CHAPTER 45

VETERANS

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Cross-reference: See also VA, Wis. adm. code.

SUBCHAPTER I

GENERAL PROVISIONS

45.001 Recognition of persons who served in the armed forces. The state of Wisconsin recognizes, as veterans, the men and women of Wisconsin who served on active duty in the U.S. armed forces or in forces incorporated in the U.S. armed forces, the men and women who served in a reserve unit of the U.S. armed forces, and the men and women who served in the national guard.

History: 2005 a. 22.

45.01 Definitions. In this chapter, unless the context otherwise requires:

(1) "Active duty" does not include active duty for training purposes.

(2) "Active duty for training purposes" has the meaning given in 38 USC 101 (22).

(3) "Board" means the board of veterans affairs.

(4) "Child" means any biological child, any adopted child, any stepchild, or any other child who is a member of the veteran's household, or any nonmarital child if the veteran acknowledges paternity or paternity has been otherwise established.

(4m) "Council" means the council on veterans programs created under s. 15.497 (2).

(5) "Department" means the department of veterans affairs.

(6) "Dependent" includes any of the following:

(a) A spouse, a surviving spouse, or a divorced spouse, but only if the divorced spouse is not remarried and is receiving child support or maintenance from the veteran under a court order.

(b) Any child under 18 years of age, or under the age of 26 if in full attendance at a recognized school of instruction, or of any age if incapable of self-support by reason of mental or physical disability.

(c) The biological or adoptive parent or a person who acts in the place of a parent and who has so acted for not less than 12 months prior to the veteran's entrance into active service.

(d) A minor sibling or a sibling of any age if incapable of self-support by reason of mental or physical disability.

(7) "In-kind contributions" includes donations of appliances, buildings, creations, equipment, fixtures, furniture, materials, real property, structures, supplies, and utilities, and work performed in the acquisition of land and construction of property.

(8) "Memorial" means a building, structure, statue, or creation used to keep alive the remembrance of a veteran, veterans group, or an event related to a veteran and may include land upon which the building, structure, statue, or creation is located. "Memorial" does not include a museum.

(9) "Permanently and totally disabled veteran" means a person who is receiving 100 percent disability compensation from the U.S. department of veterans affairs under 38 USC 1101 to 1104, 1110 to 1120, 1131 to 1137, and 1151 to 1163, due to a permanent and total service-connected disability.

(10) "Secretary" means the secretary of the department.

(11) "Service in a crisis zone" means any of the following:

(a) *Service in Lebanon and Grenada.* A person shall be considered to have served in Lebanon or Grenada if the person was on active duty in Lebanon or its territorial waters under honorable conditions between August 1, 1982, and August 1, 1984, or in Grenada between October 23, 1983, and November 21, 1983, and meets one of the following conditions:

1. Was entitled to receive the armed forces expeditionary medal established by executive order 10977 on December 4, 1961.

2. Was entitled to receive the marine corps or navy expeditionary medal.

3. Was not entitled to receive a medal under par. (a) or (b) but submits other proof of service acceptable to the department.

(b) *Middle East crisis.* A person shall be considered to have served in a Middle East crisis if, because of active duty in the U.S. armed forces or forces incorporated as a part of U.S. armed forces, any of the following applies:

1. The person was awarded the humanitarian service medal for participating in the attempt to rescue American hostages in Iran.

2. The person was awarded the valor ribbon bar by the U.S. state department for having been a hostage in Iran during the Iranian hostage crisis in 1980 and 1981.

3. The person participated in the April 14, 1986, military action against Libya.

4. The person served on the U.S.S. Stark on May 17, 1987.

5. The person served in support of Operation Desert Shield or Operation Desert Storm under all of the following conditions:

a. Under an active duty order, a unit assignment order or an involuntary extension of an active duty order or in the Middle East or in territorial or international waters adjacent to the Middle East.

b. Under honorable conditions.

c. Between August 1, 1990, and the ending date of Operation Desert Shield or Operation Desert Storm, as established by the department by rule.

6. The person served for 90 days or more in support of Operation Enduring Freedom or an operation that is a successor to Operation Enduring Freedom or served in the Operation Enduring Freedom theater of operation under all of the following conditions:

a. Under an active duty order, a unit assignment order, or an involuntary extension of an active duty order.

b. Under honorable conditions.

c. Between September 11, 2001, and the ending date of Operation Enduring Freedom or an operation that is a successor to Operation Enduring Freedom, as established by the department by rule.

(c) *Service in Panama.* A person shall be considered to have served in Panama if the person was on active duty in the U.S. armed forces in Panama or its territorial waters under honorable conditions between December 20, 1989, and January 31, 1990.

(d) *Service in Somalia.* A person shall be considered to have served in Somalia if the person was on active duty in the U.S. armed services in Somalia or in territorial waters adjacent to Somalia under honorable conditions between December 9, 1992, and the ending date of Operation Restore Hope, as established by the department by rule.

(e) *Service in Bosnia.* A person shall be considered to have served in Bosnia if the person served for 90 days or more in support of Operation Balkan Endeavor or served for 90 days or more in Austria, Bosnia and Herzegovina, Czech Republic, Croatia, Hungary, Macedonia, Montenegro, Serbia including the autonomous provinces of Kosovo and Vojvodina, Slovakia, or Slovenia, or in territorial waters adjacent to any of those countries, under all of the following conditions:

1. Under an active duty order, an involuntary extension of an active duty order, or a unit assignment order.

2. Under honorable conditions.

3. Between December 1, 1995, and the ending date of Operation Balkan Endeavor or a successor operation, as established by the department by rule.

(12) "Veteran", except in s. 45.001, means any of the following:

(a) A person who has served on active duty for at least one qualifying term of service under pars. (b) to (d) under honorable conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces during a war period or in a crisis zone.

(b) A person who has served on active duty in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces under honorable conditions, for 2 continuous years or more or for the full period of his or her initial service obligation, whichever is less.

(c) A person who has served on active duty for 90 days or more under honorable conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces during a war period or for any period of service under section 1 of executive order 10957 dated August 10, 1961.

(d) A person whose term of service in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces under honorable conditions entitled him or her to receive the Armed Forces Expeditionary Medal, established by executive order 10977 on December 4, 1961, the Vietnam Service Medal established by executive order 11231 on July 8, 1965, the Navy Expeditionary Medal, the Marine Corps Expeditionary Medal, or an equivalent expeditionary or service medal.

(e) A person who was honorably discharged from the U.S. armed forces or from forces incorporated as part of the U.S. armed forces for a service-connected disability, for a disability subsequently adjudicated to have been service connected, or for reasons of hardship.

(f) A person who was released under honorable conditions from the U.S. armed forces or from forces incorporated as part of the U.S. armed forces due to a reduction in the U.S. armed forces.

(g) A person who died while in service in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces.

(h) A person who, while serving in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces, is missing in action.

(i) A person who died as the result of a service-connected disability.

(j) A person who died in the line of duty while on inactive or active duty for training purposes in the U.S. armed forces, in forces incorporated as part of the U.S. armed forces, or in the national guard.

(k) For purposes of ss. 343.14 and 343.17 only, a person who was admitted into the United States as a refugee from Laos under 8 USC 1157 and served with a special guerilla unit, or irregular forces, operating from a base in Laos in support of the U.S. military during the period beginning February 28, 1961, and ending September 18, 1978. The person shall provide documentation of the person's service with a special guerilla unit or irregular forces as provided under section 4 of the federal Hmong Veterans' Naturalization Act of 2000, P.L. 106-207.

(L) For purposes of ss. 343.14 and 343.17 only, a former member of the U.S. armed forces who received a discharge under honorable conditions, or a former member of a reserve unit of the

U.S. armed forces or the national guard who met the requirements for satisfactory completion of his or her initial term of obligated service and received a discharge of either honorable or under honorable conditions.

(12m) "Veterans home" means the Wisconsin Veterans Home at Union Grove, the Wisconsin Veterans Home at King, and the Wisconsin Veterans Home at Chippewa Falls.

(13) "War period" means any of the following:

(a) Indian War: between 1860 and 1898.

(b) Spanish-American War: between April 21, 1898, and April 11, 1899.

(c) Philippine Insurrection: between April 12, 1899, and July 4, 1902 (extended to July 15, 1903, if actually engaged in Moro Province hostilities).

(d) Boxer Rebellion: between June 16, 1900, and May 12, 1901.

(e) Mexican border service: between June 19, 1916, and April 5, 1917.

(f) World War I: between April 6, 1917, and November 11, 1918 (extended to April 1, 1920, if service was in Russia).

(g) World War II: between August 27, 1940, and July 25, 1947.

(h) Korean conflict: between June 27, 1950, and January 31, 1955.

(i) Vietnam War: between August 5, 1964, and January 1, 1977, excepting service on active duty for training purposes only.

(j) Persian Gulf War: between August 1, 1990, and the ending date of Operation Desert Shield or the ending date of Operation Desert Storm as established by the department by rule.

(k) Afghanistan War: between September 11, 2001, and the ending date of Operation Enduring Freedom or an operation that is a successor to Operation Enduring Freedom, as established by the department by rule.

(m) Iraq War: between March 19, 2003, and the ending date of Operation Iraqi Freedom or an operation that is a successor to Operation Iraqi Freedom, as established by the department by rule.

(n) Any period after the period specified in par. (m) that the department determines and designates by rule, after reviewing the criteria used to establish the war periods under pars. (a) to (m) and after consultation with the U.S. department of defense, to be a period when the United States is in a conflict that places persons at such a risk that the period should be designated as a war period for purposes of this chapter.

History: 2005 a. 22, 253; 2017 a. 365; 2023 a. 205; 2025 a. 138, 207.

45.02 Eligibility for benefits. (1) Any person whose service on active duty with the U.S. armed forces or in forces incorporated as part of the U.S. armed forces makes that person eligible for general U.S. department of veterans affairs benefits shall be considered to have served under honorable conditions for purposes of this chapter.

(2) Except as provided in sub. (3) and s. 45.51 (6m), to be eligible for benefits under this chapter an applicant shall be a resident of and living in this state at the time of making application or the veteran from whom the applicant derives eligibility is deceased, and the veteran from whom eligibility is derived meets one of the following conditions:

(a) His or her selective service local board, if any, and home of record at the time of entry or reentry into active service as shown on the veteran's report of separation from the U.S. armed forces for a qualifying period were in this state.

(b) The veteran was a resident of this state at the time of entry or reentry into active duty.

(c) The veteran was a resident of this state for any consecutive 12-month period after entry or reentry into service and before the date of his or her application or death.

(3) Veterans who are otherwise eligible and who are serving on active duty in the U.S. armed forces need not be living in this state on the date of application to qualify for benefits from the department.

(4) If the department determines that a person applying for a benefit under this chapter meets the residency requirement under sub. (2) (c), the department may not require the person to reestablish that he or she meets that residency requirement when he or she later applies for any other benefit under this chapter that requires that residency.

History: 2005 a. 22; 2013 a. 20.

45.03 Department of veterans affairs. (1) POLICY. It is the policy of the state to give health, educational, and economic assistance to veterans and their dependents who are residents of this state to the extent and under the conditions determined by the board within the limitations set forth in this section.

(2) RULE-MAKING; RECORDS. The secretary, after consulting with the board, may promulgate rules necessary to carry out the purposes of this chapter and the powers and duties conferred upon it. The records and files of the department of military affairs and of any other state department or officer shall, upon request, be made available to the secretary or to the board.

(2m) RULE MAKING; BOARD COMMENTS. The secretary shall provide the board with a copy of any rule that the department is preparing as a proposed rule under s. 227.14 (1). The board may submit a report to the department containing written comments and its opinion regarding the proposed rule. In preparing the proposed rule, the department shall include in the analysis under s. 227.14 (2) a copy of any such written comments and opinion.

(3) COUNCIL ON VETERANS PROGRAMS. (a) The council shall advise the board and the department on solutions and policy alternatives relating to the problems of veterans.

(b) The council and the department, jointly or separately, shall submit a report regarding the council to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) by September 30 of every odd-numbered year. The report shall include a general summary of the activities and membership over the past 2 years of the council and each organization on the council.

(4) DEPARTMENT STAFF. (a) The department shall employ staff necessary to carry out its functions. The secretary shall appoint under the classified service such persons as are necessary to carry out the policy of the department. All persons appointed by the department shall, if possible, be veterans and preference shall be given to disabled veterans.

(b) The department upon request shall assist without charge all persons residing in the state having claims against the United States where the claims have arisen out of or by reason of service in the U.S. armed forces. The department may act as agent or power of attorney in pursuing claims for persons requesting the department to do so.

(c) The department shall employ regional coordinators. The duties of a regional coordinator shall include providing direct claims and benefit application assistance to veterans. The regional coordinators shall coordinate claims and benefit application assistance with the appropriate county veterans service officers to maximize the level of assistance and benefits provided to veterans.

(d) The department shall employ claims officers. The claims

officers shall provide federal claims and benefit assistance to veterans and shall be based in the department's regional office in Milwaukee County.

(e) The department shall employ mobile claims officers in each of the department's regions. The mobile claims officers shall provide claims and benefit assistance to veterans. The mobile claims officers shall coordinate that claims and benefit assistance with the appropriate county veterans service officers to maximize the level of assistance and benefits provided to veterans.

(5) DEPARTMENT POWERS TO PROVIDE STRUCTURES, FACILITIES, AND PERMANENT IMPROVEMENTS. (a) In this subsection, unless the context requires otherwise:

1. "Existing building" in relation to any conveyance, lease, or sublease made under par. (c) 1. means all detention, treatment, administrative, recreational, infirmary, hospital, vocational, and academic buildings; all dormitories and cottages; all storage facilities, heating plants, sewage disposal plants, and other buildings, structures, facilities, and permanent improvements that in the judgment of the board are needed or useful for the purposes of the department, and all equipment for them and all improvements and additions to them that were erected, constructed, or installed prior to the making of the conveyance, lease, or sublease.

2. "New building" in relation to any conveyance, lease, or sublease made under par. (c) 1. means all detention, treatment, administrative, recreational, infirmary, hospital, vocational, and academic buildings; all dormitories and cottages; all storage facilities, heating plants, sewage disposal plants, and other buildings, structures, facilities, and permanent improvements as in the judgment of the board are needed or useful for the purposes of the department, and all equipment for them and all improvements and additions to them that are erected, constructed, or installed after the making of the conveyance, lease, or sublease.

3. "Nonprofit corporation" means a nonstock corporation that is organized under ch. 181 and that is a nonprofit corporation, as defined in s. 181.0103 (17).

(b) The department may acquire by gift, purchase, or condemnation property for the purposes of providing a headquarters and museum building for the department.

(c) 1. To provide new buildings and to enable the construction and financing of new buildings, to refinance indebtedness created by a nonprofit corporation for the purpose of providing a new building or buildings or additions or improvements to a new building that is located on land owned by, or owned by the state and held for, the department or on lands of the institutions under the jurisdiction of the department or by the nonprofit corporation, or for any one or more of these purposes, the department has the following powers and duties:

a. Without limitation by reason of any other provisions of the statutes except ss. 13.48 (14) (am) and 16.848 (1), unless otherwise required by law, the power to sell and to convey title in fee simple to a nonprofit corporation any land and any existing buildings owned by the state that are under the jurisdiction of the department for the consideration and upon the terms and conditions as in the judgment of the board are in the public interest.

b. Unless otherwise required by law, the power to lease to a nonprofit corporation for a term or terms not exceeding 50 years each any land and any existing buildings owned by the state that are under the jurisdiction of the department upon the terms and conditions as in the judgment of the board are in the public interest.

c. The power to lease or sublease from the nonprofit corporation, and to make available for public use, any land, or any land and existing buildings conveyed or leased to such nonprofit corporation under subd. 1. a. and b., and any new buildings erected upon such land or upon any other land owned by the nonprofit corporation, upon the terms, conditions, and rentals, subject to available appropriations, as in the judgment of the board are in the public interest.

d. The duty to submit the plans and specifications for all new buildings to the building commission for approval whenever required by law and to submit plans and specifications for all new buildings and all conveyances, leases, and subleases made under this subsection to the department of administration and the governor for written approval before they are finally adopted, executed, and delivered.

e. The power to pledge and assign all or any part of the revenues derived from the operation of any land or new buildings as security for the payment of rentals due and to become due under any lease or sublease of new buildings under subd. 1. c.

f. The power to covenant and agree in any lease or sublease of any land or new buildings made under subd. 1. c. to impose fees, rentals, or other charges for the use and occupancy or other operation of new buildings in an amount calculated to produce net revenues sufficient to pay the rentals due and to become due under the lease or sublease.

g. The power to apply all or any part of the revenues derived from the operation of any land or existing buildings to the payment of rentals due and to become due under any lease or sublease made under subd. 1. c.

h. The power to pledge and assign all or any part of the revenues derived from the operation of any land or existing buildings to the payment of rentals due and to become due under any lease or sublease made under subd. 1. c.

i. The power to covenant and agree in any lease or sublease made under subd. 1. c. to impose fees, rentals, or other charges for the use and occupancy or other operation of any land or existing buildings in an amount calculated to produce net revenues sufficient to pay the rentals due and to become due under the lease or sublease.

j. The power and duty, upon receipt of notice of any assignment by any nonprofit corporation of any lease or sublease made under subd. 1. c., or of any of its rights under any sublease, to recognize and give effect to the assignment, and to pay to the assignee rentals or other payments then due or that may become due under any lease or sublease that has been assigned by the nonprofit corporation.

2. The state shall be liable for accrued rentals and for any other default under any lease or sublease made under subd. 1. c., and may be sued for the accrued rentals or other default on contract as in other contract actions under ch. 775, except that the lessor under the lease or sublease or any assignee of the lessor or any person or other legal entity proceeding on behalf of the lessor is not required to file any claim with the legislature prior to the commencement of the action.

3. Nothing in this subsection empowers the board or the department to incur any state debt.

4. All powers and duties conferred upon the board or the department under this subsection shall be exercised and performed by resolution of the board. All conveyances, leases, and subleases made under this subsection, when authorized by resolution of the board, shall be made, executed, and delivered in the name of the department and shall be signed by the secretary and sealed with the seal of the department.

5. All laws, conflicting with any provisions of this subsection, are, insofar as they conflict with this section and no further, superseded by this subsection.

(6) COORDINATION DUTIES. The department shall coordinate the activities of all state agencies and the University of Wisconsin Hospitals and Clinics Authority performing functions relating to

the medical, hospital, or other remedial care; placement and training; and educational, economic, or vocational rehabilitation of veterans. In particular, the department shall coordinate the activities of the technical college system board, state selective service administration, department of health services, department of workforce development, department of public instruction, the University of Wisconsin System and other educational institutions, the University of Wisconsin Hospitals and Clinics Authority, and all other departments or agencies performing any of the functions specified, to the end that the benefits provided in this section may be made available to veterans as promptly and effectively as possible.

(7) CONTACT DUTIES. The department shall maintain contacts with county veterans service officers and local agencies, the American Red Cross, and veterans organizations concerned with the welfare of veterans and shall contact and cooperate with federal agencies in securing for veterans all benefits to which they may be entitled.

(8) MINORS' EXECUTION OF DOCUMENTS; BENEFITS EXEMPT FROM EXECUTION. (a) Any minor who is a veteran and any minor who is the spouse, surviving spouse, or child of a veteran may execute notes, mortgages, and other contracts and conveyances to the department and the notes, mortgages, contracts, and conveyances are not subject to the defense of infancy.

(b) The benefits and aid provided under s. 45.40 are not assignable and are exempt from garnishment and execution.

(9) VOCATIONAL TRAINING. The department in cooperation with the department of workforce development shall make available to disabled veterans the benefits of vocational training and guidance, including those veterans who have filed claims for federal rehabilitation benefits and during the pendency of the claims. If the claims are allowed and federal reimbursement is made to the state, the money shall be paid into the veterans trust fund.

(10) TRAINING AND EMPLOYMENT OF VETERANS. The department, in cooperation with the department of workforce development and state selective service administration and any other federal, state, or local agency, shall formulate and carry out plans for the training and employment of veterans.

(11) APPROVAL AGENCY FOR VETERANS TRAINING. (a) Except as provided in par. (b), the department shall be the state approval agency for the education and training of veterans and other eligible persons. The department shall approve and supervise schools and courses of instruction for the training of veterans and eligible persons under 38 USC 3670, and may enter into and receive money under contracts with the U.S. department of veterans affairs or other appropriate federal agencies.

(b) The governor may designate the following agencies for approval and supervision of special phases of the program of veterans education:

1. On-the-job and apprenticeship training program, the department of workforce development.

2. On-the-farm training program, the technical college system board.

3. Funeral directors apprentices, the funeral directors examining board.

(12) GIFTS AND BEQUESTS. (a) The department may receive gifts and bequests in its name for the benefit of Wisconsin veterans and their dependents in accordance with policies adopted by the board. Moneys received shall be credited to the veterans trust fund.

(b) The department may receive moneys or other gifts and bequests in its name for the benefit of the Wisconsin Veterans Museum. Moneys received shall be credited to the veterans trust fund and used, as far as practicable, in accordance with the wishes of the donors and in accordance with the board's policies.

(13) ADDITIONAL DUTIES. The department shall do all the following:

(a) Assist in the coordination of the state, county, municipal, and private activities relating to veterans housing.

(b) Cooperate with any federal departments, agencies, and independent establishments relating to veterans housing, benefits, priorities, and finances.

(c) Assist any housing authority, municipality, or private enterprise engaged in supplying veterans housing in the acquisition of materials, finances, legal aid, and compliance with federal regulations.

(d) Utilize the services and facilities of state agencies and county veterans service officers, including legal services furnished to the department by the department of justice.

(e) Provide county veterans service officers with the information provided to the department by the adjutant general under s. 321.04 (1) (o) and may provide county veterans service officers with information on all necessary military points of contact and general deployment information for reserve units of the U.S. armed forces.

(f) Provide services related to post-traumatic stress disorder to service members and veterans, which shall include at least one of the following services:

1. Outreach services to service members and veterans who may be experiencing post-traumatic stress disorder.

2. Information on the availability of post-traumatic stress disorder medical or mental health services and referrals to those services.

(L) Provide verification to the educational institution of the information required under s. 36.27 (3p) (a) 1r. or 38.24 (8) (a) 1r.

(m) Provide verification to the educational institution of the information required under s. 36.27 (3n) (a) 1m. or 38.24 (7) (a) 1m.

(n) Provide verification to the department of revenue of the information required under s. 71.07 (6e) (a) 2. or 3.

(o) Provide verification to the department of transportation of the information required under s. 343.14 (2) (j).

(p) Before September 15 of each even-numbered year, submit to the joint committee on finance a report describing the condition of the veterans trust fund. The report shall include information regarding all of the following:

1. The projected revenues and expenditures of the veterans trust fund for the current fiscal year and each fiscal year of the following fiscal biennium.

1m. The actual revenues and expenditures of the veterans trust fund for the previous fiscal year.

2. Any changes in the programs administered by the department that have been implemented after the enactment of the most recent biennial budget act and that are expected to affect the projected revenues, expenditures, or balances of the veterans trust fund.

(14) LIBERAL CONSTRUCTION INTENDED. This chapter shall be construed as liberally as the language permits in favor of applicants.

(15) DEFERRAL OF PAYMENTS AND INTEREST ON LOANS. When a veteran or a member of the veteran's family makes application for deferment of payment of monthly installments and waiver of interest charges on veterans loans made under this chapter, showing that the ability of the veteran to make payment is materially and adversely affected by reason of military service, the department may, with the approval of the board, defer payment of monthly installments and waive interest charges on veterans loans made under this chapter for the duration of any period of service in the U.S. armed forces during a national emergency

or in time of war or under P.L. 87-117 and 6 months from date of discharge or separation and the time for payment may be extended for the same period.

(16) APPLICATION REQUIREMENTS AND PENALTIES. (a) If the department finds that an applicant for benefits from the department has willfully made or caused to be made, or conspired, assisted in, agreed to, arranged for, or in any way procured the making of a false or fraudulent affidavit, declaration, certificate, statement, or other writing, it may suspend all benefits available to the applicant from the department under this chapter.

(b) Any person who, with the intent to secure any benefits under this chapter for personal benefit or for others, willfully makes or causes to be made, or conspires, assists in, agrees to, arranges for, or in any way procures the making or presentation of a false or fraudulent affidavit, declaration, certificate, statement, or other writing, may be fined not more than $500 or be imprisoned for not more than 6 months, or both. The fine or imprisonment may be imposed in addition to the penalty provided in par. (a).

(c) 1. As used in this paragraph, "fair consideration" means the exchange of property, assets, or obligations for a fair equivalent, in an amount not disproportionately small or large compared to the value of the property, assets, or obligations, as reflected in similar market transactions.

2. The department shall declare immediately due and payable any loan made after July 29, 1979, under a program administered by the department under s. 45.40, if it finds that the loan was granted to an ineligible person due to any of the following circumstances:

a. The applicant did not report income amounts as required on the loan application.

b. The applicant did not make the disclosures required under subd. 3. a., b., or c. on the loan application.

c. The applicant transferred assets or liabilities or incurred liabilities for less than fair consideration with the intent to qualify for and secure the loan.

3. Loan application forms processed by the department for programs administered under s. 45.40 shall do all of the following:

a. Require disclosure of any asset with a value over $500 transferred by the applicant for less than fair consideration, within one year immediately prior to the loan application date. In determining the applicant's need for a loan, the department shall consider those transferred assets to be assets of the applicant.

b. Require disclosure of any liability of more than $500 incurred by the applicant for less than fair consideration, within one year immediately prior to the loan application date. In determining the applicant's need for a loan, the department shall not consider these liabilities to be liabilities of the applicant.

c. Require disclosure of all liabilities transferred by the applicant within one year immediately prior to the loan application date. The liabilities transferred for less than fair consideration shall be considered by the department to be liabilities of the applicant to the extent he or she is liable for their payment or for reimbursement of the transferee.

d. Contain notification of the penalties provided for in this subsection.

4. The department shall incorporate the payment acceleration requirements of subd. 2. in all loan documents for programs administered by the department under s. 45.40.

(17) LOAN REPAYMENTS. The department shall deposit all repayments of loans and payments of interest made on loans under s. 45.351 (2), 1995 stats., s. 45.356, 1995 stats., or s. 45.80, 1989 stats., in the veterans trust fund.

(18) COLLECTIONS. The department may enter into contracts to collect delinquent loan payments owed to the department. The department may allocate a portion of the amounts collected under the contracts to pay contract costs. Notwithstanding the provisions of s. 45.04, the department may release information contained in its files pertaining to applications for benefits to contractors providing collection services to the department.

(19) LOAN GUARANTEE. The department may provide a loan guarantee for multifamily transitional housing for homeless veterans.

(21) DEPLETED URANIUM; ASSISTANCE TO VETERANS. The department shall do all of the following for veterans who may have been affected by exposure to depleted uranium while on active duty:

(a) Assist veterans who may have been exposed to depleted uranium to obtain the best practice health screening test from the federal department of veterans affairs to test for exposure to depleted uranium using a bioassay procedure involving methods sufficiently sensitive to detect depleted uranium at low levels.

(b) With the assistance of the department of military affairs, provide information to veterans upon their discharge from active duty regarding the health and safety issues concerning depleted uranium exposure, including the types and efficacy of tests to detect depleted uranium exposure, the treatments available for veterans affected by exposure to depleted uranium, and the federal and state benefits that are available for veterans exposed to depleted uranium.

(c) Provide information to departmental staff, interested veterans organizations, health care providers, and county veterans service officers regarding the effects of depleted uranium exposure, the detection programs that are available to determine if a veteran has been exposed to depleted uranium, the federal treatment programs that are available to veterans who may have been exposed to depleted uranium, and the federal and state benefits that are available to veterans who have been exposed to depleted uranium.

(d) Create information on the department's website about the health effects of depleted uranium exposure, the detection programs that are available to determine if a national guard member or veteran has been exposed to depleted uranium, the federal treatment programs that are available to those who may have been exposed to depleted uranium, and the federal and state benefits that are available to those national guard members or veterans who have been exposed to depleted uranium.

History: 2005 a. 22, 25, 468; 2007 a. 20 ss. 782m, 783, 9121 (6) (a); 2007 a. 46, 200; 2009 a. 28; 2011 a. 32, 36; 2013 a. 17, 20; 2015 a. 196; 2017 a. 59; 2017 a. 207 s. 5; 2019 a. 9; 2025 a. 138.

45.04 Release of information and records.

(1) DEFINITIONS. In this section:

(a) "Duly authorized representative" means any person authorized in writing by the veteran to act for the veteran, the veteran's guardian if the veteran is adjudicated incompetent, or a legal representative if the veteran is deceased. Where for proper reason no representative has been or will be appointed, the veteran's spouse, an adult child, or, if the veteran is unmarried, either parent of the veteran shall be recognized as the duly authorized representative.

(b) "Service office" means a county veterans service office.

(2) SEPARATION DOCUMENTS. Separation documents and copies of separation documents evidencing service in the U.S. armed forces are confidential and privileged. Examination of these records in the possession of the department or service office is limited to authorized employees of the department or service office and information entered in these records may be disclosed only to veterans and their duly authorized representatives or to interested governmental agencies for the purpose of assist-

ing veterans and their dependents to obtain the rights and benefits to which they may be entitled.

(3) U.S. DEPARTMENT OF VETERANS AFFAIRS RECORDS. Records and papers in the possession of the department or service office that are released to the department or service office by the U.S. department of veterans affairs or that contain information provided by the U.S. department of veterans affairs are confidential. Release of information from these records or papers may be made only under regulations of the U.S. department of veterans affairs.

(4) INVESTIGATION. All reports of investigation made by employees of the department or at the direction of the department for official departmental purposes are only for the use of the secretary and staff. Materials and information that disclose the investigative techniques of the department or the identity of confidential informants and material received in confidence by representatives of the department may not be released.

(5) VITAL RECORDS. The service office may obtain a copy of a vital record under s. 69.30 (2) and may transmit the copy to the department or to the U.S. department of veterans affairs to assist a veteran or his or her dependent in obtaining a benefit.

(6) DISCLOSURE OF MONETARY BENEFITS. The department shall disclose, to any person who requests, the amount of any payment, grant, or loan made by the department to any applicant. A person seeking this information shall be required to sign a statement setting forth the person's name and address and the reason for making the request and certifying that the person will not use the information obtained for commercial or political purposes.

(7) DISCLOSURE OF LOAN STATUS INFORMATION. The department may disclose to a consumer reporting agency, as defined in 15 USC 1681a (f), the current repayment status of, the balances due on, and other relevant information pertaining to department loans that is readily accessible on any loans on which balances are due and owing the department. The department may charge consumer reporting agencies an amount sufficient to cover all the costs of preparation and delivery of the information.

(8) DISCLOSURE OF OTHER INFORMATION. Except as provided in subs. (2) to (6), all files, records, reports, papers, and documents pertaining to applications for benefits from the department, and information contained in them, may be released by the department or service office only under rules of the department. The rules shall provide for the furnishing of information required under sub. (7) and for official purposes by any agency of the U.S. government, by any agency of this state, by any law enforcement, social services, or human services agency of any Wisconsin county, or by members of the state senate and assembly. The rules shall otherwise provide for release of personal information pertaining to or contained in any application for benefits, whether pending or adjudicated, only when authorized in writing by the applicants or when necessary to assist applicants in securing veterans benefits that the applicants may be entitled to or when necessary for the efficient management of loans made by the department.

History: 2005 a. 22; 2025 a. 138.

45.045 Veteran registry. The department shall establish a voluntary statewide registry that will collect information from veterans and inform veterans on health issues, including posttraumatic stress disorder, Agent Orange, and Gulf War syndrome.

History: 2007 a. 20.

45.05 Registration of certificate of discharge. Every person who has served in the U.S. armed forces at any time, and who has been honorably discharged or given a certificate of service or relieved from active service may record with the register of deeds of any county, in a suitable book provided by the county for that purpose, a certificate of discharge or release. The certificate shall be accessible only to the discharged person or that person's dependents or duly authorized representative, as defined in s. 45.04 (1) (a), the county veterans service officer, the department, or any person with written authorization from the discharged person or that discharged person's dependents. The register of deeds may not charge for recording, except that in counties where the register of deeds is under the fee system and not paid a fixed salary, the county shall pay the fee specified in s. 59.43 (2) (ag). The record of any certificate of discharge or release made prior to July 6, 1919, is legalized.

History: 2005 a. 22.

45.06 Security. (1) It shall be unlawful for any person to receive or accept as a security or to withhold from a veteran or a person who was honorably discharged from the U.S. armed forces any discharge paper, citation, warrant, medal, badge, or evidence upon which the veteran is entitled to certain rights, as a veteran under the laws of the United States or of this state, and any transfer of the item during the life of the veteran upon a consideration or otherwise shall be null and void, and the refusal or willful neglect of any person to return or deliver upon demand the discharge paper, citation, warrant, medal, badge, or evidence is punishable as provided in sub. (2).

(2) Any person who violates this section shall be fined not more than $100 or imprisoned for not more than 6 months, or both.

History: 2005 a. 22.

45.07 Wisconsin Veterans Museum. (1) The department of administration shall provide suitable space for the purpose of a memorial hall, designated as the Wisconsin Veterans Museum, dedicated to the veterans of Wisconsin and to the men and women of Wisconsin who served in the U.S. armed forces during the civil war of 1861 to 1865 and during any subsequent period. The department shall operate the Wisconsin Veterans Museum. The mission of the Wisconsin Veterans Museum is to acknowledge, commemorate, and affirm the role of Wisconsin veterans in the United States of America's military past by means of instructive exhibits and other educational programs.

(2) The battle flags of Wisconsin units serving in the nation's wars and all relics and mementos of the nation's wars donated to or otherwise acquired by the state for display in the Wisconsin Veterans Museum shall constitute the memorial collection. The department shall do all of the following:

(a) Catalog and identify all war relics and mementos of the memorial collection.

(b) Restore, preserve, and safeguard the relics and mementos of the memorial collection.

(c) Procure additions to the memorial collection.

(d) Provide proper display equipment and display the memorial collection to make it instructive and attractive to visitors.

History: 2005 a. 22; 2025 a. 138.
Cross-reference: See also ch. VA 5, Wis. adm. code.

45.08 Memorial Day. (1) Every department and agency of the state government, every court of the state, and every political subdivision of the state, shall give a leave of absence with pay for the last Monday in May of each year, the day of celebration for May 30, Memorial Day, to every person in the employ of the state or political subdivision who has at any time served in and been honorably discharged from the U.S. armed forces or from forces incorporated as part of the U.S. armed forces. A refusal to give the leave of absence to a person entitled to the leave constitutes neglect of duty.

(2) If the nature of the duties of the department, agency,

court, or political subdivision necessitates the employment of persons eligible for a leave of absence under sub. (1), the department, agency, court, or political subdivision shall arrange and assign the necessary work so as to permit the largest possible numbers of eligible persons to have a leave of absence either all or part of Memorial Day.

History: 2005 a. 22.

45.09 Veterans as classroom volunteers. (1) In this section:

(a) "Private school" has the meaning given in s. 115.001 (3r).

(b) "Public school" has the meaning given in s. 115.01 (1).

(c) "School term" has the meaning given in s. 115.001 (12).

(d) "Tribal school" has the meaning given in s. 115.001 (15m).

(2) Subject to sub. (3), the department shall award a certificate of achievement and appreciation to any veteran who completes 20 hours of volunteer service in a public, private, or tribal school during a school term.

(3) A certificate shall be awarded under sub. (2) if all of the following requirements are met:

(a) The volunteer service consists of classroom service that involves direct interaction with pupils, with an emphasis on sharing the lessons the veteran learned from his or her military experience.

(b) The veteran is not an employee of the school or school district during the term in which the volunteer service takes place.

(c) By July 1 after the school term in which the volunteer service takes place, the veteran submits to the department a form signed by the school principal or school district administrator verifying that the veteran fulfilled the 20 hours of volunteer service specified under par. (a).

History: 2007 a. 22; 2009 a. 302.

45.095 Donation of abandoned vehicles. A nonprofit organization that provides financial assistance or other services to veterans and their dependents that receives a vehicle donated under s. 342.40 shall use at least 50 percent of the proceeds obtained through the donation to serve the needs of active duty service members, veterans, or the families of veterans.

History: 2015 a. 106.

45.10 Veteran appearances. The department may reimburse any veteran who incurred travel expenses relating to an appearance that occurred at the request of the state, subject to the following:

(1) A veteran seeking reimbursement shall submit to the department documentation of travel expenses incurred.

(2) Notwithstanding ss. 16.53 (12) (c) and 20.916 (8) and (9), the department may reimburse all documented travel expenses but reimbursement may not exceed $2,000 annually per veteran.

History: 2015 a. 55; 2025 a. 138.

45.12 Wisconsin veteran-owned business logotypes. (1) In this section:

(a) "Disabled veteran-owned business" means a business certified by the department of administration under s. 16.283 (3).

(b) "Veteran-owned business" means each of the following:

1. A disabled veteran-owned business.

2. A business that is certified by the department for purposes of s. 16.75 (4).

3. A business not included under subds. 1. and 2. that the department certifies for purposes of this section as being at least 51 percent owned by one or more veterans.

(2) The department shall design an official logotype appropriate for use by veteran-owned businesses in this state. The logotype design shall contain the words "Wisconsin Veteran-Owned Business."

(2m) (a) The department shall certify each farmer who applies to the department to use the logotype under par. (b) if the farmer is one of the following:

1. A veteran.

2. An immediate family member of a veteran under s. 45.01 (12) (g) to (i).

(b) The department, in consultation with the department of agriculture, trade and consumer protection shall design an official logotype appropriate for use on agricultural products produced by persons certified under par. (a).

(3) The department may design an official logotype, in addition to the one designed under sub. (2), appropriate for use by disabled veteran-owned businesses in this state. The logotype design shall contain the words "Wisconsin Disabled Veteran-Owned Business."

(4) The department shall consult with the department of administration to design the official logotype under sub. (2) and the official logotype under sub. (3), if any.

History: 2015 a. 384; 2017 a. 121; 2017 a. 364 s. 49.

45.13 Wisconsin commission for the United States semiquincentennial commission. (1) (a) The Wisconsin commission for the U.S. semiquincentennial commission shall plan, coordinate, and implement a program to commemorate the 250th anniversary of the founding of the United States and specifically highlight the role of Wisconsin in that event and the impact of its people on the nation's past, present, and future.

(b) The commission shall hold public meetings to solicit the input of citizens throughout the state in developing programs for the semiquincentennial.

(c) The program is subject to the support of a majority of the commission, and a majority of the members constitutes a quorum.

(d) Members may be reimbursed for travel expenses incurred when performing functions under this section.

(2) The commission shall coordinate with federal, state, local, and private agencies on infrastructural improvements and on projects to welcome regional, national, and international tourists.

(3) (a) The commission shall plan and prepare educational events and opportunities relating to the semiquincentennial for use by public, private, and tribal elementary and secondary schools throughout the state. The commission shall provide informational materials about events and opportunities planned and prepared under this paragraph to the department of public instruction for distribution to public, private, and tribal elementary and secondary schools.

(b) Each public elementary or secondary school, including each charter school, shall provide at least one event or educational opportunity under par. (a) to pupils in the 2025-26 school year.

(c) For each public elementary or secondary school in a school district, the school board of the school district and, for each charter school established under s. 118.40 (2r) or (2x), the operator of the charter school shall report to the department of public instruction the event or educational opportunity that the school held to satisfy the requirement under par. (b). By no later than September 1, 2026, the department of public instruction shall compile and submit to the commission the information the department of public instruction received under this paragraph.

(4) (a) The department and the state historical society shall work together to support the commission in the performance of its functions.

(b) The state historical society shall, upon request of the commission, in accordance with its powers as described in s. 44.015 (8), contract with the Wisconsin Historical Foundation, Inc., for the purpose of providing support to the commission in performance of its functions of accepting donations, making procurements, expending funds, and entering into contracts, leases, or other agreements.

(c) Upon request of the commission, any state agencies, as defined in s. 20.001 (1), shall cooperate with the commission in the performance of its functions.

(5) The commission may do any of the following:

(a) Accept donations, make procurements, and expend funds.

(b) Designate special committees with representatives from federal, state, local, and private groups to plan, develop, and coordinate specific activities.

(c) Enter into contracts, leases, or other agreements.

(d) Assume such other functions authorized by law as may be necessary to carry out the purposes of this section.

(e) Appoint such committees as may be required to carry out its functions.

(6) (a) No later than December 5, 2022, and annually thereafter until 2027, the commission shall submit a report to the governor and the legislature under s. 13.172 (2) that contains all of the following:

1. The commission's recommendations to comply with this section.

2. A detailed timeline through 2027 of the plans for all events.

3. An accounting of all expenses incurred per year, all funds expended per year, and all donations, grants, or other moneys received per year by the commission in developing the program.

4. Any recommendations for legislation necessary to implement any aspect of the program.

5. A report on all activities and events that occurred each year.

6. Information received from the department of public instruction under sub. (3) (c).

(b) No later than January 1, 2027, the commission shall complete its duties and submit a final report to the governor and the legislature under s. 13.172 (2). The final report shall contain an accounting of all funds expended and received and all activities and events. The commission shall cease to exist on January 1, 2027, and shall disburse any of its property to federal, state, local, and private entities.

History: 2021 a. 95.

SUBCHAPTER II

EDUCATION AND TRAINING

45.20 Tuition reimbursement. (1) DEFINITIONS. In this section:

(a) "Institution of higher education" has the meaning given in 20 USC 1001 (a).

(c) "Part-time classroom study" means any of the following:

1. Enrollment in courses for which no more than 11 semester or the equivalent trimester or quarter credits will be given upon satisfactory completion.

2. Enrollment in courses during a summer semester or session.

(d) "Tuition," when referring to the University of Wisconsin System, means academic fees and segregated fees; when referring to the technical colleges, means "program fees" and "additional fees" as described in s. 38.24 (1m) and (1s); and when referring to a high school, a school that is approved under s. 45.03 (11), or a proprietary school that is approved under s. 440.52, means the charge for the courses for which a person is enrolled.

(2) TUITION REIMBURSEMENT PROGRAM. (a) *Administration.* 1. The department shall administer a tuition reimbursement program for eligible veterans enrolling as undergraduates in any institution of higher education in this state, enrolling in a school that is approved under s. 45.03 (11), enrolling in a proprietary school that is approved under s. 440.52, enrolling in a public or private high school, enrolling in a tribal school, as defined in s. 115.001 (15m), in any grade from 9 to 12, or receiving a waiver of nonresident tuition under s. 36.27 (2r) or 39.47.

2. A veteran who is a resident of this state and otherwise qualified to receive benefits under this subsection may receive the benefits under this subsection upon the completion of any correspondence courses or part-time classroom study from an institution of higher education located outside this state, from a school that is approved under s. 45.03 (11), or from a proprietary school that is approved under s. 440.52, if any of the following applies:

a. The part-time classroom study is not offered within 50 miles of the veteran's residence by any school or institution under this paragraph and the educational institution from which the study is offered is located not more than 50 miles from the boundary line of this state.

b. The correspondence course is not offered in this state.

(b) *Eligibility.* 1. A veteran is eligible for the tuition reimbursement program if he or she meets all of the following criteria:

a. The annual income of the veteran and his or her spouse does not exceed $50,000 plus $1,000 for each dependent in excess of 2 dependents.

c. The veteran is a resident at the time of application for the program and was a Wisconsin resident at the time of entry into service or was a resident for any consecutive 12-month period after entry into service and before the date of his or her application. If a person applying for a benefit under this subsection meets the residency requirement of 12 consecutive months, the department may not require the person to reestablish that he or she meets that residency requirement when he or she later applies for any other benefit under this chapter that requires that residency.

2. In determining eligibility under this subsection, the department shall verify all reported income amounts.

3. A veteran is not eligible under this program if the veteran has an undergraduate degree from any institution of higher education.

(c) *Program benefits.* 1. A veteran who meets the eligibility requirements under par. (b) 1. may be reimbursed upon satisfactory completion of an undergraduate semester in any institution of higher education in this state, or upon satisfactory completion of a course at any school that is approved under s. 45.03 (11), any proprietary school that is approved under s. 440.52, any public or private high school, any tribal school, as defined in s. 115.001 (15m), that operates any grade from 9 to 12, or any institution from which the veteran receives a waiver of nonresident tuition under s. 36.27 (2r) or 39.47. Except as provided in par. (e), the amount of reimbursement may not exceed the total cost of the veteran's tuition minus any grants or scholarships that the veteran receives specifically for the payment of the tuition, or, if the tuition is for an undergraduate semester in any institution of higher education, the standard cost of tuition for a state resident for an equivalent undergraduate semester at the University of Wisconsin-Madison, whichever is less.

2. An application for reimbursement of tuition under this subsection shall meet all of the following requirements:

a. Be completed and received by the department in a time limit set by administrative rule.

b. Contain the information necessary to establish eligibility as determined by the department.

c. Be on the application form established by the department.

d. Contain the signatures of both the applicant and a representative of the institution or school certifying that the applicant has satisfactorily completed the semester.

3. Reimbursement provided under this subsection shall be paid from the appropriation under s. 20.485 (2) (tf). If the amount of funds applied for exceeds the amount available under s. 20.485 (2) (tf), the department may reduce the reimbursement percentage, except to disabled veterans who are eligible for 100 percent of tuition and fees under par. (e), or deny applications for reimbursement that would otherwise qualify under this subsection. In those cases, the department shall determine the reimbursement percentage, except to disabled veterans who are eligible for 100 percent of tuition and fees under par. (e), and eligibility on the basis of the dates on which applications for reimbursement were received.

4. Reimbursement of tuition and fees for a course may be provided at an institution or school under this paragraph other than the one from which the veteran is receiving his or her degree or certificate of graduation or course completion if all of the following apply:

a. The curriculum at the institution or school consists only of courses necessary to complete a degree in a particular course of study.

b. The course is accepted as transfer credits at the institution or school listed under this paragraph from which the veteran is receiving his or her degree but is not available at that institution or school.

(d) *Limitations.* 1. Subject to subd. 1m., a veteran's eligibility for reimbursement under this subsection at any institution of higher education in this state, at a school that is approved under s. 45.03 (11), at a proprietary school that is approved under s. 440.52, at a public or private high school, at a tribal school, as defined in s. 115.001 (15m), that operates any grade from 9 to 12, or at an institution where he or she is receiving a waiver of nonresident tuition under s. 36.27 (2r) or 39.47 is limited to the following:

a. If the veteran served on active duty, except service on active duty for training purposes, for 90 to 180 days, the veteran may be reimbursed for a maximum of 30 credits or 2 semesters, or an equivalent amount of credits or semesters if at a school other than an institution of higher education.

b. If the veteran served on active duty, except service on active duty for training purposes, for 181 to 730 days, the veteran may be reimbursed for a maximum of 60 credits or 4 semesters, or an equivalent amount of credits or semesters if at a school other than an institution of higher education.

c. If the veteran served on active duty, except service on active duty for training purposes, for more than 730 days, the veteran may be reimbursed for a maximum of 120 credits or 8 semesters, or an equivalent amount of credits or semesters if at a school other than an institution of higher education.

1m. For courses begun later than 10 years after the veteran's separation from the service, a veteran may not be reimbursed for more than 60 of the credits to which the veteran's eligibility is limited under subd. 1. and may not be reimbursed for more than 11 semester credits or equivalent trimester or quarter credits for any semester or session, other than a summer semester or session, regardless of the number of credits taken during that semester or session.

2. The department may provide reimbursement under this subsection to a veteran who is delinquent in child support or maintenance payments or who owes past support, medical expenses or birth expenses, as established by appearance of the veteran's name on the statewide support lien docket under s. 49.854 (2) (b), only if the veteran provides the department with one of the following:

a. A repayment agreement that the veteran has entered into, that has been accepted by the county child support agency under s. 59.53 (5) and that has been kept current for the 6-month period immediately preceding the date of the application.

b. A statement that the veteran is not delinquent in child support or maintenance payments and does not owe past support, medical expenses or birth expenses, signed by the department of children and families or its designee within 7 working days before the date of the application.

3. A veteran may not receive reimbursement under this subsection for any semester in which he or she is eligible for or received a grant under s. 321.40 or under 10 USC 2007.

4. A veteran may not receive reimbursement under this subsection for any semester in which the veteran fails to receive at least a 2.0 grade point average or an average grade of "C".

(e) *Disabled veteran eligibility.* A disabled veteran who meets the requirements under this subsection and whose disability is rated at 30 percent or more under 38 USC 1114 or 1134 may be reimbursed for up to 100 percent of the cost of tuition and fees, but that reimbursement is limited to 100 percent of the standard cost for a state resident for tuition and fees for an equivalent undergraduate course at the University of Wisconsin-Madison per course if the tuition and fees are for an undergraduate semester in any institution of higher education.

History: 2005 a. 22, 25; 2007 a. 20, 200; 2009 a. 28, 297, 302; 2011 a. 32, 260; 2017 a. 59; 2023 a. 104.

Cross-reference: See also ch. VA 2, Wis. adm. code.

45.21 Retraining assistance program. (1) AMOUNT AND APPLICATION. The department may pay a veteran not more than $3,000 for retraining to enable the veteran to obtain gainful employment. The department shall determine the amount of the payment based on the veteran's financial need. A veteran may apply for aid to the county veterans service officer of the county in which the veteran is living. The department may, on behalf of a veteran who is engaged in a structured on-the-job training program and who meets the requirements under sub. (2), make a payment under this subsection to the veteran's employer.

(2) ELIGIBILITY. The department may provide aid under this section if all of the following apply:

(a) The veteran is enrolled in a training course in a technical college under ch. 38 or in a proprietary school in the state approved by the department of safety and professional services under s. 440.52, other than a proprietary school offering a 4-year degree or 4-year program, or is engaged in a structured on-the-job training program that meets program requirements promulgated by the department by rule.

(b) The veteran meets the financial assistance criteria established under sub. (3) (c).

(c) The veteran is unemployed, underemployed, as defined by rule, or has received a notice of termination of employment.

(d) The veteran requesting aid has not received reimbursement under s. 45.20 for courses completed during the same semester for which a grant would be received under this section.

(e) The department determines that the veteran's proposed program will provide retraining that could enable the veteran to find gainful employment. In making its determination, the department shall consider whether the proposed program provides adequate employment skills and is in an occupation for which favorable employment opportunities are anticipated.

(3) RULES. The department shall promulgate rules for the distribution of aid under this program, including all of the following:

(a) Standard budgets for single and married veterans.

(b) Selection procedures.

(c) Uniform need determination procedures.

(d) Application procedures.

(e) Coordination with other occupational training programs.

(f) Other provisions the department deems necessary to assure uniform administration of this program.

(4) REPORT. The department shall include in its biennial report under s. 15.04 (1) (d) information relating to the veterans retraining assistance program, including the number of veterans obtaining gainful employment after receiving aid and a description of the veterans receiving aid, including their sex, age, race, educational level, service-connected disability status, and income before and after obtaining gainful employment. This information may be based on a valid statistical sample.

History: 2005 a. 22, 25; 2017 a. 59.

Cross-reference: See also ch. VA 2, Wis. adm. code.

SUBCHAPTER IV

ASSISTANCE PROGRAMS

45.40 Assistance to needy veterans. (1g) DEFINITIONS. In this section:

(a) "Health care provider" means an advanced practice registered nurse who may issue prescription orders under s. 441.09 (2), an audiologist who is licensed under subch. II of ch. 459 or who holds a compact privilege under subch. III of ch. 459, a dentist who is licensed under subch. I of ch. 447 or who holds a compact privilege under subch. II of ch. 447, an optometrist who is licensed under ch. 449, a physician who is licensed under s. 448.02, or a podiatrist who is licensed under s. 448.63.

(b) "Illness" or "injury" means a physical or mental health problem that has been diagnosed by a health care provider acting within the scope of the health care provider's license.

(1m) SUBSISTENCE AID. (a) The department may provide subsistence payments to a veteran on a month-to-month basis or for a 3-month period. The department may pay subsistence aid for a 3-month period if the veteran will be incapacitated for more than 3 months and if earned or unearned income or aid from sources other than those listed in the application will not be available in the 3-month period. The department may provide subsistence payments only to a veteran who has suffered a loss of income due to illness, injury, or natural disaster. The department may grant subsistence aid under this subsection to a veteran whose loss of income is the result of abuse of alcohol or other drugs only if the veteran is participating in an alcohol and other drug abuse treatment program that is approved by the department. No payment may be made under this subsection if the veteran has other assets or income available to meet basic subsistence needs or if the veteran is eligible to receive aid from other sources to meet those needs. When determining the assets available to the veteran, the department may not include the first $50,000 of cash surrender value of any life insurance policy.

(b) The maximum amount that any veteran may receive under this subsection per occurrence during a consecutive 12-month period may not exceed $3,000.

(1t) COMPLETION OF HEALTH CARE FORMS. A health care provider may complete the medical forms necessary for the receipt of aid under this section if the provider has diagnosed the veteran and determined the veteran's medical condition.

(2) HEALTH CARE. (a) The department may provide health care aid to a veteran for dental care, including dentures; vision care, including eyeglass frames and lenses; and hearing care, including hearing aids.

(c) The department may not provide health care aid under this subsection unless the aid recipient's health care provider agrees to accept, as full payment for the health care provided, the amount of the payment, the amount of the recipient's health insurance or other 3rd-party payments, if any, and the amount that the department determines the veteran is capable of paying. The department may not pay health care aid under this subsection if the liquid assets of the veteran are in excess of $1,000. When determining the liquid assets of the veteran, the department may not include the first $50,000 of cash surrender value of any life insurance policy.

(2m) DEPENDENTS ELIGIBILITY. (a) The unremarried spouse and dependent children of a veteran who died on active duty, or in the line of duty while on active or inactive duty for training purposes, in the U.S. armed forces or forces incorporated in the U.S. armed forces are eligible to receive payments under subs. (1m) and (2) if the household income of those persons does not exceed the income limitations established under sub. (3m).

(b) The spouse and dependent children of a member of the U.S. armed forces or of the Wisconsin national guard who has been activated or deployed to serve in the U.S. armed forces who are residents of this state, who have suffered a loss of income due to that activation or deployment, and who experience an economic emergency during the member's activation or deployment are eligible to receive assistance under subs. (1m) and (2).

(3) LIMITATIONS. The total cumulative amount that any veteran may receive under this section may not exceed $7,500.

(3m) RULES. The department shall promulgate rules establishing eligibility criteria and household income limits for payments under subs. (1m), (2), and (2m). The department may not include in the rules establishing eligibility criteria and household income limits any consideration of the first $50,000 of cash surrender value of any life insurance that is available to the veteran's household.

(4) APPROPRIATIONS. The department may make payments under this section from the appropriation in s. 20.485 (2) (vm). Nothing in this section empowers the department to incur any state debt.

(5) JOINT FINANCE SUPPLEMENTAL FUNDING. The department may submit a request to the joint committee on finance for supplemental funds from the veterans trust fund to be credited to the appropriation account under s. 20.485 (2) (vm) to provide payments under this section. The joint committee on finance may, from the appropriation under s. 20.865 (4) (u), supplement the appropriation under s. 20.485 (2) (vm) in an amount equal to the amount that the department expects to expend under this section. If the cochairpersons of the committee do not notify the department that the committee has scheduled a meeting for the purpose of reviewing the request for a supplement within 14 working days after the date of the department's notification, the supplement to the appropriation is approved. If, within 14 working days after the date of the department's notification, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the proposed supplement, the supplement may occur only upon approval of the committee.

History: 2005 a. 22, 25; 2007 a. 20; 2009 a. 37, 113; 2011 a. 258; 2023 a. 56, 88; 2025 a. 17, 138.

Cross-reference: See also s. VA 2.01, Wis. adm. code.

45.41 Payments to veterans organizations. (1) In this section:

(a) "Regional office" means the U.S. department of veterans affairs regional office in Wisconsin.

(b) "State veterans organization" means the state organization or department of a national veterans organization incorporated by an act of congress.

(2) (am) Upon application the department may make a payment to any state veterans organization that establishes that it, or its national organization, or both, has maintained a full-time service office at the regional office for 5 consecutive years out of the 10-year period immediately preceding the application. Any payment shall be calculated based on the total amount of all salaries and travel expenses under sub. (3) paid during the previous fiscal year by the state veterans organization to employees engaged in veterans claims service and stationed at the regional office. The department shall pay an amount equal to 50 percent of all salaries and travel expenses under sub. (3) or $175,000, whichever is less, to a recipient under this paragraph.

(e) An organization that receives a payment under par. (am) shall maintain records as required by the department concerning the organization's expenditure of the payment. That organization shall give the department access to those records upon request of the department, and the department may audit those records.

(3) A state veterans organization shall file an application annually with the department for the previous 12-month period ending on March 31 of the year in which it is filed. The application shall contain a statement of salaries and travel expenses paid to employees of the organization engaged in veterans claims service activities at the regional office by the state veterans organization covering the period for which application for a payment is made. The statement shall be certified as correct by a certified public accountant licensed or certified under ch. 442 and sworn to as correct by the adjutant or principal officer of the state veterans organization. The application shall include the state organization's financial statement for its previous fiscal year and evidence of claims service activity that the department requires. The state veterans organization shall submit with its initial application sufficient evidence to establish that it or its national organization, or both, has maintained a full-time service office at the regional office for 5 consecutive years out of the 10-year period immediately preceding the application. Subsequent applications shall be accompanied by an affidavit by the adjutant or principal officer of the state veterans organization stating that the organization, on its own or with its national organization, maintained a full-time service office at the regional office for the entire 12-month period for which application for a payment is made.

(3m) If the total amount of payments committed to be paid under sub. (2) (am) exceeds the amount available for the payments from the appropriation under s. 20.485 (2) (vw), the department shall prorate the reimbursement payments among the state veterans organizations receiving the payments.

(4) (a) From the appropriation under s. 20.485 (2) (s), the department shall annually provide a payment of $200,000 to the Wisconsin department of the Disabled American Veterans for the provision of transportation services to veterans.

(b) The Wisconsin department of the Disabled American Veterans shall maintain records as required by the department concerning its expenditure of the payment under par. (a). The Wisconsin department of the Disabled American Veterans shall give the department access to those records upon request of the department and the department may audit those records to ensure that the Wisconsin department of the Disabled American Veterans is using the payment under par. (a) to provide transportation services to veterans.

(5) From the appropriation under s. 20.485 (2) (vs), the department may annually grant to the Wisconsin department of the American Legion up to $100,000 for the operation of Camp American Legion.

History: 2005 a. 22; 2011 a. 32; 2013 a. 20; 2017 a. 59; 2021 a. 58; 2025 a. 15.
Cross-reference: See also ch. VA 7, Wis. adm. code.

45.42 Veterans personal loans. (1) It is determined that the loan program established under this section is a special purpose credit program for an economically disadvantaged class of persons for purposes of 15 USC 1691-1691f.

(2) The department may lend a veteran, a veteran's unremarried surviving spouse, or a deceased veteran's child not more than $25,000, or a lesser amount established by the department under sub. (9). The department may prescribe loan conditions, but the term of the loan may not exceed 10 years, or a shorter term established by the department under sub. (12). The department shall ensure that the proceeds of any loan made under this section shall first be applied to pay any delinquent child support or maintenance payments owed by the person receiving the loan and then to pay any past support, medical expenses, or birth expenses owed by the person receiving the loan.

(3) The department may lend to the remarried surviving spouse of a deceased veteran or to the parent of a deceased veteran's child not more than $25,000, or a lesser amount established by the department under sub. (9), for the education of the deceased veteran's child.

(4) The department may execute necessary instruments, collect interest and principal, compromise indebtedness, sue and be sued, post bonds, and write off indebtedness that it considers uncollectible. If a loan under this section is secured by a real estate mortgage, the department may exercise the rights of owners and mortgagees generally and the rights and powers set forth in s. 45.32, 2017 stats. The department shall pay all interest and principal repaid on the loan into the veterans trust fund.

(5) The department may charge loan expenses incurred under this section to the loan applicant. The department shall pay all expenses received under this subsection into the veterans trust fund.

(6) The department may provide a loan under this section to an applicant whose name appears on the statewide support lien docket under s. 49.854 (2) (b) only if the applicant does one of the following:

(a) Provides to the department a repayment agreement that the applicant has entered into, that has been accepted by the county child support agency under s. 59.53 (5), and that has been kept current for the 6-month period immediately preceding the date of the application.

(b) Provides to the department a statement that the applicant is not delinquent in child support or maintenance payments and does not owe past support, medical expenses, or birth expenses, signed by the department of children and families or its designee within 7 working days before the date of the application.

(c) Agrees to use the loan proceeds to pay any delinquent child support or maintenance payments and to pay any past support, medical expenses, or birth expenses if the applicant fails to meet the requirements under par. (a) or (b).

(7) No person may receive a loan under this section in an amount that, when added to the balance outstanding on the person's existing loans under s. 45.351 (2), 1995 stats., and s. 45.356, 1995 stats., would result in a total indebtedness to the department of more than $25,000.

(8) The department may enter into transactions with the state investment board to obtain money to make loans under this section. Transactions authorized under this paragraph may include the sale of loans.

(9) Subject to the limits established in subs. (2) and (3), the

department may periodically adjust the maximum loan amount based upon financial market conditions, funds available, needs of the veterans trust funds, or other factors that the department considers relevant.

(10) The department may periodically adjust the interest rates for loans made under this section, which may vary based upon the term of the loan, the type of security offered, the method of payment, or other factors that the department considers relevant.

(11) If an applicant's total indebtedness for loans made under this section is more than $5,000, the loan shall be evidenced by a promissory note and secured by a mortgage on real estate located in this state. A loan of $5,000 or less made to an applicant whose total indebtedness for loans made under this section is $5,000 or less shall be evidenced by a promissory note and secured by a guarantor or by a mortgage on real estate located in this state. A mortgage securing a loan made under this section is acceptable if the applicant has equity in the property subject to the mortgage equal to or exceeding a minimum amount that the department establishes by rule.

(12) Subject to the limit established in sub. (2), the department may periodically adjust the maximum term limits for loans based upon financial market conditions, funds available, needs of the veterans trust fund, or other factors that the department considers relevant.

History: 2005 a. 22, 25; 2007 a. 20; 2019 a. 9.
Cross-reference: See also ch. VA 12, Wis. adm. code.

45.43 Veterans assistance program. (1) The department shall administer a program to provide assistance to persons who served in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces and who were discharged under conditions other than dishonorable. The department shall provide assistance under this section to persons whose need for services is based upon homelessness, incarceration, or other circumstances designated by the department by rule. The eligibility requirements under s. 45.02 (2) do not apply to a person applying for assistance under this section. The department shall designate the assistance available under this section, which may include assistance in receiving medical care, dental care, education, employment, single room occupancy housing, and transitional housing. The department may provide payments to facilitate the provision of services under this section.

(2) The department may charge fees for single room occupancy housing, transitional housing, and for other assistance provided under this section that the department designates. The department shall promulgate rules establishing the fee schedule and the manner of implementation of that schedule.

History: 2005 a. 22; 2007 a. 20; 2009 a. 28; 2013 a. 20.
Cross-reference: See also ch. VA 13, Wis. adm. code.

45.437 Veterans employment and entrepreneurship grant program. (1) DEFINITION. In this section, "disabled veteran" means a veteran who is verified by the department to have a service-connected disability rating of at least 50 percent under 38 USC 1114 or 1134.

(2) GRANTS. (a) From the appropriation under s. 20.485 (2) (qm), the department may award up to $500,000 annually in grants to veterans, employers, and nonprofit organizations under this section.

(b) The department may not award a grant under par. (a) unless the department determines that the grant is likely to improve employment outcomes for veterans in this state. Subject to that limitation, the department may award grants to assist veteran entrepreneurs, to give employers in this state incentives to hire veterans, especially disabled veterans, to help fund employment training for veterans, especially disabled veterans, and for other programs or purposes as determined by the department by rule.

(3) ANNUAL REPORT. Annually, the department shall submit a report to the governor and to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) that includes all of the following:

(a) The number of grants awarded under this section.

(b) The amount of each grant awarded under this section.

(c) The purpose of each grant awarded under this section.

(d) The outcomes attributable to each grant awarded under this section.

(4) RULES. The department shall promulgate rules implementing this section. The rules promulgated under this subsection shall include rules establishing the specific goals grant recipients must meet and requiring that those goals be met before any grant moneys are disbursed.

History: 2015 a. 385.
Cross-reference: See also s. VA 2.08, Wis. adm. code.

45.44 Veterans fee waiver program. (1) DEFINITIONS. In this section:

(a) "License" means any of the following for which a fee is required:

1. A license under s. 13.63 (1) or registration of an interest under s. 13.67 (2).

2. A license or permit specified in s. 29.563 (15).

3. A license issued to a child welfare agency, group home, child care center, or shelter care facility, as required under s. 48.615 (1), 48.625 (2), 48.65 (3), or 938.22 (7).

4. A certification issued under s. 49.45 (42).

5. A license, certification, registration, or permit issued under s. 89.06, 89.072, 89.073, 94.10 (2), (3), or (3g), 94.50 (2), 94.704, 95.60, 97.17 (2), 97.175 (2), 97.22 (2), 98.145, 98.146, 98.18 (1) (a), or 168.23 (3).

6. An occupational license, as defined in s. 101.02 (1) (a) 2.

7. A license, certificate, or registration issued under s. 103.34, 103.91, 103.92, 105.06, or 105.07.

8. A license, permit, or certificate issued by the department of public instruction.

9. A license issued under s. 125.65.

10. A license specified in s. 169.31 (1m).

11. A permit issued under s. 170.12.

11m. A registration issued under s. 202.13 or 202.14.

12. A license provided for in s. 218.0114 (14) (e), (f), or (fm) or issued under s. 218.04, 218.11, or 343.62 or a buyer identification card issued under s. 218.51.

13. A license issued under s. 224.725.

14. A license, certification, certification card, or permit issued under ss. 97.33, 254.176, 254.178, 254.20, and 256.15.

15. A license, registration, or certification issued under s. 280.15 (2m) or (3g), 281.17 (3), 281.48 (3), 285.51 (2), 289.42 (1), 291.23, or 299.51 (3) (c).

16. A credential, as defined in s. 440.01 (2) (a).

17. A license issued under s. 551.614.

18. A license, certificate, registration, or permit issued under chs. 601 to 655.

19. A license to practice law or admission to the state bar.

(b) "Licensing agency" means the department of agriculture, trade and consumer protection; the department of children and families; the department of financial institutions; the department of health services; the department of natural resources; the department of public instruction; the department of revenue; the department of safety and professional services and its examining

boards and affiliated credentialing boards; the department of transportation; the department of workforce development; the board of commissioners of public lands; the ethics commission; or the office of the commissioner of insurance.

(2) PROGRAM. The department shall establish and maintain a program under which the department shall verify whether an applicant is eligible for a fee waiver for the issuance of a license. Before approving a fee waiver, the licensing agency, or the supreme court, if the supreme court agrees, shall request the department to verify whether the applicant for the license is eligible for a fee waiver. If the department verifies that the applicant for a license is eligible for a fee waiver, the licensing agency or the supreme court shall waive the accompanying fee for the license.

(3) ELIGIBILITY. For the purpose of being eligible for a license fee waiver under the program established under sub. (2), an applicant shall be applying for an initial license, may not have received a previous fee waiver under the program for any type of license, and shall be all of the following:

(a) An individual.

(b) A resident of this state.

(c) A veteran, as defined in s. 45.01 (12) (a) to (f), or one of the following:

1. A member of a reserve component of the U.S. armed forces or of the national guard, as defined in 32 USC 101 (3), who has served under honorable conditions for at least one year beginning on the member's date of enlistment in a reserve component of the U.S. armed forces or in the national guard.

2. A person who was discharged from a reserve component of the U.S. armed forces or from the national guard, as defined in 32 USC 101 (3), if that discharge was an honorable discharge or a general discharge under honorable conditions.

(3m) REDUCED FEE FOR CERTAIN LICENSES. An applicant who is applying for an initial license specified under sub. (1) (a) 16. and who has received a previous fee waiver under the program established under sub. (2), but who is otherwise eligible for a fee waiver under the program, shall pay a fee for the license that is equal to 10 percent of the standard fee for that license.

(4) INFORMATION ON PROGRAM. The department shall provide on its website information regarding the fee waiver program and shall include a list of the licenses and the licensing agencies to contact to receive each fee waiver. Each licensing agency shall also provide on its website information regarding the fee waiver program and a list of the licenses that the licensing agency issues that are eligible for the fee waiver.

History: 2011 a. 209; 2013 a. 20; 2015 a. 55, 118, 179; 2015 a. 195 s. 83; 2017 a. 319, 331; 2017 a. 365 s. 112; 2019 a. 129; 2025 a. 138.

45.46 Grants to nonprofit organizations that serve veterans and their families. From the appropriation under s. 20.485 (2) (th), the department may make grants of up to $250,000 annually to nonprofit organizations, as defined in s. 108.02 (19), and no more than $25,000 to each grant recipient, to provide financial assistance or other services to veterans and their dependents.

History: 2015 a. 383; 2017 a. 59.

45.47 Record-keeping and audit requirements for grant programs administered by the department. (1) DEFINITION. In this section, "grant recipient" means a county, American Indian tribe or band, nonprofit organization, or other person that is not an individual and that receives a grant from the department under this chapter.

(2) REQUIREMENTS. Each grant recipient shall maintain records as required by the department concerning the grant recipient's expenditure of grant moneys. Each grant recipient shall give the department access to those records upon request of the department, and the department may audit those records to ensure compliance with applicable grant requirements.

(3) REDUCTION, SUSPENSION, OR TERMINATION OF GRANT. If a grant recipient fails to comply with sub. (2), the department may, in addition to any other legal remedy available to the department, reduce, suspend, or terminate a grant the department made to the grant recipient.

History: 2013 a. 190.

45.48 Veterans outreach and recovery program. (1) To be funded from the appropriation under s. 20.485 (2) (qs), the department shall administer a program to provide outreach, mental health services, and support to individuals who reside in this state, who may have a mental health condition or substance use disorder, and who meet one of the following conditions:

(a) Are serving in the national guard of any state or a reserve component of the U.S. armed forces.

(b) Served on active duty in the U.S. armed forces, forces incorporated as part of the U.S. armed forces, a reserve component of the U.S. armed forces, or the national guard of any state and were discharged under conditions other than dishonorable.

(1m) The department shall expend at least $100,000 annually under sub. (1) to promote suicide prevention and awareness by providing outreach, mental health services, and support to individuals who are members of a traditionally underserved population, including minority groups and individuals who reside in rural areas of the state. The department may enter into contracts to provide services under this subsection.

(2) The eligibility requirements under s. 45.02 do not apply to an individual receiving services under sub. (1).

(3) The department may provide payments to facilitate the provision of services under sub. (1).

History: 2019 a. 9; 2021 a. 58.

45.49 State matching grants for recipients of federal per diem payments. (1) DEFINITION. In this section, "eligible entity" means an eligible entity under 38 USC 2011 (d) other than the state that, on the date of application under this section, has been awarded per diem payments under 38 USC 2012 (a) for the upcoming fiscal year.

(2) MATCHING PER DIEM PAYMENTS. (a) The department may award state matching grants to eligible entities, in the order in which the applications are received, for services that qualify for federal per diem payments under 38 USC 2012.

(b) The department shall take applications for grants under this section on an annual basis, and may approve grants of up to $25 per day per veteran that the eligible entity is capable of housing, for up to 365 days per year.

(c) The department shall pay grants awarded to eligible entities under par. (b) on a quarterly basis in an amount calculated based on the cost incurred per day per veteran housed by the eligible entity in the previous quarter. The grant amount to be paid under this paragraph shall be the highest amount possible that will not reduce the full federal per diem amount that the eligible entity is entitled to receive, based on the entity's per day per veteran cost of care, up to $25 per day per veteran.

History: 2025 a. 154.

SUBCHAPTER V

VETERANS HOMES

45.50 Veterans homes; management. (1) VETERANS HOME AT KING. The department shall operate the Wisconsin Veterans Home at King and employ a commandant for the home.

(2b) VETERANS HOME AT UNION GROVE. Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department may construct or renovate and operate residential, treatment, and nursing care facilities, including a community-based residential facility, to be known as the Wisconsin Veterans Home at Union Grove. The department shall employ a commandant for the Wisconsin Veterans Home at Union Grove.

(2d) VETERANS HOME AT CHIPPEWA FALLS. Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department may develop, construct or renovate, and operate residential, treatment, and nursing care facilities and programs for veterans in northwestern Wisconsin, on the property of the Northern Wisconsin Center for the Developmentally Disabled in Chippewa Falls to be known as the Wisconsin Veterans Home at Chippewa Falls. The programs and facilities may include an assisted living facility, a skilled nursing facility, a medical clinic, an adult day health care center, an activities center, and a veterans assistance program. The department may employ a commandant for the Wisconsin Veterans Home at Chippewa Falls.

(2m) SERVICES; STAFFING OF HOMES. (a) The department shall provide complete personal maintenance and medical care, including programs and facilities that promote comfort, recreation, well-being, or rehabilitation, to all members of veterans homes.

(b) The department may employ any personnel that are necessary for the proper management and operation of veterans homes. In compliance with the compensation plan established pursuant to s. 230.12 (3), a commandant may recommend to the director of personnel charges for meals, living quarters, laundry, and other services furnished to employees and members of the employees' family maintained at veterans homes.

(c) For the Wisconsin Veterans Home at Chippewa Falls, in lieu of the department employing personnel as authorized under par. (b) and providing the maintenance and medical care as specified in par. (a), the department may enter into an agreement with a private entity to operate the home and perform such management and care using personnel employed by the private entity.

(e) All moneys received as reimbursement for services to veterans homes employees or as payment for meals served to guests at veterans homes shall be accumulated in an account named "employee maintenance credits" and shall be paid into the general fund within one week after receipt and credited to the appropriation account under s. 20.485 (1) (gk). This paragraph does not apply to any agreement entered into pursuant to par. (c).

(f) The department may develop a program to provide stipends to individuals to attend school and receive the necessary credentials to become employed at veterans homes. If the department develops a stipend program under this paragraph, the department shall promulgate rules related to the program, including the application process, eligibility criteria, stipend amount, repayment provisions, and other provisions that the department determines are necessary to administer the program.

Cross-reference: See also ch. VA 18, Wis. adm. code.

(3) LAND ACQUISITION. The department may acquire, by gift, purchase, or condemnation, lands necessary for the purposes of the veterans homes. Title to the lands shall be taken in the name of this state and shall be held by and for the uses and purposes of the veterans homes. No payment may be made out of the state treasury or otherwise for the land until the title has been examined and approved by the attorney general. Every such deed of conveyance shall be immediately recorded in the office of the proper register of deeds and filed with the secretary of state.

(4) GIFTS AND GRANTS. (a) The department may use moneys appropriated under s. 20.485 (1) (h) to purchase, erect, construct, or remodel buildings, to provide additions and improvements, to provide equipment, materials, supplies, and services necessary for the purposes of veterans homes, and for expenses that are necessary and incidental to acquisition of property under s. 45.51 (10) and (11).

(b) The department may accept gifts, bequests, grants, or donations of money or of property from private sources to be administered by the department for the purposes of veterans homes. All moneys received shall be paid into the general fund and appropriated as provided in s. 20.485 (1) (h). The department may not apply to the gifts and bequests fund interest on certificate of savings deposits for those members who do not receive maximum monthly retained income. The department shall establish for those persons upon their request individual accounts with savings and interest applied as the member requests.

(6) WATER AND SEWER SERVICES. (a) The department may enter into agreements for furnishing and charging for water and sewer service from facilities constructed at and for veterans homes to public and private properties lying in the immediate vicinity of veterans homes.

(b) Agreements under this subsection shall be drafted to hold harmless the department, to require all expense to be paid by the applicant, and to be terminable by the department when other water and sewer services become available to the applicant.

(7) ENFORCEMENT AUTHORITY. A commandant and employees designated by the commandant may summarily arrest all persons within or upon the grounds of veterans homes who are guilty of any offense against the laws of this state or the rules governing veterans homes. For this purpose, a commandant and deputies have the power of constables.

(8) FIRE FIGHTING SERVICES. A fire department at a veterans home in response to emergency fire calls may make runs and render fire fighting service beyond the confines of a veterans home.

(10) HOSPITALS AUTHORIZED. The department may establish a hospital at a veterans home. All hospitals established under this subsection may not have a total approved bed capacity, as defined in s. 150.01 (4m), greater than 16 beds. The approved bed capacity of a skilled nursing facility operated at a veterans home is reduced by one bed for each approved bed at the hospital established under this subsection at that home.

(11) MEDICAL ASSISTANCE ASSESSMENT EXEMPTION. A Wisconsin veterans home is exempt from paying any assessment imposed on the licensed beds in the home under s. 50.14 (2) (am).

(12) NATURAL DISASTER OR STATE OF EMERGENCY. The department may expend moneys from the appropriation under s. 20.485 (1) (ks) to pay any necessary costs to prepare for or respond to the emergency at a veterans home. The department may expend moneys under this subsection only after all funds allocated by the federal government to veterans homes in this state for purposes of responding to the emergency have been exhausted.

History: 2005 a. 22; 2011 a. 32; 2013 a. 20; 2017 a. 59; 2021 a. 58.
Cross-reference: See also ch. VA 6, Wis. adm. code.

45.51 Eligibility for membership.

(1) GENERAL STATEMENT. Within the limitations of veterans homes, the department may admit to membership in veterans homes persons who meet the qualifications set forth in this section.

(2) ELIGIBILITY. (a) The following persons are eligible for benefits under this subchapter if they meet the applicable requirements of this subchapter:

1. A veteran.

2. A person who has 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 for 90 days or more and at least one

day during a war period or under section 1 of executive order 10957, dated August 10, 1961.

3. A spouse or surviving spouse of a person under subd. 1. or 2. or a parent of a person who died while serving in the U.S. armed forces.

(b) A person under par. (a) 1. or 2. may be admitted to a veterans home if the person meets all of the following conditions:

2. Is permanently incapacitated due to physical disability or age from any substantially gainful occupation.

3. Has not been convicted of a felony or of a crime involving moral turpitude or, if so, has produced sufficient evidence of subsequent good conduct and reformation of character as to be satisfactory to the department.

4. Provides a complete financial statement containing information that the department determines is necessary to evaluate the financial circumstances of the person. The department may require a member of a veterans home to provide the department with information necessary for the department to determine the financial circumstances of the person. If a person fails to provide the additional information, the department may discharge the person from the veterans home.

5. Has care needs that the veterans home is able to provide within the resources allocated for the care of members of the veterans home.

(3) ADMISSION PRIORITIES. (a) 1. In this paragraph, "physical care" includes skilled rehabilitation services following a hospital stay that meets the qualifications under 42 CFR 409.30.

2. Except in cases where there is an immediate need for physical care or economic assistance, the department shall act on applications based upon the date of receipt of the application by the veterans home. The department may defer establishment of the priority date of the application to the date that the veterans home is able to verify its ability to provide appropriate care to the applicant or to assure that the appropriate care setting is available within the home.

(b) Spouses, surviving spouses, and parents derive their eligibility from the eligibility of the person under sub. (2) (a) 1. or 2. Surviving spouses and parents of eligible persons under sub. (2) (a) 1. or 2. are not eligible for admission to the Wisconsin Veterans Home at Union Grove, the Wisconsin Veterans Home at King, or the Wisconsin Veterans Home at Chippewa Falls unless a home's overall occupancy level is below an optimal level as determined by the board.

(c) 1. The categories for the order of priority for admission to a veterans home shall be as follows:

a. Eligible persons under sub. (2) (a) 1. or 2. have 1st priority.

b. Spouses of eligible persons under sub. (2) (a) 1. or 2. have 2nd priority.

c. Surviving spouses of eligible persons under sub. (2) (a) 1. or 2. have 3rd priority for admission.

d. Parents of eligible persons under sub. (2) (a) 1. or 2. have 4th priority for admission.

1m. Within each category specified in subd. 1., the following order of priority shall apply:

a. A person who is a resident of the state on the date of application for membership in a veterans home and who has been residing continuously in the state for a period of more than 6 months immediately preceding the date of application for membership has first priority for admission.

b. A person who is a resident of the state on the date of application for membership in a veterans home and who has been residing continuously in the state for a period of 6 months or less immediately preceding the date of application for membership has 2nd priority for admission.

c. A person who is not a resident of the state on the date of application for membership in a veterans home has 3rd priority for admission.

2. The department may deviate from this sequence upon order of the board to prevent the separation of a husband and wife.

(4) ADDITIONAL ELIGIBILITY REQUIREMENTS OF A SPOUSE OF A VETERAN. (am) Except as provided in par. (bm), a spouse of an eligible person under sub. (2) (a) 1. or 2. is eligible only if the spouse meets the requirements of sub. (2) (b) 3. to 5. and if all of the following apply:

1. The person under sub. (2) (a) 1. or 2. is a member, or if not a member is institutionalized elsewhere because of physical or mental disability, and the spouse had lived with the person for not less than 6 months immediately before making application for membership.

2. Separation from the spouse necessitated by reason of employment, hospitalization, or because of a physical or mental disability of either spouse may not be taken to constitute an interruption of the 6-month period.

3. A spouse of an eligible person under sub. (2) (a) 1. or 2. by virtue of a marriage that was void when entered into but validated under s. 765.21 before applying for admission shall, for the purpose of this paragraph and sub. (6), be considered married to the eligible person under sub. (2) (a) 1. or 2. from the date the marriage was entered into.

(bm) A spouse of an eligible person under sub. (2) (a) 1. or 2. is eligible if the spouse meets the requirements of sub. (2) (b) 2. to 5., and the spouse had lived with the person for not less than 6 months immediately before making application for the membership. Separation from the spouse necessitated by reason of employment, hospitalization, or because of a physical or mental disability of either spouse may not be taken to constitute an interruption of the 6-month period under this paragraph. A spouse of an eligible person under sub. (2) (a) 1. or 2. by virtue of a marriage that was void when entered into but validated under s. 765.21 before applying for admission shall, for the purpose of this paragraph and sub. (6), be considered married to the eligible person under sub. (2) (a) 1. or 2. from the date the marriage was entered into.

(5) ADDITIONAL ELIGIBILITY REQUIREMENTS OF A SURVIVING SPOUSE. The surviving spouse of a person under sub. (2) (a) 1. or 2. is eligible if the surviving spouse meets the requirements of sub. (2) (b) 3. to 5. and if the surviving spouse satisfies all of the following conditions:

(a) 1. The surviving spouse satisfies any of the following conditions:

a. Was married to and living with the deceased person under sub. (2) (a) 1. or 2. not less than 6 months immediately prior to the death of the person.

b. Was married to the person under sub. (2) (a) 1. or 2. at the time the person entered the service and who became a widow or widower by the death of the person while in the service or as a result of physical disability of the person incurred during the service.

c. The period during which the surviving spouse was married to and lived with the deceased person under sub. (2) (a) 1. or 2. plus the period of widowhood or widowerhood is 6 months or more.

d. Was married to and living with the person under sub. (2) (a) 1. or 2. less than 6 months and a child was born of the marriage.

(b) Has not remarried.

(c) Is 45 years of age or over on the date of application.

(d) Is physically disabled.

(e) Is unable adequately to care for himself or herself and lacks adequate means of support.

(6) ADDITIONAL ELIGIBILITY REQUIREMENTS OF PARENTS. The parent of a person under sub. (2) (a) 1. or 2. or the parent of a person who died while in the service is eligible if the parent meets the requirements of sub. (2) (b) 3. to 5. and satisfies all of the following conditions:

(a) Has reached 60 years of age.

(c) Is physically disabled, unable adequately to care for himself or herself, and lacks adequate means of support.

(6m) RESIDENCY. In order to be eligible for benefits under this subchapter, a person specified under sub. (2) (a) 1., 2., or 3. does not have to be a resident of this state on the date of application for membership.

(7) MEMBER INCOME RETENTION AND PAYMENT. (a) The board shall establish a pay plan for compensation of members for services rendered to a veterans home under its work therapy program.

(b) Members shall pay the amount due the state for care and maintenance of the member within 30 days after the receipt of the veterans home's billing statement by the member or by the member's personal representative. The department may subject any bill not paid within 30 days after receipt of the billing statement to an interest assessment of 1 percent per month or fraction of a month. If payment is not made within 60 days after the receipt of the billing statement, the department may discharge the member from the veterans home.

(c) Payment of amounts due the state for care and maintenance of a member shall be made to the fullest extent possible from sources of income other than pension or compensation paid by the U.S. department of veterans affairs.

(d) A member is not required to use income received from services rendered to the veterans home under its work therapy program or from the sale of products or services through the hobby shop as payment for the care or maintenance of the member at the veterans home.

(e) The department shall supervise the operation of a veterans home exchange, including the operation of the hobby shop for the sale of products made by all members.

(8) PERSONAL FUNDS OF MEMBER. A member may, in writing, authorize a veterans home to receive, hold, and account for his or her personal funds. Section 49.498 (8) applies to the funds of a member held by the veterans home under this subsection. The department may transfer the personal funds of a member received under this subsection to the Wisconsin veterans facilities members fund under s. 25.37. Upon request of the member, the department shall pay the member the amount the member requests from his or her personal account.

(10) CONVEYANCE OF PROPERTY; DESCENT. (a) Except as otherwise provided in this subsection, the application and admission of any applicant admitted under this section shall constitute a valid and binding contract between a member and the department. If a member dies leaving a relative that is entitled to an interest in the property of the member under the rules of intestate succession or a will the existence of which is made known to the commandant of the veterans home within 60 days of the member's death, the member's property shall constitute a part of the member's estate, except the commandant may distribute personal effects of nominal monetary value of a deceased member who is not survived by a member spouse to surviving relatives of the member who request the personal effects within a reasonable time after the member's death.

(b) The department may manage, sell, lease, or transfer property passing to the state pursuant to this section or conveyed to it by members, defend and prosecute all actions concerning it, pay all just claims against it, and do all other things necessary for the protection, preservation, and management of the property. All expenditures necessary for the execution of functions under this paragraph or sub. (14) shall be made from the appropriation in s. 20.485 (1) (h).

(c) A person who at the time of death is a member of a veterans home is a resident of the county in which the veterans home is located for the probate of the person's will, issuance of letters testamentary or other letters authorizing the administration of the decedent's estate, and the administration of the estate.

(11) DISPOSITION OF PROPERTY PASSING TO STATE. If a member dies without a relative who is entitled to an interest in the property of the member under the rules of intestate succession and without leaving a will the existence of which is made known to the commandant of the home within 60 days of the member's death, the member's property shall be converted to cash, without administration. The commandant of a veterans home shall submit that converted sum to the secretary of administration to be paid into the appropriation under s. 20.485 (1) (h). The amount paid to the secretary of administration is subject to refund within 6 years to the estate of a member if it is subsequently discovered that the member left a will or a relative that is entitled to an interest in the property of the member under the rules of intestate succession or to any creditor of the member who establishes right to the funds or property or any portion of the funds or property. The department of administration, upon being satisfied that a claim out of the funds or property is legal and valid, shall pay the claim out of the funds or property, except that payment of claims for a member's funeral and burial expenses may not exceed a total of $1,500 including any amount allowed by the United States for the member's funeral and burial and the right for burial and interment provided in s. 45.61 (2).

(12) POWERS OF COMMANDANT OVER PERSONAL FUNDS OF MEMBERS. A commandant may receive, disburse, and account for funds of members.

(13) ADDITIONAL ELIGIBILITY REQUIREMENTS FOR SKILLED NURSING FACILITIES. Any person admitted to a skilled nursing facility at a veterans home shall meet the eligibility requirements under ss. 49.45 and 49.46, and, if applicable, s. 49.471, and rules promulgated under those sections, during residency at the skilled nursing facility except if any of the following apply:

(a) Persons with sufficient income and resources to meet the expenses of care for one or more months may be admitted to the skilled nursing facility but shall apply income and resources to costs to the extent required under ss. 49.45 and 49.46, and, if applicable, s. 49.471 and rules promulgated under those sections.

(b) Persons who meet all the requirements of this section but whose degree of physical disability does not meet the minimum requirements under ss. 49.45 and 49.46 and rules promulgated under those sections may be admitted to the skilled nursing facility but shall apply income and resources to costs to the extent required by ss. 49.45 and 49.46, and, if applicable, s. 49.471 and rules promulgated under those sections.

(14) ADDITIONAL ELIGIBILITY REQUIREMENT FOR OTHER CARE FACILITIES AT VETERANS HOMES. An otherwise eligible person may be admitted to or remain in residency at a community-based residential facility, as defined in s. 50.01 (1g) or a residential care apartment complex, as defined in s. 50.01 (6d) at a veterans home only if the person has sufficient income and resources, and applies the income and resources to fully reimburse the department for the cost of providing care to the person.

History: 2005 a. 22, 25; 2007 a. 20; 2013 a. 20; 2013 a. 165 s. 114; 2015 a. 55; 2023 a. 204; 2025 a. 138.

Cross-reference: See also s. VA 6.01, Wis. adm. code.

45.55 Notes and mortgages of minor veterans. Not-

withstanding any provision of this chapter or any other law to the contrary, any minor who served in the active U.S. armed forces at any time after August 27, 1940, and the husband or wife of such a minor may execute, in his or her own right, notes or mortgages, as defined in s. 851.15, the payment of which is guaranteed or insured by the U.S. department of veterans affairs or the federal housing administrator under the servicemen's readjustment act of 1944, the national housing act, or any acts supplementing or amending these acts. In connection with these transactions, the minors may sell, release or convey the mortgaged property and litigate or settle controversies arising therefrom, including the execution of releases, deeds, and other necessary papers or instruments. The notes, mortgages, releases, deeds and other necessary papers or instruments when so executed are not subject to avoidance by the minor or the husband or wife of the minor upon either or both of them attaining the age of 18 because of the minority of either or both of them at the time of the execution thereof.

History: 1971 c. 41 s. 8; 1971 c. 228 s. 36; Stats. 1971 s. 880.32; 1989 a. 56; 1997 a. 188; 2005 a. 387 s. 457; Stats. 2005 s. 45.55; 2025 a. 138.

45.57 Veterans homes; transfer of funding. The department may transfer all or part of the unencumbered balance of any of the appropriations under s. 20.485 (1) (g), (gd), (gk), or (i) to the veterans trust fund. The department shall notify the joint committee on finance in writing of any balance transferred under this section.

History: 2013 a. 20; 2017 a. 369; 2019 a. 9; 2021 a. 238 s. 44.

45.58 Grants for fire and emergency medical services. From the appropriation under s. 20.485 (1) (kj), the department may make in each fiscal biennium up to $600,000 in grants to fire districts, cities, villages, and towns that provide fire and emergency medical services to veterans homes and other facilities for veterans. A fire district, city, village, or town may not expend grant moneys it receives under this section for any purpose other than providing fire and emergency medical services to veterans homes and other facilities for veterans.

History: 2015 a. 55; 2017 a. 59 ss. 739r, 2265m, 9449; 2023 a. 19.

SUBCHAPTER VI

FUNERALS, BURIALS, AND CEMETERIES

45.60 Military funeral honors. (1) PROGRAM. (a) The department shall administer a program to coordinate the provision of military funeral honors in this state to all of the following:

1. Military personnel on active duty.

2. Former military members who served on active duty and were discharged under conditions other than dishonorable.

3. Members of the selective service.

4. Former members of the selected reserve and national guard who served at least one term of enlistment or period of initial obligated service and were discharged under conditions other than dishonorable.

5. Former members of the selected reserve or national guard who were discharged due to a service-connected disability or for a disability subsequently adjudicated to have been service-connected.

6. A person described under s. 45.01 (12) (k).

(b) Military funeral honors may be provided by local units of member organizations of the council, by local units of veterans organizations certified by the department to provide military funeral honors, by members of the Wisconsin national guard activated under s. 321.04 (2) (e), or by staff of the department.

(2) STIPENDS. From the appropriation under s. 20.485 (2) (sm), the department shall reimburse a local unit of a member organization of the council or a local unit of a veterans organization certified by the department to provide military funeral honors for the costs of providing military funeral honors in this state to a person described in sub. (1). The reimbursement may not exceed $100 for each funeral for which military honors are provided.

NOTE: Sub. (2) is shown as amended by 2025 Wis. Acts 138 and 206 and as merged by the legislative reference bureau under s. 13.92 (2) (i).

(3) TUITION VOUCHER. (a) The department shall create a tuition voucher form to be used by funeral directors under par. (b). The department shall distribute copies of the tuition voucher form, plus an explanation of the form's use, to every operator of a funeral establishment. The department may not charge a fee for the tuition voucher form or for the distribution of the form.

(b) A funeral director may issue a tuition voucher in the amount of $25 to an individual who sounds "Taps" on a bugle, trumpet, or cornet during each funeral for which military honors are held in this state for a person described in sub. (1) and who is a student in grades 6 to 12 or at an institution of higher education, as defined under s. 895.515 (1) (b). The tuition voucher may be used at any time for the payment of tuition and required program activity fees at a University of Wisconsin System institution as provided under s. 36.27 (3r) or a technical college as provided under s. 38.24 (6). The department shall encourage private institutions of higher education to accept the vouchers. The vouchers are not transferable.

History: 2005 a. 22, 25; 2007 a. 200; 2013 a. 20; 2015 a. 55; 2025 a. 138, 206; s. 13.92 (2) (i).

Cross-reference: See also ch. VA 17, Wis. adm. code.

45.61 Wisconsin veterans cemeteries. (1) CONSTRUCTION AND OPERATION OF CEMETERIES. Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department may construct and operate veterans cemeteries in central, northwestern, and southeastern Wisconsin and may employ any personnel that are necessary for the proper management of the cemeteries. The cemetery in central Wisconsin is the Central Wisconsin Veterans Memorial Cemetery. The cemetery in southeastern Wisconsin is the Southern Wisconsin Veterans Memorial Cemetery. The cemetery in northwestern Wisconsin is the Northern Wisconsin Veterans Memorial Cemetery. The department may acquire, by gift, purchase, or condemnation, lands necessary for the purposes of the cemeteries. Title to the properties shall be taken in the name of this state. Every deed of conveyance shall be immediately recorded in the office of the proper register of deeds and thereafter filed with the secretary of state. The department may accept for the state all gifts, grants, and bequests for the purposes of maintenance, restoration, preservation, and rehabilitation of the veterans cemeteries constructed under this subsection. All cemeteries operated by the department are exempt from the requirements of ss. 157.061 to 157.70 and 440.90 to 440.95.

(2) ELIGIBILITY. The following persons are eligible for burial at a cemetery constructed and operated under sub. (1):

(a) A person who died while on active duty or who was discharged or released from active duty in the U.S. armed forces under conditions other than dishonorable and his or her dependent child and surviving spouse.

(c) 1. The spouse or dependent child of a person who is serving on active duty at the time of the spouse's or dependent child's death.

2. The spouse of a person who was discharged or released from active duty in the U.S. armed forces under honorable conditions.

(d) A person who served in a national guard or a reserve component of the U.S. armed forces, and the person's spouse, surviving spouse, and dependent children, if the person is eligible for burial in a national cemetery under 38 USC 2402.

(f) A person who is a member of a veterans home under s. 45.50.

(2m) UNCLAIMED CREMATED REMAINS OF VETERANS. (a) 1. A funeral director, cemetery authority, or public officer having custody of unclaimed cremated remains shall, if the cremated remains are not claimed within 90 days after the date of cremation, contact the department, a county veterans service officer, or a local veterans service organization to determine whether the cremated remains are of a person described under sub. (2).

2. If the department, county veterans service officer, or local veterans service organization determines that the cremated remains are of a person described under sub. (2), the funeral director, cemetery authority, or public officer may transfer the cremated remains to the department for burial under this section.

(b) A funeral director, cemetery authority, or public officer who transfers cremated remains to the department under par. (a) 2., and, if different from the funeral director, the owner or operator of the funeral establishment, is immune from civil liability for any injury resulting from that act unless the act constitutes gross negligence or involves reckless, wanton, or intentional misconduct.

(3) FEES AND COSTS. The department may charge a fee for burials under this section and may promulgate rules for the assessment of any fee. The cost of preparing the grave and the erection of a marker for a person described under sub. (2) (a) or (d) shall be paid from the appropriation under s. 20.485 (1) (gk).

(4) APPLICATION. (a) Application for burial shall be made to the department. The surviving spouse of the person described under sub. (2) (a) or (d), if that person is interred at the Central Wisconsin Veterans Memorial Cemetery, shall have the privilege of selecting a plot next to that person if available. The department shall hold the plot for the surviving spouse for a period of one year from the date of granting the privilege, but may extend the hold, on request, for additional one-year periods.

(b) In processing applications for burial plots, the department shall maintain a waiting list for each of the cemeteries operated under sub. (1) and shall give priority to state residents on each waiting list.

(5) EXPENSES. Expenses incident to the burial under this section of persons described in sub. (2) shall be paid from the estate of the decedent, except that if there is no estate or the estate is insufficient, the expense of burial, or necessary part of the burial, shall be paid from the appropriation accounts under s. 20.485 (4) (g), (m), or (q) or, for members of veterans homes, from the appropriation account under s. 20.485 (1) (gk). The amount expended for those expenses under this subsection may not exceed the amount established for funeral and burial expenses under s. 49.785 (1) (b).

History: 2005 a. 22; 2007 a. 20; 2013 a. 20; 2015 a. 382; 2023 a. 206; 2025 a. 138.

Cross-reference: See also ch. VA 14, Wis. adm. code.

45.62 Burial places compiled. (1) The department may compile a record of veteran's burial places located within the state that may, so far as practicable, indicate all of the following information:

(a) The deceased veteran's name.

(b) The service in which the deceased veteran was engaged.

(c) The appropriate designation of the deceased veteran's armed forces unit.

(d) The deceased veteran's rank and period of service.

(e) The name and location of the cemetery or other place in which the deceased veteran's body is interred.

(f) The location of the deceased veteran's grave in the cemetery or other place of interment.

(g) A description of the headstone or other marker, if any, at the deceased veteran's grave.

(2) The department may prepare blank forms for the transmission to the department of the information required for the record under sub. (1). The department may distribute the forms to county veterans service officers. A county veterans service officer within whose county any cemetery or other burial place is located in which deceased veteran's bodies are interred shall submit the facts required for the record under sub. (1) to the department on the forms provided by the department, if so requested by the department.

History: 2005 a. 22; 2025 a. 138.

SUBCHAPTER VII

MEMORIALS

45.70 Veterans memorials. (1b) ESTABLISHMENT AND MODIFICATIONS OF MEMORIALS. (a) The board may approve, recommend, and veto any proposed plans, modifications, and changes or policies with respect to established state memorials and any future veterans state memorials, and may recommend the creation and establishment of future veterans state memorials.

(b) The board may act under par. (a) only if the department estimates that the cost of implementing the proposal for an established or future state memorial will exceed $25,000.

(2) CAMP RANDALL MEMORIAL. (b) No structures, other than memorials approved by the board, and no walks, roads, or subterranean footings may be placed or erected upon Camp Randall Memorial Park, Madison, Wisconsin, as described in par. (c), unless authorized by the legislature; nor shall the park be used for any purpose other than a memorial park.

(c) Camp Randall Memorial Park, Madison, Wisconsin, is established and described as follows: beginning on the west line of Randall Avenue 96.6 feet north of the center line of Dayton Street extended; thence west at right angles to Randall Avenue 370 feet; thence south parallel to Randall Avenue 722 feet; thence west at right angles to Randall Avenue 235 feet; thence south parallel to Randall Avenue 205 feet to the north line of Monroe Street; thence north 50 degrees 14 minutes east along the north line of Monroe Street approximately 780 feet to the west line of Randall Avenue; thence north along the west line of Randall Avenue 429 feet to the place of beginning.

History: 2005 a. 22; 2013 a. 20; 2017 a. 59.

45.71 Catalog of memorials. The department shall prepare a catalog of memorials, describing each memorial and giving its location and condition. The department shall periodically update that catalog.

History: 2005 a. 22.

45.72 County and municipal memorials. (1) In this section and s. 45.73, "local unit of government" means a city, village, town, or county.

(2) Any local unit of government may by gift, purchase, contract, or condemnation acquire property, real or personal, for the purpose of providing, furnishing, constructing, erecting, repairing, maintaining, or conducting a suitable memorial to the memory of former residents thereof who lost their lives in the military or naval service of the state or of the United States, or to commemorate and honor the deeds of persons, residents thereof, or of the state or United States, who served the nation in any war, or other persons who rendered great state or national service, or to the memory of any president of the United States, or for a combination of any those purposes, which are declared to be public purposes.

(3) The local unit of government shall determine the character of the memorial, and without limitation because of enumeration, the memorial may comprise a public building, hospital, sanatorium, home for the aged or indigent, park, recreation facility, community forest, or other suitable object having a public purpose.

(4) Any local unit of government may appropriate money and may levy a tax to acquire, pay for, construct, erect, furnish, equip, operate, repair, maintain, or reconstruct a suitable memorial for the purpose or purposes provided in this section.

(5) Any local unit of government may authorize the use of any public property respectively of such city, village, town, or county as a site for a memorial, and any county may authorize its public property to be so used by any city, village, or town in the county.

(6) Any local unit of government may by ordinance or contract provide for the management, control, or operation of any memorial. The local unit of government may enter into a written lease, for a term not exceeding 25 years, with any duly chartered and incorporated veterans organization established in the local unit of government. The lease shall include the provisions for the amount of rental and such conditions of public use as the local unit determines.

(7) Any local unit of government may contract with or make an appropriation, or both, to any other local unit of government or to any nonprofit corporation without capital stock organized expressly for any of the purposes of this section or to any duly chartered and incorporated veterans organization established in the local unit of government, and for the purpose of raising funds for memorial purposes or contributions. The local unit of government may levy taxes upon the taxable property located in the local unit of government, or borrow money and issue bonds in the manner and under the regulations provided by ch. 67. The facilities of the memorial shall be available to the residents of the local unit of government making the appropriation to the extent that the governing body of the local unit of government may require.

History: 2005 a. 22.

45.73 Sites for veterans memorial halls. (1) Any local unit of government may donate to any organization specified in s. 70.11 (9) land upon which is to be erected a memorial hall to contain the memorial tablet specified in s. 70.11 (9).

(2) The action of any local unit of government in granting veterans organizations or any other civic, patriotic, educational, or historical society rooms and space within public buildings for the establishment of memorial halls and museums, and occupancy thereof by its members, is authorized and confirmed. The local unit of government may permit the use and occupancy of the rooms and space for such terms and subject to such conditions and provisions as the local unit of government may impose. Any contract, lien, or agreement between the local unit of government and any organization now in force shall continue in force according to the terms of the contract, lien, or agreement.

History: 2005 a. 22.

45.74 Memorial corporations organized under 1919 act. (1) Any commission or board of trustees that governs a corporation organized to construct a memorial under s. 45.057 (5), statutes of 1919 to 1943 (created by chapter 598, laws of 1919, and repealed by chapter 301, laws of 1945), shall have the following powers in addition to those it now has:

(a) All powers vested in the members of the corporation by the articles of incorporation or bylaws, including the power to amend the articles of incorporation.

(b) The powers set forth in s. 181.0302 and all other applicable provisions of ch. 181.

(c) The power to convey any property under its control to any municipality and lease it back under terms agreed upon by the commission or board of trustees and the municipality.

(d) The power to dissolve the corporation and dispose of the real and personal property of the corporation in a manner that it deems will best serve the purposes for which it was organized and the interests of the community.

(2) The commission or board of trustees shall have a membership composed of 5 residents of the city, village, or town in which the memorial is located, one appointed by the common council, village board, or town board of the city, village, or town, and 4 by the circuit judge of the county in which the memorial is located. The commission or board may appoint 4 additional members who are residents of this state. The terms of all members shall be 5 years. In order that terms of members may expire at different times, not more than 2 members shall be appointed in any one year in addition to appointments made to fill vacancies occurring by resignation or death. Members shall hold office until their successors are appointed and qualify.

(3) Notwithstanding the repeal of s. 45.057, 1943 stats., by chapter 301, laws of 1945, the continuing existence of all commissions, boards, and corporations organized under s. 45.057 (5), statutes of 1919 to 1943, is affirmed, and the continuing operation of such commissions, boards, and corporations is ratified as to the past and authorized in the future.

History: 2005 a. 22.

45.75 Memorials in populous counties. (1) Any county having a population of 750,000 or more may establish and maintain a memorial or memorials in the county under s. 45.72 by agreement between the county board of the county and any nonprofit private corporation without capital stock organized under the laws of this state, except as provided in this section, expressly for any of the purposes of s. 45.72.

(2) The board of directors of the corporation shall be designated as the "memorial board," and its members shall be called "trustees." The membership of the memorial board may include special members, who need not be members of the corporation.

(3) The memorial board shall consist of 15 members, of whom 8 may be special members to be elected as provided in this section, and the remaining members shall be elected from the membership of the corporation.

(4) Special members of the memorial board shall be elected by the county board of such county and consist of the following:

(a) Four members from the county board.

(b) Four members elected from among the residents of the county.

(5) Terms of members of the memorial board shall be as follows:

(a) For special members:

1. Members elected from the county board shall be elected at the first meeting of the county board following each county board general election and their terms shall commence on that date. They shall hold office during their terms on the county board and until their successors are elected and qualified.

2. Members elected from among the residents shall hold office for 4 years and until their successors are elected, except that the first 4 such members shall be chosen for 1, 2, 3, and 4 years, respectively.

3. Any vacancy in the special membership shall be filled by the county board for the unexpired term, and until a successor is elected and qualified.

(b) For elected members from the corporate membership: the terms of the trustees shall be for such numbers of years that those of an equal number, as nearly as may be, shall expire in 2, 3, and

4 years, and successive terms of 4 years each thereafter and until their successors are elected and qualified.

(6) The articles of incorporation of the corporation shall provide originally or by amendment, in addition to other necessary provisions, and as permitted by this section, for the classification of the members of the corporation, for the election of trustees proportionately from and by those classifications, for the terms of the members of the corporation and for the officers, their duties, and the terms thereof to be elected from the membership.

(7) The war memorial may be constructed upon any land ceded before July 15, 1953, by this state to any municipality in this state notwithstanding any restrictions, limitations, or conditions as to the nature of the use of any of the land contained in the legislative act, granting the land to the municipality, and notwithstanding the restrictions, limitations, or conditions incorporated in any subsequent conveyance of the lands by the municipality.

(8) The war memorial may be constructed in any public park and the use of those park lands as a location for a war memorial shall not be considered inconsistent with the use of the same for park purposes. No war memorial shall be constructed in a public park until the park commission, general manager appointed under s. 27.03 (2), or park board having jurisdiction of the park shall approve the construction. The county board of any county may authorize the construction of a war memorial at different intervals of time if the proposed memorial consists of more than one building or structure and any county board subsequently elected shall carry into effect any contract authorized by s. 45.72 entered into on behalf of the county for the construction or maintenance of the war memorial. The construction, maintenance, and operation of a war memorial in a county park shall be subject to the jurisdiction of the county board and no part of those costs shall be charged against the funds of the park commission, park system, or park board of the county.

(9) (a) The memorial board may request from the department funds from the appropriation account under s. 20.485 (2) (b) for one or more purposes specified under par. (b). In a request for funds under this paragraph, the memorial board must include all of the following:

1. A description of the purpose for which the memorial board is requesting the funds and the memorial board's intended use of the requested funds.

2. A written averment from the memorial board that it has, or has a written financial commitment to receive, a full match of the amount of funds it is requesting from the department, which matching funds the memorial board will ensure are used to meet at least half of the memorial board's total anticipated cost for the purpose for which the memorial board is requesting funds.

(b) Funds requested under par. (a) may be used by a war memorial established under sub. (1) for any of the following purposes:

1. Expenses relating to the operation of the war memorial, including memorials, capital projects, exhibits, programs, salaries, and insurance.

2. Maintenance, repairs, development, construction, or improvements of the war memorial's facilities, properties, or grounds or other property owned, operated, or maintained by the war memorial.

(c) Within 60 days of a memorial board's request for funds under par. (a), the department shall review the request and determine whether to fully or partially approve the request, request more information from the memorial board, or deny the request if the request does not meet the requirements under par. (a). Upon the department's full or partial approval of a request made under this paragraph, the department shall within 30 days provide to the war memorial the approved funds. Upon the department's full or partial denial of a request made under this paragraph, the memorial board may within 90 days request that the department revisit and review its denial decision.

(d) By the end of each fiscal year in which a memorial board receives funds from the department as the result of a request made under par. (a), the memorial board shall submit a report to the joint committee on finance and to the chief clerk of each house of the legislature for distribution under s. 13.172 (3) to the standing committees having jurisdiction over veterans matters. The report shall describe how the memorial board used or plans to use the received funds and shall indicate how much money remains in the appropriation account under s. 20.485 (2) (b).

History: 2005 a. 22; 2017 a. 207 s. 5; 2025 a. 15.

SUBCHAPTER VIII

LOCAL RESPONSIBILITIES

45.80 County veterans service officer. (1) ELECTION OR APPOINTMENT. (a) Except as provided under par. (b), the county board shall elect a county veterans service officer who shall 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 who meets at least one of the conditions listed in s. 45.01 (12) (a) to (d) and at least one of the conditions listed in s. 45.02 (2).

(b) Except as provided under par. (c), the county board may appoint assistant county veterans service officers who shall be Wisconsin residents 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 who meet at least one of the conditions listed in s. 45.01 (12) (a) to (d) and at least one of the conditions listed in s. 45.02 (2).

(c) In counties with a county executive or county administrator, the county executive or county administrator shall appoint and supervise a county veterans service officer who shall have the qualifications prescribed under par. (a). The appointment is subject to confirmation by the county board unless the county board, by ordinance, elects to waive confirmation or unless the appointment is made under a civil service system competitive examination procedure established under s. 59.52 (8) or ch. 63.

(2) TERM. A county veterans service officer elected under sub. (1) (a) shall serve until the first Monday in January of the 2nd year subsequent to the year of his or her election, and, if re-elected, shall continue to serve unless removed under s. 17.10 (2).

(3) SALARY. The salary of the county veterans service officer shall be fixed by the county board prior to or at the time of the service officer's election and annually thereafter.

(4) MILWAUKEE COUNTY. In counties having a population of 750,000 or more the officer shall be appointed subject to ss. 63.01 to 63.17.

(5) DUTIES. The county veterans service officer shall do all of the following:

(a) Advise persons living in the service officer's county who served in the U.S. armed forces regarding any benefits to which they may be entitled or any complaint or problem arising out of such service and render to them and their dependents all possible assistance.

(b) Make such reports to the county board as the county board requires.

(c) Cooperate with federal and state agencies that serve or grant aids or benefits to former military personnel and their dependents.

(d) Furnish information about veterans burial places within the county as required by s. 45.62 (2).

(e) Perform the duties prescribed by law, including those duties under pars. (a) to (d), separately and distinctly from any other county department.

(6) PERMITTED ACTIVITIES. The county veterans service officer may do any of the following:

(a) Inform persons living in the service officer's county who are members of the national guard or of a reserve unit of the U.S. armed forces or dependents of those persons regarding potential benefits to which they may be or may become entitled and regarding all necessary military points of contact and general deployment information for activated and deployed members of the national guard or reserve units of the U.S. armed forces.

(b) Cooperate with federal and state agencies that serve or grant aids or benefits to members of the national guard or reserve units of the U.S. armed forces and their dependents.

(7) OFFICE SPACE AND ASSISTANTS. (a) The county board shall provide the county veterans service officer with office space, clerical assistance, and any other needs that will enable the officer to perform the duties under sub. (5).

(b) Except as provided under par. (c), the county board may appoint assistant county veterans service officers who shall be Wisconsin residents 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 for 2 consecutive years. An individual who is discharged for reasons of hardship or a service-connected disability or released due to a reduction in the U.S. armed forces or for the good of the service prior to the completion of the required period of service is eligible for appointment to the office, regardless of the actual time served.

(c) In any county with a county executive or county administrator, the county veterans service officer may appoint assistant county veterans service officers who shall have the qualifications prescribed under par. (b).

(8) QUALIFICATIONS APPLICABILITY. The qualifications necessary to be a county veterans service officer or assistant county veterans service officer under subs. (1) (a) and (7) (b) apply only to persons elected to serve as county veterans service officers or assistant county veterans service officers on or after June 1, 1996, and who have not served as county veterans service officers or assistant county veterans service officers before June 1, 1996.

History: 2005 a. 22; 2017 a. 207 s. 5.

45.81 County veterans service commission. (1) There is created in each county a county veterans service commission consisting of at least 3 residents of the county who are veterans appointed for staggered 3-year terms by the county executive or county board chairperson in a county that does not have a county executive.

(2) The commission shall be organized by the election of one of their members as chairperson. The county executive or county board chairperson in a county that does not have a county executive after the expiration of the terms of those first appointed shall annually on or before the 2nd Monday in December appoint one person as a member of the commission for the term of 3 years. Except as provided in s. 59.21 (1) (intro.), the county executive or county board chairperson shall require each member of the commission and the county veterans service officer to execute to the county an individual surety bond, with sufficient sureties to be approved by the county executive or county board chairperson, each bond to be in an amount equal to the tax levied in the current year for expenditure by the commission. Each bond shall be filed with the county clerk.

(3) (a) Except as provided under sub. (4), the commission may furnish aid to any person described in s. 45.86 if the right of that person to aid is established to the commission's satisfaction.

(b) The secretary of the commission shall maintain a list containing the name, place of residence, and amount of aid furnished to each person under par. (a), which shall be signed by the chairperson and secretary of the commission.

(c) The total disbursements made by the commission under this subsection may not exceed the amount collected from the tax levied, except when specifically authorized by the county board. The commission shall provide the county treasurer with sufficient information to deliver the specified aid to the person entitled to that aid.

(d) The commission may furnish aid in a different manner than by supplying money. The commission may request the county treasurer to pay a purveyor of services or commodities for the purchase of services or commodities, or the commission may furnish supplies, as it considers appropriate.

(e) The commission shall make a detailed report to the county board annually showing the amount expended under this subsection. The report may not include any personal identifying information regarding the persons that received aid under this subsection.

(4) A county veterans service officer appointed under s. 45.80 (1) (b) or (4) shall have the administrative powers and duties prescribed for the county veterans service commission under sub. (2).

(5) The county board shall allow the members of the commission a reasonable rate of compensation for services and actual expenses incurred in the performance of their duties to be determined under s. 59.22. The county board may provide for the employment of clerical assistance to the commission.

(6) The county veterans service officer shall serve as executive secretary of the county veterans service commission and shall make or direct all necessary investigations to determine eligibility for aid under s. 45.86 when the commission so requests. The county service officer, in making an investigation, may use the facilities for investigating that are made available by the county board.

History: 2005 a. 22; 2011 a. 96; 2025 a. 138.

45.82 Grants to counties and tribes for improvement of services. (1) Each county may annually apply to the department for a grant for the improvement of service to former military personnel of the county through the county veterans service office. A county may not allocate any portion of a grant for use by another county department nor may the county reduce funding to a county veterans service office based upon receipt of a grant. The county veterans service officer of any county applying for the grant shall enter into an agreement with the department. The agreement shall state the goals and objectives to be attained by the county veterans service office during the remainder of the year covered by the grant application. The department shall prepare the basic form of this agreement in consultation with the county veterans service officers association and provide a copy and an explanation of that agreement to each county veterans service officer. The department shall develop reasonable budget and operating standards to assure improved services, but full operating control of the county office shall be left to each county.

(2) The department of veterans affairs shall award a grant annually to a county that meets the standards developed under this section if the county executive, administrator, or administrative coordinator certifies to the department that it employs a county veterans service officer who, if chosen after April 15, 2015, is elected or appointed under s. 45.80 (1). A grant shall be awarded for $12,300 for a county with a population of less than 20,000, a grant shall be awarded for $14,400 for a county with a population of 20,000 to 45,499, a grant shall be awarded for $16,600 for a

county with a population of 45,500 to 74,999, and a grant shall be awarded for $18,800 for a county with a population of 75,000 or more. The department of veterans affairs shall use the most recent Wisconsin official population estimates prepared by the demographic services center when making grants under this subsection.

(4) The department shall provide grants to the governing bodies of federally recognized American Indian tribes and bands from the appropriation under s. 20.485 (2) (km) or (vu) if that governing body enters into an agreement with the department regarding the creation, goals, and objectives of a tribal veterans service officer, appoints a veteran to act as a tribal veterans service officer, and gives that veteran duties similar to the duties described in s. 45.80 (5), except that the veteran shall report to the governing body of the tribe or band. The department may make annual grants under this subsection in an amount up to $21,700 per grant and shall promulgate rules to implement this subsection.

History: 2005 a. 22, 25; 2013 a. 20; 2015 a. 55; 2017 a. 59; 2021 a. 58; 2023 a. 19, 203; 2025 a. 15.

Cross-reference: See also chs. VA 8 and 15, Wis. adm. code.

45.83 Transportation services grants to counties. (1) Annually, from the appropriation under s. 20.485 (2) (s), the department shall award grants to counties that are not served by transportation services provided by the Wisconsin department of Disabled American Veterans to develop, maintain, and expand transportation services for veterans. The grants may be used to support multicounty cooperative transportation services.

(2) The department shall promulgate rules specifying the application procedures and eligibility criteria for grants under this section.

(3) A county may not reduce funding to a county veterans service office based upon receipt of a grant.

History: 2005 a. 22.

Cross-reference: See also ch. VA 16, Wis. adm. code.

45.84 Burial allowance. (1) Each county veterans service officer shall cause to be interred in a decent and respectable manner in any cemetery in this state, other than those used exclusively for the burial of paupers, the body of any veteran, spouse, or surviving spouse who was living in the county at the time of death and who dies not leaving sufficient means to defray the necessary expenses of a decent burial, or under circumstances that would cause financial distress to the person's family. The cost of this interment shall be the responsibility of the county, but may not be less than $300, and shall be in addition to the burial allowance payable under laws administered by the U.S. department of veterans affairs.

(2) Before assuming the burial expense, the county veterans service officer shall exercise due diligence in attempting to determine the financial condition required by sub. (1). The county veterans service officer, in making the inquiry, may use the facilities for investigation that are made available by the county board. The county veterans service officer shall report the results of that determination to the appropriate authorities designated by the county.

(3) The chairperson of the county board and the clerk of the county on the receipt of the report under sub. (2) shall draw an order on the county treasurer for the amount of expenses so incurred, payable to the person designated in the report as being entitled to that payment. The county veterans service officer of each county shall, upon the death and burial of a veteran described under sub. (1) who was living in the county at the time of death, make application to the proper authorities for a suitable headstone as provided for by act of congress, and at the expense of the county cause the same to be placed at the head of the deceased's grave.

History: 2005 a. 22.

45.85 Care of graves. (1) Every town board, village board, or common council of every city shall at all times see that the graves and tombstones of all veterans, including women's auxiliary organizations created by act of Congress, who shall at any time have served in any branch of the U.S. armed forces, and of the spouses or surviving spouses of all those veterans, receive proper and decent care, and may employ all necessary assistance to carry out this section. The expense of the care of the graves and tombstones shall be borne by the county where the graves are located, except where suitable care is otherwise provided. The amount of expense charged the county for the care may not exceed the charge made for the care of other graves in the same cemetery.

(2) The governing body specified in sub. (1) shall report to the county clerk of its county, on or before September 1 of each year, the locations of the graves cared for by the governing body under sub. (1), together with the names of the deceased and the amount claimed for care of the graves for the fiscal year from the previous July 1 to June 30.

(3) The chairperson of the county board and the county clerk, upon receipt of the report under sub. (2), shall draw an order on the county treasurer for the amount of the expenses incurred in caring for the graves, payable to the person or persons designated in the report as being entitled to the payment.

History: 2005 a. 22; 2025 a. 138.

45.86 County tax for needy veterans. (1) Every county board shall annually levy, in addition to all other taxes, a tax sufficient to carry out the purposes of this section. The tax shall be levied and collected as other county taxes for the purpose of providing aid to needy veterans, the needy spouses, surviving spouses, minor and dependent children of the veterans, and the needy parents of veterans entitled to aid under ss. 45.81 to 45.84, and to carry out the purposes of s. 45.85. Aid may not be denied solely on the basis that a person otherwise eligible for aid owns a homestead that the person occupies.

(2) The county veterans service commission or county veterans service officer shall estimate the probable amount required under this section and shall file that estimate with the county board.

History: 2005 a. 22.