



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRBa1277/1  
MED:cdc

**SENATE AMENDMENT 1,  
TO SENATE BILL 547**

February 15, 2022 - Offered by Senator STROEBEL.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 24: after that line insert:

3 **“SECTION 5m. Nonstatutory provisions.**

4 (1) (a) The definitions given under s. 108.02 apply to this subsection.

5 (b) An employee who filed a claim for benefits on or after July 1, 2021, and  
6 before the effective date of this paragraph and whose claim was denied in a  
7 determination or decision under s. 108.09 may, notwithstanding that prior  
8 determination or decision, reapply for benefits no later than 90 days after the  
9 effective date of this paragraph.

10 (c) If an employee files a claim for benefits under par. (b), the department shall,  
11 notwithstanding SECTION 6 (1) of this act and notwithstanding the prior  
12 determination or decision, make a determination under s. 108.09 of whether the  
13 employee would have been eligible to establish a benefit year under s. 108.06 (2) (a)

1 at the time the employee applied for benefits if s. 108.04 (5m) or (7) (f) had been in  
2 effect when the employee originally applied for benefits. If, subject to par. (e), the  
3 department determines that the employee would have been so eligible, the employee  
4 is eligible for benefits as provided in par. (d) and the department shall, subject to par.  
5 (d), issue a computation setting forth the employee's benefit rights under s. 108.09.

6 (d) If an employee is eligible for benefits based upon a determination under par.  
7 (c), all of the following apply to the employee's claim:

8 1. Notwithstanding s. 108.02 (4), the base period that applies is the base period  
9 that would have applied had the employee's original claim described in par. (b) not  
10 been denied. The department shall calculate benefits under s. 108.05 using that base  
11 period.

12 2. Notwithstanding s. 108.06 (2) (bm), the employee's benefit year begins on the  
13 Sunday of the week in which the employee originally filed a claim that was denied  
14 as described in par. (b).

15 3. The employee shall be paid benefits in accordance with s 108.05 and shall  
16 retroactively pay any benefits to which the employee would have been entitled  
17 during the employee's benefit year described in subd. 2., except that the department  
18 shall waive the requirements under s. 108.04 (2) (a) 2. and 3. as needed to ensure that  
19 employees are eligible for retroactive payments as described in this subdivision. The  
20 employee may continue to receive benefits for any week after the effective date of this  
21 subdivision if the employee is eligible for benefits as provided under ch. 108.

22 (e) This subsection does not apply to an employee who has received any benefits  
23 subsequent to July 1, 2021.”.

24 (END)