent.

September 2023 Special Session Senate Bill 1 would have made changes to state income taxes; made changes related to occupational licensing; created an apprenticeship grant program for technical college and tribal college students and a commercial driver's license training grant program; and made changes to the UI law.

Senate Bill 21 would have increased the maximum allowable value of personal property that belongs to a prisoner or resident of a state correctional institution to \$150, or if the personal property is a musical instrument or electronic item, \$350, and provided that there is no limit on the value of items of personal property that are medically prescribed.

Senate Bill 49 would have prohibited state agencies and local governments from placing any restriction on the connection or reconnection of a utility service based on the type or source of energy to be provided to consumers and from discriminating against a public utility, electric cooperative, or liquefied petroleum gas retailer based on the nature or source of the service to be provided.

Senate Bill 52 would have required DATCP to create a program for registering commercial applicators of deicer upon completion of training approved by DATCP. A registered commercial applicator or private property owner is generally not liable for damages resulting from a snow or ice hazard on private real estate if the property is maintained by the registered commercial applicator in accordance with the DATCP training.

Senate Bill 98 would have required the Wisconsin Elections Commission to verify the citizenship of individuals on the official voter registration list.

Senate Bill 139 would have required DNR to establish a statewide wolf population goal in its wolf management plan.

Senate Bill 145 would have created a system of licensure for advanced practice registered nurses to be administered by the Board of Nursing.

Senate Bill 158 would have established requirements and procedures for the issuance of preliminary health care credentials for previously unlicensed individuals and would have entered Wisconsin into the Social Work Licensure Compact.

Senate Bill 186 would have exempted certain plumbing plans from being subject to examination by DSPS and allowed owners who submit building plans to select the time at which DSPS conducts the examination of those plans.

Senate Bill 187 would have expanded the authority of local governments to conduct examinations of building plans.

Senate Bill 188 would have specified that DSPS and certain cities, villages, towns, and counties may grant an owner who submits a building plan for examination permission to start construction on certain components before the examination is totally completed.

Senate Bill 216 would have authorized equipping ATVs and UTVs with whip lights.

Senate Bill 217 would have provided that restrictions on riding on an ATV or UTV on a part of the vehicle that is not designed for use by passengers do not apply to an ATV with one passenger in a second seated position.

Senate Bill 312 would have created several new programs and requirements relating to perfluoroalkyl and polyfluoroalkyl substances (PFAS).

Senate Bill 316 would have exempted a person who meets specified criteria and who applies a chemical treatment to a private pond that is less than five acres in size to suppress or eradicate invasive or nuisance aquatic plants from the requirement to have an aquatic plant management permit issued by DNR.

Senate Bill 335 would have allowed school boards to employ school district administrators who are not licensed by DPI.

Senate Bill 436 would have repealed the requirement that a permit be obtained to employ a person under age 16 and certain other associated provisions.

Senate Bill 466 would have prohibited a credit card or other payment card network, or its agent, from requiring the use in a transaction of a merchant category code that identifies the merchant as a firearms retailer. The bill also would have prohibited DOJ from keeping records regarding handgun purchases as a list that identifies individuals who have purchased a handgun. The bill would have required the attorney general to enforce the act's prohibition that no state agency, political subdivision, or special purpose district may intentionally create, store, or maintain a list of individuals who own firearms.

Senate Bill 517 would have prohibited a court from conducting a hearing to determine if there is probable cause to believe a person committed a crime if the district attorney already refused, due to the person having a defense of self-defense, to issue a complaint against that person for the same action, unless the court has new evidence that the person did not act in self-defense.

Senate Bill 549 would have allowed Big Brothers Big Sisters of America, Boy Scouts of America, Boys & Girls Clubs of America, Future Farmers of America, and Girl Scouts of the United States of America to each provide information to pupils at public schools during the school day at the beginning of the school year for the purpose of encouraging students to join the respective organization.

Senate Bill 608 would have created a new pathway to a Tier I license to teach for paraprofessionals employed by a school district.

Senate Bill 613 would have limited to \$1 million the total amount of noneconomic damages, such as pain and suffering, that a person could recover from a commercial motor vehicle carrier for injury, death, or other loss caused by the carrier's employee.

Senate Bill 617 would have required DOT to issue to registrants of electric vehicles registration plates or decals that identify the vehicles as electric vehicles.

Senate Bill 641 would have eliminated the current law that prohibits persons who do not have a license to carry a concealed weapon from going armed with an electric weapon, which is a device that is designed to immobilize or incapacitate a person by the use of electric current.

Senate Bill 667 would have authorized the creation of a "domestic asset preservation trust," which is an irrevocable trust that contains a spendthrift provision, and would have allowed a settlor of the trust to also be a beneficiary.

Senate Bill 688 would have increased the bidding thresholds for certain local government public works contracts and would have required school boards to use a competitive bidding process for contracts for construction and supplies above a threshold amount.

Senate Bill 736 would have required the LAB to conduct a performance audit of election processes following a general election.

Senate Bill 836 would have allowed a juvenile court to impose reasonable restrictions on a juvenile's conduct during the time between a plea hearing and the conclusion of any fact-finding hearing or disposition hearing.

Senate Bill 916 would have established procedures for cities, villages, towns, counties, and school districts to follow if an employee or officer contacts or is contacted by the federal government or a private nonprofit voluntary agency regarding a proposed placement of refugees.

Senate Bill 917 would have allowed a teacher preparatory program to require up to four semesters of student teaching and required DPI to create a teacher apprenticeship program.

Senate Bill 932 would have made several changes concerning the state building program, including establishing an exception to single prime contracting for high-dollar projects and creating additional limitations to the Building Commission's authority to increase project budgets.

Senate Bill 933 would have generally prohibited discrimination in the donation or receipt of an anatomical gift or related services on the basis of an individual's vaccination status.

Senate Bill 1014 would have required DHS, during the 2023–25 fiscal biennium, to award grants to fund health systems that both committed to providing hospital emergency department services in Chippewa County or Eau Claire County and agreed to use grant funds for capital expenditures to aid in providing hospital emergency department services in one of those counties.

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