State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-2154/1
ALL:all

2021 SENATE BILL 111

February 16, 2021 - Introduced by JOINT COMMITTEE ON FINANCE. Referred to Joint Committee on Finance.

AUTHORS SUBJECT TO CHANGE

AN ACT **relating to:** state finances and appropriations, constituting the executive budget act of the 2021 legislature.

Analysis by the Legislative Reference Bureau

INTRODUCTION

This bill is the executive budget bill under section 16.47 (1) of the statutes. It contains the governor's recommendations for appropriations for the 2021-23 fiscal biennium.

The bill sets the appropriation levels in chapter 20 of the statutes for the 2021-23 fiscal biennium. The descriptions that follow in this analysis relate to the most significant changes in the law that are proposed in the bill.

For additional information concerning the bill, see the Department of Administration's publication *Budget in Brief* and the executive budget books, the Legislative Fiscal Bureau's summary document, and the Legislative Reference Bureau's drafting files, which contain separate drafts on each policy item.

GUIDE TO THE BILL

The budget bill is organized like other bills. First, treatments of statutes appear in ascending numerical order of the statute affected. Next, any treatments of prior session laws appear ordered by the year of original enactment and then by act number (for instance, a treatment of 2017 Wisconsin Act 15 would precede a treatment of 2019 Wisconsin Act 6).

The remaining sections of the budget bill are organized by type of provision and, within each type, alphabetically by state agency. The first two digits of the four-digit

section number indicate the type of provision:

91XX Nonstatutory provisions.
92XX Fiscal changes.
93XX Initial applicability.
94XX Effective dates.

The remaining two digits indicate the state agency or subject area to which the provision relates:

XX01 Administration.
XX02 Agriculture, Trade and Consumer Protection.
XX03 Arts Board.
XX04 Building Commission.
XX05 Child Abuse and Neglect Prevention Board.
XX06 Children and Families.
XX07 Circuit Courts.
XX08 Corrections.
XX09 Court of Appeals.
XX10 District Attorneys.
XX11 Educational Communications Board.
XX12 Elections Commission.
XX13 Employee Trust Funds.
XX14 Employment Relations Commission.
XX15 Ethics Commission.
XX16 Financial Institutions.
XX17 Governor.
XX18 Health and Educational Facilities Authority.
XX19 Health Services.
XX20 Higher Educational Aids Board.
XX21 Historical Society.
XX22 Housing and Economic Development Authority.
XX23 Insurance.
XX24 Investment Board.
XX25 Joint Committee on Finance.
XX26 Judicial Commission.
XX27 Justice.
XX28 Legislature.
XX29 Lieutenant Governor.
XX30 Local Government.
XX31 Military Affairs.
XX32 Natural Resources.
XX33 Public Defender Board.
XX34 Public Instruction.
XX35 Public Lands, Board of Commissioners of.
XX36 Public Service Commission.

XX37 Revenue.
XX38 Safety and Professional Services.
XX39 Secretary of State.
XX40 State Fair Park Board.
XX41 Supreme Court.
XX42 Technical College System.
XX43 Tourism.
XX44 Transportation.
XX45 Treasurer.
XX46 University of Wisconsin Hospitals and Clinics Authority; Medical College of Wisconsin.
XX47 University of Wisconsin System.
XX48 Veterans Affairs.
XX49 Wisconsin Economic Development Corporation.
XX50 Workforce Development.
XX51 Other.

For example, for general nonstatutory provisions relating to the State Historical Society, see SECTION 9121. For any agency not assigned a two–digit identification number or any provision that does not relate to the functions of a particular agency, see number 51 (**Other**) within each type of provision. Separate section numbers and headings appear for each type of provision and for each state agency, even if there are no provisions included in that section number and heading.

Following is a list of the most commonly used abbreviations appearing in the analysis:

DATCP ... Department of Agriculture, Trade and Consumer Protection
DCF ..... Department of Children and Families
DFI ..... Department of Financial Institutions
DHS ..... Department of Health Services
DMA ..... Department of Military Affairs
DNR ..... Department of Natural Resources
DOA ..... Department of Administration
DOC ..... Department of Corrections
DOJ ..... Department of Justice
DOR ..... Department of Revenue
DOT ..... Department of Transportation
DPI ..... Department of Public Instruction
DSPS ..... Department of Safety and Professional Services
DVA ..... Department of Veterans Affairs
DWD ..... Department of Workforce Development
ETF ..... Department of Employee Trust Funds
JCF ..... Joint Committee on Finance
LRB ..... Legislative Reference Bureau
OCI ..... Office of the Commissioner of Insurance
PSC ..... Public Service Commission

SHS ..... State Historical Society
TCS ..... Technical College System
UW ..... University of Wisconsin
WEDC .... Wisconsin Economic Development Corporation
WHEDA .. Wisconsin Housing and Economic Development Authority
WHEFA ... Wisconsin Health and Educational Facilities Authority

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AGRICULTURE

Wisconsin Initiative for Agricultural Exports

The bill provides funding for DATCP to establish and administer the Wisconsin Initiative for Agricultural Exports to promote the export of the state's agricultural and agribusiness products.

Food security and Wisconsin products grant program

The bill allows DATCP to provide grants to food banks, food pantries, and other nonprofit organizations to purchase Wisconsin food products.

Small farm diversity grant program

The bill authorizes DATCP to provide grants to farmers that have been in operation for at least a year and that made less than $350,000 in gross cash farm income in the year before applying for a grant. Grants may be used to develop a new agricultural product or increase production of an agricultural product; to pay for start–up costs for new agricultural production operations; to research and develop new uses for food, feed, and fiber products; to develop on–farm processing of agricultural commodities; or to develop an agritourism venue. Grants must be for at least $5,000 but no more than $50,000.

In awarding grants, DATCP must give priority to applications that develop a business plan with market research and income projections; demonstrate a high probability of increased revenue, job creation, or enhanced viability; feature research that is innovative and commercially plausible; demonstrate a high probability of rapid commercialization; or demonstrate a commitment for funding from other private or public sources or from the applicant.

A grant recipient must provide matching funds of 30 percent of the amount of the grant and must submit annual reports to DATCP documenting grant money expenses and results.

Value–added agricultural practices; technical assistance and grants

The bill allows DATCP to provide education and technical assistance related to producing value–added agricultural products. Under the bill, DATCP may provide education and assistance related to organic farming practices; collaborate with organic producers, industry participants, and local organizations that coordinate organic farming; and stimulate interest and investment in organic production.

The bill also allows DATCP to provide grants to organic producers, industry participants, and local organizations, which may be used to provide education and technical assistance related to organic farming, to help create organic farming plans, and to assist farmers in transitioning to organic farming.

The bill authorizes DATCP to provide grants to entities to provide education and training to farmers about best practices related to grazing. DATCP is also authorized under the bill to help farmers market value–added agricultural products.

Conservation grants

The bill requires DATCP to award grants to develop and provide education and training to farmers about best practices related to grazing and pasture maintenance and to provide cost–sharing incentive payments to farmers to develop and adopt regenerative agricultural practices. DATCP may not allocate more than $320,000 for these grants in any single fiscal year.

Nitrogen optimization pilot program

The bill requires DATCP to create a nitrogen optimization pilot program, under which DATCP awards grants to farmers to implement a project that has the potential to reduce nitrate loading to groundwater in the area. The farmer must collaborate with the College of Agricultural and Life Sciences at the University of Wisconsin–Madison, the Center for Watershed Science and Education at the University of Wisconsin–Stevens Point, or the University of Wisconsin–Extension.

The bill requires the collaborating university to monitor a grant project on–site and to use information gathered from grant projects to research nitrate loading reduction methods, with a goal of making recommendations to agricultural producers on optimizing nitrogen usage while improving water quality in this state.

The bill limits the total amount of a grant to both a farmer and the collaborating university to $125,000. No more than 50 percent of this total amount may be awarded to the collaborating university.

Regenerative agriculture practices grant program

The bill requires DATCP to award grants to provide cost–sharing for conducting soil tests and other carbon sequestration analyses; updating nutrient management software; studying the feasibility of a statewide carbon market; assessing the market value of carbon sequestration; and, for agricultural producers, implementing regenerative agricultural practices. DATCP may not allocate more than $370,000 for these grants in any single fiscal year.

In conjunction with providing these grants, DATCP must also evaluate the accuracy and efficiency of existing tools that calculate carbon credits generated by producer–led watershed protection grant recipients; identify opportunities and facilitate groups of agricultural producers to work together to generate carbon credits; provide technical assistance to farmers and agricultural agencies and professionals regarding carbon credit generation to help them choose whether to collaborate with carbon credit project developers in the future; study the feasibility of a statewide carbon market; and assess the market value of carbon sequestration.

Technical assistance for resource conservation

The bill creates a resource conservation technical assistance program in DATCP for providing technical assistance to farmers related to increasing or maintaining agricultural yields while promoting soil health, water quality, and regenerative agricultural practices and for providing grants to local governments,

nongovernmental organizations, federally recognized American Indian tribes or bands, businesses, and individuals.

Grants for hiring farm business consultants

The bill authorizes DATCP to provide grants to county agriculture agents of the UW–Extension to help farm operators hire business consultants and attorneys to examine their farm business plans and help them create farm succession plans.

Farm to School program: preference to districts with high free or reduced-price meal eligibility

Current law requires DATCP to promote farm to school programs, which connect schools with nearby farms to provide children with locally produced foods in school meals. The bill requires that in awarding grants under the farm to school program DATCP must give preference to school districts that have a high percentage of students who are eligible for free or reduced–price meals under federal law.

Farm to Fork grant program

The bill creates a farm to fork program, similar to the existing farm to school program. Under the program, DATCP may provide grants to entities (other than school districts) that have cafeterias to connect them to nearby farms to provide locally produced foods in meals and snacks, to help the public develop healthy eating habits, to provide nutritional and agricultural education, and to improve farmers' incomes and direct access to markets.

Grants for meat processing facilities

The bill allows DATCP to award grants to meat processing facilities for the purpose of promoting the growth of the meat industry in this state.

Meat processing tuition grants

The bill requires DATCP to provide grants to universities, colleges, and technical colleges to reimburse tuition costs of students enrolled in a meat processing program. Each tuition reimbursement covers up to 80 percent of the tuition cost for enrolling in a meat processing program, limited to a maximum reimbursement of $7,500.

Farmland preservation implementation grants

The bill authorizes DATCP to award grants to counties to implement a certified county farmland preservation plan.

Grants for rural business and economic development

Current law allows DATCP to use certain funds to make loans for the development of rural businesses or rural economic development. The bill allows DATCP to also use these funds to provide grants for this purpose.

Grants for food waste reduction pilot projects

The bill requires DATCP to provide grants for food waste reduction pilot projects that have an objective of preventing food waste, redirecting surplus food to hunger relief organizations, and composting food waste. Under the bill, DATCP must give preference to grant proposals that serve census tracts for which the median household income is below the statewide median household income and in which no grocery store is located.

County land conservation staff for climate change activities

Under current law, as part of the soil and water resource management program, DATCP provides funding to counties for county conservation staffing. Current law specifies the activities in which county conservation staff may engage with funding provided under this program. The bill provides that this program may be used to fund county conservation staff who focus on climate change and climate change resiliency. The bill also creates an appropriation specifically for this purpose. A county that seeks funding for this purpose must specifically indicate as such in its annual grant request.

Concentrated animal feeding operations

Under current law, a person who operates a concentrated animal feeding operation (CAFO) must have a Wisconsin Pollutant Discharge Elimination System (WPDES) permit from DNR. A CAFO is a livestock operation that contains at least 1,000 animal units, that discharges pollutants into a navigable water, or that contaminates a well. Current law requires a CAFO operator with a WPDES permit to pay an annual fee of $345 to DNR. The bill increases the amount of this annual fee to $545. The bill also requires a CAFO operator applying for a new WPDES permit to pay a $3,270 application fee.

Water stewardship certification

The bill creates a grant program for DATCP to provide grants to reimburse the costs for agricultural producers to apply for a certification of water stewardship from the Alliance for Water Stewardship. The grants must be made directly to the producer, and may not be used to pay the costs of operational changes needed to achieve certification.

Planning grants for establishing regional biodigesters

Under the bill, DATCP must provide planning grants for establishing regional biodigesters in the state. Biodigesters are used to break down organic material into gas, liquids, and solids.

Reauthorizing State Fair Park Board rulemaking authority

The bill authorizes the State Fair Park Board to promulgate rules governing the use of State Fair Park. Under current law, the board may not promulgate rules unless a law specifically authorizes the board to do so.

Bonding for soil and water resource management

The bill increases the general obligation bonding authority for the soil and water resource management program by $7,000,000. The program, which is administered by DATCP, awards grants to counties to help fund their land and water conservation activities.

Appropriation limit for the producer-led watershed protection grant program

DATCP administers the producer–led watershed protection grant program, which provides grants to groups of farmers in the same watershed to implement nonpoint source pollution abatement activities. Under current law, DATCP may not allocate more than $750,000 per fiscal year for this program. The bill increases that maximum amount to $1,000,000.

Transfer of funds

The bill transfers $466,500 in fiscal year 2021–22 from the general fund to the DATCP appropriation used for dog licensing, rabies control programs, and other related services.

COMMERCE AND ECONOMIC DEVELOPMENT

Business organization and financial institutions

Implementation by DFI of section 529A ABLE savings account program

The bill requires DFI to implement a qualified ABLE program under section 529A of the Internal Revenue Code allowing tax–exempt accounts for qualified expenses incurred by individuals with disabilities.

Under current federal law, states may create a qualified Achieving a Better Life Experience program under which an individual may establish a tax–exempt savings account to pay for qualified expenses, such as education, housing, and transportation costs, for a beneficiary who is an individual with disabilities, as defined under federal law. Although these accounts, commonly referred to as "ABLE accounts" or "section 529A accounts," cannot be established under this state's law, they can be established under another state's law, and if so established, withdrawals from these accounts for payment of qualified disability expenses for the account beneficiary are exempt from taxation in this state.

The bill requires DFI to implement and administer a qualified ABLE program, either directly or by entering into an agreement with another state or alliance of states to establish an ABLE program or otherwise administer ABLE program services for the residents of this state. DFI must, within approximately nine months, determine whether implementing the ABLE program directly or by entering into an agreement is the best option for this state's residents. If DFI enters into an agreement, the agreement may require the party contracting with DFI to do any of the following: 1) develop and implement an ABLE program in accordance with all requirements under federal law and modify the ABLE program as necessary for participants to qualify for federal income tax benefits; 2) contract for professional and technical assistance and advice in developing marketing plans and promotional materials to publicize the ABLE program; 3) work with organizations with expertise in supporting people with disabilities and their families in administering the agreement and ensuring accessibility of the ABLE program for people with disabilities; or 4) take any other action necessary to implement and administer the ABLE program. The bill also requires DFI to provide on its website information concerning ABLE accounts.

Children's savings and investment program

The bill requires DFI to collaborate with one or more philanthropic organizations to develop a statewide children's savings and investment program, funded and administered by the philanthropic organization or organizations. The program must allow the balance of an account established under the program to be transferred to a College Savings Program (commonly known as Edvest) account.

Fees for licensed securities industry participants

The bill increases certain securities–related fees paid to DFI.

Current law generally requires a securities broker–dealer and a person who represents a broker–dealer or issuer in securities transactions (securities agent) to be licensed, and generally requires an investment adviser and an investment adviser representative to be licensed, before transacting business in this state. Broker–dealers and investment advisers must pay to DFI initial and renewal license fees of $200. Securities agents and investment adviser representatives must pay to DFI initial and renewal license fees of $80. Although an investment adviser registered with the federal Securities and Exchange Commission (federal covered adviser) is not required to be licensed by DFI, it must pay to DFI an initial and renewal notice filing fee of $200. In addition, broker–dealers and investment advisers, including federal covered advisers, that maintain a branch office in this state must pay a filing fee of $80 for each branch office.

The bill increases each of these fees, from $200 to $300 and from $80 to $100.

Notary public application fees

Under current law, any U.S. resident who is licensed to practice law in this state is entitled to a permanent commission as a notary public upon application to DFI and payment of a $50 fee. In addition, any U.S. resident who is at least 18 years of age and who is not an attorney may file an application with DFI for a four–year appointment as a notary public and must pay a $20 application fee. The bill increases the application fee for attorneys from $50 to $100 and increases the application fee for nonattorneys from $20 to $40.

Information related to public service loan forgiveness programs

The bill requires DFI to collect, maintain, and make available information regarding student loan forgiveness programs available to employees of the state or a local unit of government.

Worker misclassification information

The bill requires DFI to provide informational materials and resources on worker misclassification to each person who files with DFI documents forming a business corporation, nonstock corporation, limited liability company, limited liability partnership, or limited partnership.

New DFI appropriations

The bill creates the following DFI appropriations: 1) a program revenue appropriation that allows DFI to expend federal moneys received by DFI for the purposes for which the federal moneys were received; and 2) a program revenue appropriation that allows DFI to expend moneys received by DFI from other state agencies or from within DFI for the purpose of administering programs or projects for which the moneys were received.

COMMERCE

Changing the minimum age for cigarettes, tobacco products, and nicotine products; imposing a minimum age for vapor products

The bill changes the age for purchasing cigarettes, tobacco products, or nicotine products from 18 to 21, and imposes the same minimum age for purchasing vapor products. Nicotine products are products that contain nicotine and that are not tobacco products, cigarettes, or products that have been approved by the federal Food

and Drug Administration for sale as a smoking cessation product. Tobacco products include products such as cigars, chewing tobacco, and smoking tobacco. Vapor products are noncombustible products that produce a vapor or aerosol for inhalation from the application of a heating element, regardless of whether the liquid or other substance contains nicotine.

Currently, no person under the age of 18 may purchase, attempt to purchase, possess, or falsely represent his or her age for the purpose of receiving any cigarette, nicotine product, or tobacco product with certain limited exceptions. Current law also prohibits any person from purchasing cigarettes, tobacco products, or nicotine products on behalf of a person who is under the age of 18 and subjects that purchaser to a penalty. Current law also prohibits a person from delivering a package of cigarettes unless the person making the delivery verifies that the person receiving the package is at least 18 years of age. The bill changes these ages from 18 to 21. The bill similarly prohibits the purchase of vapor products by or on behalf of a person who is under the age of 21.

Current law prohibits a retailer, manufacturer, distributor, jobber, subjobber, or independent contractor or an employee or agent of any of these persons from selling or providing cigarettes or tobacco or nicotine products to an individual who is under the age of 18 and from providing cigarettes or tobacco or nicotine products to any person for free unless the cigarettes or products are provided in a place where persons under 18 years of age are generally not permitted to enter. Current law also prohibits a retailer or vending machine operator from selling cigarettes or tobacco or nicotine products from a vending machine unless the retailer or vending machine operator ensures that no person under 18 years of age is present on or permitted to enter the premises in which the machine is located. The bill changes these ages from 18 to 21. The bill similarly prohibits the sale or provision of vapor products to a person who is the age of 21.

Retailer license requirement for vapor product sellers

The bill requires a person who sells vapor products to obtain an annual cigarette and tobacco products retailer license from the clerk of the city, village, or town in which the retailer is located.

Restrictions on placement of cigarettes, nicotine products, or tobacco products

The bill allows a retailer to place cigarettes, nicotine products, or tobacco products only in locations that are inaccessible to customers without the assistance of the retailer or the retailer's employee or agent, such as behind the counter or in a locked case. The bill's restriction does not apply to 1) cigarettes, nicotine products, or tobacco products sold in a vending machine; 2) a retail location that generates 75 percent or more of its revenue from sales of cigarettes, nicotine products, or tobacco products, as long as the retail location prohibits anyone under the age of 21 from entering without a parent, guardian, or spouse who has reached that age; or 3) cigars that are placed in a separate, humidity–controlled room in a retail location if the entrance to the room is visible, either directly or by video surveillance, from the check–out area and no person under the age of 21 is permitted to enter the room

without a parent, guardian, or spouse who has reached that age. Current law imposes restrictions on sales from a vending machine that the bill does not affect.

A retailer who violates the bill's restriction is subject to the same penalties that apply to violations of other restrictions that apply to retailers of cigarettes or tobacco products, including 1) a forfeiture of not more than $500, if the retailer has not committed a previous violation within 12 months; 2) a forfeiture of not less than $200 nor more than $500, if the retailer has committed a previous violation within 12 months; and 3) suspension of the retailer's license for a period of time that depends on the number of previous violations committed by the retailer.

The bill also allows a first class city, which currently includes only Milwaukee, to suspend, revoke, or refuse to renew a cigarette and tobacco products retailer license if the retailer violates the bill's restriction, by following the complaint and hearing procedure that exists under current law for certain other violations and activities.

Unfair drug pricing practices and fraudulent drug advertising

The bill prohibits unfair drug pricing practices, which are defined as drug pricing practices that cause substantial injury to consumers that is not outweighed by countervailing benefits to consumers or to competition. Under the bill, DATCP and district attorneys may seek injunctions in circuit court to restrain violations of the prohibition, and DATCP may investigate alleged violations and promulgate rules related to the prohibition.

The bill also authorizes DATCP to promulgate rules to enforce prohibitions against fraudulent drug advertising. Current law generally prohibits a person from making untrue, deceptive, or misleading representations about the effects of a drug or making representations about the effects of a drug unless it is lawfully marketed under federal law.

Prohibiting discrimination in broadband and broadband subscriber rights

The bill prohibits a broadband service provider from denying access to a group of potential residential customers because of their race or income. Under the bill, DATCP has authority to enforce the prohibition and to promulgate related rules. The bill also authorizes any person affected by a broadband service provider who violates the prohibition to bring a private action.

The bill also establishes various requirements for broadband service providers, including requiring them to 1) provide service satisfying minimum standards established by PSC and allow subscribers to terminate contracts if broadband service fails to satisfy those standards; 2) provide service as described in advertisements or representations made to subscribers; 3) repair broadband service within 72 hours after a subscriber reports an interruption that is not the result of a major system–wide or large area emergency; 4) give subscribers credit for interruptions of broadband service that last more than 4 hours in a day; and 5) give subscribers at least 30 days' advance written notice before instituting a rate increase.

The bill also requires each internet service provider in this state to register with PSC.

Extended closing hours during special events

Under current law, with limited exceptions, no person may sell alcohol beverages to a consumer unless the seller possesses a license or permit authorizing the sale. A Class "B" license authorizes the retail sale of fermented malt beverages (beer) for consumption on or off the premises. A "Class B" license authorizes the retail sale of intoxicating liquor, which includes wine and distilled spirits, for consumption on the licensed premises and, subject to restrictions, the retail sale of intoxicating liquor in original packages for consumption off the licensed premises. A "Class C" license, which may be issued only for a restaurant, authorizes the retail sale of wine for consumption on the premises. A retailer operating under a Class "B," "Class B," or "Class C" license may not remain open between the hours of 2 a.m. and 6 a.m. on weekdays or between 2:30 a.m. and 6 a.m. on Saturday and Sunday.

The bill allows a municipality to designate by ordinance a special event lasting fewer than eight consecutive days during which closing hours for premises that obtain a special event permit from the municipality and that are operating under a Class "B," "Class B," or "Class C" license in the municipality are extended. Under the bill, the municipality may extend the closing hour for such premises to no later than 4 a.m. during the special event. A municipality may not designate more than four special events in a calendar year.

Sales of alcohol beverages at State Fair Park

The bill allows a person approved by the State Fair Park Board to sell, without a license or permit, alcohol beverages for consumption at the state fair park. The bill specifies that the State Fair Park Board may not grant such approval unless the person meets certain eligibility requirements applicable to retail licensees and that such approval is also required for retail sales by brewers and brewpubs at State Fair Park.

DOR publication of list of alcohol beverage retail licensees

The bill requires DOR to publish a list of retail licensees on DOR's website. Under current law, DOR issues alcohol beverage permits and municipalities issue alcohol beverage licenses. Each municipality must annually provide DOR with a list of the municipality's retail licensees, including name, address, and type of license. The bill requires DOR to publish this list on DOR's website.

ECONOMIC DEVELOPMENT

WEDC venture capital fund of funds program

The bill directs WEDC to establish and administer a fund of funds program to invest in venture capital funds that invest in Wisconsin businesses. The bill requires WEDC to create a fund of funds that will continuously reinvest its assets and to create an oversight board whose duties include contracting with an investment manager.

The bill directs the oversight board to establish investment policies for the program. Under the bill, the program's moneys must be committed for investment to venture capital funds no later than 60 months after the fund of funds is created and no more than $25,000,000 may be invested in any single venture capital fund. The bill requires that at least 20 percent of the investments made through the

program be directed to businesses located in parts of the state that typically do not receive significant venture capital fund investment, minority–owned businesses, and women–owned businesses. The bill prohibits any investment in lobbying and law firms.

Under the bill, the investment manager must contract with each venture capital fund that receives moneys through the program. The contract must require the venture capital fund to do all of the following:

1. Make new investments in an amount equal to the moneys it receives through the program in businesses who are headquartered, and whose operations are primarily, in Wisconsin.

2. At least match the amount it receives through the program and invests in a business with an investment in that same business of moneys from sources other than the program. The investment manager must ensure that, on average, for every $1 a venture capital fund receives through the program and invests in a business, the venture capital fund invests $2 in that business from sources other than the program.

3. Provide the investment manager with the information necessary to complete the reports described below.

The bill requires the investment manager to annually submit to WEDC an audit of the investment manager's financial statements, the rate of return from investments made through the program, and information on each venture capital fund participating in the program and business in which investment were made. WEDC must submit this information to the legislature. The bill also requires the investment manager to submit quarterly reports to the oversight board.

Changes to the state main street program

Under current law, WEDC is required to establish and administer a state main street program to coordinate state and local participation in programs offered by the national main street center to assist municipalities in planning, managing, and implementing programs for the revitalization of commercial areas having historical significance. Under the current state main street program, WEDC is required to do all of the following:

1. Contract with the national main street center for services related to revitalizing commercial areas having historical significance.

2. Develop a plan describing the objectives of the state main street program and the methods by which WEDC will carry out certain responsibilities specified by law.

3. Coordinate with other state and local public and private entities in relation to the state main street program.

4. Annually select, upon application, up to five municipalities to participate in the state main street program. The program for each municipality concludes after five years. The corporation is required to select program participants representing various geographical regions and populations.

5. Develop objective criteria for use in selecting participants in the state main street program.

6. Provide training, technical assistance, and information on the revitalization of commercial areas that have historical significance to municipalities not participating in the state main street program.

7. Annually expend at least $250,000 annually on the state main street program.

The bill substantially replaces WEDC's duties under the state main street program and instead requires WEDC, in accordance with guidelines of the national main street center, to assist municipalities in planning, managing, and implementing programs for the revitalization of downtown areas and historic commercial districts, including by doing all of the following:

1. Assisting communities in restoring and retaining the historic character of their downtown areas and historic commercial districts.

2. Promoting business investment, assisting in retaining existing small businesses, and promoting new businesses in downtown areas and historic commercial districts.

3. Assisting in strengthening the local tax base.

4. Assisting in the creation of employment opportunities in downtown areas and historic commercial districts.

5. Enhancing the economic viability of downtown areas and historic commercial districts.

The bill also requires WEDC to annually select, upon application, up to five new municipalities to participate in the state main street program, but a municipality's participation in the program is not limited to five years. The bill continues to require the corporation to provide related training, technical assistance, and information to municipalities not participating in the state main street program.

Finally, under the bill, WEDC is no longer required to expend up to $250,000 annually on the state main street program.

Wage thresholds for business development and enterprise zone tax credits

The bill raises the minimum wage thresholds for the business development and enterprise zone tax credits for businesses that enter into contracts with WEDC after December 31, 2021. Under current law, WEDC may certify businesses that engage in qualifying activities, including full–time job creation and retention, to claim the credits. One requirement for claiming either credit is that the business enter into a contract with WEDC. In its contracts, WEDC uses a definition of "full–time employee" that means an individual who, among other things, is paid at least 150 percent of the federal minimum wage. The bill changes this minimum wage threshold to $27,900 for the business development tax credit and to $27,900 in a tier I county or municipality and $37,000 in a tier II county or municipality for the enterprise zone tax credit, with all these amounts adjusted annually for inflation. Additionally, under current law, the enterprise zone tax credit is partially based on the wages paid to zone employees that are at least 150 percent of the federal minimum wage in a tier I county or municipality or $30,000 in a tier II county or municipality. The bill changes these thresholds to $27,900 and $37,000, with both amounts adjusted annually for inflation.

The bill also modifies the maximum wage earnings limit for businesses that enter into contracts with WEDC after December 31, 2021. Under current law, the maximum wage earnings that may be considered per employee for the enterprise zone tax credit is $100,000. The bill increases this amount to $123,000, which is adjusted annually for inflation, and establishes the same dollar amount limit for the business development tax credit.

Designation of enterprise zones

Current law allows WEDC to designate an unlimited number of enterprise zones, with each designation subject to approval by JCF under passive review. Current law also provides that an enterprise zone expires after 12 years and, upon such expiration,WEDC may designate a new zone subject to JCF approval.

The bill authorizes WEDC to designate up to 30 enterprise zones and repeals the requirement that WEDC receive approval from JCF. Under the bill, WEDC may cancel the designation of an enterprise zone if WEDC revokes the certifications for all tax benefits within the zone and may designate a new zone after the cancellation. The bill also provides that if an enterprise zone expires under the contract with the business certified to claim tax benefits, WEDC may designate a new zone, and WEDC is provided this authority on a retroactive basis.

Financial assistance for underserved communities

The bill requires WEDC to expend $5,000,000 annually to provide grants, loans, and other assistance to underserved communities in Wisconsin, including members of minority groups, woman–owned businesses, and individuals and businesses in rural areas.

Funding for regional economic development organizations to assist with pandemic recovery

The bill appropriates $8,000,000 to WEDC in the 2021–22 fiscal year to provide funding to organizations focused on local or regional economic development in this state for the purpose of assisting Wisconsin businesses and nonprofits in their recovery from the COVID–19 global pandemic.

Small business pandemic recovery

The bill requires WEDC to aid in Wisconsin's economic recovery from the COVID–19 global pandemic by providing financial assistance to small businesses adversely affected by the pandemic, including for the retention of current employees and the rehiring of former employees. The bill requires WEDC to coordinate with DOR as necessary to administer the aid.

Creative economy development initiative grants

The bill authorizes the Arts Board to award grants on a competitive basis in the 2021–23 fiscal biennium to businesses, whether operated for profit or not for profit, local governmental agencies, and business development organizations or associations that work to promote any of the following in Wisconsin:

1. Individuals or organizations whose products or services have an origin in artistic, cultural, creative, or aesthetic content.
2. Job creation.
3. Economic development.

4. Arts education.

5. Workforce training and development.

Under the bill, such a grant may not exceed $40,000, and the bill prohibits the Arts Board from awarding a grant unless the proposed grant recipient has secured from nonstate sources an amount equal to at least twice the amount of the proposed grant. Under the bill, the Arts Board may award up to a total of $500,000 in such grants during the 2021–23 fiscal biennium.

Finally, the bill requires the Arts Board to submit a report to JCF by May 1, 2023, regarding the effectiveness of the grants.

WHEDA investment in small businesses

The bill authorizes WHEDA to annually invest up to $1,000,000 of its general funds in businesses and startup companies that, among other conditions, have fewer than 50 full–time employees or gross annual sales of less than $5,000,000. Under current law, WHEDA may not invest more than $1,000,000 in total in these entities, and the entities must, among other conditions, have fewer than 25 full–time employees or gross annual sales of less than $2,500,000.

Cooperative feasibility grants

The bill directs WEDC, for each year of the 2021–23 fiscal biennium, to award up to $200,000 in grants for cooperative feasibility studies. The bill requires WEDC to make the awards in consultation with the Cooperative Network.

Tribal economic development

The bill requires WEDC to establish and administer programs that promote small business economic development benefitting American Indian tribes or bands in the state.

Energy efficiency and renewable energy project expenditures for the business development tax credit

The bill adds a new category of expenditures that qualify for the business development tax credit. Under current law, WEDC may award the tax credit to a certified business based on its qualifying expenses related to job creation and retention, employee training, capital investment, and corporate headquarters location or retention in Wisconsin. Under the bill, WEDC may also award the tax credit on the basis of a certified business's energy efficiency or renewable energy project expenditures. The credit is up to 25 percent of the expenditures, with WEDC directed under the bill to ensure that the percentage of expenditures taken into account positively correlates to the scale of the project. The bill applies to credits awarded after December 31, 2021.

Modifications to brownfield grant program

Under current law, WEDC administers a brownfields grant program and a brownfield site assessment grant program to provide grants for developing property adversely impacted by environmental contamination and conducting related activities. One condition for awarding a grant is that the person who caused the environmental contamination and, for the brownfields grant program, any person who possessed or controlled the contaminant prior to its release must be unknown, unable to be located, or financially unable to pay remediation or other specified costs.

Under the bill, this condition does not apply if WEDC determines that the case has received sufficient closure from DNR. The bill specifies that a brownfields grant recipient may not be the party who caused the environmental contamination, which is a condition that already applies to brownfield site assessment grant recipients under current law. The bill also provides that, when making a grant under the brownfields grant program, WEDC must consult with DNR, rather than consider DNR's recommendations as required under current law.

Financing working capital costs of certain nonprofit institutions

Under current law, WHEFA may issue bonds to finance certain projects of health, educational, research, and other nonprofit institutions. The bill authorizes WHEFA to issue bonds for the purpose of financing such institutions' working capital costs.

Business development tax credit changes

Under current law, the tax benefits WEDC may award to a person certified under the business development tax credit program include an amount equal to up to 50 percent of the person's training costs incurred to undertake activities to enhance an eligible employee's general knowledge, employability, and flexibility in the workplace; to develop skills unique to the person's workplace or equipment; or to develop skills that will increase the quality of the person's product. Under the bill, that criterion for awarding business development tax credits is changed to an amount equal to up to 50 percent of the person's training costs incurred to undertake activities to upgrade or improve the job–related skills of an eligible employee, train an eligible employee on the use of job–related new technologies, or provide job–related training to an eligible employee whose employment with the person represents the employee's first full–time job.

Also, under current law, the tax benefits WEDC may award to a person certified under the business development tax credit program include an amount determined by WEDC that is equal to a percentage of the amount of wages that the person paid to an eligible employee in the taxable year, if the position in which the eligible employee was employed was created or retained in connection with the person's location or retention of the person's corporate headquarters in Wisconsin and the job duties associated with the eligible employee's position involve the performance of corporate headquarters functions. Under the bill, WEDC may award business development tax credits under that criterion regardless of whether the job duties associated with the eligible employee's position involve the performance of corporate headquarters functions.

Base year for the enterprise zone tax credit

The bill modifies the definition of "base year" for purposes of the enterprise zone tax credit. The amount of the credit for job creation or retention depends, in part, on the number of the business's employees in the taxable year as compared to the number of employees in the base year. Current law defines "base year" to mean the taxable year beginning during the calendar year prior to the calendar year in which the enterprise zone was created. For businesses that enter into contracts with WEDC after December 31, 2021, the bill defines "base year" as the 12–month period prior to the date on which the claimant was certified to claim the tax credit.

Information sharing between WEDC and DOR

The bill allows WEDC and DOR to enter into an agreement under which WEDC may obtain copies of tax returns and related documents from DOR. The bill also authorizes WEDC to examine tax returns and related documents held by DOR to the extent necessary to administer WEDC's economic development programs. Under current law, WEDC's examination authority is limited to the development zone program.

Modifications to WEDC reporting requirements

The bill modifies WEDC's reporting requirements to the legislature. First, the bill alters the requirement that WEDC, prior to the beginning of each calendar year, report to the legislature on the economic development projects it intends to develop and implement during the year. Under the bill, the reporting period is the fiscal year, not the calendar year. Second, the bill repeals the requirement that WEDC report to the legislature on the economic development tax credit program. This program ended in 2015, and tax year 2019 is the final year for which taxpayers may claim the credit under contracts with WEDC.

Increase to WEDC GPR appropriation

The bill increases from $16,512,500 per fiscal year under current law to $25,012,500 in the 2021–22 fiscal year and $20,012,500 in the 2022–23 fiscal year the amount WEDC may expend from its GPR appropriation for its economic development programs.

Changes to WEDC's appropriation from the economic development fund

Current law appropriates moneys to WEDC from the economic development fund for WEDC's operations and to fund its economic development programs. An economic development surcharge administered by DOR funds the economic development fund. Currently, the total amount WEDC may expend from the economic development fund is limited to surcharge amounts deposited into the fund by DOR and is limited by the amount of moneys appropriated from the fund to DOR for purposes of administering the economic development surcharge.

Under the bill, WEDC may expend all moneys from the economic development fund not expended by DOR for purposes of administering the economic development surcharge. Those moneys include interest and earnings of the fund and unencumbered amounts lapsed to the fund at the end of each fiscal year from DOR's annual appropriation for administration of the economic development surcharge.

TOURISM

American Indian tourism marketing

The bill requires DOA to award an annual grant to the Great Lakes Inter–Tribal Council to provide funding for a program to promote tourism featuring American Indian heritage and culture. The bill also transfers from the Department of Tourism to DOA a contract between the Great Lakes Inter–Tribal Council and the Department of Tourism that relates to the promotion of tourism featuring American Indian heritage and culture.

Mass burial monument at UW–Stevens Point

The bill appropriates $100,000 to the Arts Board to provide a grant to a Native American artist through the Wisconsin Woodland Indian Art Initiative for the design, production, and installation on the UW–Stevens Point campus of a permanent marker in recognition of the Native Americans who died due to a scarlet fever epidemic.

New PR-S appropriation

The bill creates a new appropriation for the Department of Tourism to expend moneys the department receives from other state agencies for the purposes for which those moneys are received.

CORRECTIONAL SYSTEM

ADULT CORRECTIONAL SYSTEM

Extended supervision

Under current law, when a person is sentenced to prison, the person is given a bifurcated sentence, with the first portion of the sentence served in confinement in prison and the second portion of the sentence served in the community on extended supervision. DOC may not discharge a person from extended supervision until the entire term of the bifurcated sentence is completed. Under certain circumstances, the sentencing court may reduce the confinement portion of the bifurcated sentence, but current law does not allow the sentencing court to reduce the period of extended supervision. The bill allows the sentencing court to reduce the term of a person's extended supervision if all of the following apply:

1. The person has served the lesser of three years or 50 percent of the term of extended supervision without violating the conditions and rules of supervision.

2. The person has met all of his or her financial obligations to the victim of the crime.

3. The person is not required to register as a sex offender and is serving a sentence for a crime that is not a crime against life or bodily security or a specified crime against a child.

Earned compliance credit

The bill creates an earned compliance credit for time spent on extended supervision or parole. Under current law, a person's extended supervision or parole may be revoked if he or she violates a condition of the extended supervision or parole. If extended supervision or parole is revoked, the person is returned to prison for an amount of time up to the length of the original sentence, less any time actually served in confinement and less any credit for good behavior. Under current law, when extended supervision or parole is revoked, the time spent on extended supervision or parole is not credited as time served under the sentence.

Under the bill, an eligible inmate receives an earned compliance credit for time served on extended supervision or parole. The earned compliance credit equals the amount of time served on extended supervision or parole without violating any conditions or rules of extended supervision or parole. Under the bill, a person is eligible to receive the earned compliance credit only if the person is not required to register as a sex offender and is serving a sentence for a crime that is not a specified

violent crime or a specified crime against a child. Under the bill, if a person's extended supervision or parole is revoked, he or she may be incarcerated for up to the length of the original sentence, less any credit for time served in confinement, any credit for good behavior, and any earned compliance credit.

Revocation of probation, parole, or extended supervision

Under current law, if a person violates a condition or rule of probation, parole, or extended supervision, the Division of Hearings and Appeals (DHA) in DOA, or DOC if a hearing is waived, may revoke that person's probation, parole, or extended supervision and return the person to confinement. Under the bill, a person's probation, parole, or extended supervision may not be revoked for a rule violation unless one of the following conditions is met:

1. The person committed three or more independent rule violations during his or her term of probation, parole, or extended supervision.

2. The person violated a condition prohibiting contact with a specified individual.

3. The person is a registered sex offender.

4. When the person committed the rule violation, the person also allegedly committed a crime.

5. The person failed to report for supervision for more than 60 consecutive days.

Sanctions for violating a condition or rule of probation, parole, or extended supervision

Under current law, if a person admits to violating a rule or condition of probation, parole, or extended supervision, DOC may sanction the person with imprisonment for up to 90 days instead of revoking probation, parole, or extended supervision. The bill changes the sanction procedure.

Under the bill, if the person does not admit to committing the rule violation, DHA holds a hearing on the violation. If DHA determines that the person committed the violation, DHA may sanction the person with imprisonment for up to 30 days, or up to 90 days if the rule violation meets the grounds for revocation. Under the bill, if the person admits to the alleged rule violation, DOC may impose the 30–day or 90–day sanction without a hearing.

Earned release

Under current law, an eligible inmate may earn early release to parole or extended supervision by successfully completing a substance abuse program. An inmate is eligible for earned release only if the inmate is serving time for a crime that is not a violent crime and, for an inmate who is serving a bifurcated sentence, the sentencing court determines that the inmate is eligible.

The bill expands the earned release program to include educational, vocational, treatment, or other qualifying training programs that are evidence–based to reduce recidivism. The bill also provides that DOC, not the sentencing court, determines eligibility for all inmates.

Reports

The bill requires DOC to submit the following annual reports to the governor, the legislature, and the director of state courts:

1. A report on early discharges from extended supervision and the reduction in incarceration due to the earned compliance credit.

2. A report on the expanded earned release program.

3. A report on revocation of parole, extended supervision, and probation.

Each of these annual reports is required to include an accounting of the cost savings resulting from the relevant programs under the bill. The bill requires DOC use the amount of the cost savings reported to pay for the extended supervision, earned release, and revocation programs under the bill.

The bill also requires DOC to conduct a onetime review and report to the governor, the legislature, and the director of state courts on all of the following:

1. The efficacy of DOC's standard conditions and rules of supervision.

2. DOC's evidence–based risk assessment tool.

3. DOC's training of community supervision officers.

4. The aging and elderly population in Wisconsin's prisons and possible options for alternatives to prison for that population.

Reduction of mandatory minimum sentences

Under current law, a sentencing court may reduce the confinement portion of a bifurcated sentence if the inmate qualifies for a sentence adjustment, earned release, or compassionate release.

In *State v. Grazma*, 2020 WI App 100, the Wisconsin Court of Appeals limited the sentencing court's ability to reduce the confinement portion of a bifurcated sentence if the person was serving a sentence for a crime that carried a mandatory minimum term of confinement. The court held that under the earned release program, an inmate's term of confinement may not be reduced below an applicable mandatory minimum sentence. The bill specifies that an inmate's term of confinement may be reduced below a mandatory minimum if the inmate qualifies for a reduction based on a sentence adjustment, earned release, or compassionate release.

Sentencing for youthful offenders

Under current law, a person who is under the age of 17 and is alleged to have violated a criminal law is generally under the jurisdiction of the juvenile court and, upon being adjudged delinquent of such an act, is subject to one of the dispositions under the Juvenile Justice Code. However, a person who is age 10 or older who is alleged to have committed certain crimes may be under the jurisdiction of the criminal court and, upon conviction, subject to sentencing under the criminal code.

The bill creates a sentence adjustment procedure for a "youthful offender," defined under the bill as a person who committed a crime before he or she turned 18 years old and is subject to sentencing by the criminal court. The bill prohibits a court from sentencing a youthful offender to life imprisonment without the possibility of parole or release to extended supervision, and creates new mitigating factors in the sentencing criteria when sentencing a youthful offender. Finally, the bill eliminates statutory mandatory life sentences without parole for youthful offenders in order to align with federal constitutional law.

Under current law, an inmate can petition to reduce the confinement portion of his or her bifurcated sentence after serving a certain proportion of the sentence.

An inmate who is serving a life sentence can petition to be released to extended supervision or parole after serving at least 20 years of his or her sentence or after another date set by the sentencing court. The bill creates a new procedure for a youthful offender, including a youthful offender who is serving a life sentence, to receive a sentence adjustment after serving 15 years of his or her sentence. Under the bill, one year before the inmate is eligible to petition for the sentence adjustment, DOC is required to notify the youthful offender of his or her eligibility. The court may reduce the term of imprisonment for the youthful offender and may modify the conditions of parole or extended supervision if the court determines that the interests of justice warrant a reduction, taking into account the factors enumerated in the bill. If the court denies the petition under the bill, the youthful offender may petition again every five years, up to five times. Under the bill, DOC is required to send a notice to all youthful offenders who have served at least 14 years of their sentences within six months after the bill takes effect.

Under current law, when a court makes a sentencing decision, it must consider certain guidelines, including whether there were any aggravating factors present. Under the bill, when a court is sentencing a youthful offender, it must also consider mitigating factors related to the age and maturity of the youthful offender. These sentencing guidelines for youthful offenders take effect retroactively under the bill, meaning that they apply to any conviction for which sentencing has already occurred.

Under current law, if a person is convicted of a serious felony on three separate occasions or a serious child sex offense on two separate occasions, the person is subject to a mandatory life sentence without the possibility of parole or extended supervision. However, in *Miller v. Alabama*, 567 U.S. 460 (2012), the U.S. Supreme Court held that imposing a mandatory life sentence without parole for a minor constitutes cruel and unusual punishment and therefore violates the eighth amendment of the Constitution. The bill clarifies that the statutory mandatory sentence of life imprisonment without the possibility of parole or extended supervision for repeat offenders does not apply to youthful offenders. The bill also prohibits a court from imposing a life sentence without the possibility of parole or extended supervision for a youthful offender. These changes to sentencing also apply retroactively under the bill.

Treatment of pregnant and postpartum person in prison and jail

The bill limits the use of physical restraints on pregnant and postpartum people who are in the custody of a correctional facility. Under the bill, a pregnant person may not be restrained unless the restraints are reasonably necessary for the legitimate safety and security needs of the person, correctional staff, other inmates, or the public, and any restraints used must be the least restrictive possible under the circumstances. In addition, the bill requires that every woman in the custody of a correctional facility be offered testing for pregnancy, and, if pregnant, be offered testing for sexually transmitted infections. The bill also requires the correctional facility where the pregnant or postpartum person is being confined to provide information related to pregnancy, labor, and the postpartum period, and to provide

access to certain health services related to pregnancy, labor, and the postpartum period.

Huber release for individuals on probation, parole, or extended supervision

Under current law, a probationer who is detained in a county jail or other county facility for a probation violation may participate in Huber release for employment–related or medical purposes only if his or her probation is due to a misdemeanor conviction and the probation violation for which he or she is detained is not a crime.

The bill allows all probationers, parolees, and individuals on extended supervision who are detained pending disposition of revocation proceedings, investigation of a rule violation, or for a short–term sanction to participate in Huber release for any Huber purpose.

Baccalaureate degree program for prisoners

The bill requires the UW System and DOC to provide a baccalaureate degree program for prisoners. Prior to expending any funds appropriated for such a program, the UW System and DOC must submit a plan for implementing the program to DOA for approval.

Reimbursement for law enforcement investigative services

Under current law, DOC must reimburse counties for certain expenses related to an action or proceeding involving a prisoner in a state prison or a juvenile in a juvenile correctional facility in the county. The bill adds that DOC must also reimburse any county, city, village, or town that provides law enforcement investigative services for an incident involving a prisoner in a state prison or a juvenile in a juvenile correctional facility.

JUVENILE CORRECTIONAL SYSTEM

Age of adult court jurisdiction

Under current law, a person who is alleged to have violated a criminal law is generally subject to the jurisdiction of the criminal court if the person is at least 17 years old, and is subject to the jurisdiction of the juvenile court if the person is under the age of 17. A person who is under the jurisdiction of the criminal court is subject to the procedures specified in the Criminal Procedure Code and, on conviction, is subject to sentencing under the Criminal Code. A person who is under the jurisdiction of the juvenile court is subject to the procedures specified in the Juvenile Justice Code and, on being adjudicated delinquent, is subject to an array of dispositions under that code. The bill raises from 17 to 18 the age at which a person who is alleged to have violated a criminal law is subject to the jurisdiction of the criminal court and, on conviction, to sentencing under the Criminal Code.

Similarly, under current law, a person who is alleged to have violated a civil law or municipal ordinance is subject to the jurisdiction and procedures of the circuit court or the municipal court, if the person is at least 17 years old, and, with certain exceptions, is subject to the jurisdiction of the juvenile court if the person is under the age of 17. The bill raises from 17 to 18 the age at which a person who is alleged to have violated a civil law or municipal ordinance is subject to the jurisdiction and procedures of the circuit court or, if applicable, the municipal court.

The bill creates a sum sufficient appropriation under DCF for youth aids–related purposes, but only to reimburse counties, beginning on January 1, 2022, for costs associated with juveniles who were alleged to have violated a state or federal criminal law or any civil law or municipal ordinance at age 17.

Age of delinquency

Under current law, a child age 10 or over may be adjudged delinquent by the juvenile court for an act that would be a crime if committed by an adult. Under the bill, only a child age 12 or over may be adjudged delinquent by the juvenile court for an act that would be a crime if committed by an adult.

Adult court jurisdiction over a juvenile

Under current law, the juvenile court generally has exclusive jurisdiction over a juvenile, who is a person under the age of 17 who is alleged to have violated a criminal law. However, under certain circumstances, a juvenile may automatically be under the jurisdiction of the adult court or may be waived into adult court jurisdiction through a petition to the court. The bill changes the circumstances for adult court jurisdiction over a juvenile.

Original jurisdiction of the adult court over a juvenile

The bill eliminates original adult court jurisdiction over a juvenile. Under current law, the adult court has original jurisdiction over a juvenile who meets any of the following criteria:

1. A juvenile who is over the age of 10 and is alleged to have committed or attempted to commit first–degree intentional homicide or committed first–degree reckless homicide or second–degree homicide.

2. A juvenile who is alleged to have committed assault or battery while placed in a secured juvenile facility or to have committed battery against a probation, aftercare, community supervision, parole, or extended supervision officer.

3. A juvenile who is alleged to have attempted or committed a violation of any state criminal law in addition to an offense listed under item 1 or item 2, if the violations may be joined into a single criminal case.

4. A juvenile who has previously come under the jurisdiction of the adult court.

Waiver petition for adult court jurisdiction over a juvenile

Under current law, a juvenile may be waived into adult court jurisdiction by a petition filed by the district attorney or the court itself. A petition may be filed if the juvenile is at least 15 years old and is alleged to have violated any state criminal law, or if the juvenile is at least 14 years old and is alleged to have committed certain felonies involving the use of force, is alleged to have manufactured, distributed, or delivered a controlled substance, or is alleged to have committed certain felonies at the request of or for the benefit of a criminal gang.

Under the bill, a waiver petition may be filed for a juvenile who is at least 16 years old and is alleged to have violated any state law that would be a felony if committed by an adult. Under the bill, a 14–year–old or 15–year–old may be waived into adult court if he or she is alleged to have committed a violation that would grant original adult court jurisdiction over a juvenile under current law, or that would

allow for a 14–year–old to be waived by petition into adult court under current law, except for the manufacture, distribution, or delivery of a controlled substance.

Elimination of Serious Juvenile Offender Program

Under current law, a dispositional order entered under the Juvenile Justice Code imposing a correctional placement for a juvenile who has been adjudged delinquent generally terminates no later than the juvenile's 18th birthday and may not be extended. Under the bill, such an order generally terminates no later than the juvenile's 19th birthday. However, if the juvenile is placed in the Serious Juvenile Offender Program (SJOP), the dispositional order extends for up to three years, regardless of the age of the juvenile at the time the order is entered, or, if the juvenile has committed an act that would be punishable by life imprisonment if committed by an adult, until the juvenile reaches 25 years of age. Under current law, DOC is required to administer the SJOP and may provide sanctions for a juvenile under SJOP other than confinement in a juvenile correctional facility, including intensive supervision, electronic monitoring, alcohol or other drug abuse treatment and services, mental health treatment and services, community service, restitution, and education and employment services.

The bill eliminates SJOP as an available disposition for a juvenile adjudicated delinquent under the Juvenile Justice Code.

Extended juvenile jurisdiction

The bill creates extended juvenile jurisdiction (EJJ) for juveniles who are alleged delinquent for the commission of certain acts, which allows the disposition under the Juvenile Justice Code to extend beyond a juvenile's 19th birthday. Under the bill, if a juvenile meets the requirements for waiver of juvenile court jurisdiction, the district attorney or the juvenile may instead petition the juvenile court to place the juvenile under EJJ or the court may initiate such a proceeding on its own motion. In order to grant EJJ, the court must find that the juvenile qualifies for waiver, that the juvenile qualifies for a correctional placement, if adjudged delinquent for the alleged acts, and that a correctional placement is insufficient to protect public safety or for rehabilitation of the juvenile. These findings must be made on clear and convincing evidence at a hearing to the court. If the court grants EJJ, the juvenile is entitled to a jury trial and the court may, after trial, impose any juvenile disposition that it deems appropriate.

The bill creates a new juvenile disposition that may be used only for juveniles subject to EJJ. The extended juvenile disposition is available only to juveniles who are given a juvenile correctional placement and for whom the court finds that the correctional placement alone is insufficient to protect public safety or for rehabilitation of the juvenile. In this case, the court may impose an extended juvenile disposition, which has the same force and effect as a criminal sentence, after a juvenile correctional placement terminates on the juvenile's 19th birthday. The extended juvenile disposition may not extend beyond the juvenile's 23rd birthday unless the juvenile is adjudicated delinquent for first–degree intentional homicide, in which case the extended juvenile disposition may extend to the juvenile's 25th birthday. The extended juvenile disposition is stayed in the original juvenile dispositional order until a hearing is held between the juvenile's 18th and 19th

birthdays. The court must dismiss the extended juvenile disposition unless it finds, by clear and convincing evidence presented at the hearing, that the juvenile continues to pose a risk to the public, considering the juvenile's risk and treatment needs at the time of the hearing.

If the court upholds the extended juvenile disposition after the hearing, the court determines whether to impose probation or confinement in jail or prison and imposes the sentence. If the juvenile is on aftercare supervision, the court may only impose probation. Under the bill, DOC is charged with promulgating rules for release to extended juvenile supervision or discharge of individuals on an extended juvenile disposition. An extended juvenile disposition is not subject to the requirements of bifurcated sentencing, but a juvenile who violates a condition of probation or extended supervision under an extended juvenile disposition may have his or her probation or extended supervision revoked after a hearing held by the Division of Hearings and Appeals in DOA. If probation is revoked, the juvenile may be sent back to the court to determine the term of confinement in jail or prison.

Closure of Lincoln Hills and Copper Lakes schools

2017 Wisconsin Act 185 required DOC to close the current Type 1 juvenile correctional facilities known as Lincoln Hills and Copper Lake schools no later than January 1, 2021. 2019 Wisconsin Act 8 extended this date to July 1, 2021. The bill removes the deadline for these facilities to be closed and provides instead that DOC must close the facilities as soon as all the juveniles who are placed there are transferred out to a substitute placement, which must happen as soon as a substitute placement that meets the needs of each juvenile is ready.

2019 Wisconsin Act 8 provided that DOC may, within its discretion, transfer juveniles out of Lincoln Hills or Copper Lake to a juvenile detention facility that is approved to receive placements of juveniles for more than 30 days. Under Act 8, all juveniles who are transferred to a juvenile detention facility using this procedure are required to be transferred into a secured residential care center for children and youth (SRCCCY) or a new Type 1 juvenile correctional facility no later than July 1, 2021. The bill specifies that juveniles who are transferred to a juvenile detention facility using this procedure are required to be transferred into an SRCCCY or a new Type 1 juvenile correctional facility as soon as a substitute placement that meets the needs of each juvenile is ready.

Juvenile correctional facilities

Under current law, the juvenile court may place a juvenile in a Type 1 juvenile correctional facility under the supervision of DOC or an SRCCCY under the supervision of a county department of human or social services if the juvenile is adjudged delinquent for an act that would be punishable by a sentence of six months or more if committed by an adult or is found to be a danger to the public.

Under current law, upon the closure of the Lincoln Hills and Copper Lakes Schools, each county must provide an SRCCCY to hold juveniles who are placed under county supervision in secured custody. Under current law, an SRCCCY may have less restrictive physical security barriers than a Type 1 juvenile correctional facility and must provide trauma–informed, evidence–based programming and

services. Under current law, DOC must open one or more new Type 1 juvenile correctional facilities to replace the Lincoln Hills and Copper Lakes Schools.

The bill removes the requirement for DOC to establish one or more Type 1 juvenile correctional facilities and instead authorizes DOC to establish and operate an SRCCCY. The bill also eliminates the term "Type 1 juvenile correctional facility."

Under current law, after the closure of the Lincoln Hills and Copper Lakes Schools, a juvenile who is adjudged delinquent for an act that would be punishable by a sentence of six months or more if committed by an adult and who is found to be a danger to the public may be placed in an SRCCCY under the supervision of a county department but not under the supervision of DOC. The bill allows such a juvenile to be placed under the supervision of DOC in an SRCCCY run by DOC after the closure of the Lincoln Hills and Copper Lakes Schools.

Type 2 status

Under current law, any secured or nonsecured facility that holds a juvenile with a Type 2 status is referred to as a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth (collectively, Type 2 facility). A Type 2 facility is operated in a manner that is less restrictive than a Type 1 juvenile correctional facility or an SRCCCY. Under current law, DOC may place a juvenile under its supervision under Type 2 status, and the juvenile court may place a juvenile under the supervision of a county department in a Type 2 residential care center for children and youth. A juvenile subject to Type 2 status may be placed in a Type 2 facility or under aftercare or community supervision. The juvenile is subject to certain conditions for maintaining Type 2 status. If the juvenile violates the conditions of Type 2 status, the juvenile may be moved to a Type 1 juvenile correctional facility or an SRCCCY without a change in placement hearing.

The bill eliminates eliminates Type 2 status and Type 2 facilities from the Juvenile Justice Code.

Placement of juveniles in a juvenile detention facility

The bill eliminates as an available disposition under the Juvenile Justice Code the placement of a juvenile in a juvenile detention facility or juvenile portion of a county jail for more than 30 days. Under current law, the juvenile court may place a juvenile that has been adjudicated delinquent in a juvenile detention facility or juvenile portion of a county jail for up to 30 days or, if the facility is eligible, up to 365 days. A juvenile detention facility is eligible to accept a juvenile for more than 30 days if 1) prior to January 1, 2018, the county board of supervisors of the county operating the facility has adopted a resolution authorizing such a placement and 2) the county has not been awarded a grant under the juvenile corrections grant program, which provides funding for the establishment of an SRCCCY.

Status violations

Under current law, a juvenile adjudged delinquent or to have committed a civil law or municipal ordinance violation, including a habitual truancy violation, who violates a condition of his or her dispositional order is subject to various sanctions, including placement in a juvenile detention facility or a place of nonsecure custody for not more than 10 days. Also under current law, a juvenile adjudged delinquent who violates a condition of his or her delinquency order or aftercare supervision may,

without a hearing, be placed in a juvenile detention facility or a place of nonsecure custody for not more than 72 hours (short–term detention) during an investigation of the violation and potential sanctions or as a consequence of that violation. The bill eliminates placement in a juvenile detention facility as a sanction or for short–term detention unless the juvenile court finds that the juvenile poses a threat to public safety and the underlying offense for which the juvenile court order was imposed is not a status offense. The bill defines a status offense as an offense committed by a juvenile that would not be an offense if committed by an adult (for example, truancy).

Community supervision and aftercare supervision

Under current law, when a juvenile who is placed under the supervision of DOC under the Juvenile Justice Code is released from a juvenile correctional facility, DOC provides community supervision for the juvenile until DOC discharges the juvenile from supervision. When a juvenile who is placed under the supervision of a county department is released from a juvenile correctional facility or an SRCCCY, the county department provides aftercare supervision for the juvenile until the county department discharges the juvenile from supervision. The bill eliminates community supervision for a juvenile and requires a county department to provide aftercare supervision for any juvenile who is released from a juvenile correctional facility or an SRCCCY.

Use of restraints on a child

The bill generally prohibits the use of restraints on anyone under the age of 18 when appearing before the juvenile court or criminal court. The bill provides that, upon a request of the district attorney, corporation counsel, or other appropriate county official, a court may order the use of restraints on a child if, after a hearing, it issues written findings of fact showing that the use of restraints is necessary under certain conditions. The bill also requires that any restraints used on a child must allow limited movement of the hands and prohibits the use of fixed restraints that are attached to a wall, floor, or furniture.

Daily rates for juvenile correctional services

Current law establishes at $615 the per person daily rate paid by counties to DOC for services provided to juveniles in a Type 1 juvenile correctional facility (daily rate). The bill eliminates the daily rate set in statute and requires DOC to specify the daily rate. Under current law and the bill, these payments are credited to a DOC appropriation for juvenile correctional services. Under current law, if there is a deficit in that appropriation account at the close of the fiscal biennium, the governor must increase the daily rate by $6 in the executive budget bill for each fiscal biennium until the deficit is eliminated. Under the bill, in the case of such a deficit, the secretary of corrections may increase the daily rate and the daily cost assessment for counties for care in a foster home, group home, or residential care center for children and youth and for community supervision services by $6 until the deficit is eliminated.

Payments to DHS for services at Mendota Juvenile Treatment Center

Under current law, DOC must transfer certain amounts to DHS for services for juveniles placed at the Mendota Juvenile Treatment Center (MJTC). The bill

replaces those specific amounts with a requirement that DOC reimburse DHS for the cost of providing those services at a per person daily rate specified by DHS. The bill maintains a requirement that DHS charge DOC not more than the actual cost of providing those services. The bill also authorizes DOC to charge counties the same daily rate for care in a Type 1 juvenile correctional facility as DHS charges DOC for MJTC services.

Juvenile correctional services deficit relief

The bill creates an appropriation from the general fund to DOC for juvenile correctional services if the amount in the juvenile correctional services appropriation under current law is insufficient. The current law juvenile correctional services appropriation is funded by various program receipts.

COURTS AND PROCEDURE

Public defender

Public defender private attorney rate increases for inflation

Under current law, for any case assigned on or after January 1, 2020, the rate at which the public defender must pay a private local attorney to whom a case is assigned is $70 per hour for time spent related to the case, excluding travel, and $25 per hour for time spent in travel related to the case.

The bill provides that the rate at which the public defender must pay a private local attorney to whom a case is assigned on or after January 1, 2020, must be adjusted biennially by a percentage that correlates with the federal Department of Labor's consumer price index. Under the bill, the first of these adjustments will be made on July 1, 2023.

Circuit courts

Statutory addition of circuit court branches designated to begin operation in 2021

The bill adds four new circuit court branches to the statutory list of judicial circuit branches, as authorized by the Director of State Courts and designated to begin operation in 2021.

Current law contains a list that sets forth the number of branches each judicial circuit has. 2019 Wisconsin Act 184 authorized the Director of State Courts to add four circuit court branches, by November 14, 2020, to begin operation on August 1, 2021. Act 184 further authorized the Director of State Courts to allocate one of the newly authorized branches to any county the Director of State Courts determined to be in need of an additional circuit court branch, but only if the county passed a resolution requesting an additional circuit court branch and established, or will have established by May 31, 2021, the appropriate infrastructure to support an additional circuit court branch. Act 184 also authorized the Director of State Courts to require any county, as a condition for receiving a circuit court branch allocation, to have established or to apply for a grant to establish a drug court. In March 2020, the Director of State Courts allocated new circuit court branches to Calumet, Dunn, Jackson, and Marathon Counties. The bill updates the list of circuit court branches to reflect the additional four circuit court branches allocated by the Director of State Courts and authorized to begin operation on August 1, 2021.

DISTRICT ATTORNEYS

Increase in deputy district attorney allocation

The bill increases the number of deputy district attorneys that may be appointed in a prosecutorial unit with a population of more than 200,000 but less than 750,000 from three deputy district attorneys to four deputy district attorneys.

GENERAL COURTS AND PROCEDURE

Extreme risk protection injunctions

Under current law, a person is prohibited from possessing a firearm and must surrender all firearms if the person is subject to a domestic abuse injunction, a child abuse injunction, or, in certain cases, a harassment or an individuals–at–risk injunction. If a person surrenders a firearm because he or she is subject to one of those injunctions, the firearm may not be returned until a court determines that the injunction has been vacated or has expired and that the person is not otherwise prohibited from possessing a firearm. A person who possesses a firearm in violation of the injunction is guilty of a Class G felony.

The bill creates an extreme risk protection temporary restraining order and an extreme risk protection injunction. Such an order or injunction prohibits a person from possessing a firearm because he or she is a danger to himself or herself or another. Under the bill, only a law enforcement officer or a family or household member of the person may file a petition for an extreme risk protection injunction. If a court receives such a petition, the court must schedule an injunction hearing. The court also must issue a temporary restraining order prohibiting the person from possessing a firearm and ordering the person to surrender all firearms if the court finds reasonable grounds that the person is substantially likely to injure himself or herself or another person if he or she possesses a firearm. If a temporary restraining order is issued, it remains in effect until the injunction hearing. At the injunction hearing, the court may grant an extreme risk protection injunction ordering the person to refrain from possessing a firearm and to surrender all firearms if the court finds by clear and convincing evidence that the person is substantially likely to injure himself or herself or another person if the person possesses a firearm. Under the bill, an extreme risk protection injunction is effective for up to one year and may be renewed. A person who is subject to an extreme risk protection injunction may petition to vacate the injunction. A person who possesses a firearm in violation of an extreme risk protection temporary restraining order or injunction is guilty of a Class G felony.

Under the bill, a person who files a petition for an extreme risk protection injunction, knowing the information in the petition to be false, is guilty of the crime of false swearing, a Class H felony.

Qui tam actions for false claims

The bill restores a private individual's authority to bring a qui tam claim against a person who makes a false or fraudulent claim for medical assistance, which was eliminated in 2015 Wisconsin Act 55, and further expands qui tam actions to include any false or fraudulent claims to a state agency. A qui tam claim is a claim initiated by a private individual on his or her own behalf and on behalf of the state

against a person who makes a false claim relating to medical assistance or other moneys from a state agency. The bill provides that, of moneys recovered as a result of a qui tam claim, a private individual may be awarded up to 30 percent of the amount recovered, depending upon the extent of the individual's contribution to the prosecution of the action. The individual may also be entitled to reasonable expenses incurred in bringing the action, as well as attorney fees. The bill also includes additional changes not included in the prior law to incorporate provisions enacted in the federal Deficit Reduction Act of 2005 and conform state law to the federal False Claims Act, including expanding provisions to facilitate qui tam actions and modifying the bases for liability to parallel the liability provisions under the federal False Claims Act. DOJ also has independent authority to bring a claim against a person for making a false claim for medical assistance. The bill modifies provisions relating to DOJ's authority to parallel the liability and penalty standards relating to qui tam claims and to parallel the forfeiture amounts provided under the federal False Claims Act.

CRIMES

Expungement of criminal records

Under current law, a court may order a person's criminal record expunged of a crime if all of the following apply: 1) the maximum term of imprisonment for the crime is not more than six years, which is a Class H felony and below; 2) the person committed the crime before the age of 25; 3) the person had not been previously convicted of a felony; and 4) the crime was not a violent felony. Current law specifies that the expungement order must be made only at sentencing and then the record is expunged when the person completes his or her sentence. If the court does not order expungement at sentencing, the record may not be expunged.

The bill removes the condition that the person committed the crime before the age of 25 (the bill retains the other requirements that the crime be no greater than a Class H felony, the person had no previous felony convictions, and the crime was not a violent felony) and makes certain traffic crimes ineligible for expungement. The bill also provides that, if the sentencing court did not order the record expunged, the person may file a petition with the sentencing court after he or she completes his or her sentence. Upon receipt of the petition, the court must review the petition and then may order the record expunged or may deny the petition. If the court denies the petition, the person may not file another petition for two years, and no person may file more than two petitions per crime. The changes described in this paragraph retroactively apply to persons who were convicted of a crime before the bill takes effect.

The bill also allows the sentencing court to order that a person's record not be eligible for expungement.

The bill provides that, if a record is expunged of a crime, that crime is not considered a conviction for employment purposes and specifies that employment discrimination because of a conviction record includes requesting a person to supply information regarding a crime if the record has been expunged of the crime.

Drug paraphernalia

Under current law, it is a crime to use, possess, manufacture, or deliver drug paraphernalia. Drug paraphernalia is anything that is used in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, or introducing into the human body a controlled substance. Drug paraphernalia excludes hypodermic syringes, needles and other objects used in parenterally injecting substances into the human body, and any items that are designed for use with tobacco products. Under the bill, drug paraphernalia also excludes any materials used to test for the presence of fentanyl in a substance.

Maximum penalty for a Class D felony

The bill reduces the maximum sentence for a Class D felony. Under current law, the sentencing court has discretion in setting the length of confinement and the length of extended supervision, but both the total length of the sentence and the length of extended supervision are capped on the basis of the classification of the crime committed, and generally the length of confinement may not be more than 75 percent of the total sentence. The bill reduces the length of the total possible sentence for a Class D felony from 25 years to 20 years and the length of possible extended supervision from 10 years to 5 years.

Penalty for bail jumping

Under current law, bail jumping means failure to comply with the terms of a bond after being released from custody in a pending criminal matter. Bail jumping for a defendant who has been released on bond after being charged with a crime is a Class A misdemeanor if the offense with which the defendant is charged is a misdemeanor and a Class H felony if the offense with which the defendant is charged is a felony, and bail jumping for a witness for whom bail has been required is a Class I felony. Under the bill, any bail jumping violation is a Class A misdemeanor, regardless of the underlying offense or whether the individual is a defendant or witness.

Alternatives to prosecution for disorderly conduct

The bill creates a requirement that a prosecutor offer to certain disorderly conduct defendants a deferred prosecution agreement or an agreement in which the defendant stipulates to his or her guilt of a noncriminal ordinance violation. Under the bill, a prosecutor must offer such options to a person who has committed a disorderly conduct violation if it is the person's first disorderly conduct violation, the person has not committed a similar violation previously, and the person has not committed a felony in the previous three years. Under the bill, if the person is offered a deferred prosecution agreement, he or she must be required to pay restitution, if applicable.

Immunity for certain controlled substances offenses

Current law grants immunity from prosecution for possessing a controlled substance to a person, called an aider, who summons or provides emergency medical assistance to another person because the aider believes the other person is suffering

from an overdose or other adverse reaction to a controlled substance. Under 2017 Wisconsin Act 33, an aider was also immune from having probation, parole, or extended supervision revoked for possessing a controlled substance under the same circumstances. Act 33 also granted the aided person immunity from having probation, parole, or extended supervision revoked for possessing a controlled substance when an aider seeks assistance for the aided person. The immunity applied only if the aided person completes a treatment program as part of his or her probation, parole, or extended supervision. Act 33 also provided that a prosecutor must offer an aided person who is subject to prosecution for possessing a controlled substance a deferred prosecution agreement if the aided person completes a treatment program.

The expanded immunities under 2017 Wisconsin Act 33 were temporary, and expired on August 1, 2020. The bill permanently restores these expanded immunities from 2017 Wisconsin Act 33.

EDUCATION

PRIMARY AND SECONDARY EDUCATION: GENERAL SCHOOL AIDS AND REVENUE LIMITS

Two–thirds funding for school districts; appropriation for general school aid

Currently, the amount appropriated each fiscal year for general school aid is a sum set by law. Beginning in the 2021–22 school year, the bill directs DPI, DOA, and the Legislative Fiscal Bureau annually to jointly certify to JCF an estimate of the amount necessary to appropriate in the following school year to ensure that general school aids equal two–thirds of partial school revenues (in general, the sum of state school aids and school property taxes). Under the bill, JCF determines the amount appropriated as general school aids in each odd–numbered fiscal year and the amount is set by law in each even–numbered fiscal year.

School district revenue limits; per pupil increase

Current law generally limits the total amount of revenue per pupil that a school district may receive from general school aids and property taxes in a school year to the amount of revenue allowed per pupil in the previous school year plus a per pupil adjustment, if any, as provided by law. In the 2020–21 school year, the per pupil adjustment was a $179 increase. Under current law, there is no per pupil adjustment in the 2021–22 school year and thereafter.

For purposes of calculating school district revenue limits, the bill provides a per pupil increase of $200 for the 2021–22 school year and $204 for the 2022–23 school year. Under the bill, in the 2023–24 school year and thereafter, the per pupil adjustment is the per pupil increase for the previous school year as adjusted for any increase in the consumer price index.

School district revenue limits; number of pupils enrolled in the 2020-21 school year

One factor used to calculate a school district's revenue limit is a three–year rolling average of the school district's pupil enrollment. For example, both the average of a school district's 2018–19, 2019–20, and 2020–21 pupil enrollments and the average of the school district's 2019–20, 2020–21, and 2021–22 pupil enrollments

will be used to calculate the school district's 2021–22 school year revenue limit. In each applicable school year, a school district's pupil enrollment is based on a pupil count that occurs on the third Friday in September and 40 percent of the school district's summer school enrollment.

Under the bill, for purposes of determining a school district's revenue limit in the 2021–22, 2022–23, and 2023–24 school years, a school district's pupil enrollment for the 2020–21 school year is the sum of the pupil count that occurred on the third Friday of the 2019–20 school year or the 2020–21 school year, whichever is greater and 40 percent of the school district's summer enrollment in the 2019–20 school year or 2020–21 school year, whichever is greater.

Low revenue ceiling; per pupil amount

Current law provides a minimum per pupil revenue limit for school districts, known as the revenue ceiling. Under current law, the per pupil revenue ceiling is $10,000 in the 2020–21 school year and each school year thereafter. The bill increases the per pupil revenue ceiling to $10,250 for the 2021–22 school year and to $10,500 for the 2022–23 school year and each school year thereafter.

Low revenue ceiling; restrictions

Current law provides that during the three school years following a school year in which an operating referendum fails in a school district, the school district's revenue ceiling is the revenue ceiling that applied in the school year during which the referendum was held. The bill eliminates the provision under which a school district's revenue ceiling is the revenue ceiling from a previous school year because an operating referendum failed in the school district.

Special adjustment aid; 2021-22 and 2022-23 school years

Under current law, a school district is guaranteed an amount of general equalization aid equal to at least 85 percent of the amount it received in the previous school year. Under the bill, in the 2021–22 and 2022–23 school years, a school district is guaranteed an amount of general equalization aid that is equal to at least 90 percent of the amount the school district received in the 2020–21 school year. The guaranteed percentage returns to 85 percent in the 2023–24 school year.

Counting pupils enrolled in four-year-old kindergarten

The bill changes how a pupil enrolled in a four–year–old kindergarten is counted by a school district for purposes of state aid and revenue limits. Under current law, a pupil enrolled in a four–year–old kindergarten program is counted as 0.5 pupil unless the program provides at least 87.5 additional hours of outreach activities, in which case the pupil is counted as 0.6 pupil. Under the bill, if the four–year–old kindergarten program requires full–day attendance by pupils for five days a week, a pupil enrolled in the program is counted as one pupil.

Eliminate delay of general aid payment

Under current law, DPI generally distributes state aid to school districts quarterly according to the following schedule: 1) 15 percent of a school district's total aid entitlement on the third Monday of September; 2) 25 percent on the first Monday of December; 3) 25 percent on the fourth Monday of March; and 4) 35 percent on the third Monday of June. However, under current law, the state delays paying

$75,000,000 of all state aid for a school year until the fourth Monday of July after the end of the school year and reduces the amounts of all quarterly payments proportionally to reflect the delayed payment amount. The bill eliminates the delayed payment so that all state aid is paid on the regular quarterly schedule.

PRIMARY AND SECONDARY EDUCATION: CATEGORICAL AIDS

Funding for special education and school age parents programs

The bill changes the rate at which the state reimburses school boards, operators of independent charter schools, cooperative educational service agencies (CESA), and county children with disabilities education boards for costs incurred to provide special education and related services to children with disabilities and for school age parents programs (eligible costs). Under current law, the full cost of special education for children in hospitals and convalescent homes for orthopedically disabled children is reimbursed. After those costs are paid, the remaining eligible costs are reimbursed from the amount remaining in the appropriation account at a rate that distributes the full amount appropriated. DPI estimates that, in the 2020–21 school year, the reimbursement rate is about 28 percent.

The bill changes the appropriation to a sum sufficient and provides that, after full payment of hospital and convalescent home costs, the remaining eligible costs are reimbursed at the following rates:

1. In the 2021–22 school year, 45 percent of eligible costs.

2. In the 2022–23 school year and in each school year thereafter, 50 percent of eligible costs.

Currently, DPI provides 1) special education aid to school districts, independent charter schools, CESAs, and CCDEBs; 2) aid to school districts, CESAs, and CCDEBs for providing physical or mental health treatment services to private school and tribal school pupils; and 3) aid for school age parent programs to school districts only.

Per pupil aid

Under current law, per pupil aid is a categorical aid paid to school districts. Per pupil aid is funded from a sum sufficient appropriation and is not considered for purposes of revenue limits. Under current law, the amount of per pupil aid paid to a school district is calculated using a three–year average of the number of pupils enrolled in the school district and a per pupil amount set by law. In the 2020–21 school year, the per pupil amount is $742. Under the bill, the per pupil amount is increased to $750 in the 2021–22 school year and each year thereafter.

In addition, beginning in the 2021–22 school year, the bill requires DPI to pay a second amount of per pupil aid to school districts that is based on the number of economically disadvantaged pupils enrolled in a school district. Under the bill, beginning in the 2021–22 school year, in addition to the base amount of per pupil aid, DPI must also pay a school district $75 for each economically disadvantaged pupil enrolled in the school district in the previous year. However, in calculating this amount for the 2021–22 and 2022–23 school years, DPI must use the number of economically disadvantaged pupils enrolled in a school district in the 2019–20 school year instead of in the previous school year. Under the bill, an economically disadvantaged pupil is a pupil who satisfies either the income eligibility criteria for

a free or reduced–price lunch under federal law or other measures of poverty, as determined by DPI.

Supplemental per pupil aid

The bill eliminates supplemental per pupil aid, which was created under 2019 Wisconsin Act 9, the 2019 biennial budget.

Sparsity aid

The bill extends sparsity aid to school districts with a membership of more than 745 pupils.

Under current law, a school district is eligible for sparsity aid in the amount of $400 per pupil if the school district's membership in the previous school year did not exceed 745 pupils and the number of pupils per square mile in the school district is less than 10. Current law also provides that a school district that was eligible to receive sparsity aid in the previous school year but is not eligible to receive sparsity aid in the current school year because the school district's membership exceeds 745 pupils in the current school year is eligible to receive up to 50 percent of the amount of sparsity aid the school district received in the previous school year.

Under the bill, beginning in the 2021–22 school year, a school district with the same density of pupils per square mile, i.e., less than 10, and a membership that exceeds 745 pupils is eligible for sparsity aid in the amount of $100 per pupil. The bill also provides that, beginning in the 2021–22 school year, a school district that is ineligible for sparsity aid because it no longer satisfies the pupils–per–square–mile requirement may receive 50 percent of the amount of sparsity aid the school district received in the previous school year.

Limited–English proficient pupils; categorical aid

The bill changes the way that state categorical aid for educating limited–English proficient pupils (LEP) is allocated.

Under current law, a school board is required to provide a bilingual–bicultural education program to LEP pupils who attend a school in the school district if the school meets any of the following thresholds:

1. Within a language group, 10 or more LEP pupils are enrolled in kindergarten to grade three.

2. Within a language group, 20 or more LEP pupils are enrolled in grades four to eight.

3. Within a language group, 20 or more LEP pupils are enrolled in grades nine to 12.

All school boards are required to educate all LEP pupils, but only school boards that are required to provide bilingual–bicultural education programs are eligible under current law for categorical aid targeted toward educating LEP pupils.

Under current law, in each school year, DPI distributes $250,000 among eligible school districts whose enrollments in the previous school year were at least 15 percent LEP pupils, and DPI distributes the amount remaining in the appropriation account to eligible school districts on the basis of the school districts' expenditures on the required bilingual–bicultural education programs during the prior school year.

The bill expands eligibility for categorical aid to independent charter schools and eliminates the limitation that only school boards that are required to provide bilingual–bicultural education programs are eligible for categorical aid. Under the bill, beginning in the 2022–23 school year, a school board that had at least one LEP pupil enrolled in the school district in the prior school year, and the operator of an independent charter school that had at least one LEP pupil attending the charter school in the prior school year, receives $10,000. In addition, if the school board or operator had more than 20 LEP pupils, the school board or operator receives an additional $500 per LEP pupil above 20.

The bill also provides a temporary hold harmless provision for a school board that would receive less categorical aid under the new funding scheme:

1. In the 2022–23 school year, a school board receives the greater of a) the amount to which the school board is entitled under the new funding scheme, or b) an amount equal to the amount of categorical aid the school board received in the 2020–21 school year.

2. In the 2023–24 school year, a school board receives the amount to which the school board is entitled under the new funding scheme. In addition, if that amount is less than the amount the school board received in the 2020–21 school year, the school board also receives an amount equal to 50 percent of the difference between the amount to which the school board is entitled under the new funding scheme and the amount the school board received in the 2020–21 school year.

If, in any fiscal year, there are insufficient funds to provide the total categorical aid amount, DPI must prorate the payments.

Capacity-building grants to increase licensure of bilingual teachers and English as a second language teachers

The bill creates a grant program under which DPI may award grants, in amounts determined by DPI, to school districts and independent charter schools to provide support and financial assistance to their staff and teachers in obtaining licensure or certification as bilingual teachers and teachers of English as a second language.

Aid for pupil transportation

The bill increases the reimbursement rate to school districts and independent charter school operators, beginning in the 2021–22 school year, for transporting a pupil who lives more than 12 miles from the school the pupil attends from $365 per school year to $375 per school year. Under current law, a school district that provides transportation to pupils to and from summer classes may be reimbursed for certain transportation costs, but, if a pupil is transported fewer than 30 days, that aid is proportionately reduced. The bill eliminates the requirement that DPI reduce the amount of state aid a school district receives for transporting a pupil if the pupil is transported fewer than 30 days.

High cost transportation aid

Under current law, a school district that qualified for high cost transportation aid in the previous school year but did not qualify in the current school year is eligible to receive aid equal to 50 percent of the high cost transportation aid the school district received in the previous school year, commonly called a "stop–gap" payment.

However, current law provides that, if the total amount of stop–gap payments to all school districts in a school year exceeds $200,000, DPI must prorate the payments. The bill eliminates that cap and instead provides that, if the total amount of high cost transportation aid, including stop–gap payments, for a school year exceeds the amount appropriated for high cost transportation aid for the school year, all high cost transportation aid must be prorated.

School mental health and pupil wellness; categorical aid

The bill changes the types of expenditures that are eligible for reimbursement under the state categorical aid program related to pupil mental health.

Under current law, DPI must make payments to school districts, independent charter schools, and private schools participating in parental choice programs (local education agency) that increased the amount they spent to employ, hire, or retain social workers. Under current law, DPI first pays each eligible local education agency 50 percent of the amount by which the eligible local education agency increased its expenditures for social workers in the preceding school year over the amount it expended in the school year immediately preceding the preceding school year. If, after making those payments, there is money remaining in the appropriation account for that aid program, DPI makes additional payments to eligible local education agencies. The amount of those additional payments is determined on the basis of the amount remaining in the appropriation account and the amount spent by eligible local education agencies to employ, hire, and retain social workers during the previous school year.

The bill expands eligibility for the payments under the aid program to include spending on school counselors, school social workers, school psychologists, and school nurses (pupil services professionals). The bill also eliminates the two tier reimbursement structure of the aid program and eliminates the requirement that a local education agency is eligible for the aid only if the local education agency increased its spending. Under the bill, any local education agency that made expenditures to employ, hire, or retain pupil services professionals during the previous school year is eligible for reimbursement under the aid program.

School–based mental health services grants

Under current law, DPI must administer a competitive grant program under which it awards grants to school boards and independent charter schools for the purpose of collaborating with community mental health agencies to provide mental health services to pupils. Under the bill, the purpose of these grants is to collaborate with mental health providers, as opposed to community mental health agencies, to to provide mental health services to pupils.

Supplemental nutrition aid

The bill creates a categorical aid to reimburse educational agencies for the difference between the federal reimbursement rate for a free school meal and a reduced–price school meal provided that the educational agency does not charge pupils for a reduced–price meal. The bill defines a "school meal" as a school lunch or snack under the federal school lunch program and a breakfast under the federal school breakfast program and an "educational agency" as a school board, an operator of independent charter school, the director of the Wisconsin Educational Services

Program for the Deaf and Hard of Hearing, the director of the Wisconsin Center for the Blind and Visually Impaired, an operator of residential care centers for children and youth, a tribal school, or a private school.

School breakfast program

The bill expands eligibility for reimbursement under the school breakfast program to include operators of independent charter schools, the director of the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, the director of the Wisconsin Center for the Blind and Visually Impaired, and operators of residential care centers for children and youth. The bill also prohibits DPI from making reimbursements under the school breakfast program for breakfasts served in the prior school year if the school ceased operations during the prior school year. This prohibition does not apply to reimbursements to a school district.

Driver education; state aid

The bill creates a new aid program for driver schools and for school boards, independent charter schools, and CESAs that offer a driver education program to pupils who meet the income eligibility standard for a free or reduced–price lunch in the federal school lunch program. To be eligible for this aid, a driver school, school board, independent charter school, or CESA must demonstrate to DPI that it waived at least one–half of its program participation fees for eligible pupils. Under the bill, DPI pays the driver school, school board, operator of the independent charter school, or CESA an amount equal to one–half of its program participation fee multiplied by the number of eligible pupils who completed the driver education program in the previous school year.

Out–of–school time program grants

The bill creates a grant program under which DPI must award grants to school boards and organizations to support high–quality after–school programs and other out–of–school time programs that provide services to school–age children. DPI must award grants in amounts of not less than $80,000 and not more than $145,000 per school year, and each grant may continue up to five school years. In each school year, DPI must award not less than 30 percent of all grant moneys to out–of–school time programs that serve pupils in the elementary grades.

Computer science licensure grant program

Beginning in the 2022–23 school year, the bill requires DPI to award grants to school districts to assist licensed school district employees in obtaining additional licensure that authorizes the employee to teach computer science in public schools. For purposes of awarding these grants, the bill requires DPI to prioritize school districts if 50 percent of the school district's membership is low income or 40 percent of the school district's membership identify as a minority.

Energy efficiency grant program

The bill creates a grant program under which DPI must award grants to school districts for energy efficiency projects in school buildings. For the first two school years of the grant program, DPI must give preference in awarding grants to projects that relate to heating, ventilation, and air conditioning systems. DPI, in

consultation with the Office of Environmental Justice, may promulgate rules to implement the grant program.

PRIMARY AND SECONDARY EDUCATION: CHOICE, CHARTER, AND OPEN ENROLLMENT

Parental choice program caps

The bill caps the total number of pupils who may participate in the Milwaukee Parental Choice Program, the Racine Parental Choice Program, or the statewide parental choice program (parental choice program) at the number of pupils who attended a private school under the parental choice program in the 2021–22 school year. Under the bill, beginning in the 2022–23 school year, if the number of applications to participate in a parental choice program exceeds the program cap, DPI must determine which applications to accept on a random basis, subject to certain admission preferences that exist under current law.

Under current law, pupils may submit applications to attend a private school under the statewide parental choice program for the following school year from the first weekday in February to the third Thursday in April, and a private school that receives applications must, no later than the first weekday in May immediately following the application period, report the number of applicants to DPI so that DPI may determine whether a pupil participation limitation has been exceeded. The bill provides that, beginning with applications for the 2022–23 school year, DPI must establish one or more application periods during which pupils may submit applications to attend a private school under the MPCP or RPCP. The bill provides that a private school that receives applications during an application period must, no later than 10 days after the application period ends, report the number of applicants to DPI so that DPI may determine whether a program cap has been exceeded. The bill does not change the application period for the statewide parental choice program and requires DPI to use the information required to be reported under current law to determine whether the program cap for the statewide parental choice program has been exceeded.

The bill also requires DPI to establish a waiting list for a parental choice program if the program cap for the parental choice program has been exceeded.

Current law specifies that a pupil who moves to Racine or Milwaukee from somewhere else in the state after being accepted into the statewide parental choice program is not counted for purposes of determining whether a school district exceeded its pupil participation limit. The bill provides that such a pupil also is not counted for purposes of determining whether a program cap for a parental choice program has been exceeded. The bill also requires DPI to promulgate rules consistent with those current law pupil counting provisions to ensure that, if a pupil who is accepted to attend a private school under a parental choice program changes the pupil's residence, the pupil will not be counted for purposes of determining whether the pupil participation limit or program cap that applies to the pupil's new residence has been exceeded. In other words, the rules would address situations in which a pupil moves 1) from Racine to Milwaukee or somewhere else in the state; or 2) from Milwaukee to Racine or somewhere else in the state.

Special Needs Scholarship Program cap

Under current law, a child with a disability who meets certain eligibility criteria may receive a scholarship to attend a private school participating in the Special Needs Scholarship Program (SNSP). The bill caps the total number of children who may receive an SNSP scholarship at the number of children who received an SNSP scholarship in the 2021–22 school year. Under the bill, beginning in the 2022–23 school year, if the number of applications for SNSP scholarships exceeds the program cap, DPI must determine which applications to accept on a random basis, subject to certain admission preferences set forth in the bill.

Under current law, a child may apply for an SNSP scholarship at any time during a school year and may begin attending the private school at any time during the school year. The bill provides that, beginning with applications for the 2022–23 school year, children may submit applications for SNSP scholarships for the school year from the first weekday in April to the first Thursday in June of the prior school year, and a private school that receives applications for SNSP scholarships must, no later than the third Thursday in June immediately following the application period, report the names of applicants to DPI so that DPI may determine whether the program cap has been exceeded. No later than 60 days after the end of the application period, DPI must notify each applicant and each private school whether the applicant has been awarded an SNSP scholarship.

The bill requires DPI to establish a waiting list if the program cap for the SNSP has been exceeded. The bill allows a child receiving an SNSP scholarship to apply during a school year to transfer from one participating private school to another.

Eliminating the Office of Educational Opportunity

The bill eliminates the Office of Educational Opportunity (OEO) as a charter school authorizer. Under current law, a charter school may be authorized by a school board, the director of the OEO, the common council of the City of Milwaukee, the chancellor of any institution in the UW System, any technical college district board, the College of Menominee Nation, the Lac Courte Oreilles Ojibwa Community College, or the county executive of Waukesha County. The bill provides that, beginning on the effective date of the bill, the OEO may not authorize any additional charter schools. Under the bill, a charter school authorized by the OEO before the effective date of the bill may continue to operate under its contract but may not renew or extend the contract. The bill provides that, upon expiration of the contract, the charter school may enter into a contract with any other authorizer to continue operating as a charter school.

Payment indexing; parental choice programs, the Special Needs Scholarship Program, independent charter schools, full–time open enrollment program, and whole grade sharing agreements

Under current law, the per pupil payment amounts under the MPCP, the RPCP, the statewide parental choice program, and the SNSP, the per pupil payment amount to independent charter schools, the transfer amounts under the full–time open enrollment program, and the required transfer amount for a child with a disability in a whole grade sharing agreement (collectively "per pupil payments") are adjusted annually. The annual adjustment for per pupil payments is an amount equal to the

sum of any per member revenue limit increase that applies to school districts in that school year and any per member increase in categorical aids between the current school year and the previous school year. Under the bill, beginning in the 2021–22 school year, the annual adjustment for per pupil payments is the sum of the per member revenue limit increase that applies to school districts in that school year, if any, and the increase in the per member amount of per pupil aid paid to school districts between the previous school year and the current school year, if any.

Per pupil payment and transfer amount based on actual costs; Special Needs Scholarship Program and full–time Open Enrollment

2017 Wisconsin Act 59, the 2017 biennial budget, created a process that allows the per pupil payment under the SNSP and the transfer amount for a child with a disability in the full–time open enrollment program to be determined based on the actual costs to educate the pupil in the previous school year, as reported by the private school or the nonresident school district. The first SNSP payments and full–time open enrollment transfer amounts based on the actual costs were paid in the 2019–2020 school year.

The bill repeals the process for determining SNSP per pupil payments and full–time open enrollment transfer amounts based on actual costs and reinstates the per pupil payment amount under the SNSP and the full–time open enrollment transfer amount for a child with a disability that existed prior to the 2017 biennial budget. Under the bill, the SNSP per pupil amount and the full–time open enrollment transfer amount for children with disabilities is the same for all pupils and is determined by law. In the 2020–21 school year, the amount is $12,977.

Statewide and Racine parental choice programs; previous school year attendance requirement

Under current law, a pupil must satisfy at least one of the following to be eligible to participate in the statewide parental choice program or the RPCP: 1) the pupil was enrolled in a public school in the previous school year; 2) the pupil was not enrolled in school in the previous school year; 3) the pupil attended a private school in the statewide parental choice program, RPCP, or MPCP in the previous school year; 4) the pupil was on a waiting list to attend a private school in the statewide parental choice program, RPCP, or MPCP in the previous school year; 5) the pupil attended school in another state in the previous school year; or 6) the pupil is enrolling in kindergarten, first grade, or ninth grade in the current school year.

For purposes of this requirement, the bill specifies that a pupil is "enrolled in a public school in the previous school year" if 1) the pupil was counted in a school district's membership count, which means the pupil was counted as being enrolled in a school district on at least one of the count dates during the previous year, or attended an independent charter school in the previous school year; and 2) the pupil did not attend a private school during the previous school year.

Milwaukee Parental Choice Program; first class city school levy aid

Under current law, the estimated cost of the payments made to private schools participating in the MPCP is partially offset by two reductions in the general school aid otherwise paid to the Milwaukee Public Schools. For the 2010–11 school year and in each school year thereafter, one of the reductions to MPS is an amount equal to

6.6 percent of the cost of payments made to private schools participating in the MPCP. Current law requires DPI to pay an amount equal to that reduction amount to the City of Milwaukee and requires the City of Milwaukee to pay that amount to the board of school directors of MPS. The bill eliminates the 6.6 percent aid reduction and the requirements that the reduction amount be paid by DPI to the city and by the city to the board. The bill does not make any changes to the other state aid reduction.

Teacher licensure in parental choice programs and in the Special Needs Scholarship Program

With certain exceptions, the bill requires that, beginning on July 1, 2024, teachers at private schools participating in a parental choice program or in the SNSP must hold a license or permit issued by DPI. Under current law, teachers at choice schools must have at least a bachelor's degree from a nationally or regionally accredited institution of higher education, but they are not required to be licensed by DPI. There are no current law requirements regarding who may teach at SNSP schools.

The bill provides an exception for a teacher who teaches only courses in rabbinical studies. In addition, the bill provides a grace period for a teacher who has been teaching for at least the five consecutive years immediately preceding July 1, 2024, which allows the teacher to apply for a temporary, nonrenewable waiver of the licensure requirement. An applicant for a waiver must submit a plan for becoming licensed as required under the bill.

Special Needs Scholarship Program; religious activity opt-out

The bill provides that a private school participating in the SNSP must allow a child attending the private school under the SNSP to refrain from participating in any religious activity if the child's parent submits to the child's teacher or the private school's principal a written request that the child be exempt from such activities.

Special Needs Scholarship Program; requirement for schools to participate in parental choice program

The bill provides that a private school that begins participating in the SNSP in the 2022–23 school year or any school year thereafter may participate only if the private school also participates in a parental choice program.

Transportation aid; full-time open enrollment and early college credit programs

Under current law, a parent or guardian of a pupil attending a public school in a nonresident school district under the full–time open enrollment program or of a public or private high school pupil attending an institution of higher education under the early college credit program may apply to DPI for reimbursement for the costs of transporting the pupil to the nonresident school district or the institution of higher education. Under current law, the reimbursements for transportation costs for both the full–time open enrollment program and the early college credit program are funded from a single sum certain, annual appropriation. Under the bill, reimbursements for transportation costs related to each program are funded from separate sum certain appropriations.

Annual charter school authorizer report

Under current law, a school board, the OEO, the City of Milwaukee, the chancellor of an institution in the UW System, a technical college district board, the county executive of Waukesha County, the college of Menominee Nation, and the Lac Courte Oreilles Ojibwa community college may contract with a person to operate a charter school. These entities are commonly referred to as charter school authorizers.

Current law requires each charter school authorizer to annually submit to DPI and the chief clerk of each house of the legislature a report that includes specific information about each charter school authorized by the charter school authorizer, services provided by the charter school authorizer, and the charter school authorizer's operating costs. The bill eliminates this requirement.

Per pupil payment to independent charter schools authorized by a tribal college

A charter school authorized by a charter school authorizer other than a school board is commonly known as an independent charter school. Under current law, DPI pays a different per pupil amount to an independent charter school authorized by a tribal college than it pays to other independent charter schools.

Under current law, the per pupil payment to an independent charter school authorized by a tribal college is based on the per pupil academic base funding the federal Bureau of Indian Education provides to tribal schools under federal law. In the 2020–21 school year, the per pupil amount paid to an independent charter school authorized by a tribal college is $8,719. The per pupil amount paid to an independent charter school authorized by an authorizer other than a tribal college is set by law. In the 2020–21 school year, the per pupil payment amount to an independent charter school authorized by an authorizer other than a tribal college is $9,165.

The bill eliminates the different per pupil amount paid to independent charter schools authorized by a tribal college. Under the bill, beginning in the 2021–22 school year, DPI pays the same per pupil amount to all independent charter schools.

Early College Credit Program; pupils attending an independent charter school

Under current law, public and private high school pupils may enroll in an institution of higher education for the purpose of taking one or more courses to earn high school credit or postsecondary credit or both. This program is known as the Early College Credit Program. The bill makes various technical changes to the ECCP to ensure that the program is accessible to public high school pupils who attend independent charter schools. Under current law, the only secondary educational entity referenced in the ECCP for a public high school pupil is the school board of the school district in which the pupil is enrolled. A public high school pupil who attends an independent charter school is not enrolled in a school district. The bill adds throughout the ECCP the governing board of the independent charter school the pupil attends as the relevant secondary educational entity for a public high school pupil who attends an independent charter school.

County children with disabilities education boards; pupils attending a school district under the full–time open enrollment program

Under current law, a county children with disabilities education board may provide a special education program to pupils enrolled in or attending a school district if the school board has agreed to be included in the CCDEB's special education program. If a CCDEB is fiscally independent from the school districts that participate in its program, the state provides state aid to the CCDEB. In the 2019–20 school year, there were three fiscally independent CCDEBs.

Under current law, one of the factors used to calculate state aid paid to a CCDEB is determined by recalculating a participating school district's equalization aid by adding resident pupils solely enrolled in the CCDEB program to the district's membership and by adding the costs of the services provided by the CCDEB to all resident pupils to the school district's shared costs. Under the bill, nonresident pupils attending the school district under the full–time open enrollment program are included in this calculation.

Current law provides a minimum per pupil revenue limit for school districts, known as the revenue ceiling. Under current law, a school district qualifies for the revenue ceiling if its base revenue per pupil is less than the revenue ceiling. Under current law, the per pupil revenue ceiling is $10,000 in the 2020–21 school year and each school year thereafter.

Under current law, the costs of services provided to resident pupils who were solely enrolled in a CCDEB program in the previous school year are included in a school district's base revenue per pupil amount. Under the bill, the costs of services provided to nonresident pupils attending a school district under the full–time open enrollment program who are solely enrolled in a CCDEB program are also included in the school district's base revenue per pupil.

Opportunity Schools and Partnership Programs

The bill repeals the Opportunity Schools and Partnership Programs. Under current law, there are three OSPPs: a first class city OSPP applicable only to Milwaukee Public Schools; the MPS superintendent of schools OSPP; and the OSPP for certain eligible school districts. Current law provides that the first class city OSPP and each eligible school district OSPP are under the supervision of a commissioner appointed by the county executive of the county in which the school district is located. Currently, under each OSPP, the commissioner, or MPS superintendent of schools, grants supervision over the operation and general management of each eligible school in the school district to an entity other than the school board. Those entities include a person that operates a charter school and the governing body of a nonsectarian private school participating in a parental choice program. Under current law, an eligible school is a school that was assigned to the lowest performance category on the most recent accountability report published for the school.

PRIMARY AND SECONDARY EDUCATION: ADMINISTRATIVE AND OTHER FUNDING

GED test fee payments

The bill requires DPI to pay the $30 testing service fee for an individual who takes a content area test given under the general educational development test (commonly called the GED test). The GED test consists of four separate content area tests that cover mathematical reasoning, reasoning through language arts, social studies, and science. Under the bill, an individual who takes a GED content area test to earn a High School Equivalency Diploma (commonly called an HSED) is also eligible for the payment. Under the bill, DPI will pay for an individual to take all four content area tests in each calendar year.

In order to be eligible for the payment, an individual must satisfy DPI's requirements for the individual to receive a Certificate of General Educational Development or an HSED from DPI. Among other things, DPI requires that the individual meet certain residency and minimum age requirements and attend a counseling session. The individual also must obtain a passing score on a GED practice test for the content area (commonly called a GED Ready practice test).

Grants to replace race-based nicknames, logos, mascots, or team names associated with American Indians

The bill authorizes DPI to award a grant to a school board that terminates the use of a race–based nickname, logo, mascot, or team name that is associated with a federally recognized American Indian tribe or American Indians, in general. Under the bill, a school board is eligible for a grant whether or not the school board decides to terminate the use of a race–based nickname, logo, mascot, or team name voluntarily or in response to an objection to its use or in compliance with an order issued by the Division of Hearings and Appeals to terminate the use of the race–based nickname, logo, mascot, or team name. The bill specifies that the amount of the grant may not exceed the greater of $50,000 or the actual cost incurred by the school board to replace the race–based nickname, logo, mascot, or team name. Under the bill, these grants are funded from Indian gaming receipts.

American Indian studies; curriculum and instruction

Current law provides a list of standards, including standards relating to curriculum and instruction, by which school boards must abide. The list of standards includes a requirement that each school board provide, as part of its social studies curriculum, instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands in Wisconsin at least twice in the elementary grades and at least once in the high school grades.

Under the bill, beginning on September 1, 2022, each school board must provide, as part of its social studies curriculum, instruction in the culture, tribal sovereignty, and contemporary and historical significant events of the federally recognized American Indian tribes and bands in Wisconsin at least four times in the elementary grades. The bill specifically requires that the instruction be provided at least once in grades kindergarten to two, at least once in grades three to five, and at least twice in grades six to eight. The bill also requires that the instruction be

provided as part of the high school curriculum at least once in each of the high school grades, including at least once as part of the high school social studies curriculum.

Beginning in the 2022–23 school year, the bill also requires that each private school participating in a parental choice program and each independent charter school include instruction in the culture, tribal sovereignty, and contemporary and historical significant events of the federally recognized American Indian tribes and bands in Wisconsin in its curriculum at least twice in the elementary grades and at least once in the high school grades.

American Indian studies; teaching license requirement

Current law generally prohibits DPI from issuing a teaching license to an individual unless the individual has received instruction in minority group relations, including instruction in the history, culture, and tribal sovereignty of the federally recognized American Indian tribes and bands in Wisconsin. Under the bill, the minority group relationship instruction required for a teaching license must include instruction in the culture, tribal sovereignty, and contemporary and historical significant events of the federally recognized American Indian tribes and bands in Wisconsin.

Climate change in model academic standards

The bill requires DPI to incorporate an understanding of climate, the interconnected nature of climate change, the potential local and global impacts of climate change, and individual and societal actions that may mitigate the harmful effects of climate change into DPI's model academic standards for science; agriculture, food and natural resources; english language arts; environmental literacy and sustainability; social studies; nutrition education; and mathematics. While not required by current law, DPI has adopted model academic standards in each of these subjects. Under current law, DPI must incorporate the history of organized labor and the collective bargaining process into its model academic standards for social studies.

Prohibiting vaping on school property

The bill prohibits individuals from vaping on school premises. Under the bill, "school premises" is defined as any real property owned by, rented by, or under the control of a school board, operator or governing board of an independent charter school, or governing body of a private school. "School premises" includes outdoor spaces such as playgrounds and athletic fields. The bill defines vaping as inhaling or exhaling vapor from a vapor product, regardless of whether the liquid or other substance being heated to produce the vapor contains nicotine. Under current law, a school board, operator or governing board of an independent charter school, and governing body of a private school may prohibit vaping on school premises under its respective control.

Grants to support City Year Milwaukee

The bill requires DPI to annually distribute to City Year, Inc., to support City Year Milwaukee all amounts appropriated to DPI for that purpose. City Year, Inc., is a nonprofit organization that partners with systemically under–resourced public

schools in communities across the United States and abroad to help pupils graduate from high school with the skills necessary for success in college, career, and life.

Bullying prevention grants

Under current law, DPI must award grants to a nonprofit organization to provide training and an online bullying prevention curriculum for pupils in grades kindergarten to eight. Beginning in the 2021–22 fiscal year, the bill requires DPI to award a bullying prevention grant to the nonprofit organization that received a bullying prevention grant in the 2019–20 and 2020–21 school years. In the 2019–20 and 2020–21 fiscal years, DPI awarded a bullying prevention grant to the Children's Hospital of Wisconsin.

Mental health training program for school districts and independent charter schools

Under current law, DPI must provide trainings to school districts and independent charter schools on three specific evidence–based strategies to address student mental health: Screening, Brief Interventions, and Referral to Treatment; Trauma Sensitive Schools; and Youth Mental Health First Aid. The bill adds social and emotional learning to the list of evidence–based strategies on which DPI must provide trainings to school districts and independent charter schools.

Recollection Wisconsin

The bill creates a sum certain appropriation to provide GPR funding to Wisconsin Library Services, Inc., commonly known as WiLS, to support the digitization of historic materials in public libraries throughout the state. The bill also requires DPI to distribute annually the amount appropriated for this purpose to WiLS. The collaborative administered by WiLS to digitize and make available historic materials throughout the state is known as Recollection Wisconsin.

Truancy abatement and burglary suppression; Milwaukee public schools

Under current law, all school boards are authorized to establish one or more youth service centers for the counseling of children who are taken into custody for truancy. Current law also provides specific requirements that apply only to the school board of MPS related to these youth service centers and truancy abatement.

Under current law, the MPS school board is required to establish two youth service centers to provide counseling to children who are taken into custody for truancy and must contract with the Boys and Girls Clubs of Greater Milwaukee to operate these youth service centers. Additionally, current law requires the MPS school board to pay to the City of Milwaukee the amount of funding necessary to employ four law enforcement officers to work on truancy abatement and burglary suppression on a full–time basis. The bill eliminates these requirements.

Fees for licensing school and public library personnel; appropriation changes

Under current law, 90 percent of the fees collected by DPI for licensing school and public library personnel and for school districts to participate in DPI's teacher improvement program are credited to an annual sum certain appropriation. The remaining 10 percent of these fees are deposited into the general fund under current law. The bill changes this annual sum certain appropriation to a continuing

appropriation and requires that 100 percent of the total fees collected by DPI be credited to the appropriation. Under current law and the bill, the purposes of the appropriation are for 1) DPI's administrative costs related to licensing school and public library personnel; 2) if DPI exercises its authority to provide information and analysis of the professional school personnel supply in this state, the costs of providing that information and analysis; and 3) DPI's teacher improvement program.

Report on homeless children and youths

The bill requires DPI to annually submit a report to the legislature on the number of homeless children and youths in the public schools of this state. Under the bill, "homeless children and youths" is defined by reference to federal law providing homeless assistance.

HIGHER EDUCATION

Resident undergraduate tuition freeze

The bill prohibits the Board of Regents of the UW System from charging resident undergraduate academic fees in the 2021–22 and 2022–23 academic years that are more than the fees charged in the 2020–21 academic year.

Tuition promise grant program

The bill creates a new grant program administered by the Board of Regents. This program provides grants in the form of "last–dollar awards" to supplement the gap between any scholarships or grants that an eligible student receives outside of this program and the full cost of tuition and segregated fees during either eight consecutive semesters for incoming freshmen or four consecutive semesters for incoming transfer students. Summer terms are not counted in the consecutive semester count, and students may not receive the grants for summer terms. Students eligible for the grants must be new incoming students enrolled in their first bachelor's degree whose household federal adjusted gross income is equal to or less than $60,000 a year, and must be enrolled in an on–campus program at a UW System institution other than UW–Madison. The bill requires the Board of Regents to promulgate rules to implement and administer the grant program.

Student loan servicers; Office of the Student Loan Ombudsman

The bill creates an Office of the Student Loan Ombudsman (office) in DFI and requires student loan servicers to be licensed by this office. The bill contains a variety of provisions governing student education loans, student loan borrowers, and student loan servicers. Under the bill, a "student education loan" means a loan that is extended to a student loan borrower expressly for postsecondary education expenses or related expenses. A "student loan borrower" means a resident of this state who has received or agreed to pay a student education loan or a person who shares legal responsibility for repaying the loan. A "student loan servicer" means a person responsible for the servicing of a student education loan, but excludes certain state–regulated financial service providers. "Servicing" means receiving scheduled periodic payments from a student loan borrower; applying payments received from a student loan borrower; and performing other administrative services with respect to a student education loan.

The bill requires a student loan servicer, wherever located, to be licensed by the office before directly or indirectly engaging in servicing student education loans in this state. A student loan servicer must hold a separate license for each of its places of business and the student loan servicer may not act under any name or at any place of business that is not identified in the license.

The bill imposes numerous requirements on student loan servicers, including requirements relating to all of the following:

1. Responding to written inquiries from student loan borrowers.

2. Handling and applying "nonconforming payments," defined as payments on student education loans that are different from the required payments.

3. Responsibilities if there is a sale, assignment, or other transfer of the servicing of a student education loan.

4. Maintaining and making available to the office records related to student education loan transactions.

The bill also prohibits a student loan servicer from engaging in certain conduct or activity, including the following:

1. Defrauding or misleading a student loan borrower.

2. Engaging in an unfair or deceptive practice or misrepresenting or omitting material information in connection with the servicing of a student education loan.

3. Misapplying student education loan payments.

4. Providing inaccurate information to a credit bureau related to a student loan borrower's creditworthiness.

5. Refusing to communicate with an authorized representative of a student loan borrower.

6. Failing to evaluate a student loan borrower for an income–based repayment program prior to placing the student loan borrower in default.

The bill also specifies the authority of the office to conduct investigations and examinations and take administrative action and also provides a private right of action for violations of the requirements or prohibitions under the bill.

The bill requires the office to perform certain functions, including 1) assisting student loan borrowers; 2) receiving and attempting to resolve complaints from student loan borrowers and others; 3) compiling and analyzing data about these complaints; 4) assisting student loan borrowers in various ways; 5) providing information to the public and others regarding the problems and concerns of student loan borrowers; and 6) analyzing and monitoring the development and implementation of laws and policies relating to student loan borrowers.

Although the bill exempts certain state–regulated financial service providers, primarily state–chartered financial institutions, from licensing and most other requirements applicable to student loan servicers, the bill requires these exempt organizations to cooperate with the office and provide information requested by the office necessary to investigate and resolve student loan borrower complaints.

Technical college district revenue limits

The bill increases the limit on certain revenue, primarily derived from the property tax levy, that technical college districts may generate.

Under current law, with certain exceptions, a technical college district board may not increase its revenue each school year by more than the greater of 1) 0 percent, or 2) the percentage change in the district's equalized value due to new construction, less improvements removed, between the previous year and the current year. The amount of this limit is called the "valuation factor." A district board's revenue is the sum of its tax levy for operations and the amount of aid it receives for property tax relief and tax–exempt personal property.

The bill increases part 1) of the valuation factor from 0 percent to 2 percent, allowing an increase of a district board's revenue by 2 percent over the previous year regardless of any change in the district's equalized value due to net new construction.

Changes to Minnesota–Wisconsin Reciprocity Agreement

Under current law, the Higher Educational Aids Board (HEAB) administers and has authority to renegotiate the Minnesota–Wisconsin tuition reciprocity agreement. The agreement provides for the waiver of nonresident tuition for residents of either state who are enrolled in public vocational schools and for a reciprocal fee structure for residents of either state who are enrolled in public institutions of higher education located in the other state.

The bill requires the UW System to enter into, administer, and renegotiate with Minnesota a tuition reciprocity agreement that provides for the waiver of nonresident tuition and for a reciprocal fee structure for residents of either state who are enrolled in public institutions of higher education located in the other state. The bill requires that all the tuition paid by Minnesota students attending UW institutions under the agreement, including tuition commonly referred to as differential reciprocity tuition, be credited to a UW System appropriation account from which UW System expenditures are authorized.

The bill also requires HEAB to enter into, administer, and renegotiate with Minnesota a fee reciprocity agreement that provides for the waiver of nonresident fees for residents of either state who are enrolled in public vocational schools in the other state.

Extensions of credit to the UW System

The bill allows the Board of Regents to obtain extensions of credit to provide short–term funding for expenses associated with athletics or educational programs and related programs. The board may pledge as collateral for an extension of credit revenues generated as a result of the operation of UW athletic programs, as well as collateral furnished by a third party. Proceeds from an extension of credit may not be used to pay for certain expenses, including those associated with the construction, improvement, or maintenance of buildings, structures, or facilities.

UniverCity Alliance program

The bill creates an appropriation funding the "UniverCity Alliance" program within the UW–Madison. The UniverCity Alliance program connects in partnership communities, towns, cities, and counties with UW–Madison education, service, and research activities in order to address the communities' biggest local challenges.

Baccalaureate degree program for prisoners

The bill requires the UW System and DOC to provide a baccalaureate degree program for prisoners. Prior to expending any funds appropriated, the UW System and DOC shall jointly submit a plan for implementing the program to DOA for approval.

Nurse educators loan forgiveness and fellowship program

The bill requires the Board of Regents to establish a program that provides 1) fellowships to students who enroll in certain doctoral nursing degree programs; 2) postdoctoral fellowships to recruit faculty for UW System nursing programs; and 3) educational loan repayment assistance to recruit and retain faculty for UW System nursing programs. In addition, the program must require individuals who receive a fellowship or educational loan repayment assistance under the program to make a three–year commitment to teaching in a UW System nursing program.

Dentist loan assistance program

The bill permits dentists who agree to practice in rural areas under an educational loan repayment assistance program to receive the same amount of assistance as physicians. The Board of Regents administers the program. Under current law, a dentist or physician who agrees to practice at least 32 clinic hours per week for three years in either a free or charitable clinic, or in an area with a shortage of dental or primary care professionals may receive up to $50,000 in assistance under the program. A physician who agrees to practice for the same duration in a rural area may receive up to $100,000 in assistance under the program. A dentist who agrees to practice for the same duration in a rural area may receive up to $50,000 in assistance under the program. The bill permits dentists who agree to practice for the same duration in rural areas to receive up to $100,000 in assistance under the program.

Nonresident tuition exemption for undocumented individuals

The bill creates a nonresident tuition exemption for certain technical college and UW System students. Current law allows the Board of Regents to charge different tuition rates to resident and nonresident students. Current law also includes nonresident tuition exemptions, under which certain nonresident students pay resident tuition rates. The bill creates an additional exemption for an individual who is not a citizen of the United States and who 1) graduated from a Wisconsin high school or received a declaration of equivalency of high school graduation from Wisconsin; 2) was continuously present in Wisconsin for at least three years following the first day of attending a Wisconsin high school or immediately preceding receipt of a declaration of equivalency of high school graduation; and 3) enrolls in a UW System institution and provides the institution with proof stating that he or she has filed or will file an application for lawful permanent resident status with U.S. Citizenship and Immigration Services as soon as the individual is eligible to do so.

The bill also provides that an individual described above is considered a resident of this state for purposes of admission to and payment of fees at a technical college.

State residency of relocated active duty service members and their families

The bill establishes guidance for determining state residency of relocated active duty service members and their spouses and dependents for purposes of resident tuition eligibility at UW System institutions and technical colleges.

Under current law, UW System institutions must charge a student nonresident tuition unless the student has been a bona fide resident of this state for at least 12 months prior to registering at the UW institution or the student otherwise qualifies under another exemption to nonresident tuition. In determining bona fide residence, the intent of a person to establish and maintain a permanent home in Wisconsin is determinative, and this intent may be represented by such factors as tax return filings, voter or vehicle registration, employment, and physical presence. However, a student who enters and remains in Wisconsin principally to obtain an education is presumed to continue to reside outside Wisconsin. Under one nonresident tuition exemption, a student is eligible for resident tuition if the student is a member of the armed forces who resides in this state and is stationed at a federal military installation located within 90 miles of the borders of this state or the student is the child or spouse of such a service member.

Also under current law, the TCS Board must establish procedures to determine the residence of students attending technical colleges for purposes of fees and admission, although certain persons are by statute considered Wisconsin residents for these purposes.

Under the bill, for purposes of determining Wisconsin residency at UW System institutions and technical colleges, an active duty member of the armed forces who has been relocated from Wisconsin and stationed on active duty in another state (relocated service member), and the service member's spouse and dependents, are considered residents of this state during this period of relocation if they demonstrate, under the factors described above, that they are bona fide residents during this relocation period. In addition, if such a demonstration is made, the relocated service member's dependents continue to be considered residents of this state after the relocation period has ended.

Nonresident tuition exemption for certain tribal members

The bill allows certain students who are members of, or whose parents or grandparents are members of, a federally recognized American Indian tribe and who are otherwise ineligible for resident tuition at UW System institutions and technical colleges to qualify for resident tuition.

Under current law, a person generally must be a resident of this state for at least 12 months prior to registering at a UW System institution in order to be exempt from paying nonresident tuition. Current law also includes nonresident tuition exemptions, under which certain nonresident students pay resident tuition rates.

Also under current law, the TCS Board establishes program fees that the technical college districts must charge students. With exceptions, the fees for nonresidents are 150 percent of the fees for residents. The TCS Board must establish procedures to determine the residence of students attending technical colleges, but statutes specify that certain students must be considered residents of this state.

The bill creates a nonresident tuition exemption for certain tribal members or children or grandchildren of tribal members. Under the bill, a student enrolled in a UW System institution or technical college qualifies for resident tuition or fee rates if all of the following apply:

1. The student, or the student's parent or grandparent, is a member of a federally recognized American Indian tribe or band in Wisconsin or is a member of a federally recognized tribe in a state contiguous with Wisconsin.

2. The student has resided in Wisconsin, Minnesota, Illinois, Iowa, or Michigan, or in any combination of these states, for at least 12 months prior to enrolling in a UW System institution or technical college.

Office of Educational Opportunity

The bill eliminates the OEO in the UW System. Under current law, the OEO authorizes and monitors charter schools, and the OEO is managed by a director appointed by the president of the UW System. After the effective date of the bill, the former OEO's monitoring duties related to existing charter schools are transferred to the chancellor of UW–Madison, but the chancellor may not authorize new charter schools.

Investment of certain UW System moneys by the Investment Board

The bill allows the Board of Regents to designate UW System revenues and to manage those designated revenues by directing the State of Wisconsin Investment Board (SWIB) to invest these moneys according to investment policies established by the Board of Regents.

Current law specifies that SWIB has control of the investment of certain state moneys, including those in the general fund. SWIB manages the State Investment Fund (SIF), which operates as an investment trust for managing certain state moneys. Current law prescribes the types of permissible investments that SWIB can make with SIF assets. The SIF functions as a cash management fund under which idle cash balances are pooled and invested in liquid, low–risk investments until these moneys are needed.

Also under current law, the Board of Regents may invest revenues from gifts, grants, and donations by doing any of the following: 1) directly employing a financial manager; 2) selecting a private investment firm using a competitive proposal process; or 3) contracting with SWIB to manage the investment of these moneys. If the Board of Regents invests these moneys in this manner, the moneys are not required to be deposited in the SIF. If the Board of Regents contracts with SWIB to invest these moneys under item 3 above instead of managing these moneys in the SIF, SWIB must invest the moneys in accordance with the terms of its contract with the Board of Regents and SWIB's general standard of investment prudence.

Under the bill, if the Board of Regents has designated moneys to be managed by SWIB under investment policies established by the Board of Regents, SWIB must invest and manage these moneys in accordance with the investment directives and policies of the Board of Regents. However, SWIB remains subject to its general standard of investment prudence and SWIB may decline to follow any investment directive or policy that SWIB considers to involve unreasonable risk or to be in

violation of this standard of investment prudence. SWIB invests these moneys outside the SIF.

UW foster youth support programs

The bill provides funding to establish or maintain support programs at UW institutions for students who formerly resided in a foster home or group home. Support programs may offer these students scholarships, jobs, emergency funds, basic supplies, mentorships, career planning, and other forms of support.

UW System student health services

The bill provides funding to the UW System for additional or improved student health services related to mental and behavioral health.

UW freshwater collaborative

The bill provides funding for a UW freshwater collaborative involving each UW institution. Freshwater collaborative funding shall be used to devise new watercentric training programs focused on undergraduates; provide scholarships and student support to retain and attract new talent; amplify marketing and recruiting relating to Wisconsin's role in freshwater science; enhance workforce development programming; and recruit new faculty and staff to advance training programs, research, and innovation.

Partnership program for the Lake Superior Research Institute

The bill requires the Board of Regents to establish a partnership program between UW–Superior's Lake Superior Research Institute and northern Wisconsin communities. The program must be designed to accomplish specified objectives. The bill creates an appropriation to provide funding for the program.

Extension services provided by UW state specialists

The bill requires the Board of Regents to recognize as teaching hours time spent by state specialists providing certain extension services.

Under current law, the Board of Regents must develop and implement a plan that includes 1) policies for monitoring teaching workloads of faculty and instructional academic staff, including requirements for reporting the number of hours each spends teaching; and 2) policies for rewarding faculty and instructional academic staff who teach more than a standard academic load. These teaching hours reported are included, as aggregate data, in an accountability report submitted to the governor and legislature and are included, as aggregate data or individually reported data, directly or by link on the accountability dashboard portion of the UW System's website.

The bill requires the Board of Regents' plan to recognize as teaching hours, for state specialists who provide extension services in the field of applied agricultural research at UW institutions, the time spent by these state specialists teaching graduate students and teaching Wisconsin farmers.

Agriculture–focused positions at UW–Madison

The bill specifies that the Board of Regents must provide funding for 20 agriculture–focused positions at UW–Madison, comprised of 15 county–based agriculture agent positions, three applied agriculture research positions, and two agriculture and climate change research positions. The positions must be filled

using existing, currently vacant positions but must also reflect an increase in the total number of agricultural agent positions and agriculture–related research positions at UW–Madison. The bill also requires UW–Madison to submit a report to the governor and to JCF containing specified information related to these positions.

UW Missing–in–Action Recovery and Identification Project

Under the bill, the Board of Regents must provide funding to the UW Missing–in–Action Recovery and Identification Project (MIA Recovery Project) for missions to recover and identify Wisconsin veterans who are missing in action. At the conclusion of the mission for which funding is provided, the MIA Recovery Project must submit to the Board of Regents, JCF, each legislative standing committee dealing with veterans matters, the governor, DVA, and DMA a report on the mission's findings and an accounting of expenditures for the mission. The Board of Regents must provide the funding through a new UW System appropriation.

HEAB service funds appropriation

The bill creates a program revenue–service appropriation for HEAB. The appropriation authorizes HEAB to expend money that HEAB receives from other state agencies to carry out the purpose for which the money is received.

ELECTIONS

Automatic voter registration

The bill requires the Elections Commission to use all feasible means to facilitate the registration of all individuals eligible to vote in this state and to maintain the registration of all eligible electors for so long as they remain eligible. Under the bill, the commission must attempt to facilitate the initial registration of all eligible electors as soon as practicable. To facilitate that initial registration, the bill directs the commission and DOT to enter into an agreement so that DOT may transfer specified personally identifying information in DOT's records to the commission. The bill requires the commission to maintain the confidentiality of any information it obtains under the agreement and allows a driver's license or identification card applicant to opt out of DOT's transfer of this information to the commission.

Once the commission obtains the information required under current law to complete an eligible elector's registration, the commission adds the elector's name to the statewide registration list. The bill also permits an individual whose name is added to the registration list or who wishes to permanently exclude his or her name from the list to file a request to have his or her name deleted or excluded from the list or to revoke a deletion or exclusion request previously made. In addition, the bill directs the commission to notify an individual by first class postcard whenever the commission removes his or her name from the registration list or changes his or her status on the list from eligible to ineligible.

The bill also directs the commission to report to the legislature and the governor, no later than July 1, 2023, its progress in initially registering eligible electors under the bill. The report must contain an assessment of the feasibility and desirability of integration of registration information with information maintained by DHS, DCF, DWD, DOR, DSPS, and DNR; the UW System; and the Technical

College System Board, as well as with the technical colleges in each technical college district.

Under current law, a qualified elector with a current and valid driver's license or identification card issued by DOT may register to vote electronically on a secure website maintained by the commission. To register electronically under current law, a qualified elector must also authorize DOT to forward a copy of his or her electronic signature to the commission. The authorization affirms that all information provided by the elector is correct and has the same effect as a written signature on a paper copy of the registration form. Finally, current law requires the commission and DOT to enter into an agreement that permits the commission to verify the necessary registration information instantly by accessing DOT's electronic files.

Residency requirement for voting

Under current law, with limited exceptions, an otherwise eligible voter must be a resident of Wisconsin and of the municipality and ward, if any, where the voter is voting for 28 days before an election in order to vote in the election in that municipality and ward. The bill shortens that residency requirement from 28 days to 10 days.

Proof of identification for voting

Current law allows an individual to use as voter identification an unexpired identification card issued by a technical college, college, or university in this state if the card meets certain criteria. The card must have an expiration date that is no later than two years after the date it was issued, and the individual must establish proof of enrollment. The U.S. Court of Appeals for the Seventh Circuit held that the requirement to present both an unexpired identification card and proof of enrollment had no rational basis and was therefore unconstitutional. See, *Luft v. Evers*, 963 F.3d 665 (2020). The bill allows a student to use an expired student identification card under certain circumstances. Under the bill, a student does not need to present proof of enrollment if using an unexpired identification card but must provide proof of enrollment if using an expired identification card. In addition, the bill requires each technical college in this state and each UW System institution to issue student identification cards that meet the criteria to be used as voter identification no later than August 1, 2021.

Current law also allows an individual to use as voter identification an identification card issued by DOT. DOT may issue a receipt as a temporary identification card to use for voting and other purposes to an individual who is waiting for the permanent card. The receipt expires in 60 days. The bill extends the expiration date to 180 days.

Voting absentee in person

Current law allows an individual to complete an absentee ballot in person no earlier than 14 days preceding the election and no later than the Sunday preceding the election. The bill eliminates the restriction on how soon a person may complete an absentee ballot in person and provides that a person must complete such a ballot no later than 7 p.m. on the Friday preceding the election.

Early canvassing of absentee ballots

Under current law, absentee ballots may not be canvassed until election day. The bill authorizes a municipal clerk or municipal board of election commissioners to begin the canvassing of absentee ballots on the day before an election, subject to the following requirements:

1. The municipality must use automatic tabulating equipment to process absentee ballots.

2. Prior to the early canvassing of absentee ballots, the municipal clerk or municipal board of election commissioners must notify the Elections Commission in writing and must consult with the Elections Commission concerning administration of early canvassing of absentee ballots.

3. Early canvassing of absentee ballots under the bill may be conducted only between 7 a.m. and 8 p.m. on the day before the election, and ballots may not be tallied until after polls close on election day.

4. Members of the public must have the same right of access to a place where absentee ballots are being canvassed early as is provided under current law for canvassing absentee ballots on election day.

5. When not in use, automatic tabulating equipment used for canvassing absentee ballots and the areas where the programmed media and the absentee ballots are housed must be secured with tamper–evident security seals in a double–lock location such as a locked cabinet inside a locked office.

6. Subject to criminal penalty, no person may act in any manner that would give him or her the ability to know or to provide information on the accumulating or final results from the ballots canvassed early under the bill before the close of the polls on election day.

7. Certain notices must be provided before each election at which the municipality intends to canvass absentee ballots on the day before the election.

Special elections to fill vacancies in the office of U.S. senator and representative in Congress

Under current law, a vacancy in the office of U.S. senator or representative in Congress occurring prior to the second Tuesday in April in the year of the general election must be filled at a special primary and special election. A vacancy occurring in one of these offices between the second Tuesday in April and the second Tuesday in May in the year of the general election is filled at the partisan primary and general election.

Current law provides that a special primary be held four weeks before the day of the special election. However, if the election is held on the same day as the spring election, the special primary is held concurrently with the spring primary. Under current law, with regard to an election for a national office, the period between a special primary and special election or between the spring primary or spring election does not provide sufficient time to canvass and certify the primary results and prepare ballots to send to overseas voters as required by federal law.

Under the bill, a vacancy in the office of U.S. senator or representative in Congress is filled in the following manner:

1. At a special election to be held on the third Tuesday in May following the first day of the vacancy with a special primary to be held concurrently with the spring primary on the third Tuesday in February.

2. At a special election to be held on the second Tuesday in August following the first day of the vacancy with a special primary to be held on the third Tuesday in May.

3. At a special election to be held on the Tuesday after the first Monday in November following the first day of the vacancy with a special primary to be held on the second Tuesday in August.

However, under the bill, a November special election is not held in any year in which the general election is held for that office; instead, the vacancy is filled at the partisan primary and general election.

Reimbursement of counties and municipalities for certain election costs

The bill requires the Elections Commission to reimburse counties and municipalities for certain costs incurred in the administration of special primaries and special elections for state or national office. A cost is eligible for reimbursement only if certain conditions are met, including that the commission determines the cost is reasonable and the rate paid by the county or municipality for the cost does not exceed the rate customarily paid for similar costs at a primary or election that is not a special primary or election. Under the bill, only the following costs may be reimbursed:

1. Rental payments for polling places.
2. Election day wages paid to election officials working at the polls.
3. Costs for the publication of required election notices.
4. Printing and postage costs for absentee ballots and envelopes.
5. Costs for the design and printing of ballots and poll books.
6. Purchase of ballot bags or containers, including ties or seals for chain of custody purposes.
7. Costs to program electronic voting machines.
8. Purchase of memory devices for electronic voting machines.
9. Wages paid to conduct a county canvass.
10. Data entry costs for the statewide voter registration system.

Voter bill of rights

The bill creates a voter bill of rights that municipal clerks and boards of election commissioners must post at each polling place. The bill of rights informs voters that they have the right to do all of the following:

1. Vote if registered and eligible to vote.
2. Inspect a sample ballot before voting.
3. Cast a ballot if in line when the polling place closes or, if voting by in–person absentee ballot on the last day for which such voting is allowed, when the municipal clerk's office closes.
4. Cast a secret ballot.
5. Get help casting a ballot if disabled.
6. Get help voting in a language other than English as provided by law.

7. Get a new ballot, up to three ballots in all, if the voter makes a mistake on the ballot.

8. Cast a provisional ballot as provided by law.

9. Have the voter's ballot counted accurately.

10. Vote free from coercion or intimidation.

11. Report any illegal or fraudulent election activity.

Recount fees

Current law requires the Elections Commission to reimburse the counties for the actual costs of conducting a recount. The reimbursement comes from the fees that the commission collects from the person that filed the recount petition. The bill changes the appropriation for reimbursing the counties from an annual appropriation to a continuing appropriation.

Voter registration list

Under current law, all moneys received from the federal government under the Help America Vote Act and from the sale of copies of the official statewide voter registration list are deposited into the election administration trust fund. Copies of the list are typically used for political purposes such as voter or constituent outreach. The Elections Commission spent all HAVA moneys from the fund as of April 2019. However, the moneys received from sales of the registration list have not been appropriated and, therefore, cannot be spent. The bill creates an appropriation for the moneys received from selling the registration list and authorizes the commission to spend the moneys for election security and maintenance of the statewide voter registration system.

Lobbying fees

Under current law, a person who employs a lobbyist (a principal) and who spends more than $500 in a calendar year on lobbying activities must file a principal registration form with the Ethics Commission and pay a fee. In addition, in order for a lobbyist to represent a principal, either the lobbyist or the principal must file an authorization statement with the commission and pay a fee.

The bill increases the principal registration fee from $375 to $430 and the authorization statement fee from $125 to $180. The increase first applies to lobbying that occurs during the 2023–24 legislative session.

The bill also imposes a $55 surcharge applicable to lobbying during the 2021–22 legislative session that is in addition to the fees collected for filing the principal registration form and the authorization statement.

EMINENT DOMAIN

Condemnation authority for recreational trails, bicycle lanes and ways, and pedestrian ways

The bill allows certain entities, such as a county board, village board, or DOT, to use the power of condemnation to acquire land or interests in land for the purpose of establishing or extending recreational trails, bicycle ways or lanes, or pedestrian ways. Current law prohibits the exercise of condemnation power to acquire land or interests for those purposes.

EMPLOYMENT

EMPLOYMENT REGULATION

Minimum wage

The bill raises the minimum wages to be paid to most employees annually, from the effective date of the bill through January 1, 2025. After that date, the bill requires DWD to determine the percentage difference between the consumer price index for the preceding 12–month period and the consumer price index for the 12 months before the preceding 12–month period, to adjust the minimum wages then in effect by that percentage difference, and to publish those amounts in the Wisconsin Administrative Register and on the DWD website.

The bill requires the secretary of workforce development to establish a committee to study options to achieve a $15 per hour minimum wage and other options to increase compensation for workers in this state. Under the bill, the committee consists of nine members, with five appointed by the governor, and one each appointed by the speaker of the assembly, the assembly minority leader, the senate majority leader, and the senate minority leader. The committee is required to submit a report containing its recommendations for options to achieve a $15 per hour minimum wage and other options to increase compensation to the governor and the appropriate standing committees of the legislature no later than October 1, 2022.

Collective bargaining for state and local employees; employee rights

Under current law, state and local governments are prohibited from collectively bargaining with employees except as expressly provided in the statutes. Current law allows certain protective occupation participants under the Wisconsin Retirement System, known as public safety employees, and certain municipal transit employees to collectively bargain over wages, hours, and conditions of employment. Under current law, other state and municipal employees may collectively bargain only over a percentage increase in base wages that does not exceed the percentage increase in the consumer price index. In addition, under current law, the Employment Relations Commission assigns employees to collective bargaining units, but current law requires that public safety employees and municipal transit employees be placed in separate collective bargaining units.

The bill adds frontline workers to the groups that may collectively bargain over wages, hours, and conditions of employment. In the bill, "frontline workers" are state or municipal employees with regular job duties that include interacting with members of the public or with large populations of people or that directly involve the maintenance of public works. Under the bill, ERC determines which state and municipal employees meet the criteria. Also, the bill allows ERC to place in the same collective bargaining unit both frontline workers and employees that are not frontline workers. If ERC places employees of both types in a collective bargaining unit, the entire collective bargaining unit is treated as if all members are frontline workers and all members may collectively bargain over wages, hours, and conditions of employment.

Under current law, state or municipal employees in a collective bargaining unit elect their representative. The representative for a unit containing public safety

employees or transit employees requires the support of the majority of the employees who are voting in the election, and the representative for a unit containing other employees requires the support of the majority of all of the employees who are in the collective bargaining unit. Under the bill, the representative for any collective bargaining unit containing any state or municipal employees requires the support of the majority of the employees who are voting in the election regardless of the number of employees who are in the collective bargaining unit.

Under current law, ERC must conduct an annual election to certify each representative of a collective bargaining unit representing state or municipal employees who are not public safety employees or transit employees. At the election, if a representative fails to receive at least 51 percent of the votes of all of the members of the collective bargaining unit, the representative is decertified and the employees are unrepresented. The bill eliminates this annual recertification process.

The bill requires state and municipal employers to consult about wages, hours, and conditions of employment with their employees who are not public safety employees, transit employees, or frontline workers. The employers must consult when policy changes that affect wages, hours, or conditions are proposed or implemented or, in the absence of policy changes, at least quarterly.

The bill adds that employees of authorities, such as the University of Wisconsin Hospitals and Clinics Authority, WHEDA, and WEDC, may collectively bargain as state employees.

Right-to-work law

The current right–to–work law prohibits a person from requiring, as a condition of obtaining or continuing employment, an individual to refrain or resign from membership in a labor organization, to become or remain a member of a labor organization, to pay dues or other charges to a labor organization, or to pay any other person an amount that is in place of dues or charges required of members of a labor organization. The bill repeals these prohibitions and the associated misdemeanor offense for violating the right–to–work law.

The bill explicitly provides that, when an all–union agreement is in effect, it is not an unfair labor practice to encourage or discourage membership in a labor organization or to deduct labor organization dues or assessment from an employee's earnings. The bill sets conditions under which an employer may enter in an all–union agreement. The bill also sets conditions for the continuation or termination of all–union agreements, including that, if ERC determines there is reasonable ground to believe employees in an all–union agreement have changed their attitude about the agreement, ERC is required to conduct a referendum to determine whether the employees wish to continue the agreement. ERC is required to terminate an all–union agreement if it finds the union unreasonably refused to admit an employee into the union.

Prevailing wage

The bill requires that laborers, workers, mechanics, and truck drivers employed on the site of certain projects of public works be paid the prevailing wage and not be required or allowed to work a greater number of hours per day and per week than the prevailing hours of labor unless they are paid overtime for all hours

worked in excess of the prevailing hours of labor. Projects subject to the bill include state and local projects of public works, including state highway projects, with exceptions including projects below certain cost thresholds, minor service or maintenance work, and certain residential projects. Under the bill, "prevailing wage rate" is defined as the hourly basic rate of pay, plus the hourly contribution for bona fide economic benefits, paid for a majority of the hours worked in a trade or occupation in the area in which the project is located, except that, if there is no rate at which a majority of those hours is paid, "prevailing wage rate" means the average hourly basic rate of pay, plus the average hourly contribution for bona fide economic benefits, paid for the highest–paid 51 percent of hours worked in a trade or occupation in the area. "Prevailing hours of labor" is defined as 10 hours per day and 40 hours per week, excluding weekends and holidays. The bill requires DWD to conduct investigations and hold public hearings as necessary to define the trades or occupations that are commonly employed on projects that are subject to the prevailing wage law and to inform itself of the prevailing wage rates in all areas of the state for those trades or occupations, in order to determine the prevailing wage rate for each trade or occupation. The bill contains certain other provisions regarding the calculation of prevailing wage rates by DWD, including provisions allowing persons to request recalculations or reviews of the prevailing wage rates determined by DWD.

The bill requires contracts and notices for bids for projects subject to the bill to include and incorporate provisions ensuring compliance with the requirements. The bill also establishes a requirement that state agencies and local governments post prevailing wage rates and hours of labor in areas readily accessible to persons employed on the project or in sites regularly used for posting notices.

The bill makes a contractor that fails to pay the prevailing wage rate or overtime pay to an employee, as required under the prevailing wage law, liable to the affected employee for not only the amount of unpaid wages and overtime pay, but also for liquidated damages in an amount equal to 100 percent of the unpaid wages and overtime pay.

The bill includes, for both state and local projects of public works, provisions regarding coverage, compliance, enforcement, and penalties, including 1) requirements for affidavits to be filed by contractors affirming compliance with the prevailing wage law; 2) record retention requirements for contractors regarding wages paid to workers and provisions allowing for the inspection of those records by DWD; 3) liability and penalty provisions for certain violations, including criminal penalties; and 4) provisions prohibiting contracts from being awarded to persons who have failed to comply with the prevailing wage law.

Family and medical leave

Under the current family and medical leave law, an employer that employs at least 50 individuals on a permanent basis must permit an employee who has been employed by the employer for more than 52 consecutive weeks and who has worked for the employer for at least 1,000 hours during the preceding 52 weeks to take family leave to care for a child, spouse, domestic partner, or parent of the employee who has a serious health condition. An employer covered by the law must also permit an

employee to take up to two weeks of medical leave in a 12–month period when the employee has a serious health condition. An employee may file a complaint with DWD regarding an alleged violation of the family and medical leave law within 30 days after either the violation occurs or the employee should reasonably have known that the violation occurred, whichever is later.

The bill makes the following changes to the family and medical leave law:

1. Requires employers that employ 25 or more employees on a permanent basis to comply with the family and medical leave law.

2. Decreases the number of hours an employee is required to work before qualifying for family and medical leave to 680 hours during the preceding 52 weeks.

3. Extends the time period in which an employee may file a complaint with DWD to 300 days after either the violation occurs or the employee should reasonably have known that the violation occurred, whichever is later.

4. Requires employers covered under the law to permit employees to take family leave to provide care for a grandparent, grandchild, or sibling who has a serious health condition.

5. Removes the age restriction from the definition of "child" for various purposes under the family and medical leave law.

6. Requires employers to permit employees to take family leave to care for the employee's child, spouse, domestic partner, parent, grandparent, grandchild, or sibling who is in medical isolation and requires employers to permit employees to take medical leave when the employee is in medical isolation. The bill defines "medical isolation" to include when a local health officer or DHS advises that an individual isolate or quarantine; when a health care professional, a local health officer, or DHS advises that the individual seclude herself or himself when awaiting the result of a diagnostic test for a communicable disease or when the individual is infected with a communicable disease; and when an individual's employer advises that an individual not come to the workplace due to a concern that the individual may have been exposed to or infected with a communicable disease.

7. Requires employers to permit employees to take family leave in the instance of the unexpected closure of the child care provider or school that the employee's child, grandchild, or sibling attends or because of a qualifying exigency as to be determined by DWD related to covered active duty, as defined in the bill, or notification of an impending call or order to covered active duty of a child, spouse, domestic partner, parent, grandparent, grandchild, or sibling who is a member of the U.S. armed forces.

8. Requires employers to permit employees to take family leave to provide caregiving services to a child, spouse, domestic partner, sibling, parent, grandparent, or grandchild of the employee if the child, spouse, domestic partner, sibling, parent, grandparent, or grandchild suffers from a chronic condition. The bill defines "chronic condition" as a health condition, illness, impairment, or physical or mental condition that involves any of the following: 1) a condition or disease that is persistent or otherwise long–lasting in its effects; 2) a condition or disease that lasts for at least three months; 3) a condition or disease that requires the individual to have assistance with one or more essential daily activities; or 4) outpatient care that

requires continuing treatment or supervision by a health care provider. The bill also includes adult children who suffer from a chronic condition in the definition of "child" for the purposes of taking family leave for caregiving.

Small Business Retirement Savings Board; retirement savings program

The bill creates a Small Business Retirement Savings Board attached to DFI and requires the board to establish and oversee a small business retirement savings program for certain privately employed individuals who are not eligible for an employer–sponsored retirement plan. The board must contract with a vendor (investment administrator) to provide specified services in administering the program, including investment services and record–keeping services.

Under the bill, the board consists of the following nine members: the state treasurer or his or her designee; the secretary of financial institutions or his or her designee; two members appointed by the governor; two members appointed, respectively, by the speaker of the assembly and president of the senate; one member appointed by the state treasurer; one member appointed by the State of Wisconsin Investment Board; and one member appointed by the other members. The bill requires certain members to possess specified attributes or experience, and all members except the state treasurer and secretary of financial institutions, or their designees, serve four–year terms.

Under the bill, the board must design the program to meet certain requirements. Among these, the program must allow eligible employees to contribute to their accounts through payroll deductions and require participating employers to withhold from employees' wages, through payroll deductions, employees' account contributions and remit those contributions directly to the investment administrator. A "participating employer" is a private employer that does not offer a retirement savings plan to all employees; has at least one employee who is a resident of this state; provides notice to the board of its election to participate in the program; and certifies that, on the date of this notice, it had 50 or fewer employees. An "eligible employee" is an individual who resides in this state and who is employed by a private employer that does not offer a retirement savings plan in which the individual may participate. The bill defines "account" as a retirement savings account established for an eligible employee under the program. Other requirements of the program are that the administrative costs must be low and the fee that the investment administrator may charge an eligible employee is limited to a fixed monthly fee in an amount approved by the board. The program must also allow an eligible employee who has established an account to continue the account after separating from employment with a participating employer if the account is maintained with a positive balance.

Under the bill, after electing to participate in the program, a participating employer must provide notice to each of its eligible employees of the eligible employee's right to opt out of the program. Unless the eligible employee opts out, the participating employer must enroll the eligible employee in the program and begin making payroll deductions, the amounts of which are remitted to the investment administrator as account contributions of the employee. Unless a different account type is offered and the employee selects another option, these contributions are made

to a Roth IRA for the employee. Unless the employee directs otherwise, during the employee's first year of enrollment in the program, the participating employer must make a payroll deduction each pay period at a rate of 5 percent of the employee's gross wages, with this rate increasing by 1 percent per year until a maximum rate of 10 percent is reached. Under the program, the eligible employee must have certain investment options within each account type, including a stable value or capital preservation fund and a target date index fund or age–based fund. An eligible employee's first $1,000 of contributions must be deposited in a stable value or capital preservation fund, and thereafter, unless the employee selects a different investment option, the employee's contributions must be deposited in a target date index fund or age–based fund.

The bill specifies that, in establishing the program, the board may create or impose any requirement or condition not inconsistent with the bill's requirements that the board considers necessary for the effective functioning and widespread utilization of the program. The bill also authorizes the board to enter into contracts for services necessary for establishing and overseeing the program, including services of financial institutions, attorneys, investment advisers, accountants, consultants, and other professionals. The board may promulgate rules related to the program. DFI must provide the board with assistance necessary for the program, including staff, equipment, and office space. The board may delegate to DFI responsibility for carrying out any day–to–day board function related to the program.

Employment discrimination based on conviction record

The bill provides that it is employment discrimination because of conviction record for a prospective employer to request conviction information from a job applicant before the applicant has been selected for an interview. The bill, however, does not prohibit an employer from notifying job applicants that an individual with a particular conviction record may be disqualified by law or under the employer's policies from employment in particular positions.

Employment discrimination based on gender expression and gender identity

Current law prohibits discrimination in employment on the basis of a person's sex or sexual orientation. The bill prohibits employers from discriminating against an employee on the basis of the employee's gender identity or gender expression. "Gender expression" is defined in the bill as an individual's actual or perceived gender–related appearance, behavior, or expression, regardless of whether these traits are stereotypically associated with the individual's assigned sex at birth. "Gender identity" is defined in the bill an individual's internal understanding of the individual's gender, or the individual's perceived gender identity.

Civil actions regarding employment discrimination

Under current fair employment law, an individual who alleges that an employer has violated employment discrimination, unfair honesty testing, or unfair genetic testing laws may file a complaint with DWD seeking action that will effectuate the purpose of the fair employment law, including reinstating the individual, providing back pay, and paying costs and attorney fees.

The bill permits DWD or an individual who is alleged or was found to have been discriminated against or subjected to unfair honesty or genetic testing to bring an action in circuit court to recover compensatory and punitive damages caused by the act of discrimination, unfair honesty testing, or unfair genetic testing, in addition to or in lieu of filing an administrative complaint. The action in circuit court must be commenced within 300 days after the alleged discrimination, unfair honesty testing, or unfair genetic testing occurred. The bill does not allow such an action for damages to be brought against a local governmental unit or against an employer that employs fewer than 15 individuals.

Under the bill, if the circuit court finds that a defendant has committed employment discrimination, unfair honesty testing, or unfair genetic testing, the circuit court may award back pay and any other relief that could have been awarded in an administrative proceeding. In addition, the circuit court must order the defendant to pay to the individual found to have been discriminated against or found to have received unfair genetic testing or unfair honesty testing compensatory and punitive damages in the amount that the circuit court finds appropriate, except that the total amount of damages awarded for future economic losses and for pain and suffering, emotional distress, mental anguish, loss of enjoyment of life, and other noneconomic losses and punitive damages is subject to the following limitations:

1. If the defendant employs 100 or fewer employees, no more than $50,000.

2. If the defendant employs more than 100 but fewer than 201 employees, no more than $100,000.

3. If the defendant employs more than 200 but fewer than 501 employees, no more than $200,000.

4. If the defendant employs more than 500 employees, no more than $300,000.

The bill requires DWD to annually revise these amounts on the basis of the change in the consumer price index in the previous year, if any positive change has occurred.

Worker classification notices and information

The bill requires DWD to design and make available to employers a notice regarding worker classification laws, requirements for employers and employees, and penalties for noncompliance. Under the bill, all employers in this state must post the notice in a conspicuous place where notices to employees are customarily posted. The bill provides a penalty of not more than $100 for an employer that does not post the notice as required. DWD must also establish and maintain on DWD's website information regarding worker classification laws, requirements for employers and employees, penalties for noncompliance, and contact information at each state agency that administers worker classification laws.

Substance abuse prevention; employer registration

With certain exceptions, current law prohibits employees from using, possessing, attempting to possess, distributing, delivering, or being under the influence of a drug, or from using or being under the influence of alcohol, while performing certain work on a project of public works or public utility project, and requires that, before an employer may commence work on a project of public works

or a public utility project, the employer have in place a written employee substance abuse program.

The bill specifically allows DWD to enforce these provisions and requires employers subject to these provisions to register with DWD. The bill allocates registration fees to DWD's substance abuse prevention administration and enforcement activities.

UNEMPLOYMENT INSURANCE

Drug testing

Current state law requires DWD to establish a program to test certain claimants who apply for unemployment insurance (UI) benefits for the presence of controlled substances that is consistent with federal law. A claimant who tests positive for a controlled substance for which the claimant does not have a prescription is ineligible for UI benefits until certain requalification criteria are satisfied or unless he or she enrolls in a substance abuse treatment program and undergoes a job skills assessment, and a claimant who declines to submit to a test is simply ineligible for benefits until he or she requalifies. The bill repeals the requirement to establish the drug testing program.

Also under current law, an employer may voluntarily submit to DWD the results of a preemployment test for the presence of controlled substances that was conducted on an individual as a condition of an offer of employment or notify DWD that an individual declined to submit to such a test. If DWD then verifies that submission, the employee may be ineligible for benefits until he or she requalifies. However, a claimant who tested positive may maintain eligibility by enrolling in a substance abuse treatment program and undergoing a job skills assessment. The bill repeals these preemployment drug testing provisions.

Benefit rates

Under current law, a person who qualifies for UI receives a weekly benefit equal to a percentage of that person's past earnings, but the weekly benefit is capped at $370. The bill changes the maximum weekly benefit in the following ways:

1. For benefits paid for weeks of unemployment beginning on or after January 2, 2022, but before January 1, 2023, the maximum weekly benefit is capped at $409.

2. For benefits paid for weeks of unemployment beginning on or after January 1, 2023, but before December 31, 2023, the maximum weekly benefit is capped at 50 percent of the state's annual average weekly wages.

3. For benefits paid for weeks of unemployment beginning on or after December 31, 2023, the maximum weekly benefit is capped at 75 percent of the state's annual average weekly wages, or the maximum weekly benefit amount from the previous year, whichever is greater.

Under the bill, DWD is required to calculate the state's annual average weekly wage for each year based on quarterly wage reports that are submitted to DWD. The state's annual average weekly wage is calculated by June 30 of each year and is used to calculate the following year's maximum weekly benefit amount.

Waiting period

Currently, a claimant must wait one week after becoming eligible to receive UI benefits before the claimant may receive benefits for a week of unemployment, except for periods during which the waiting period is suspended. The waiting period does not affect the maximum number of weeks of a claimant's benefit eligibility. The bill deletes the one–week waiting period, thus permitting a claimant to receive UI benefits beginning with his or her first week of eligibility.

Social security disability insurance payments

Under current law, in any week in any month that a claimant is issued a benefit under the federal social security disability insurance program (SSDI benefits), that claimant is ineligible for UI benefits. The bill repeals that prohibition and instead requires DWD to reduce a claimant's UI benefit payments by the amount of SSDI payments. The bill requires DWD to allocate a monthly SSDI payment by allocating to each week the fraction of the payment attributable to that week.

Work search and registration

Under current law, a claimant for UI benefits is generally required to register for work and to conduct a work search for each week in order to remain eligible. Current law requires DWD to waive these requirements under certain circumstances, for example, if a claimant who is laid off from work reasonably expects to be recalled to work within 12 weeks, will start a new job within four weeks, routinely obtains work through a labor union referral, or is participating in a training or work–share program. Under current law, DWD may modify the statutory waivers or establish additional waivers by rule only if doing so is required or specifically allowed by federal law.

The bill removes the waiver requirements from statute and instead allows DWD to establish waivers for the registration for work and work search requirements by rule. The bill also specifies that the work search requirement does not apply to a claimant who has been laid off but DWD determines that the claimant has a reasonable expectation to be recalled to work.

Acceptance of suitable work

Under current law, if a claimant for UI benefits fails, without good cause, to accept suitable work when offered, the claimant is ineligible to receive benefits until he or she earns wages after the week in which the failure occurs equal to at least six times the claimant's weekly UI benefit rate in covered employment. Current law specifies what is considered "suitable work" for purposes of these provisions, with different standards applying depending on whether six weeks have elapsed since the claimant became unemployed. Once six weeks have elapsed since the claimant became unemployed, the claimant is required to accept work that pays lower and involves a lower grade of skill.

The bill modifies these provisions described above so that the claimant is not required to accept less favorable work until *10 weeks* have elapsed since the claimant became unemployed.

Termination due to substantial fault

Under current law, a claimant for UI benefits whose work is terminated by his or her employer for substantial fault by the claimant connected with the claimant's work is ineligible to receive UI benefits until the claimant qualifies through subsequent employment. With certain exceptions, current law defines "substantial fault" to include those acts or omissions of a claimant over which the claimant exercised reasonable control and that violate reasonable requirements of the claimant's employer. The bill repeals this provision on substantial fault.

Quits due to nonsuitable work

Under current law, unless an exception applies, if a claimant for UI benefits quits his or her job, the claimant is generally ineligible to receive unemployment insurance benefits until he or she qualifies through subsequent employment. Under one such exception, if a claimant quits his or her job and 1) the claimant accepted work that was not suitable work under the UI law or work that the claimant could have refused; and 2) the claimant terminated the work within 30 calendar days after starting the work, the claimant remains eligible to collect UI benefits. Under the bill, this exemption applies if the claimant terminated that work within *10 weeks* after starting the work.

Quits due to relocations

Under current law, if an employee's spouse is a member of the U.S. armed forces on active duty and is relocated, and the employee quits his or her job in order to relocate with his or her spouse, the employee remains eligible to collect UI benefits. The bill expands this exception so that it applies to an employee who quits employment in order to relocate with a spouse who is required by any employer, not just the U.S. armed forces, to relocate.

Worker misclassification penalties

Current law requires DWD to assess an administrative penalty against an employer engaged in construction projects or in the painting or drywall finishing of buildings or other structures who knowingly and intentionally provides false information to DWD for the purpose of misclassifying or attempting to misclassify an individual who is an employee of the employer as a nonemployee under the UI law. The penalty under current law is $500 for each employee who is misclassified, not to exceed $7,500 per incident. Current law additionally requires DWD to assess an administrative penalty against such an employer who, through coercion, requires an individual to adopt the status of a nonemployee in the amount of $1,000 for each individual so coerced, but not to exceed $10,000 per calendar year. Penalties are deposited in the unemployment program integrity fund.

The bill removes the $7,500 and $10,000 limitations on these penalties and provides that the penalties double for each act occurring after the date of the first determination of a violation. The bill also removes the limitations on the types of employers to which the penalties apply, allowing them to be assessed against any type of employer that violates the above prohibitions.

Wage threshold for receipt of benefits

Under current law, a claimant for UI benefits is generally ineligible to receive any benefits for a week if the claimant receives or is considered to have received wages or other amounts from employment totaling more than $500. The bill repeals this ineligibility provision. However, the bill does not affect the partial benefits formula, which reduces a claimant's weekly UI benefit payment by a certain percentage of wages earned in a week by the claimant.

Electronic transactions with DWD

Currently, with certain exceptions, each employer that has employees who are engaged in employment covered by the UI law must file quarterly contribution (tax) and employment and wage reports and make quarterly payment of its contributions to DWD. An employer of 25 or more employees or an employer agent that files reports on behalf of any employer must file its reports electronically. Current law also requires each employer that makes contributions for any 12–month period ending on June 30 equal to a total of at least $10,000 to make all contribution payments electronically in the following year. Finally, current law allows DWD to provide a secure means of electronic interchange between itself and employing units, claimants, and other persons that, upon request to and with prior approval by DWD, may be used for transmission or receipt of any document specified by DWD that is related to the administration of the UI law in lieu of any other means of submission or receipt.

The bill makes use of these electronic methods mandatory in all cases, unless the employer or other person demonstrates good cause for being unable to use the electronic method, as determined by DWD by rule. The bill also provides that DWD may permit the use of electronic records and electronic signatures for any document specified by DWD that is related to the administration of the UI law.

STATE EMPLOYMENT

Paid sick leave for limited term employees

Under current law, permanent and project state employees receive the following paid leave: vacation; personal holidays; sick leave; and legal holidays. The bill requires the state to provide paid sick leave to limited term employees of the state at the same rate as to permanent and project state employees.

Paid parental leave

The bill requires the administrator of the Division of Personnel Management in DOA to develop a program for paid parental leave for most state employees. The bill requires the administrator to submit the plan for approval as a change to the state compensation plan to the Joint Committee on Employment Relations. If JCOER approves the plan, the plan becomes effective immediately.

The bill also requires the Board of Regents of the UW System to develop a plan for a program for paid parental leave for employees of the system and requires the board to submit the plan to the administrator of the Division of Personnel Management in DOA with its compensation plan changes for the 2021–23 biennium.

Vacation hours for state employees

The bill provides additional annual leave hours to state employees during their third, fourth, and fifth years of service.

Under current law, state employees who are in nonexempt status under the federal Fair Labor Standards Act earn annual leave at the rate of 104 hours per year of continuous service during the first five years of service and, on an employee's fifth anniversary of continuous service, the rate increases to 144 hours of annual leave per year of continuous service. Under the bill, beginning on the employee's second anniversary, a state employee in nonexempt status begins earning vacation hours at the rate of 120 hours per year of service.

Under current law, state employees who are in exempt status under the federal Fair Labor Standards Act earn annual vacation at the rate of 120 hours per year of continuous service during the first five years of service and, on the fifth anniversary of continuous service, the rate increases to 160 hours of annual leave per year of continuous service. Under the bill, beginning on the employee's second anniversary, a state employee in exempt status begins earning vacation hours at the rate of 136 hours per year of service.

Merit pay raises for state public defenders

Under current law, there is an assistant state public defender pay progression plan, which consists of 17 hourly salary steps, with each step equal to one–seventeenth of the difference between the lowest hourly salary and the highest hourly salary. The plan provides that no salary adjustment under the plan may increase an assistant state public defender's salary by more than 10 percent of his or her base pay during a fiscal year.

The bill allows the state public defender board to provide merit–based pay raises under the assistant state public defender pay progression plan in fiscal year 2022 that may exceed 10 percent of an assistant state public defender's base pay for assistant state public defenders who were employed by the state public defender board before July 1, 2021.

Director of the Legislative Technology Services Bureau

The director of the Legislative Technology Services Bureau is currently assigned to executive salary group five, which, effective January 3, 2021, has an annual pay range of $89,045 to $146,931. The bill reassigns the director to executive salary group six, which, effective January 3, 2021, has an annual pay range of $96,179 to $158,704. Within this range, the Joint Committee on Legislative Organization determines the director's annual salary.

JOBS AND JOB TRAINING

Worker connection program

The bill requires DWD to establish a worker connection program to be administered by DWD to help prospective employee participants prepare for and enter quality jobs in targeted employment sectors identified by DWD as having high opportunities for career growth.

Pandemic recovery grants

The bill requires DWD to establish and operate a program to provide grants to local workforce development boards to fund pandemic recovery efforts to emphasize training, skill development, and economic recovery for individuals and businesses. The grants may be used for virtual and in–person job training, employment navigators or coaches, skill assessment, transportation, soft skill development, career or talent search services, and other programs to return employees to the labor market.

Pandemic workforce training program grants

The bill creates a pandemic workforce training program to be administered by DWD. Under the program, DWD is required to award grants to public and private organizations for the development and implementation of pandemic workforce training programs. The grants may be used for virtual and in–person job training, employment navigators or coaches, skill assessment, transportation, soft skill development, career or talent search services, and other programs to return employees to the labor market. The bill also permits DWD to require a public or private organization, as a condition of receiving a grant, to provide matching funds at a percentage to be determined by DWD.

Green jobs training program grants

The bill creates a green jobs training program to be administered by DWD. Under the program, DWD is required to award grants to public and private organizations for the development and implementation of green jobs training programs. The bill defines green jobs as jobs that produce goods or provide services that benefit the environment or conserve natural resources. The bill also permits DWD to require a public or private organization, as a condition of receiving a grant, to provide matching funds at a percentage to be determined by DWD.

Health care recruitment initiative

The bill requires DWD, in coordination with local workforce development boards, to 1) undertake a statewide recruitment initiative to promote and connect individuals with nurse aide instructional programs and employment opportunities and to promote other health care provider employment opportunities and 2) create a free, four–hour course that individuals may take to explore career opportunities within the field of human services or health care delivery.

Project SEARCH program

Under current law, DWD is authorized to enter into contracts to provide employment skills services to individuals with developmental disabilities under the Project SEARCH program. The program is currently operated by the Cincinnati Children's Hospital, and DWD administers the program for residents of this state. The bill changes the source of funding for the program to a dedicated appropriation in DWD. The bill also specifically authorizes DWD to engage in a number of activities related to the Project SEARCH program.

Hire Heroes program

Under current law, DWD administers the Hire Heroes program, which provides transitional jobs to veterans and reimburses employers of veterans for wages and

other related costs. In order for a veteran to be eligible to participate in the program, he or she must be a DVA–certified veteran, be at least 18 years old, be ineligible to participate in the Wisconsin Works program, be unemployed for at least four weeks, and satisfy any applicable substance abuse screening, testing, and treatment. Prospective program participants must also submit an application to the program no later than seven years after the date of discharge from military service. The bill removes the seven–year limit on when veterans may submit an application to the program.

Modification to employment transit assistance program

Under current law, DWD is required to administer an employment transit assistance program to address the deficiency in access to employment locations for workers and persons seeking employment. Current law limits funding under the program to projects in outlying suburban and sparsely populated and developed areas that are not adequately served by a mass transit system. The bill removes those geographic restrictions.

Penalties for uninsured employers

Under current law, DWD is required to assess an administrative penalty against an employer who requires an employee to pay for any part of worker's compensation insurance or who fails to provide mandatory worker's compensation insurance coverage. If the employer violates those requirements, for the first 10 days, the penalty under current law is not less than $100 and not more than $1,000 for such a violation. If the employer violates those requirements for more than 10 days, the penalty under current law is not less than $10 and not more than $100 for each day of such a violation.

The bill provides that the penalty for violations occurring after the second such violation is $3,000 per violation, or three times the amount of the insurance premium that would have been payable, whichever is greater. The bill also provides that the penalty for violations occurring after the third such violation is $4,000 per violation, or four times the amount of the insurance premium that would have been payable, whichever is greater.

Also under current law, if an employer who is required to provide worker's compensation insurance coverage provides false information about the coverage to his or her employees or contractors who request information about the coverage, or who fails to notify a person who contracts with the employer that the coverage has been canceled in relation to the contract, DWD is required to assess a penalty of not less than $100 and not more than $1,000 for each such violation.

The bill provides that the penalty for violations occurring after the third such violation is $3,000 per violation, and $4,000 for violations occurring after the fourth such violation.

Substantial fault

Currently, under the worker's compensation law, an employer is not liable for temporary disability benefits during an employee's healing period if the employee is suspended or terminated from employment due to substantial fault by the employee connected with the employee's work. With certain exceptions, current law defines "substantial fault" to include those acts or omissions of an employee over which the

claimant exercised reasonable control and that violate reasonable requirements of the claimant's employer. The bill repeals this provision on substantial fault.

Electronic transmission of records and payments

Under current law, in actions regarding worker's compensation claims, most information, forms, and documents must be mailed using the U.S. mail or provided in–person. The bill allows DWD, the Division of Hearings and Appeals in DOA, and the Labor and Industry Review Commission to send certain information, forms, notices, and documents regarding worker's compensation actions electronically, rather than exclusively by U.S. mail, including information regarding all of the following: hearings, findings and awards, preference for claims under bankruptcy, employer penalties, hazardous exposure, levies for delinquent payments, and citations. Under the bill, DWD, DHA, and LIRC must get consent to provide the information, forms, notices, and documents electronically.

Also, the bill requires payments for worker's compensation awards to be made by direct deposit or electronic funds transfer unless the claimant cannot receive payments electronically, does not want to receive the payment electronically, or if the insurer, self–insured employer, or third–party payer is not able to issue payments electronically.

ADMINISTRATION AND FINANCE

Equal rights hearings

Under current law, when DWD holds a complaint hearing regarding an alleged open housing violation, alleged discrimination in a public place of accommodation or amusement, or alleged discrimination, unfair honesty testing, or unfair genetic testing, DWD is required to hold the hearing in the county in which the violation is alleged to have occurred. The bill removes the requirement that such hearings be held in the county in which the violation is alleged to have occurred, and requires DWD to designate the place of hearing, which may include a remote, web–based, or in–person hearing in a location accessible and in proximity to the parties.

Fees for work permits for minors

Under current law, a portion of fees collected by local permit officers for work permits for minors is forwarded to DWD. A portion of the fees collected by or forwarded to DWD for these permits is appropriated to DWD, and a portion of those fees is deposited into the general fund and is available for general purpose revenue. The bill credits the entire amount of fees collected by or forwarded to DWD to the appropriation account for the permit system for employment of minors.

Youth apprenticeship funding

Under current law, DWD is authorized to provide a youth apprenticeship program and may award grants to local partnerships for the implementation and coordination of local youth apprenticeship programs. Current law requires DWD to fund the development of youth apprenticeship program curricula from its general program operations appropriation. The bill permits the funding of youth apprenticeship program curricula development from any allowable source.

Worker's compensation uninsured employers fund

DWD administers the worker's compensation program in this state. Employers are required to have worker's compensation insurance or to self–insure. The program includes an uninsured employers fund (UEF), which is used to pay worker's compensation benefits on claims filed by employees who are injured while working for uninsured employers in this state. The money for the UEF comes from, among various sources, penalties assessed against uninsured employers. The bill changes the appropriation for the UEF from a sum sufficient appropriation to a continuing appropriation.

Reimbursements for supplemental worker's compensation benefits

Under current law, worker's compensation insurers are required to pay supplemental benefits to certain employees who were permanently disabled by an injury that is compensable under worker's compensation.

DWD is authorized to collect up to $5,000,000 from insurers that provide worker's compensation insurance to provide those supplemental benefits. This money must be used exclusively to provide reimbursements to insurers that pay those supplemental benefits and that request reimbursements. The bill creates a new, separate appropriation in the worker's compensation operations fund, to be used exclusively to provide these reimbursements. The bill does not increase revenue to DWD or collections from insurers.

Unemployment insurance; appropriation for administration

The bill creates an appropriation that provides general purpose revenue funding to DWD for administration of the unemployment insurance program.

Unemployment insurance; appropriations for renovation and modernization

The bill creates appropriations to provide general purpose revenue and federal funding to DWD for the renovation and modernization of unemployment insurance information technology systems.

ENVIRONMENT

WATER QUALITY

PFAS standards

The bill requires DNR to establish and enforce various standards for per– and poly–fluoroalkyl substances (PFAS). The PFAS group of substances includes several thousand chemicals; two of the most well known are perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS).

The bill requires DNR to establish, by rule, acceptable levels and standards, monitoring requirements, and required response actions for any PFAS in drinking water, groundwater, surface water, air, solid waste, beds of navigable waters, and soil and sediment, if the department determines that the substance may be harmful to human health or the environment. These rules must cover, at a minimum, PFOA and PFOS, as well as perfluorohexane sulfonic acid (PFHxS), perfluorononanoic acid (PFNA), and perfluorobutane sulfonic acid (PFBS).

The bill also requires DNR to establish air emission standards for PFAS to provide adequate protection for public health and welfare, taking into account

energy, economic, and environmental impacts and other costs related to the emission source.

Under current law, DNR maintains a list of substances that have a reasonable probability of entering the groundwater resources of the state and that are shown to involve public health concerns. Under the bill, DNR is required to add to this list PFOA, PFOS, PFHxS, PFNA, PFBS, and all other PFAS that have a reasonable probability of entering the groundwater resources of the state and that are shown to involve public health concerns. Under current law, DHS recommends enforcement standards for substances on this list, which DNR then proposes as DNR rules in its rule–making process. Until DNR establishes such rules, the bill requires DNR to apply any DHS–recommended groundwater enforcement standard for any PFAS as an interim standard for groundwater and as an interim maximum contaminant level for drinking water.

The bill also provides that DNR may, if it determines doing so is necessary to protect human health or the environment, require a person who possesses or controls PFAS to provide proof of financial responsibility for remediation and long–term care to address contamination by a potential discharge of PFAS or environmental pollution that may be caused by a discharge of PFAS.

In addition, the bill requires DNR to set criteria for certifying laboratories to test for PFAS, and to certify laboratories that meet these criteria. Before these criteria are set, the bill allows DNR to require testing for PFAS to be done according to nationally recognized standards.

Finally, the bill requires a person who generates solid or hazardous waste at a site or facility under investigation by DNR to provide DNR with access to information relating to any transportation to or treatment, storage, or disposal at another site, facility, or location.

PFAS appropriations

The bill creates two new appropriations related to PFAS for the purposes of sampling and testing public water supplies for PFAS and collecting and disposing of PFAS–containing fire fighting foam.

PFAS rules

The bill allows DNR to promulgate emergency rules relating to the collection and disposal of PFAS–containing fire fighting foam.

PFAS municipal grant program

The bill creates a municipal grant program, administered by DNR, to address PFAS. Under the program, DNR must provide grants to cities, towns, villages, counties, utility districts, lake protections districts, sewerage districts, and municipal airports. DNR may award a grant only if the applicant tested or trained with a PFAS–containing fire fighting foam in accordance with applicable state and federal law, or if a third party tested or trained with PFAS–containing fire fighting foam within the boundaries of the municipality; the applicant applied biosolids to land under a water pollution permit issued by DNR; or PFAS are impacting the applicant's drinking water supply or surface water or groundwater within the municipality and the responsible party is unknown or is unwilling or unable to take the necessary response actions.

Under the bill, grants provided under this program may be used to investigate potential PFAS impacts in order to reduce or eliminate environmental contamination; treat or dispose of PFAS–containing fire fighting foam containers; sample a private water supply within three miles of a site or facility known to contain PFAS or to have caused a PFAS discharge; provide a temporary emergency water supply, a water treatment system, or bulk water to replace water contaminated with PFAS; conduct emergency, interim, or remedial actions to mitigate, treat, dispose of, or remove PFAS contamination; or remove or treat PFAS in public water systems in areas where PFAS levels exceed the maximum contaminant level for PFAS in drinking water or an enforcement standard for PFAS groundwater or in areas where the state has issued a health advisory for PFAS.

An applicant that receives a grant under this program must contribute matching funds equal to at least 20 percent of the amount of the grant. The applicant must apply for a grant on a form prescribed by DNR and must include any information that DNR finds is necessary to determine the eligibility of the project, identify the funding requested, determine the priority of the project, and calculate the amount of a grant. In awarding grants under this program, DNR must consider the applicant's demonstrated commitment to performing and completing eligible activities, including the applicant's financial commitment and ability to successfully administer grants; the degree to which the project will have a positive impact on public health and the environment; and any other criteria that DNR finds necessary to prioritize the funds available for awarding grants.

Concentrated animal feeding operations

Under current law, a person who operates a concentrated animal feeding operation (CAFO) must have a Wisconsin Pollutant Discharge Elimination System (WPDES) permit from DNR. A CAFO is a livestock operation that contains at least 1,000 animal units, that discharges pollutants into a navigable water, or that contaminates a well. Current law requires a CAFO operator with a WPDES permit to pay an annual fee of $345 to DNR. The bill increases the amount of this annual fee to $545. The bill also requires a CAFO operator applying for a new WPDES permit to pay a $3,270 application fee.

Well compensation grant program

The bill makes changes to the well compensation grant program currently administered by DNR.

Under current law, an individual owner or renter of a contaminated private well may apply for a grant from DNR to cover a portion of the costs to treat the water, reconstruct the well, construct a new well, connect to a public water supply, or fill and seal the well. To be eligible for a grant, the well owner's or renter's annual family income may not exceed $65,000. A grant awarded under the program may not cover any portion of a project's eligible costs in excess of $16,000 and, of those costs, may not exceed 75 percent of a project's eligible costs, meaning that a grant may not exceed $12,000. In addition, if the well owner's or renter's annual family income exceeds $45,000, the amount of the award is reduced by 30 percent of the amount by which the annual family income exceeds $45,000.

The bill increases the family income limit to $100,000. In addition, under the bill, a well owner or renter whose family income is below the state's median income may receive a grant of up to 100 percent of a project's eligible costs, not to exceed $16,000. The bill also eliminates the requirement to reduce an award by 30 percent if the well owner's or renter's family income exceeds $45,000.

Under current law, a well that is contaminated only by nitrates is eligible for a grant only if the well is a water supply for livestock, is used at least three months in each year, and contains nitrates in excess of 40 parts per million. The bill eliminates these restrictions for claims based on nitrates, and instead allows grants to be issued for wells based on contamination by at least 10 parts per million of nitrate nitrogen. The bill also allows grants to be issued for wells contaminated by at least 10 parts per billion of arsenic.

Under current law, DNR must issue grants in the order in which completed claims are received. Under the bill, if there are insufficient funds to pay claims, DNR may, for claims based on nitrate contamination, prioritize claims that are based on higher levels of nitrate contamination.

Lead service line replacement

Under current law, DOA and DNR administer the Safe Drinking Water Loan Program (SDWLP), which provides financial assistance from the environmental improvement program to municipalities, and to the private owners of community water systems that serve municipalities, for projects that will help the municipality comply with federal drinking water standards. DNR establishes a funding list for SDWLP projects and DOA allocates funding for those projects.

The bill creates a general fund appropriation under the environmental improvement program for projects involving forgivable loans to private users of public water systems to cover not more than 50 percent of the cost to replace lead service lines.

Well construction notification fee

Under current law, no person may construct a high capacity well, which is a well with a capacity of more than 100,000 gallons per day, without prior approval of DNR and payment of a $500 fee. Prior to construction of a well that is not a high–capacity well, the owner of the property where the well is to be constructed must notify DNR and pay a fee of $50. The bill increases the notification fee to $70.

Well construction variances application fee

Under current law, DNR regulates groundwater withdrawal. Administrative rules promulgated by DNR establish requirements for the construction of wells and provide that a person may request a variance from those rules if strict compliance with the requirements is not feasible. DNR may determine whether a variance is justified and may condition the issuance of a variance on additional construction features to safeguard groundwater. The bill provides that DNR must collect a $100 fee from a person requesting a well construction variance.

Water stewardship certification

The bill creates a grant program for DATCP to provide grants to reimburse the costs for agricultural producers to apply for a certification of water stewardship from

the Alliance for Water Stewardship. The grants must be made directly to the producer, and may not be used to pay the costs of operational changes needed to achieve certification.

Procedures under the clean water fund program and safe drinking water loan program

The bill makes various changes to the process for applying for financial assistance under the Clean Water Fund Program (CWFP) and the SDWLP. The CWFP, which is administered by DNR, provides financial assistance to municipalities for projects to control water pollution, such as sewage treatment plants.

Under current law, a municipality that intends to apply for financial assistance under either program must submit notice of its intent to apply to DNR at least six months before the beginning of the fiscal year in which it will request to receive the assistance. The bill eliminates the requirement to submit a notice of intent to apply before applying.

Current law also requires an applicant for financial assistance under the SDWLP to submit an engineering report as required by DNR by rule. The bill changes this provision to allow DNR to determine, by rule, whether to require submission of engineering reports. Under the bill, if an engineering report is required by DNR, the applicant must submit the report either before or at the same time as the application.

In addition, current law requires an applicant for financial assistance under the SDWLP to submit the application on or before the June 30 before the fiscal year in which the applicant wishes to receive funding, with certain exceptions. The bill removes this requirement and instead requires DNR to provide, at least annually, instructions for submitting applications, including the deadline for submittal, if any.

Finally, under the current SDWLP, if funding is allocated for a loan and the loan is not closed before June 30 of the year following the year in which funding is allocated, DOA must release the allocated funding. The bill repeals this provision.

Clean water fund program appropriation

The CWFP receives federal capitalization grants for a state revolving loan fund, for which the state provides a 20 percent match. An appropriation under current law provides a certain amount from the federal revolving loan fund account for general operations of the CWFP. The bill changes this appropriation to provide all moneys received from the federal revolving loan fund account for general operations of the CWFP.

Environmental improvement fund revenue bonding limit

Current law authorizes the issuance of revenue bonds for the CWFP and the SDWLP under the environmental improvement fund, but limits the principal amount of those revenue bonds to $2,526,700,000. The bill increases that limit by $385,000,000, to $2,911,700,000.

Bonding for nonpoint source water pollution abatement

Under current law, the state may contract up to $50,550,000 in public debt to provide financial assistance for projects that control pollution that comes from

diffuse sources rather than a single concentrated discharge source in areas that qualify as high priority due to water quality problems. The bill increases the bonding authority for these projects by $6,500,000.

Bonding for Great Lakes contaminated sediment removal

Under current law, the state may contract up to $36,000,000 in public debt to provide financial assistance for projects to remove contaminated sediment from Lake Michigan or Lake Superior, or a tributary of Lake Michigan or Lake Superior, if DNR has identified the body of water as being impaired by the sediment. The bill increases the bonding authority for sediment removal projects by $25,000,000.

Bonding for urban storm water, flood control, and riparian restoration

Under current law, the state may contract up to $57,600,000 in public debt to provide financial assistance for projects that manage urban storm water and runoff and for flood control and riparian restoration projects. The bill increases the bonding authority for these projects by $12,000,000 and allocates $8,000,000 of those amounts in fiscal biennium 2021–23 for cost–sharing grants under the municipal flood control and riparian restoration program administered by DNR under current law. The program provides financial assistance to local units of government for facilities and structures for the collection and transmission of storm water and groundwater and for the floodproofing of public and private structures that remain in the 100–year floodplain.

Storm water management

Under current law, a person may need to obtain a storm water discharge permit from DNR, and pay a permit fee, in order to discharge storm water. Current law appropriates money annually from the general fund for the administration, including enforcement, of the storm water discharge permit program (storm water permit appropriation). An annual appropriation is expendable only up to the amount shown in the schedule and only for the fiscal year for which made. Storm water permit fees collected by DNR are credited to the storm water permit appropriation.

The bill changes the storm water permit appropriation from an annual to a continuing appropriation, which is an appropriation that is expendable until fully depleted or repealed by subsequent action of the legislature. Under the bill, the storm water permit appropriation is still funded by all moneys received from storm water permit fees.

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP

Elimination of the land recycling loan program

Under the environmental improvement fund, the state provides financial assistance to local governmental units for certain projects. The environmental improvement fund is made up of three programs: the CWFP; the SDWLP; and the land recycling (brownfields) loan program, which provides financial assistance for the investigation and remediation of certain contaminated properties.

The bill eliminates the land recycling loan program, which has not provided loans since 2008. Under the bill, current law provisions continue to apply to any outstanding loans under the program that are in repayment. The bill also requires

any unallocated balance of moneys appropriated to the land recycling loan program to be transferred to the CWFP.

RECYCLING

Local regulation of certain containers

Current law limits the ability of political subdivisions (cities, villages, towns, and counties) to regulate auxiliary containers. "Auxiliary container" is defined as "a bag, cup, bottle, can, or other packaging that is designed to be reusable or single–use; that is made of cloth, paper, plastic, cardboard, corrugated material, aluminum, glass, postconsumer recycled material, or similar material or substrates, including coated, laminated, or multilayer substrates; and that is designed for transporting or protecting merchandise, food, or beverages from a food service or retail facility." In general, a political subdivision may not 1) enact or enforce an ordinance regulating the use, disposition, or sale of auxiliary containers, 2) prohibit or restrict auxiliary containers, or 3) impose a fee, charge, or surcharge on auxiliary containers.

The bill provides that DNR may grant a political subdivision an exemption from these prohibitions as they apply to a specific type of container. A political subdivision seeking an exemption must make an application to DNR that describes the type of container to which the exemption would apply and demonstrate that the political subdivision cannot sell the type of container at a price that exceeds the recycling processing costs of the container. If DNR grants the exemption, DNR must specify the period of the exemption, which may not exceed two years.

E–Cycle grants

The bill requires DNR to create a program to provide grants to expand electronics recycling collection in rural counties of the state. Grants may be provided to local units of government, businesses, and nonprofit entities for hosting a collection site or collection event in a rural county of the state.

GENERAL ENVIRONMENT

Tipping fee exemption for waste–to–energy facilities

Current law imposes several fees, commonly called tipping fees, on generators of solid waste that is disposed of at a landfill or other waste disposal facility. Under current law, a facility that recycles construction, demolition, and remodeling materials is exempt from these tipping fees, in an amount equal to the weight of residue generated by the recycling process or 30 percent of the total weight of material accepted by the recycling facility, whichever is less. To be eligible for this exemption, the facility must be licensed as a solid waste processing facility; the facility's plan of operation must require reporting of the volume or weight of materials processed, recycled, and discarded; and the facility must be in compliance with its plan of operation.

The bill creates a similar exemption from tipping fees for existing facilities that incinerate solid waste for the purpose of energy recovery, commonly called waste–to–energy facilities. To be eligible for this exemption, the facility must be licensed as a municipal solid waste combustor; the facility's plan of operation must require reporting of the weight of material coming into the facility, and the weight of material rejected and residue produced by the facility and where the rejected

material and residue is sent; and the facility must be in compliance with its plan of operation. The exemption does not apply to ash residue generated at these facilities.

The bill also makes a terminology change, referring to facilities exempt from the tipping fee as "qualified facilities" instead of "qualified materials recovery facilities."

Ban on coal tar–based sealants

The bill prohibits the sale of coal tar–based sealant products and high PAH sealant products (products with more than 0.1 percent polycyclic aromatic hydrocarbons by weight) beginning January 1, 2022, and prohibits the use of such products beginning July 1, 2022. A person who violates these prohibitions is subject to the same penalty that applies under current law to other general environmental provisions, which is a forfeiture of between $10 and $5,000 for each violation.

Municipal flood control aid

The bill requires DNR to award, from the amounts appropriated to DNR to provide assistance for municipal flood control, $1,000,000 in grants in each fiscal year of the 2021–23 fiscal biennium for the preparation of flood insurance studies and other flood mapping projects.

Lapsing certain appropriations

The bill lapses, to the general fund in fiscal year 2021–22, $2,500 from the DNR appropriation for Great Lakes remediation; $37,800 from the DNR appropriation for maintenance and development of state parks and lands; and $7,200 from the DNR appropriation for acquisition and development of new buildings.

HEALTH AND HUMAN SERVICES

Public assistance

Emergency assistance for needy families

Under current law, DCF administers a program to distribute emergency assistance funds to qualifying families who are homeless or who are facing impending homelessness. Current law describes several scenarios that constitute "homelessness or impending homelessness" for purposes of receiving the emergency assistance. One scenario under current law is if the family receives an eviction notice due to its inability to make rent, mortgage, or property tax payments that results from a financial hardship. Under current law, a family can only qualify for this emergency assistance once in a 12–month period. DCF rules specify certain financial and nonfinancial eligibility requirements and the maximum payment amounts for the emergency assistance.

Under current DCF rule, a family is defined as one or more dependent children and a qualified caretaker relative who lives with the child, and a family's annual gross income may not exceed 115 percent of the federal poverty line in order to qualify. The maximum payment amount is calculated by multiplying the maximum payment amount per family member for a family of that size by the number of family members, or is determined by the amount of actual financial need due to the emergency, whichever is less. Under current DCF rule, the maximum payment amounts for families range from $258 per family member for a two–person family to $110 per family member for a family of six or more people.

The bill makes the following changes to the emergency assistance program:

1. Adds that an individual who is between the ages of 18 and 24 may qualify for emergency assistance payments even if that person is not a qualifying caretaker relative of a child.

2. Increases the maximum family annual gross income to 200 percent of the federal poverty line.

3. Allows a family to receive emergency assistance once in a six–month period instead of once in a 12–month period.

4. Sets the maximum payment at an amount set by DCF by publication in the Wisconsin Administrative Register, regardless of the size of the family, or the actual financial need of the family due to the emergency, whichever is less.

The bill also specifies that, during a national emergency declared by the U.S. president or a state of emergency declared by the governor, a family is considered to be facing impending homelessness if it cannot make rent, mortgage, or property tax payments regardless of whether the family has received notice that it will be evicted if the payments are not made immediately.

Definition of "domestic abuse" in the emergency assistance program

Under the emergency assistance program, a family is considered to be homeless or facing impending homelessness if certain conditions apply, including if a member of the family was a victim of domestic abuse. Under the program, "domestic abuse" has the same definition as under the statute establishing arrest and prosecution procedures for domestic abuse incidents.

Also under current law, however, DCF is required under the Wisconsin Works (W–2) program to promulgate rules for screening victims of domestic abuse, and those rules must specify the evidence that is sufficient to establish that an individual is or has been a victim of domestic abuse or is at risk of further domestic abuse. Under current law, the W–2 program provides, among other things, work experience and benefits for low–income custodial parents who are at least 18 years old.

The bill eliminates the definition of domestic abuse in the emergency assistance program. Instead, it provides that evidence that is sufficient under the W–2 domestic abuse screening program to establish that an individual is or has been a victim of domestic abuse is also sufficient for that purpose under the emergency assistance program.

Child care quality improvement program

Under Wisconsin Shares, which is a part of the W–2 program, an individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, who needs child care services to participate in various education or work activities, and who satisfies other eligibility criteria may receive a child care subsidy for child care services under Wisconsin Shares. Under current law, DCF sets the maximum payment rates for child care providers who provide services under Wisconsin Shares and may modify an individual child care provider's payment rate in the following manner on the basis of the child care provider's quality rating under the Young Star system: a provider who receives a one–star rating may be denied payment; a provider who receives a two–star rating may have the maximum payment rate reduced by up to 5 percent; a provider who receives a three–star rating

may receive up to the maximum payment rate; a provider who receives a four–star rating may have the maximum payment rate increased by up to 15 percent; and a provider who receives a five–star rating may have the maximum payment rate increased by up to 30 percent.

The bill eliminates the current law method by which DCF may modify payments to child care providers under Wisconsin Shares based on a child care provider's rating under the quality rating system known as Young Star. The bill instead authorizes DCF to establish a program for making monthly payments and monthly per–child payments to certified child care providers, licensed child care centers, and child care programs established or contracted for by a school board. The bill allows DCF to promulgate rules to implement the program, including establishing eligibility requirements and payment amounts and setting requirements for how recipients may use the payments. The bill funds the program through a new appropriation and by allocating federal moneys, including child care development funds and moneys received under the Temporary Assistance for Needy Families block grant program.

Temporary Assistance for Needy Families

Under current law, DCF allocates specific amounts of federal moneys, including child care development funds and moneys received under the Temporary Assistance for Needy Families (TANF) block grant program for various public assistance programs. Under the bill, TANF funding allocations are changed in the following ways, as compared to the funding allocation in the 2019–21 fiscal biennium:

1. For Wisconsin Works benefits, agency contracts, and job access loans, the total funding is increased by 20 percent.

2. For emergency assistance payments, funding is increased by 73 percent.

3. For grants to Wisconsin Trust Account Foundation, Inc., for distribution to programs that provide civil legal services to low–income families, funding is doubled.

4. For the Transform Milwaukee and Transitional Jobs programs, funding is increased by 49 percent.

5. For direct child care services, child care administration, and child care improvement programs, total funding is decreased by 7 percent.

6. For kinship care payments, safety and out–of–home placement services, and child abuse and neglect prevention services, total funding is increased by 10 percent.

7. For grants to the Boys and Girls Clubs of America, funding is increased by 5 percent.

8. For the earned income tax credit supplement, funding is increased by 34 percent.

9. For the support of the dependent children of recipients of supplemental security income, funding is decreased by 27 percent.

10. For all other programs under TANF, funding is continued with a funding change of less than 5 percent.

The bill additionally allocates $500,000 of TANF funding in each fiscal year to fund the Jobs for America's Graduates programs to improve social, academic, and employment skills of youth who are eligible to receive TANF.

Also, the bill specifies that, with respect to a TANF–funded contract for services, "allocation" means the amount under the contract that DCF is obligated to pay.

Grants for homelessness case management services

Under current law, DOA may award 10 annual grants from TANF funds of up to $50,000 to homeless shelter facilities to provide case management services for homeless families. The bill increases the annual limit on grants to a shelter facility from $50,000 to $75,000 and eliminates the restriction that limits DOA to making no more than 10 grants in total each year.

Civil legal services grants

Under current law, DCF is directed to allocate in each fiscal year specific amounts of money, including federal moneys received under the TANF block grant program, for various public assistance programs. Under current law, DCF provides funding to the Wisconsin Trust Account Foundation, Inc. (the Foundation), to provide civil legal services to TANF–eligible individuals in two ways:

1. DCF provides up to $100,000 in each fiscal year in matching funds to the Foundation for the provision of civil legal services to eligible individuals. This grant does not specify what types of civil legal services may be provided.

2. DCF provides a $500,000 grant in each fiscal year to the Foundation to provide grants to programs, up to $75,000 each, that provide certain legal services to eligible individuals. The legal services provided through this grant are limited to legal services in civil matters related to domestic abuse or sexual abuse or to restraining orders or injunctions for individuals at risk.

The bill removes the grant that requires matching funds and increases the grant to provide certain legal services to eligible individuals to $1,000,000 per fiscal year. Under the bill, the Foundation may additionally use this funding to provide to eligible individuals civil legal services related to eviction. The bill removes the $75,000 cap on grants provided by the Foundation to individual programs.

Internet assistance program

The bill requires DCF to establish an Internet assistance program, under which it makes payments to Internet service providers on behalf of low–income individuals to assist with paying for Internet service. The bill requires that other assistance program options be exhausted before assistance is provided under this program. The bill allows DCF to contract for the administration of the program. The bill requires DCF to promulgate rules to implement the program, including a requirement that the family income of a recipient not exceed 200 percent of the federal poverty line. Under the bill, the new program is funded through an appropriation from the general fund and from $10,000,000 that the bill requires DCF to allocate from federal moneys, including moneys received under the TANF block grant program.

Foster care youth driver's licensing

The bill requires DCF to establish or contract for a driver education program for individuals who are 15 years of age or older and in out–of–home care. The bill requires the program to assist those individuals with identifying and enrolling in an appropriate driver education course and obtaining an operator's license. The bill

authorizes DCF to pay, for any individual in the program, any fees required to enroll in a driver education course or to obtain an operator's license.

Offender reentry demonstration project

Under current law, DCF was required to establish a five–year offender reentry demonstration project in the 2017–18 fiscal year. The project focuses on noncustodial fathers in the city of Milwaukee. Under current law, DCF was to conduct an evaluation of the project by June 30, 2023. The bill extends the demonstration project to six years and the deadline for an evaluation to June 30, 2024.

Transferring Head Start state supplement to DCF

The bill transfers the Head Start state supplement from DPI to DCF. The bill transfers from the state superintendent to the secretary of children and families the responsibilities of determining whether agencies are eligible for designation as Head Start agencies under the federal Head Start program to provide comprehensive health, educational, nutritional, social, and other services to economically disadvantaged children and their families, and of distributing federal Head Start funds to those eligible agencies.

Option to purchase public health coverage

The bill requires DHS, OCI, or DHS in consultation with OCI to conduct an analysis and actuarial study of the creation of an option to purchase coverage that is publicly provided or administered. In its analysis, DHS or OCI must incorporate input from a variety of interested persons or entities and an analysis of any other health care affordability initiatives. The bill allows DHS or OCI to submit any requests for federal approval, including Medical Assistance state plan amendments and waiver requests, necessary to implement the public option or other health care affordability initiative. If federal approval is not necessary or if federal approval is granted and DHS or OCI determines that the public option or affordability initiative is feasible, DHS or OCI shall implement the public option or other initiative before January 1, 2025, or if the insurance market provisions of the federal Patient Protection and Affordable Care Act are not longer enforceable, by January 1, 2022, or as soon as possible.

Electronic benefit transfer processing and funding for farmers; healthy eating incentive pilot program

The bill allows DHS to expend general purpose revenue to provide electronic benefit transfer processing equipment and services to farmer's markets and farmers who sell directly to consumers. The electronic benefit transfer system is the method used by DHS to deliver FoodShare benefits to recipients. FoodShare, also known as the food stamp program and the federal Supplemental Nutrition Assistance Program, provides a monetary benefit to individuals who have limited financial resources for the purpose of purchasing food products.

The bill also limits the amount of general purpose revenue DHS may expend on the healthy eating incentive pilot program to $425,000 per fiscal year. The purpose of the healthy eating incentive pilot program is to provide discounts on fresh produce and other healthy foods to FoodShare recipients. The bill also eliminates the time limit under current law for DHS to expend funds to contract with an entity to

administer the healthy eating incentive program. Under current law, DHS could not expend any money for the program after December 31, 2019, except for amounts already encumbered on or before that date.

FSET requirement

Current law requires DHS to require all able–bodied adults, with some limited exceptions, who seek benefits from the FoodShare program to participate in the FoodShare employment and training program, known as FSET, unless they are already employed. The bill eliminates that requirement for able–bodied adults with dependents while retaining the requirement for able–bodied adults without dependents.

Eliminating FSET drug testing requirement

2015 Wisconsin Act 55 required DHS to promulgate rules to develop and implement a drug screening, testing, and treatment policy, which DHS promulgated as DHS 38, Wis. Adm. Code. 2017 Wisconsin Act 370 incorporated into statutes DHS 38, relating to drug screening, testing, and treatment for recipients of FSET. The bill eliminates the requirement to implement a drug screening, testing, and treatment policy and removes from the statutes the language incorporated by Act 370.

Eliminating FSET pay-for-performance requirement

Current law requires DHS to create and implement a payment system based on performance for entities that perform administrative functions for FSET. DHS is required to base the pay–for–performance system on performance outcomes specified in current law. The bill eliminates the requirement for DHS to create a pay–for–performance system for FSET vendors.

MEDICAL ASSISTANCE

Medicaid expansion; elimination of childless adults demonstration project

BadgerCare Plus and BadgerCare Plus Core are programs under the state's Medical Assistance program, which provides health services to individuals who have limited financial resources. The federal Patient Protection and Affordable Care Act allows a state to receive an enhanced federal medical assistance percentage payment for providing benefits to certain individuals through a state's Medical Assistance program. The bill changes the family income eligibility level to up to 133 percent of the federal poverty line for parents and caretaker relatives under BadgerCare Plus and for childless adults currently covered under BadgerCare Plus Core and who are incorporated into BadgerCare Plus in the bill. The bill requires DHS to comply with all federal requirements and to request any amendment to the state Medical Assistance plan, waiver of Medicaid law, or other federal approval necessary to qualify for the highest available enhanced federal medical assistance percentage for childless adults under the BadgerCare Plus program.

Under current law, certain parents and caretaker relatives with incomes of not more than 100 percent of the federal poverty line, before a 5 percent income disregard is applied, are eligible for BadgerCare Plus benefits. Under current law, childless adults who 1) are under age 65; 2) have family incomes that do not exceed 100 percent of the federal poverty line, before a 5 percent income disregard is applied; and 3) are not otherwise eligible for Medical Assistance, including BadgerCare Plus, are

eligible for benefits under BadgerCare Plus Core. The bill eliminates the childless adults demonstration project, known as BadgerCare Plus Core, as a separate program on July 1, 2021.

2017 Wisconsin Act 370 requires by statute that DHS implement the BadgerCare Reform waiver as it relates to childless adults as approved by the federal Department of Health and Human Services effective October 31, 2018. The 2015–17 and 2017–19 biennial budget acts required DHS to submit a waiver request to the federal Department of Health and Human Services authorizing DHS to take certain actions, including imposing premiums on, requiring a health risk assessment of, and limiting the time of eligibility for recipients of BadgerCare Plus under the childless adults demonstration project waiver. Act 370 required DHS to implement the childless adults BadgerCare Reform waiver by no later than November 1, 2019. If JCF determines that DHS has not complied with the implementation deadline, has not made sufficient progress in implementing the BadgerCare Reform waiver, or has not complied with other requirements relating to approved waiver implementation, Act 370 allows JCF to reduce from moneys allocated for state operations or administrative functions DHS's appropriation or expenditure authority, whichever is applicable, or change the authorized level of full–time equivalent positions for DHS related to the Medical Assistance program. The bill eliminates the statutory implementation requirement for the BadgerCare Reform waiver, including the deadline and penalties, eliminates the statutory requirement for DHS to seek the waiver, and allows DHS to modify or withdraw the waiver.

Eliminating legislative review of Medicaid state plan amendments

The Medical Assistance program is the state's Medicaid program and is jointly funded by the state and federal governments through a detailed agreement known as the state plan. 2017 Wisconsin Act 370 requires DHS to submit to JCF under its passive review process any proposed Medical Assistance state plan amendment and any proposed change to a reimbursement rate for or supplemental payment to a Medical Assistance provider that has an expected fiscal effect of $7,500,000 or more from all revenue sources over a 12–month period. The bill eliminates this requirement to submit for JCF review Medical Assistance state plan amendments, changes to reimbursement rates, or supplemental payments.

Eliminating legislative oversight over federal law waivers

2017 Wisconsin Act 370 prohibits DHS from submitting a request to a federal agency for a waiver or renewal, modification, withdrawal, suspension, or termination of a waiver of federal law or rules or for authorization to implement a pilot program or demonstration project unless legislation has been enacted specifically directing the submission of the request. For any legislation that requires submission of a request that has not yet been submitted, Act 370 requires DHS to submit an implementation plan to JCF and submit its final proposed request to JCF for approval. Act 370 requires DHS to take certain actions and submit monthly progress reports to JCF once a request has been submitted to the federal agency. When the federal agency has approved the request in whole or in part and the request has not been fully implemented, Act 370 requires DHS to submit its final implementation plan to JCF for approval. Act 370 allows JCF to reduce from moneys

allocated for state operations or administrative functions the agency's appropriation or expenditure authority or change the authorized level of full–time equivalent positions for the agency related to the program for which the request is required to be submitted if JCF determines that the state agency has not made sufficient progress or is not acting in accordance with the enacted legislation requiring the submission of the request. The bill eliminates the requirement that legislation be enacted in order for DHS to submit a request for a waiver or renewal, modification, withdrawal, suspension, or termination of a waiver of federal law or rules or for authorization to implement a pilot program or demonstration project. The bill also eliminates the legislative review procedure for requests for waivers, pilot programs, or demonstration projects required by Act 370.

Postpartum Medical Assistance coverage

The bill extends the time that women who are eligible for Medical Assistance when pregnant continue to be eligible under Medical Assistance to the last day of the month in which the 365th day after the last day of the pregnancy falls. Under current law, postpartum women are eligible for Medical Assistance benefits until the last day of the month in which the 60th day after the last day of the pregnancy falls. The bill directs DHS to apply for any amendment to the state plan, any waiver to federal law, or any approval of a demonstration project necessary to implement the expansion of Medicaid coverage for pregnant women. However, the bill instructs DHS to reimburse providers for acceptable costs to pregnant women who meet eligibility standards regardless of whether any amendment, waiver, or demonstration project is accepted.

Coverage of doula services under Medical Assistance

The bill requires DHS to request any necessary waiver or amendment to the state Medical Assistance plan to allow Medical Assistance reimbursement for doula services and, if any necessary waiver or amendment is approved, directs DHS to reimburse certified doulas for doula services provided to Medical Assistance recipients. Doula services consist of childbirth education and support services, including emotional and physical support provided during pregnancy, labor, birth, and the postpartum period.

Community health worker services

The bill requires DHS to request any necessary waiver or amendment to the state Medical Assistance plan to allow Medical Assistance reimbursement for community health services. Under the bill, community health services are those services provided by a community health worker. A community health worker is one who serves as a liaison between health and social services and the community to facilitate access to services and improve the quality and cultural competence of service delivery, and who builds individual and community capacity by engaging in a range of activities such as outreach, community education, informal counseling, social support, and advocacy.

Services that contribute to determinants of health

The bill includes nonmedical services, as determined by DHS, that contribute to the determinants of health as a benefit under the Medical Assistance program.

The Medical Assistance program is a joint federal and state program that provides health services to individuals who have limited financial resources. The bill requires DHS to seek any necessary state plan amendment or request any waiver of federal Medicaid law to provide the services but does not require DHS to provide the services as a Medical Assistance benefit if the federal Department of Health and Human Services does not provide federal financial participation for the services.

Coverage of group physical therapy under Medical Assistance

The bill directs DHS to promulgate rules by July 1, 2022, to include group physical therapy as one of the physical therapy services authorized for reimbursement under the Medical Assistance program. The bill allows DHS to promulgate emergency rules to authorize group physical therapy for reimbursement under the Medical Assistance program.

Coverage of substance abuse treatment room and board under Medical Assistance

The bill directs DHS to pay allowable charges on behalf of recipients of Medical Assistance for room and board for residential substance use disorder treatment.

Community-based psychosocial services

Currently, community–based psychosocial services provided to Medical Assistance recipients are reimbursed only when the federal government agrees to provide its financial participation for the services, when the recipient's needs require more than outpatient level services but less than provided by a community support program, when the recipient's county has made the services available, when the provider is certified by DHS under its rules, and when any other requirements established by DHS by rule are met. The bill allows DHS to also provide community–based psychosocial services to Medical Assistance recipients and provide reimbursement for those services through providers other than those made available by a county. Reimbursement to providers that are not county–based will be both the federal and nonfederal share based on a fee schedule that is determined by DHS. For a county that elects to provide the services, DHS must reimburse the county for the federal and nonfederal amount of allowable charges under the Medical Assistance program.

Medical Assistance program coverage of acupuncture services

The bill includes acupuncture that is provided by a certified acupuncturist as a reimbursable benefit under the Medical Assistance program. The bill requires DHS to submit to the federal government any request for federal approval necessary to provide the reimbursement for an acupuncture benefit under the Medical Assistance program.

Children's long-term support waiver program

The bill requires DHS to ensure that any eligible child who applies for the disabled children's long–term support waiver program receives services under that program. The disabled children's long–term support waiver program provides services to children who have developmental, physical, or severe emotional disabilities and who are living at home or in another community–based setting.

Acuity–based billing in nursing homes and community–based residential facilities

Under current law, payment for health care provided in a nursing home or a community–based residential facility under the Medical Assistance program is determined by prospective payment systems updated annually by DHS. DHS is required to implement an acuity–based payment rate system for determining payments to nursing homes and community–based residential facilities for all allowable, nonbillable services of a registered nurse, licensed practical nurse, or nurse aide. The bill makes several changes to the acuity–based payment rate system implemented by DHS to allow DHS to align the state's rate–setting methodology with an updated Patient Driven Payment Model established by the federal Centers for Medicare and Medicaid Services. Currently, DHS follows a Resource Utilization Groupings model. Further, the bill allows DHS to use data from calendar years other than calendar year 2020 or calendar year 2021 if DHS determines that either or both of those years are inappropriate bases for prospective rate setting due to fluctuations in costs caused by the COVID–19 pandemic.

Statewide minimum rate band for home and community–based long–term health care supports

The bill directs DHS to develop a statewide rate band that would establish equitable and sustainable minimum rates for home and community–based long–term care supports. Home and community–based long–term care supports are Medical Assistance programs designed to deliver long–term care to patients in their own home or other community–based setting, rather than a nursing home or other institutional setting. The bill also requires DHS to include in its 2023–25 biennial budget request a proposal to implement the statewide rate band.

Payments for direct care in nursing and intermediate care facilities

The bill requires DHS to increase Medical Assistance payments, from the increase in reimbursement for nursing facilities, also known as nursing homes, and intermediate care facilities for persons with an intellectual disability, by an amount specified in the bill, including the state and federal shares, to support staff who provide direct care to residents of those facilities.

Hospital assessment

Currently, each hospital, including each critical access hospital, must pay an assessment for the privilege of doing business in Wisconsin. The percentage of gross patient revenues that each hospital must pay is adjusted so that the total amount of assessments collected for all hospitals that are not critical access hospitals totals $414,507,300 in each state fiscal year. The same percentage of gross patient revenues is also assessed on critical access hospitals, though the amount is collected separately from and deposited into a separate fund from that of other hospitals. Current law requires DHS to use a portion of this total to pay for services provided by hospitals under the Medical Assistance program, including the federal and state share of Medical Assistance, in a total amount that equals the amount collected from hospitals divided by 61.68 percent. Similarly, current law requires DHS to use a portion of the amount collected from critical access hospitals to make payments to

critical access hospitals for Medical Assistance services in a total amount that equals the amount collected from critical access hospitals divided by 61.68 percent. The bill decreases the 61.68 percent to 53.69 percent if the state adopts the Medicaid expansion, thus increasing the amount of payments that must be made to critical access hospitals and other hospitals under the Medical Assistance program. The Medicaid expansion, as authorized under the Patient Protection and Affordable Care Act, allows a state to provide benefits under the Medicaid program to individuals who have an income up to 133 percent of the federal poverty line and who were previously ineligible for Medicaid, and in exchange, the Affordable Care Act then provides that the federal government pays an increased percentage of the cost of the benefits for those newly eligible individuals.

Medical Assistance reimbursement rates for direct care in personal care agencies

The bill requires DHS to increase the reimbursement rates paid for direct care under the Medical Assistance program to agencies that provide personal care services to support staff in those agencies that provide direct care. For purposes of Medical Assistance, "personal care services" are defined as medically oriented activities that assist recipients with activities of daily living that are necessary to maintain the individual in his or her residence in the community, such as eating, bathing, dressing, meal preparation, or shopping for food.

Disproportionate share hospital payments

Current law requires DHS to make payments under the Medical Assistance program to hospitals that serve a disproportionate share of low–income patients. These hospitals are referred to as "disproportionate share hospitals," and the payments are known as DSH payments. DHS must pay $27,500,000 in each fiscal year, cumulatively, as the state share of DSH payments and must also pay to the disproportionate share hospitals the amounts contributed by the federal government. For a hospital to receive a DSH payment under current law, the hospital must be a Wisconsin hospital providing a wide array of services that meets applicable requirements under federal law and for which at least 6 percent of all total inpatient days at the hospital are Medical Assistance recipients' inpatient days. Current law provides mechanisms for determining how DSH payments are distributed among eligible hospitals and imposes some limits on payments, including that no single hospital may receive more than $4,600,000 per fiscal year. The bill increases, if the state adopts the Medicaid expansion, the state share of the cumulative amount of DSH payments in a fiscal year to $47,500,000 and increases the single hospital limit to $7,950,000. The Medicaid expansion, as authorized under the Patient Protection and Affordable Care Act, allows a state to provide benefits under the Medicaid program to individuals who have an income up to 133 percent of the federal poverty line and who were previously ineligible for Medicaid, and in exchange, the Affordable Care Act then provides that the federal government pays an increased percentage of the cost of the benefits for those newly eligible individuals.

Critical access reimbursement payments to dental providers

The bill requires DHS to provide enhanced reimbursement payments under the Medical Assistance program to dental providers who meet certain qualifications. In order to qualify, a provider must meet quality of care standards established by DHS. In addition, at least 50 percent of individuals served by a nonprofit or public provider must be without dental insurance or enrolled in the Medical Assistance program for the provider to qualify for enhanced reimbursement, and a for–profit provider must have at least 5 percent of patients enrolled in the Medical Assistance program.

For services rendered by a qualified nonprofit or public dental provider, DHS must increase reimbursement by 50 percent above the reimbursement rate otherwise paid to that provider. For services provided by a qualified for–profit provider, DHS must increase reimbursement by 30 percent above the reimbursement rate otherwise paid to that provider. For qualified providers serving individuals in managed care under the Medical Assistance program, DHS must increase reimbursement to pay an additional amount on the basis of the rate that would have been paid to the provider had the individual not been enrolled in managed care. If a provider has more than one service location, reimbursement is determined separately for each location. Under the bill, any providers receiving reimbursement through the existing dental reimbursement pilot project are not eligible for critical access reimbursement payments.

Eliminating prescription drug copayments under Medical Assistance

Under current law, states may require recipients of Medical Assistance to contribute a share of the costs of their health care. Such a contribution is referred to as a copayment or cost sharing. The bill eliminates all copayment requirements for prescription drugs under the state Medical Assistance plan and specifies that the receipt of prescription drugs is a service that is not subject to recipient cost sharing.

Payments to tribes for medical assistance administration

The bill directs DHS to make payments to eligible tribal governing bodies or tribal health care providers for the administration and reimbursement of Medical Assistance services. DHS must determine payment amounts on the basis of the difference between the state share of Medical Assistance payments paid for services rendered to tribal members for whom a care coordination agreement is in place and the state share of Medical Assistance payments that would have been paid for those services absent care coordination agreements. The bill specifies that care coordination agreements must be in compliance with federal requirements.

CHILDREN

Qualified residential treatment programs

The bill allows for the certification of qualified residential treatment programs and establishes certain procedures that apply when a child is placed in one.

The bill allows DCF to certify a residential care center for children and youth, group home, or shelter care facility to operate a qualified residential treatment program (QRTP) if it determines that the program meets the federal requirements for such a program to receive Title IV–E child welfare funding and DCF's requirements for such a program. The bill allows DCF to monitor compliance with

certification requirements, including by inspection authority, and to deny, suspend, restrict, refuse to renew, or otherwise withhold a certification for failure to comply with those requirements. Under the bill, DCF may promulgate rules for the establishment, certification, operation, and monitoring of, and the placement of a child in, a QRTP.

Currently, when a child or juvenile (collectively referred to as "child") alleged or adjudged to be in need of protection or services is removed from his or her home in a proceeding under the Children's Code or Juvenile Justice Code, the agency responsible for that child's removal is required to prepare a permanency plan, designed to ensure that the child is reunified with his or her family whenever appropriate, or that the child quickly attains a placement or home providing long–term stability. Current law requires the juvenile court to periodically review the plan and to periodically hold a hearing on the plan.

Under the bill, if a child is placed in a certified QRTP, the agency must assemble a family permanency team to participate in permanency planning for the child, and invite appropriate biological family members, relatives, like–kin, and professionals who serve as a resource for the family to participate. The bill requires the agency to include in the permanency plan information about the family permanency team and its meetings and recommendations.

The bill requires that, in a review or hearing on a permanency plan for a child who is placed in a certified QRTP, the agency that prepared the permanency plan must present to the juvenile court certain information that the juvenile court must consider when determining the continuing necessity for and the safety and appropriateness of the placement, including 1) whether the placement is supported by assessment of the child's needs, is the most effective and appropriate level of care in the least restrictive environment, and meets the goals for the child in the permanency plan; 2) the specific treatment or service needs that the placement will meet and how long the child will need that treatment or service; and 3) the efforts made by the agency to prepare the child to return home or to be placed with a relative, guardian, or adoptive parent or in a foster home.

Under the bill, if a child is placed or proposed to be placed in a certified QRTP in juvenile court proceedings for a temporary physical custody (TPC) hearing, a change in placement (CIP), consent decree, or a disposition, a qualified individual must conduct an assessment, using a tool determined by DCF, of the strengths and needs of the child to determine the appropriateness of that placement (standardized assessment). The bill creates a definition for "qualified individual" to match the term used in federal law, meaning a trained professional or licensed clinician who is not an employee of the state and who is not connected to, or affiliated with, any placement setting in which children are placed by the state. The federal law definition provides that a state may request a waiver from this definition, and on December 14, 2020, Wisconsin requested such a waiver to allow state and county child welfare staff to serve as qualified individuals.

The bill requires the qualified individual to develop a recommendation on all of the following: 1) whether the proposed placement will provide the child with the most effective and appropriate level of care in the least restrictive environment; 2)

how the placement is consistent with the short–term and long–term goals for the child in the permanency plan; 3) the reasons why the child's needs can or cannot be met by the child's family or in a foster home (and a shortage or lack of foster homes is not an acceptable reason); and 4) the placement preference of the family permanency team and, if it is not the placement recommended by the qualified individual, why that recommended placement is not preferred. Then, depending on the type of proceeding, the intake worker, agency primarily responsible for providing services under a temporary custody, person or agency primarily responsible for implementing the dispositional order, or agency appointed as the guardian of the child must submit the standardized assessment and the qualified individual's recommendation to the juvenile court and any person who is required to receive a copy of the notice or request in the proceeding.

Under the bill, the standardized assessment and recommendation must be submitted by the time of a TPC hearing, by the time the notice or request is filed in a CIP proceeding, by the time the consent decree is entered, or by the time the disposition report is filed. With respect to most CIP proceedings, if not available by the time the notice or request is filed, the bill generally requires it to be submitted within 10 days after the filing of the CIP notice, except this does not apply to a CIP requested by someone other than the intake worker, agency, district attorney, or corporation counsel or from in–home to out–of–home, to a consent decree, or to a disposition. In all cases, if the required information is not available by these first deadlines, it must be submitted no later than 30 days after the date on which the placement is made.

The bill requires the juvenile court to make the following findings when it issues an order placing a child in a certified QRTP: 1) whether the needs of the child can be met through placement in a foster home; 2) whether placement of the child in a certified QRTP provides the most effective and appropriate level of care for the child in the least restrictive environment; 3) whether the placement is consistent with the short–term and long–term goals for the child in the permanency plan; and 4) whether the juvenile court approves or disapproves the placement. The answers to these questions do not affect whether the placement may be made. If the standardized assessment and recommendation of the qualified individual are not available at the time of this order, the bill requires the juvenile court to defer making the findings. However, by no later than 60 days after the date on which the placement was made the juvenile court must issue an order making those findings.

The bill requires that, for youth in out–of–home care who are parenting or pregnant, a permanency plan must include 1) a list of the services or programs to be provided to or on behalf of the child to ensure that the child, if pregnant, is prepared and, if a parent, is able to be a parent; and 2) the out–of–home care prevention strategy for any child born to the parenting or pregnant child.

Foster and kinship care rates

The bill increases the rates that are paid to a foster parent or a kinship care relative (a relative other than a parent) who is providing care and maintenance for a child.

The bill increases the monthly basic maintenance rates that are paid by the state or a county to all foster parents for the care and maintenance of a child by 2.5 percent beginning on January 1, 2022, and increases the age–based monthly basic maintenance rates paid to parents providing higher than level one care by an additional 2.5 percent beginning on January 1, 2023. Beginning on January 1, 2022, the monthly rates are $300 for a child of any age in a foster home certified to provide level one care and, for a foster home certified to provide higher than level one care, $431 for a child under five years of age, $472 for a child 5 to 11 years of age, $535 for a child 12 to 14 years of age, and $559 for a child 15 years of age or over. Beginning on January 1, 2023, the monthly rates for a foster home certified to provide higher than level one care are increased to $442 for a child under five years of age, $484 for a child 5 to 11 years of age, $548 for a child 12 to 14 years of age, and $573 for a child 15 years of age or over.

The bill also increases the monthly basic maintenance rates that are paid by the state or a county to a kinship care relative (a relative other than a parent) who is providing care and maintenance for a child. These rates are the same as for a foster home certified to provide level one care.

Youth aids; allocations

Under current law, DCF is required to allocate to counties community youth and family aids (youth aids) funding. Youth aids funding comes from various state and federal moneys and is used to pay for state–provided juvenile correctional services and local delinquency–related and juvenile justice services. The bill updates the allocation of youth aids funding that is available to counties for the 2021–23 fiscal biennium.

Under current law, some of the youth aids funding is allocated to reimburse counties that are purchasing community supervision services from DOC for juveniles, and some of the funding is allocated for alcohol and other drug abuse treatment programs. The bill eliminates these earmarks and instead provides that DCF may use youth aids funding to reimburse counties for the costs associated with the care and maintenance of juveniles who are adjudged delinquent and who are placed in certain secured juvenile facilities under the supervision of a county or the state.

Youth aids; administration

Current law allocates some youth aids for the purchase of juvenile correctional services, emergencies, provision of community supervision services for juveniles, and for alcohol and other drug abuse treatment programs. Also under current law, DCF may award funding to counties for early intervention services for first offenders under the Community Intervention Program (CIP).

The bill replaces CIP with the Youth Justice System Improvements Program. Under the bill, DCF may use funding for the Youth Justice System Improvements Program to support diversion programs, to address emergencies related to youth aids, or to fund other activities required of DCF under youth aids.

Under current law, youth aids funding is allocated to counties on a calendar year basis. Youth aids funds that are not spent in the calendar year can be carried forward three ways: 1) DCF may carry forward 5 percent of a county's allocation for

that county for use in the subsequent calendar year; 2) DCF may carry forward $500,000 or 10 percent of its unspent youth aids funds, whichever is larger, for use in the subsequent two calendar years; and 3) DCF may carry forward any unspent emergency funds for use in the subsequent two calendar years.

The bill changes the way that unspent youth aids are reallocated. Under the bill, DCF may still carry forward 5 percent of a county's allocation for that county to use in the next calendar year. However, instead of carrying forward $500,000 or 10 percent of its unspent youth aids funds, whichever is larger, for use in the next two calendar years, under the bill, DCF may transfer 10 percent of unspent youth aids funds to the Youth Justice System Improvements Program.

Child abuse and neglect prevention program; home visitation

Under current law, DCF provides funding to counties, cities, private agencies, and Indian tribes to provide home visitation program services to individuals who are determined, through a risk assessment, to be at risk of poor birth outcomes or of abusing or neglecting his or her child. The bill requires DCF to allocate an additional $500,000 per year to the Nurse Family Partnership home visitation program in Milwaukee county, beginning in fiscal year 2021–22.

Recruitment for adoptive placements

The bill requires DCF to provide $300,000 annually to the Wendy's Wonderful Kids program at the Children's Hospital of Wisconsin, which provides support in finding adoptive placements for children with special needs in foster care. The bill specifies that the funding is to recruit adoptive placements for children in Milwaukee County.

Grants to support foster parents and children

2017 Wisconsin Act 260 established a one–year pilot program for DCF to distribute grants to counties, nonprofit organizations, and tribes for the purpose of supporting foster parents and providing normalcy for children in out–of–home care. The bill makes the grant program permanent and specifies that grants under the program may be distributed for the purpose of sibling reconnection.

Five–county pilot program for representation of parents in CHIPS proceedings.

Under current law, a parent is generally not entitled to representation by a public defender in a proceeding under the Children's Code in which a child is alleged to be in need of protection or services. However, a pilot program that began in 2018 requires the state public defender to assign counsel to any nonpetitioning parent in these cases in the counties of Brown, Outagamie, Racine, Kenosha, and Winnebago. This five–county pilot program is set to expire on June 30, 2021. The bill extends the expiration date of the pilot program to June 30, 2023.

Congregate care facility staff training

The bill specifies that DCF is authorized to provide training to staff or contractors of a congregate care facility or a child welfare agency.

Grants for youth services

The bill consolidates certain DCF youth services programs into a new youth services grant program. Under current law, the following DCF programs provide

youth services: grants for services for homeless and runaway youth, treatment and services for children who are the victims of sex trafficking, grants for children's community programs, and the Brighter Futures Initiative. Under the bill, these programs are consolidated into the youth services grant program, under which DCF must distribute grants to public agencies, nonprofit corporations, and Indian tribes to provide programs that accomplish one or more of the following purposes:

1. Increasing youth access to housing.

2. Increasing youth self–sufficiency through employment, education, and training.

3. Increasing youth social and emotional health by promoting healthy and stable adult connections, social engagement, and connection with necessary services.

4. Preventing sex trafficking of children and youth.

5. Providing treatment and services for documented and suspected victims of child and youth sex trafficking.

6. Preventing and reducing the incidence of youth violence and other delinquent behavior.

7. Preventing and reducing the incidence of youth alcohol and other drug use and abuse.

8. Preventing and reducing the incidence of child abuse and neglect.

9. Preventing and reducing the incidence of teen pregnancy.

Under current law, DCF must allocate in each fiscal year specific amounts of money, including federal moneys received under the Temporary Assistance for Needy Families (TANF) block grant program, for various public assistance programs, including $500,000 for the Brighter Futures Initiative for programs to provide evidence–based programs and practices for substance abuse prevention to at–risk youth and their families. Under the bill, this amount is allocated instead to the grants for youth services.

Under current law, DHS transfers amounts to DCF for the Brighter Futures Initiative. Under the bill, DHS transfers those amounts to DCF for the grants for youth services. The bill maintains a requirement, currently under the Brighter Futures Initiative, that DCF distribute $55,000 in each fiscal year to Diverse and Resilient, Inc., to provide youth services, as part of the new youth services grant program.

Safety promotion and placement prevention services

The bill creates new authority for DCF to provide funding for services or to provide direct evidence–based services or support to agencies for the provision of evidence–based services aimed at preventing the removal of children from the home under the Children's Code and the Juvenile Justice Code.

The bill also creates a new GPR appropriation for DCF to provide services that allow a child to remain at home in lieu of an out–of–home placement.

Children and family services

Under current law, DCF must distribute not more than $80,125,200 in fiscal year 2019–20 and $101,145,500 in fiscal year 2020–21 to counties for children and family services. The bill increases the maximum amount DCF must distribute to

counties for these services to $106,389,600 in fiscal year 2021–22 and $111,868,900 in fiscal year 2022–23.

Diversity, equity, and inclusion grants

The bill requires DCF to award grants to public, private, or nonprofit entities that promote diversity and advance equity and inclusion.

HEALTH

Requiring hospitals to allow designation of a caregiver

The bill requires hospitals to provide a patient or, if applicable, a patient's legal guardian with an opportunity to designate a caregiver who will receive, before the patient is discharged from the hospital, instruction regarding assistance with the patient's care after discharge.

Under the bill, a hospital must, no later than 24 hours following a patient's admission to a hospital and before the patient is discharged or transferred, provide at least one opportunity for a patient or, if applicable, a patient's legal guardian to designate at least one caregiver. If a patient is unconscious or otherwise incapacitated when admitted, the hospital shall provide an opportunity for caregiver designation within 24 hours after the patient regains consciousness or capacity. If a patient or legal guardian designates a caregiver, a hospital must promptly record the name and contact information of the caregiver. If a patient or legal guardian declines to designate a caregiver, the hospital must also promptly document that information. Patients are not required to designate a caregiver under the bill and, further, the designation of a caregiver does not obligate any individual to provide aftercare for the patient. A patient may elect to change the designated caregiver at any time, and the hospital must record the change within 24 hours.

The bill requires that if a patient designates a caregiver, the hospital must promptly request written consent to release medical information to the patient's caregiver. If the patient or the patient's legal guardian declines to provide consent, the hospital is relieved of its notification and consultation obligations.

Under current law, patient medical records are kept confidential except in certain limited circumstances, including if a patient or a person authorized by the patient gives consent to the disclosure. Even without agreement, a health care provider may provide to the patient's immediate family, another relative, a close personal friend of the patient, or an individual identified by the patient, that portion of information from the health care record directly relevant to that individual's involvement in the patient's care. The bill adds designated caregivers to the list of individuals permitted access to information directly relevant to that individual's involvement in the patient's care.

Pediatric inpatient supplement

The bill establishes in statute reference to supplemental funding totaling $2,000,000 to be distributed by DHS to certain acute care hospitals located in Wisconsin that have a total of more than 12,000 inpatient days in the hospital's acute care pediatric units and intensive care pediatric units, not including neonatal intensive care units. In addition, under the bill, DHS may distribute additional funding of $7,500,000 in each state fiscal year to hospitals that are free–standing

pediatric teaching hospitals located in Wisconsin that have a Medicaid inpatient utilization rate greater than 45 percent if DHS has expanded eligibility for the Medical Assistance program under the federal Patient Protection and Affordable Care Act.

Tailored caregiver assessment and referral (TCARE) pilot program

The bill requires DHS to conduct, during fiscal year 2021–22, a one–year Tailored Caregiver Assessment and Referral pilot program as described in the September 2020 report of the Governor's Task Force on Caregiving. Tailored Caregiver Assessment and Referral, commonly referred to as TCARE or a family caregiver survey, is an evidence–based care management protocol designed to support family members who are providing care to adults of any age with chronic or acute health conditions. TCARE includes both a pre–screening tool and a full assessment that seeks information from the family or informal caregiver in order to assess their health and well–being, stress levels, challenges, skills needed to perform care, their informal support system, and strengths that enable them to provide care.

Title V and Title X family planning funding

Current law requires DHS to apply for federal Title X grant funds and to distribute any funds received to public entities for family planning and related preventive health services. The bill eliminates that requirement.

Under current law, DHS must allocate women's health funds, which are federal Title V funds and women's health block grant funds, to develop and maintain an integrated system of community health services and maximize coordination of family planning services. Current law excludes from the definition of "family planning" the performance, promotion, encouragement, or counseling in favor of, or referral either directly or through an intermediary for, voluntary termination of pregnancy but includes in the definition of "family planning" the provision of nondirective information explaining prenatal care and delivery or infant care, foster care, or adoption. DHS must distribute women's health funds only to public entities. Currently, those public entities may provide some or all of the funds to other public entities or private entities as long as the recipients of the funds do not provide abortion services, make referrals for abortion services, or have an affiliate that provides abortion services or makes referrals for abortion services. The bill retains the authorization for the public entity that receives funds from DHS to provide some or all of the funds to other public or private entities but eliminates the restriction on which public or private entities may receive those funds. The bill also includes in the definition of "family planning" the provision of nondirective information explaining pregnancy termination.

Grants to free and charitable clinics

Under current law, DHS is required to award grants each fiscal year to several classes of community health centers. A community health center is a health care entity that provides primary health care, health education, and social services to low–income individuals. The 2019 biennial budget act, 2019 Wisconsin Act 9, required DHS to annually award $500,000 in grants to free and charitable clinics from the same community health services appropriation. The bill continues the grant for free and charitable clinics and directs DHS to annually award $2,500,000

in grants to free and charitable clinics. The bill defines "free and charitable clinics" as health care organizations that use a volunteer and staff model to provide health services to uninsured, underinsured, underserved, economically and socially disadvantaged, and vulnerable populations and that meet criteria specified in the bill.

Black women's health and infant and maternal mortality

The bill instructs DHS to annually award $1,750,000 in grants to community–serving organizations that are led by Black women that improve Black women's health in Dane, Milwaukee, Rock, and Kenosha Counties. Further, the bill directs DHS to annually award $1,750,000 in grants to organizations that work to reduce racial disparities related to infant and maternal mortality. Additionally, the bill instructs DHS to award a grant totaling $500,000 in fiscal year 2021–22 and another grant totaling $500,000 in fiscal year 2022–23 to an entity to coordinate efforts between the state, public and private sector organizations, and community organizations to support a statewide strategy to advance Black women's health.

Alzheimer's family and caregiver support

Under current law, DHS distributes funds for certain community aids, including for the Alzheimer's family and caregiver support program. The bill increases the community aid funding available for the Alzheimer's family and caregiver support program from not more than $2,558,900 each fiscal year to not more than $3,058,900 each fiscal year, and broadens financial eligibility for the program by increasing the maximum joint income an individual and the individual's spouse may earn per year and remain financially eligible from $48,000 to $55,000.

Health equity grants

The bill directs DHS to award grants to community organizations to implement community health worker care models. The bill also directs DHS to award grants to community organizations and local or tribal health departments to hire health equity strategists and to implement health equity action plans.

Lead screening and outreach grants

Under current law, DHS must award grants related to lead poisoning and lead exposure prevention. The bill increases the amount of money granted to fund lead screening and outreach activities at community–based human service agencies that provide primary health care, health education, and social services to low–income individuals in first class cities from $125,000 each fiscal year to $175,000. Currently, the only first class city is Milwaukee.

Wisconsin drug repository program

Under current law, DHS is required to maintain a drug repository program under which persons may donate certain drugs or supplies that may be used by other individuals identified by the department by rule. The bill allows DHS to partner with out–of–state drug repository programs. The bill also allows out–of–state persons to donate to the drug repository program in Wisconsin, and persons in Wisconsin to donate to participating drug repository programs in other states. Further, the bill directs DHS to study and implement a centralized physical drug repository program.

Surgical quality improvement grant

The bill allows, but does not require, DHS to award a onetime grant up to a total amount of $335,000 in fiscal year 2021–22 to support surgical quality improvement activities. The bill allows DHS to transfer moneys appropriated for this grant from fiscal year 2021–22 to fiscal year 2022–23.

Spinal cord injury research grants and symposia

The bill requires DHS to establish a program to award grants to persons in this state for research into spinal cord injuries. The grants must support research into new and innovative treatments and rehabilitative efforts for the functional improvement of people with spinal cord injuries. Research topics may include pharmaceutical, medical device, brain stimulus, and rehabilitative approaches and techniques. DHS must make annual reports to the legislature about the grants. The bill also allows DHS to hold symposia every two years for grant recipients to present their research findings. The bill biennially appropriates general purpose revenues not exceeding $3,000,000 for the grants and symposia.

The bill also requires DHS to appoint a Spinal Cord Injury Council with one member representing the University of Wisconsin School of Medicine and Public Health, one member representing the Medical College of Wisconsin, and the following members: 1) a person with a spinal cord injury; 2) a family member of a person with a spinal cord injury; 3) a veteran with a spinal cord injury; 4) a physician specializing in the treatment of spinal cord injuries; 5) a neurosurgery researcher; and 6) a researcher employed by the Veterans Health Administration of the U.S. Department of Veterans Affairs. If DHS is unable to appoint any of the foregoing members, the bill allows DHS to appoint, in lieu of that member, a member representing the general public. Members of the council have two–year terms. The bill requires the council to develop criteria for DHS to evaluate and award grants, review and make recommendations on grant applications, and perform other duties specified by DHS. Council members must make written disclosures of financial interests in organizations that the council recommends for grants.

Public health campaign to prevent tobacco and vapor product use

The bill allows DHS to develop and carry out a public health campaign aimed at the prevention of initiation of tobacco and vapor product use. The bill also allows DHS to distribute grants to local and regional organizations working on youth vaping and providing cessation services.

Direct support professional training pilot program

The bill directs DHS to develop and implement a pilot program in the 2021–23 biennium to provide person–centered direct support professional training to achieve consistent standards of health care practice. The bill instructs DHS to collaborate with DWD, TCS, and health care providers in developing and implementing the pilot program. Further, the bill directs DHS to develop a career plan that describes the steps that lead to potential certification as a nurse aide.

BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES

Guardianship training requirements

The bill establishes mandatory initial training requirements for certain guardians. Under current law, a guardian of the person is a person appointed by a court to act to secure any necessary care or services for the ward that are in the ward's best interests, and a guardian of the estate is a person appointed by a court to provide a ward with the greatest amount of independence and self–determination with respect to property management. Currently, there are no training requirements for guardians of the person or guardians of the estate.

Under the bill, guardians of the person must complete training on all of the following topics: 1) the duties and responsibilities of a guardian of the person under the law and limits of the guardian of the person's decision–making authority; 2) alternatives to guardianship, included supported decision–making and powers of attorney; 3) rights retained by the ward; 4) best practices for a guardian to solicit and understand the wishes and preferences of a ward, to involve a ward in decision–making, and to take a ward's wishes and preferences into account in decisions made by the guardian; 5) restoration of a ward's rights and the process for removal of guardianship; 6) future planning and identification of a potential standby or successor guardian; and 7) resources and technical support for guardians. The bill also requires that guardians of the estate complete training on the duties and responsibilities of a guardian of the estate under the law, limits of a guardian of the estate's decision–making authority, and inventory and accounting requirements. The bill provides limited exemptions for guardians of minors and children and certain corporate and volunteer guardians.

Under the bill, a proposed guardian of the person or a proposed guardian of the estate must submit, as part of the guardianship case, a sworn and notarized statement to the court that the proposed guardian has completed the training requirements.

The bill requires DHS to award a grant to administer and conduct the required guardian training. DHS must require, in the request for proposal, that the grantee have expertise in state guardianship law, experience with technical assistance and support to guardians and wards, and knowledge of common challenges and questions encountered by guardians and wards. In addition, the grantee selected to develop training shall develop plain–language, web–based training modules using adult–learning design principles that can be accessed for free by training topic and in formats that maximize accessibility, with printed versions available for free upon request.

Early intervention services for children with lead in their blood

Under current law, DHS implements a statewide program, referred to as the Birth to 3 program, that provides early intervention services for children aged three and under who are developmentally delayed or are diagnosed as having a condition that is likely to result in significantly delayed development. The bill ensures that children with a concentration of lead in their blood of at least 5 micrograms per 100 milliliters of blood are eligible for services under the Birth to 3 program.

Crisis response system

The bill requires DHS to award grants to entities to provide a continuum of mental health crisis services, including crisis urgent care and observation centers, crisis stabilization and inpatient psychiatric beds, and crisis stabilization facilities. DHS must also award up to five grants for services at facilities providing crisis stabilization services. The bill also allows DHS to create a certification for crisis urgent care and observation centers and establish criteria for that certification by rule. If DHS creates the certification, then no one may operate a crisis urgent care and observation center without a certification.

Bed tracking system

Currently, DHS is required to award a grant to the entity that collects data on hospitals for the purpose of developing and operating a system to show the availability of inpatient psychiatric beds. To receive the grant, the entity must use a secure website to allow reporting of and access to information on the availability and location of psychiatric beds by hospitals and inpatient units. The bill expands the system to include reporting of availability of peer run respite and crisis stabilization beds by facilities, centers, and programs and expands access to the system to county departments and any other entity that is involved in identifying placement options. The bill also increases the amount of the grant awarded in each fiscal year.

Crisis program enhancement grants

The bill expands the crisis program enhancement grant program to include grants to establish and enhance law enforcement and behavioral health emergency response collaboration services and grants to Milwaukee County to enhance mobile crisis teams. Under current law, the program requires DHS to award grants to counties or regions of counties to establish or enhance crisis programs to serve individuals having crises in rural areas. The bill instructs DHS to annually award at least $1,250,000 to establish and enhance law enforcement and behavioral health services emergency response collaboration programs, and at least $850,000 to Milwaukee County to enhance mobile crisis teams.

The bill requires any entity, including a county or region, that receives a grant to establish and enhance law enforcement and behavioral health services emergency response collaboration programs to contribute at least 25 percent of the grant amount awarded for the purpose that the grant money is received.

County crisis call center support

Under current law, DHS awards several grants during each fiscal biennium to certain entities for various programs involving mental health and crisis intervention. The bill directs DHS to annually award grants to support mental health professionals to provide supervision and consultation to individuals who support crisis call center services. The bill specifies that each county or multicounty program that receives supervision and consultation services from a mental health professional awarded a grant under this program shall contribute at least 10 percent of the costs of the services that the mental health professional incurs for the purpose that the grant is received.

Trauma response teams

The bill directs DHS to annually award a grant equal to $450,000 for the Milwaukee Trauma Response Team, which is a joint venture between the City of Milwaukee, the Milwaukee Police Department, and Wraparound Milwaukee's Mobile Urgent Treatment Team to provide support and guidance for children who have witnessed or have been exposed to potentially traumatic events.

Deaf, Hard of Hearing, and Deaf-Blind Behavioral Health Treatment Center

The bill allows DHS, as part of the grants DHS is required to award for community programs, to distribute up to $1,936,000 in each fiscal year starting with fiscal year 2022–23 to a statewide provider of behavioral health treatment services for individuals who are deaf, hard of hearing, or deaf–blind.

Opioid and methamphetamine data system

The bill requires DOA to issue a request for proposals to establish and maintain an opioid and methamphetamine data system to collect, format, analyze, and disseminate information on opioid and methamphetamine use as specified in the bill. DOA must collaborate with and collect data from DHS, DOC, DOJ, DSPS, and DCF and any other applicable agencies for the opioid and methamphetamine data system. Under the bill, DOA administers the contract with a vendor to operate the opioid and methamphetamine data system, has access to the data contained in the opioid and methamphetamine data system, and works with the vendor to disseminate information and advanced analytics from the opioid and methamphetamine data system in as close to real time as possible. The opioid and methamphetamine data system must allow the state agencies that submit data to the opioid and methamphetamine data system access to the data in the opioid and methamphetamine data system as appropriate for the agency to fulfill its functions and as allowed by state and federal confidentiality laws. The bill requires DOA to submit a report to the governor and appropriate standing committees of the legislature summarizing the information from the opioid and methamphetamine data system and analyzing trends in that information across years of data collection.

Behavioral health technology grants

The bill appropriates general purpose revenue to DHS to provide grants to behavioral health providers to implement electronic health records systems and connect to health information exchanges.

Medication-assisted treatment grants

The bill directs DHS, as part of the grants DHS is required to award for community programs, to award up to $500,000 in grants in fiscal year 2021–22 and then up to $1,000,000 annually thereafter to develop or support entities that offer medication–assisted treatment. Medication–assisted treatment addresses opioid use disorder and opioid dependence.

Substance use harm reduction grant

The bill allows DHS, as part of the grants DHS is required to award for community programs, to annually award up to $250,000 to organizations with

comprehensive harm reduction strategies for the development or support of substance use harm reduction programs, as determined by DHS.

Addiction treatment platform

The bill directs DHS to contract in fiscal year 2022–23 for the development of a substance use disorder treatment platform that allows for the comparison of substance use disorder treatment programs in the state. Substance use disorder treatment programs treat individuals for substance use disorder by offering services including counseling, medication management, and recovery coaching. The bill requires that DHS may spend no more than $300,000 on the contract.

Training for methamphetamine addiction treatment

The bill appropriates general purpose revenue to DHS to provide grants to provide trainings to substance use disorder treatment providers on treatment models for methamphetamine addiction.

GENERAL HEALTH AND HUMAN SERVICES

Making references in the statutes gender neutral

The bill recognizes same–sex marriage by making references in the statutes to spouses gender neutral, with the intent of harmonizing the Wisconsin Statutes with the holding of the U.S. Supreme Court in *Obergefell v. Hodges*, 135 S. Ct. 2584, 192 L. Ed. 2d 609 (2015), which recognizes that same–sex couples have a fundamental constitutional right to marriage. The bill also recognizes legal parentage for same–sex couples under certain circumstances and adopts gender neutral parentage terminology.

The bill provides that marriage may be contracted between persons of the same sex and confers the same rights and responsibilities on married persons of the same sex that married persons of different sexes have under current law. The bill defines "spouse" as a person who is legally married to another person of the same sex or a different sex and replaces every reference to "husband" or "wife" in current law with "spouse." The bill makes applicable to married persons of the same sex all provisions under current law that apply to married persons of different sexes. These provisions relate to such diverse areas of the law as income tax, marital property, inheritance rights, divorce, child and spousal support, insurance coverage, family and spousal recreational licenses, consent to conduct an autopsy, domestic abuse, and eligibility for various types of benefits, such as retirement or death benefits and medical assistance.

In addition to making statutory references to spouses gender neutral, the bill specifies ways in which married couples of the same sex may be the legal parents of a child and, with some exceptions, makes current references in the statutes to "mother" and "father," and related terms, gender neutral.

Under current law, all of the following may adopt a child: a husband and wife jointly, a husband or wife whose spouse is the parent of the child, and an unmarried adult. Because the bill makes references in the statutes to spouses gender neutral, same–sex spouses jointly may adopt a child and become the legal parents of the child, and a same–sex spouse of a person who is the parent of a minor child may adopt the child and become the legal parent of his or her spouse's child.

Under current law, if a woman is artificially inseminated under the supervision of a physician with semen donated by a man who is not her husband and the husband consents in writing to the artificial insemination of his wife, the husband is the natural father of any child conceived. Under the bill, one spouse may also consent to the artificial insemination of his or her spouse and is the natural parent of the child conceived. The artificial insemination is not required to take place under the supervision of a physician, but, if it does not, the semen used for the insemination must have been obtained from a sperm bank.

Under current law, a man is presumed to be the father of a child if he and the child's natural mother 1) were married to each other when the child was conceived or born or 2) married each other after the child was born but had a relationship with each other when the child was conceived and no other man has been adjudicated to be the father or is presumed to be the father because the man was married to the mother when the child was conceived or born. The paternity presumption may be rebutted in a legal action or proceeding by the results of a genetic test showing that the statistical probability of another man's parentage is 99.0 percent or higher. The bill expands this presumption into a parentage presumption, so that a person is presumed to be the natural parent of a child if he or she 1) was married to the child's established natural parent when the child was conceived or born or 2) married the child's established natural parent after the child was born but had a relationship with the established natural parent when the child was conceived and no person has been adjudicated to be the father and no other person is presumed to be the child's parent because he or she was married to the mother when the child was conceived or born. The parentage presumption may still be rebutted by the results of a genetic test showing that the statistical probability of another person's parentage is 99.0 percent or higher. Expanding on current law, the bill allows for a paternity action to be brought for the purpose of rebutting the parentage presumption, regardless of whether that presumption applies to a male or female spouse.

Current law provides that a mother and a man may sign a statement acknowledging paternity and file it with the state registrar. If the state registrar has received such a statement, the man is presumed to be the father of the child. Under current law, either person who has signed a statement acknowledging paternity may rescind the statement before an order is filed in an action affecting the family concerning the child or within 60 days after the statement is filed, whichever occurs first. Under current law, a man who has filed a statement acknowledging paternity that is not rescinded within the time period is conclusively determined to be the father of the child. The bill provides that two people may sign a statement acknowledging parentage and file it with the state registrar. If the state registrar has received such a statement, the people who have signed the statement are presumed to be the parents of the child. Under the bill, a statement acknowledging parentage that is not rescinded conclusively establishes parentage with regard to the person who did not give birth to the child and who signed the statement.

The bill defines "natural parent" as a parent of a child who is not an adoptive parent, whether the parent is biologically related to the child or not. Thus, a person who is a biological parent, a parent by consenting to the artificial insemination of his

or her spouse, or a parent under the parentage presumption is a natural parent of a child. The definition applies throughout the statutes wherever the term "natural parent" is used. In addition, the bill expands some references in the statutes to "biological parent" by changing the reference to "natural parent."

Gender neutral references on birth certificates

Generally, the bill substitutes the term "spouse" for "husband" in the birth certificate statutes and enters the spouse, instead of the husband, of the person who has given birth on the birth certificate at times when a husband would currently be entered on a birth certificate. The name of the person who has given birth is entered on a birth certificate when the person gives birth to a child, and current law specifies when another name should be entered on the birth certificate. Current law requires that if a birth mother is married at any time from the conception to the birth of a child, then her husband's name is entered on the birth certificate as the legal father of the child. Under the bill, if a person who gives birth is married at any time from the conception to the birth of the child, then that person's spouse's name is entered as a legal parent of the child. The bill also specifies that, in the instance that a second parent's name is initially omitted from the birth certificate, if the state registrar receives a signed acknowledgement of parentage by people presumed to be parents because the two people married after the birth of the child, the two people had a relationship during the time the child was conceived, no person is adjudicated to be the father, and no other person is presumed to be the parent, then the state registrar must enter the name of the spouse of the person who gave birth as a parent on the birth certificate.

Health information exchange grants

The bill requires DHS to provide a grant of $655,000 in each of fiscal years 2021–22 and 2022–23 to support health information exchange activities. Health information exchange, generally, is the sharing of patient information between health care providers or health care systems. The bill allows DHS to transfer moneys appropriated for these grants between fiscal years.

Home care provider registry

The bill requires DHS to conduct a one–year pilot program to create a home care provider registry to support home and community–based long–term care support programs and clients and vendors of care services. DHS is required to use its competitive request–for–proposals procedures to select a vendor of the software platform for the registry.

HOUSING

HOMELESSNESS

Priority for homeless children

The bill creates a two–year pilot program that gives priority to homeless children and their families, as defined under federal law, on the waiting list that WHEDA, or a public housing agency or other entity that contracts with WHEDA, maintains under the federal Housing Choice Voucher Program. Under the bill, WHEDA is required to develop policies and procedures for the pilot program.

Report on homeless children and youths

The bill requires DPI to annually submit a report to the legislature on the number of homeless children and youths in the public schools of this state. Under the bill, "homeless children and youths" is defined by reference to federal law providing homeless assistance.

Rental assistance grants for homeless veterans

The bill requires DOA to award grants to each continuum of care organization in Wisconsin for the purpose of providing tenant–based rental assistance to homeless veterans. A continuum of care organization is an organization designated by the federal Department of Housing and Urban Development that provides funding and services to alleviate homelessness.

Eliminating employment grants program

Under current law, DOA may award grants of up to $75,000 to counties, cities, villages, or towns to be used to connect homeless individuals with permanent employment. The bill eliminates that grant program.

LANDLORD-TENANT

Notification of building code violations

Under current law, before entering into a lease with or accepting any earnest money or a security deposit from a prospective tenant, a landlord must disclose to the prospective tenant any building code or housing code violations of which the landlord has actual knowledge if the violation presents a significant threat to the prospective tenant's health or safety. The bill eliminates the condition that the landlord have actual knowledge of such a violation and that the threat to the prospective tenant's health or safety be "significant"; under the bill, the landlord must disclose to a prospective tenant a building code or housing code violation, regardless of whether the landlord has actual knowledge of the violation, if the violation presents a threat to the prospective tenant's health or safety.

Terminating a tenancy on the basis of criminal activity

Current law allows a landlord, upon providing notice to a tenant, to terminate the tenant's tenancy, without an opportunity to cure the tenant's default, if the tenant, a member of the tenant's household, or a guest of the tenant 1) engages in any criminal activity that threatens the health or safety of other tenants, persons residing in the immediate vicinity of the premises, or the landlord; 2) engages in any criminal activity that threatens the right to peaceful enjoyment of the premises by other tenants or persons residing in the immediate vicinity of the premises; or 3) engages in any drug–related criminal activity on or near the premises. The bill eliminates these provisions.

GENERAL HOUSING

Low income housing tax credit

Under current law, WHEDA may certify a person to claim, for a period of up to six years, a state tax credit if the person has an ownership interest in a low–income housing project in Wisconsin and qualifies for the federal low–income housing tax credit program. Current law limits the amount of credits WHEDA may annually

authorize to $42,000,000. The bill increases the period for which the credit may be claimed to 10 years and increases the amount of credits that WHEDA may annually authorize to $100,000,000. The bill also requires that the project be allocated the federal credit and be financed with tax–exempt bonds that are not subject to the federal credit's volume cap, as opposed to any tax–exempt bonds as required under current law, and allows WHEDA to waive these requirements to the extent that WHEDA anticipates that sufficient tax–exempt private activity bond volume cap under federal law will not be available to finance low–income housing projects in any year.

Housing quality standards grants

The bill requires DOA to award grants to owners of rental housing units in Wisconsin for purposes of satisfying applicable housing quality standards.

Affordable housing grants

The bill requires DOA to award grants to municipalities for the purpose of increasing the availability of affordable workforce housing within the municipalities.

Water utility assistance program for low–income households

The bill creates a water utility assistance program for low–income households that is administered by DOA. Under the program, low–income households may apply for assistance from the state to help pay the cost of their water utility bills. Although the program is administered by DOA, DOA may contract with a county department, another local governmental agency, or a private nonprofit organization for processing applications and making assistance payments. DOA must establish a payments schedule for the program. If the number of household applicants exceeds the number anticipated to apply, payments to households may be reduced and DOA may suspend additional applications for assistance. Under the bill, a household eligible for water utility assistance may also be eligible for a crisis assistance payment if the household is experiencing or at risk of experiencing a water utility–related emergency, as defined by DOA.

INSURANCE

Pharmacy benefit manager and prescription drug benefit regulation

The bill generally requires pharmacy benefit managers to be licensed with the commissioner of insurance or to have an employee benefit plan administrator license under current law. The bill also establishes certain requirements on pharmacy benefit managers and certain health plans regarding their interactions with pharmacies and pharmacists. Under the bill, a pharmacy benefit manager is an entity that contracts to administer or manage prescription drug benefits on behalf of an insurer, a cooperative, or another entity that provides prescription drug benefits to Wisconsin residents.

The bill requires a pharmacy benefit manager to be licensed either as a pharmacy benefit manager or as an employee benefit plan administrator, which is an existing license under current law, in order to perform the activities of a pharmacy benefit manager. The bill specifies that an entity that is both an employee benefit plan administrator and a pharmacy benefit manager need only have a single license

as an administrator. To obtain a license, the pharmacy benefit manager must pay the applicable fee; supply a bond; provide its federal employer identification number; and show to the commissioner that the pharmacy benefit manager intends to act in good faith in compliance with applicable laws, rules, and commissioner's orders through certain competent and trustworthy individuals, to designate an individual to directly administer the prescription drug benefits, and, if not organized in Wisconsin, to agree to be subject to the jurisdiction of the commissioner and Wisconsin courts. Under the bill, pharmacy benefit manager licenses may be limited, suspended, or revoked for the same reasons as for employee benefit plan administrator licenses, which include that the pharmacy benefit manager is unqualified; repeatedly or knowingly violates laws, rules, or commissioner's orders; endangers enrollees or the public; or has inadequate financial resources. After a pharmacy benefit manager's license is ordered suspended or revoked, the commissioner may allow the pharmacy benefit manager to continue to provide services for the purpose of providing continuity of care to existing enrollees. In addition to powers the commissioner has, generally, to implement and enforce insurance–related laws, the bill allows the commissioner to examine, audit, or accept an audit of a pharmacy benefit manager in the same manner as employee benefit plan administrators and insurers and to promulgate any rules to implement licensure of pharmacy benefit managers.

Unless federal law requires otherwise, a pharmacy benefit manager is prohibited in the bill from retroactively denying a pharmacist's or pharmacy's claim unless the original claim was fraudulent, the payment of the original claim was incorrect, the pharmacy services were not rendered by the pharmacist or pharmacy, the pharmacist or pharmacy violated state or federal law, or the reduction is permitted by contract and is related to a quality program. The bill limits recovery for an incorrect payment to the amount that exceeds the allowable claim. The bill requires every pharmacy benefit manager to submit annual transparency reports containing information specified in the bill to the commissioner. The bill sets requirements on a pharmacy benefit manager; insurer; defined network plan, such as a health maintenance organization; or a self–insured governmental health plan that is conducting an audit of a pharmacist or pharmacy.

Certain health plans, or pharmacy benefit managers on behalf of health plans, may require a pharmacy to fulfill certification or accreditation requirements in order to participate in the plan's network of providers. The bill requires a pharmacy benefit manager or a representative of a pharmacy benefit manager to provide to a pharmacy, within 30 days of receipt of a written request from the pharmacy, written notice of the certification or accreditation requirements as a determinant of network participation. The bill prohibits a pharmacy benefit manager or representative from changing its accreditation requirements more frequently than once every 12 months.

Current law requires pharmacy benefit managers to agree in their contracts to make certain disclosures regarding prescription drug reimbursement, including updating maximum allowable cost pricing information for prescribed drugs or devices at least every seven business days, reimbursing pharmacies or pharmacists subject to the updated maximum allowable cost pricing, and modifying information

in the maximum allowable cost information in a timely fashion. Pharmacy benefit managers currently must also include in each contract with a pharmacy a process to appeal, investigate, and resolve pricing disputes in accordance with the specifics in current law. These current law requirements are unchanged by the bill.

Under the bill, a health insurance policy or a governmental self–insured health plan may not, and a policy or plan must ensure that a pharmacy benefit manager does not, restrict a pharmacy from or penalize a pharmacy for informing an enrollee under the policy or plan of any differential between the out–of–pocket cost of a drug to the enrollee under the policy or plan and the cost an individual would pay for the drug without using insurance. Health insurance policies are referred to in the bill as disability insurance policies. The bill prohibits a policy, plan, or pharmacy benefit manager from requiring an enrollee under the policy or plan to pay more for a covered drug than either the cost–sharing amount for the prescription drug under the policy or plan or the amount the enrollee would pay for the drug without using insurance, whichever amount is lower.

The bill requires pharmacies to post a sign describing the pharmacist's ability to substitute a less expensive drug product equivalent or interchangeable biological product for the prescribed drug or biological product unless the consumer or the prescribing practitioner indicates otherwise. Under current law, a pharmacist is required to dispense either the prescribed drug or biological product or, if lower in price, a drug product equivalent or interchangeable biological product. The pharmacist is currently required to inform the consumer of the options available in dispensing the prescription. The bill requires each pharmacy to have available for the public a listing of the retail price, updated monthly or more often, of the 100 most commonly prescribed prescription drugs available for purchase at the pharmacy. The bill also requires pharmacies to make available for the public information on how to access a list, created by the Pharmacy Examining Board, of the 100 most commonly prescribed generic drugs with the corresponding brand name, and the federal Food and Drug Administration's list of currently approved interchangeable biological products, to which the Pharmacy Examining Board currently has to provide a link on its website.

The bill requires a health insurance policy, governmental self–insured health plan, or pharmacy benefit manager to provide advanced written notice to an enrollee of a formulary change that either removes a prescription drug from the formulary or reassigns a prescription drug to a higher benefit tier. A higher benefit tier is a tier with a higher deductible, copayment, or coinsurance than the tier the prescription drug had been assigned. The advanced notice required by the bill must be provided no fewer than 30 days before the expected formulary change, must include information on the procedure for the enrollee to request an exception to the formulary change, and need only be provided to those enrollees who are using the drug at the time the notification must be sent. A policy, plan, or pharmacy benefit manager is not required to provide advanced written notice if the prescription drug is no longer approved by the federal Food and Drug Administration; is the subject of a notice, guidance, warning, announcement, or other statement from the FDA relating to concerns about the safety of the drug; or is approved by the FDA for use

without a prescription. A policy, plan, or pharmacy benefit manager is also not required to provide advanced written notice for the removal or reassignment of a prescription drug if the policy, plan, or pharmacy benefit manager adds to the formulary at the same or a lower benefit tier a generic prescription drug that is approved by the FDA for use as an alternative to the prescription drug or a prescription drug in the same pharmacologic class or with the same mechanism of action. A lower benefit tier has a lower deductible, copayment, or coinsurance than the prescription drug's current benefit tier.

The bill requires a pharmacist or pharmacy to notify an enrollee in a policy or plan if a prescription drug for which an enrollee is filling or refilling a prescription is removed from the formulary and the policy or plan or a pharmacy benefit manager acting on behalf of a policy or plan adds to the formulary at the same or a lower cost–sharing tier a generic prescription drug or a prescription drug in the same pharmacologic class or with the same mechanism of action. If an enrollee has had an adverse reaction to the prescription drug that is being substituted for an originally prescribed drug, the bill allows the pharmacist or pharmacy to extend the prescription order for the originally prescribed drug to fill one 30–day supply of the originally prescribed drug for the cost–sharing amount that applies to the prescription drug at the time of the substitution.

Fiduciary duty of pharmacy benefit managers

The bill imposes fiduciary and disclosure requirements on pharmacy benefit managers. Specifically, the bill provides that a pharmacy benefit manager owes a fiduciary duty to a plan sponsor and requires that a pharmacy benefit manager annually disclose all of the following information to the plan sponsor:

1. The indirect profit received by the pharmacy benefit manager from owning a pharmacy or service provider.

2. Any payments made to a consultant or broker who works on behalf of the plan sponsor.

3. From the amounts received from drug manufacturers, the amounts retained by the pharmacy benefit manager that are related to the plan sponsor's claims or bona fide service fees.

4. The amounts received from network pharmacies and the amount retained by the pharmacy benefit manager.

Application of manufacturer discounts

Health insurance policies and plans often apply deductibles and out–of–pocket maximum amounts to the benefits covered by the policy. A deductible is an amount that enrollees in the policy must pay out of pocket before attaining the full benefits of the plan. An out–of–pocket maximum amount is a limit specified by the policy or plan on the amount that enrollees have paid themselves, and once this limit is reached, the policy or plan covers the benefit entirely. The bill requires health insurance policies that offer prescription drug benefits and self–insured health plans to apply the amount of discounts that a manufacturer of a brand name drug provides to reduce the amount of cost–sharing that is charged to any enrollee for those brand name drugs to this out–of–pocket maximum amount and deductible for the enrollee. This requirement applies for brand name drugs that have no generic equivalent and

for brand name drugs that have a generic equivalent but that the enrollee has prior authorization or physician approval to obtain. Health insurance policies are referred to in the bill as disability insurance policies.

Reimbursement to federal drug pricing program participants

The bill prohibits any person from reimbursing certain entities that participate in the federal drug pricing program, known as the 340B program, for a drug subject to an agreement under the program at a rate lower than that paid for the same drug to pharmacies that are similar in prescription volume. The bill also prohibits a person from imposing any fee, charge back, or other adjustment on the basis of the entity's participation in the 340B program. The entities covered by the prohibitions under the bill are federally qualified health centers, critical access hospitals, and grantees under the federal Ryan White HIV/AIDS program, as well as these entities' pharmacies and any pharmacy with which any of the entities have contracted to dispense drugs through the 340B program.

Drug margin data reporting by hospitals in the 340B program

The bill requires each hospital participating in the 340B program to report to OCI the per unit margin for each drug covered under the 340B program dispensed in the previous year, the total margin, and how the margin revenue was used. OCI is required under the bill to publicly post the information submitted and publish a report analyzing the data. The 340B program limits the pricing of prescription drugs paid by entities that are covered by the program due to agreements between prescription drug manufacturers and the federal government.

Prescription drug affordability review board

The bill creates a prescription drug affordability review board, whose purpose is to protect Wisconsin residents and other stakeholders from the high costs of prescription drugs. The board consists of the commissioner of insurance and the following members, all of whom are appointed by the governor for four–year terms:

1. Two members who represent the pharmaceutical drug industry, at least one of whom is a licensed pharmacist.

2. Two members who represent the health insurance industry.

3. Two members who represent the health care industry, at least one of whom is a licensed practitioner.

4. Two members who represent the interests of the public.

The bill requires the board to meet in open session at least four times per year to review prescription drug pricing information. The board must provide at least two weeks' public notice of its meetings, make the meeting's materials publicly available at least one week prior to meeting, and provide the opportunity for public comment. The bill imposes conflict of interest requirements for the board relating to recusal and public disclosure of certain conflicts. The bill directs the board to access and assess drug pricing information, to the extent practicable, by accessing and assessing information from other states, by assessing spending for the drug in Wisconsin, and by accessing other available pricing information.

Under the bill, the board must conduct drug cost affordability reviews. The first step in such reviews is for the board to identify prescription drugs whose increase in wholesale acquisition cost exceeds specified thresholds and other prescription drugs

that may create affordability challenges for the health care system in Wisconsin. For each identified prescription drug, the board must determine whether to conduct an affordability review by seeking stakeholder input and considering the average patient cost share for the drug. During an affordability review, the board must determine whether use of the prescription drug that is fully consistent with the labeling approved by the federal Food and Drug Administration or standard medical practice has led or will lead to an affordability challenge for the health care system in Wisconsin. In making this determination, the bill requires the board to consider a variety of factors, which include the following:

1. The drug's wholesale acquisition cost.

2. The average monetary price concession, discount, or rebate the manufacturer provides, or is expected to provide, for the drug to health plans.

3. The total amount of price concessions, discounts, and rebates the manufacturer provides to each pharmacy benefit manager for the drug.

4. The price at which therapeutic alternatives have been sold and the average monetary concession, discount, or rebate the manufacturer provides, or is expected to provide, to health plan payors and pharmacy benefit managers for therapeutic alternatives.

5. The costs to health plans based on patient access consistent with federal labeled indications and recognized standard medical practice.

6. The impact on patient access resulting from the drug's cost relative to insurance benefit design.

7. The current or expected dollar value of drug–specific patient access programs that are supported by the manufacturer.

8. The relative financial impacts to health, medical, or social services costs that can be quantified and compared to baseline effects of existing therapeutic alternatives.

9. The average patient copay or other cost–sharing for the drug.

If the board determines that a prescription drug will lead to an affordability challenge, the bill directs the board to establish an upper payment limit for that drug that applies to all purchases and payor reimbursements of the drug dispensed or administered to individuals in Wisconsin. In establishing the upper payment limit, the board must consider the cost of administering the drug, the cost of delivering it to consumers, and other relevant administrative costs. For certain drugs, the board must solicit information from the manufacturer regarding the price increase and, if the board determines that the price increase is not a result of the need for increased manufacturing capacity or other effort to improve patient access during a public health emergency, the board must establish an upper payment limit equal to the drug's cost prior to the price increase.

Moneys from pharmacy benefit manager regulation used for general program operations

The bill credits to the appropriation account for OCI's general program operations all moneys received from the regulation of pharmacy benefit managers, pharmacy benefit management brokers, pharmacy benefit management

consultants, pharmacy services administration organizations, and pharmaceutical sales representatives.

Drug cost reporting

The bill generally requires certain prescription drug cost reporting by drug manufacturers, pharmacy benefit managers, insurers, and pharmacy services administrative organizations.

Under the bill, each insurer that offers a health insurance policy that covers prescription drugs must submit to OCI an annual report that identifies the 25 prescription drugs that are the highest cost to the insurer and the 25 prescription drugs that have the highest cost increases over the 12 months before the submission of the report. Health insurance policies are referred to in the bill as disability insurance policies.

The bill requires a drug manufacturer to notify OCI if it increases the wholesale acquisition cost of a brand–name or generic drug on the market in Wisconsin by more than an amount specified in the bill, or if it intends to introduce to market a brand–name or generic drug that has an annual wholesale acquisition cost of more than a specified amount. The manufacturer must include with the notice justification for and documentation regarding the price increase. The bill requires each manufacturer to provide OCI an annual description of each manufacturer–sponsored patient assistance program in effect during the previous year. Each manufacturer must also report to OCI the value of price concessions provided to each pharmacy benefit manager for each drug sold.

The bill requires pharmacy benefit managers to report to OCI the amount received from manufacturers as drug rebates and the value of price concessions provided by manufacturers for each drug. OCI is required under the bill to publicly post information submitted, analyze data collected, publish a report on emerging trends in prescription prices and price increases, and annually conduct a public hearing based on that analysis. OCI must also conduct a statistically valid survey of pharmacies regarding whether the pharmacy agreed to not disclose that customer drug benefit cost–sharing exceeds the cost of the dispensed drug.

The bill requires pharmacy services administrative organizations to annually report to OCI the negotiated reimbursement rates of the 25 prescription drugs with the highest reimbursement rates, the 25 prescription drugs with the largest year–to–year change in reimbursement rate, and the schedule of fees charged to pharmacies.

Licensure of pharmaceutical representatives

The bill requires a pharmaceutical representative to be licensed by OCI and to display his or her license during each visit with a health care professional. The bill defines "pharmaceutical representative" to mean an individual who markets or promotes pharmaceuticals to health care professionals on behalf of a pharmaceutical manufacturer for compensation.

Under the bill, the license must be annually renewed. The application to obtain or renew a license must include the applicant's contact information, a description of the type of work in which he or she will engage, an attestation that the professional education requirements are met, the license fee, proof that any penalties and other

fees are paid, and any other information required by OCI. Under the bill, the license fee is set by the commissioner. The bill requires the pharmaceutical representative to report, within four business days, any change to the information provided on the application or any material change to his or her business operations or other information required to be reported under the bill.

The bill requires that a pharmaceutical representative complete a professional education course prior to becoming licensed and to annually complete at least five hours of continuing professional education. The coursework must include, at a minimum, training in ethical standards, whistleblower protections, and the laws and rules applicable to pharmaceutical marketing. The bill directs the commissioner to regularly publish a list of courses that fulfill the education requirements. Under the bill, a course provider must disclose any conflict of interest and the courses may not be provided by an employer of a pharmaceutical representative or be funded by the pharmaceutical industry or a third party funded by the industry.

The bill requires that, no later than June 1 of each year, a pharmaceutical representative report to OCI his or her total number of contacts with health care professionals in Wisconsin, the specialties of those health care professionals, the location and duration of each contact, the pharmaceuticals discussed, and the value of any item provided to a health care professional. The bill directs the commissioner to publish the information on OCI's website, without identifying individual health care professionals.

The bill requires that a pharmaceutical representative, during each contact with a health care professional, disclose the wholesale acquisition cost of any pharmaceuticals discussed and the names of at least three generic prescription drugs from the same therapeutic class.

The bill directs the commissioner to promulgate ethical standards for pharmaceutical representatives. Additionally, the bill prohibits a pharmaceutical representative from engaging in deceptive or misleading marketing of a pharmaceutical product; using a title or designation that could reasonably lead a licensed health care professional, or an employee or representative of such a professional, to believe that he or she is licensed to practice in a health occupation unless he or she holds a license to practice; or attending an examination without the patient's consent.

Under the bill, an individual violating any of these provisions is subject to a fine and his or her license may be suspended or revoked. An individual whose license is revoked must wait at least two years before applying for a new license.

Pharmacy benefit management broker and consultant licensing

The bill requires a person who is acting as a pharmacy benefit management broker or consultant or any other person who procures the services of a pharmacy benefit manager on behalf of a client to obtain a license. The bill allows OCI to establish criteria, procedures, and fees for licensure by rule. Pharmacy benefit managers, as defined under current law, are entities that contract to administer or manage prescription drug benefits on behalf of an insurer or other entity that provides prescription drug benefits.

Pharmacy services administrative organizations

The bill requires that pharmacy services administrative organizations (PSAOs) be licensed by OCI. Under the bill, a PSAO is an entity operating in Wisconsin that does all of the following:

1. Contracts with an independent pharmacy to conduct business on the pharmacy's behalf with a third–party payer.

2. Provides at least one administrative service to an independent pharmacy and negotiates and enters into a contract with a third–party payer or pharmacy benefit manager on the pharmacy's behalf.

The bill defines "independent pharmacy" to mean a licensed pharmacy operating in Wisconsin that is under common ownership with no more than two other pharmacies. "Administrative service" is defined to mean assisting with claims or audits, providing centralized payment, performing certification in a specialized care program, providing compliance support, setting flat fees for generic drugs, assisting with store layout, managing inventory, providing marketing support, providing management and analysis of payment and drug dispensing data, or providing resources for retail cash cards. The bill defines "third–party payer" to mean an entity operating in Wisconsin that pays or insures health, medical, or prescription drug expenses on behalf of beneficiaries.

To obtain the license required by the bill, a person must apply to OCI and provide the contact information for the applicant and a contact person, evidence of financial responsibility of at least $1,000,000, and any other information required by the commissioner. Under the bill, the license fee is set by the commissioner and the term of a license is two years.

The bill also requires that a PSAO disclose to OCI the extent of any ownership or control by an entity that provides pharmacy services; provides prescription drug or device services; or manufactures, sells, or distributes prescription drugs, biologicals, or medical devices. The PSAO must notify OCI within five days of any material change in its ownership or control related to such an entity.

Cost–sharing cap on insulin

The bill prohibits every health insurance policy and governmental self–insured health plan that covers insulin and imposes cost–sharing on prescription drugs from imposing cost–sharing on insulin in an amount that exceeds $50 for a one–month supply. Current law requires every health insurance policy that provides coverage of expenses incurred for treatment of diabetes to provide coverage for specified expenses and items, including insulin. The required coverage under current law for certain diabetes treatments other than insulin infusion pumps is subject to the same exclusions, limitations, deductibles, and coinsurance provisions of the policy as other covered expenses. The bill's cost–sharing limitation on insulin supersedes the specification that the exclusions, limitations, deductibles, and coinsurance are the same as for other coverage.

Value–based diabetes medication pilot project

The bill directs OCI to develop a pilot project under which a pharmacy benefit manager and pharmaceutical manufacturer are directed to create a value–based,

sole–source arrangement to reduce the costs of prescription diabetes medication. The bill allows OCI to promulgate rules to implement the pilot project.

Insulin safety net programs

The bill requires insulin manufacturers to establish a program under which qualifying Wisconsin residents who are in urgent need of insulin and are uninsured or have limited insurance coverage can be dispensed insulin at a pharmacy. Under the program, if a qualifying individual in urgent need of insulin provides a pharmacy with a form attesting that the individual meets the program's eligibility requirements, specified proof of residency, and a valid insulin prescription, the pharmacy must dispense a 30–day supply of insulin to the individual and may charge the individual a copayment of no more than $35. The pharmacy may submit an electronic payment claim for the insulin's acquisition cost to the manufacturer or agree to receive a replacement of the same insulin in the amount dispensed.

The bill also requires that insulin manufacturers establish a patient assistance program to make insulin available to any qualifying Wisconsin resident who is uninsured or has limited insurance coverage and whose income does not exceed 400 percent of the federal poverty guidelines. Under the bill, an individual must apply to participate in a manufacturer's program. If the manufacturer determines that the individual meets the program's eligibility requirements, the manufacturer issues the individual a statement of eligibility, which is valid for 12 months and may be renewed. Under the bill, if an individual with a statement of eligibility and valid insulin prescription requests insulin from a pharmacy, the pharmacy must submit an order to the manufacturer, who must then provide a 90–day supply of insulin at no charge to the individual or pharmacy. The pharmacy may charge the individual a copayment of no more than $50. Under the bill, a manufacturer is not required to issue a statement of eligibility if the individual has prescription drug coverage through an individual or group health plan and the manufacturer determines that the individual's insulin needs are better addressed through the manufacturer's copayment assistance program. In such case, the manufacturer must provide the individual with the necessary drug coupons, and the individual may not be required to pay more than a $50 copayment for a 90–day supply of insulin.

Under the bill, if the manufacturer determines that an individual is not eligible for the patient assistance program, the individual may file an appeal with OCI. The bill directs OCI to establish procedures for deciding appeals. Under the bill, OCI must issue a decision within 10 days, and that decision is final.

The bill requires that insulin manufacturers annually report to OCI information about the number of patients served and amount of insulin dispensed under the programs and that OCI annually report to the legislature on the programs. The bill also directs OCI to conduct public outreach and develop an information sheet about the programs, conduct satisfaction surveys of individuals and pharmacies who participate in the programs, and report to the legislature on the surveys by July 1, 2024. Additionally, the bill requires that OCI develop a training program for health care navigators to assist individuals in accessing appropriate long–term insulin options and maintain a list of trained navigators.

The bill provides that a manufacturer that fails to comply with the bill's provisions may be assessed a penalty of up to $200,000 per month of noncompliance, which increases to $400,000 if the manufacturer continues to be in noncompliance after six months and to $600,000 if the manufacturer continues to be in noncompliance after one year. The bill's requirements do not apply to manufacturers with annual insulin sales revenue in Wisconsin of no more than $2,000,000 or to insulin that costs less than a specified dollar amount.

Patient pharmacy benefits tool

The bill directs OCI to award grants in an amount of up to $500,000 in each fiscal year to health care providers to develop and implement a tool that would allow prescribers to disclose the cost of prescription drugs for patients. The tool must be usable by physicians and other prescribers to determine the cost of prescription drugs for their patients. Any health care provider that receives a grant to develop and implement a patient pharmacy benefits tool is required to contribute matching funds equal to at least 50 percent of the total grant awarded.

Prescription drug importation program

The bill requires the commissioner of insurance, in consultation with persons interested in the sale and pricing of prescription drugs and federal officials and agencies, to design and implement a prescription drug importation program for the benefit of and that generates savings for Wisconsin residents. The bill establishes requirements for the program, including all of the following: the commissioner must designate a state agency to become or contract with a licensed wholesale distributor and seek federal certification and approval to import prescription drugs; the importation program must comply with certain federal regulations and import from Canadian suppliers only prescription drugs that are not brand–name drugs, have fewer than four competitor drugs in this country, and for which importation creates substantial savings; the commissioner must ensure that prescription drugs imported under the program are not distributed, dispensed, or sold outside of Wisconsin; and the importation program must have an audit procedure to ensure the program complies with certain requirements specified in the bill. Before submitting the proposed implementation program to the federal government for certification, the commissioner must submit the proposed importation program to JCF for its approval.

State prescription drug purchasing entity

The bill requires OCI to conduct a study on the viability of creating or implementing a state prescription drug purchasing entity.

Health insurance premium assistance program

The bill directs OCI to develop a program to provide premium assistance to individuals who purchase a silver level plan on the health insurance exchange created under the federal Affordable Care Act and whose household income is between 138 and 250 percent of the federal poverty line. The bill requires that the assistance be provided no later than plan year 2024 and that OCI include a cost estimate for the program with the agency's 2023–24 biennial budget submission. Under the bill, the assistance amount is the difference between the lowest–cost silver

level plan and lowest–cost bronze level plan in the county in which the individual resides. The bill defines silver and bronze level plans with reference to federal law. Under federal law, a silver level plan must provide coverage that is designed to provide benefits that are actuarially equivalent to 70 percent of the full actuarial value of the benefits provided under the plan, with the percentage reduced to 60 percent for a bronze level plan. Also under federal law, individuals who purchase a silver level plan and whose household income does not exceed 250 percent of the federal poverty line may be eligible for federal cost–sharing subsidies.

State–based exchange

The bill directs OCI to establish and operate a state–based health insurance exchange. Under current law, the federal Affordable Care Act (ACA) requires that an exchange be established in each state to facilitate the purchase of qualified health insurance coverage by individuals and small employers. Under the ACA, a state must operate its own state–based exchange, use the federally facilitated exchange operated by the U.S. Department of Health and Human Services, or adopt a hybrid approach under which the state operates a state–based exchange but uses the federal platform, known as HealthCare.gov, to handle eligibility and enrollment functions. Wisconsin currently uses the federally facilitated exchange. The bill directs OCI to establish and operate a state–based exchange, first by using the federal platform and then transitioning to a fully state–run exchange. The bill authorizes OCI to enter into any agreement with the federal government necessary to implement these provisions. The bill also requires that OCI impose a user fee on insurers offering plans through the state–based exchange. Under current law, the ACA imposes user fees on insurers offering plans through federally facilitated exchanges and state–based exchanges using the federal platform, which are currently 3 percent and 2.5 percent of total monthly premiums, respectively. The bill authorizes OCI to impose a user fee at the following rates:

1. For any plan year that OCI operates the state–based exchange using the federal platform, the rate is 0.5 percent.

2. For the first two plan years that OCI operates the fully state–run exchange, the rate is 3 percent. For later plan years, the rate is set by OCI by rule.

The bill also creates an annual appropriation in state general purpose revenue for OCI's general program operations. Under the bill, OCI may spend up to $900,000 in fiscal year 2021–22 for the development of a public option health insurance plan.

Coverage of individuals with preexisting conditions and other insurance market regulations

The bill requires certain health plans to guarantee access to coverage; prohibits plans from imposing preexisting condition exclusions; prohibits plans from setting premiums or cost–sharing amounts based on health status–related factors; prohibits plans from setting lifetime or annual limits on benefits; requires plans to cover certain essential health benefits; requires coverage of certain preventive services by plans without a cost–sharing contribution by an enrollee; sets a maximum annual amount of cost sharing for enrollees; and designates risk pool, medical loss ratio, and actuarial value requirements.

The bill requires every individual health insurance policy, known in the bill as a health benefit plan, to accept every individual who, and every group health insurance policy to accept every employer that, applies for coverage, regardless of sexual orientation, gender identity, or whether an employee or individual has a preexisting condition. The bill allows health benefit plans to restrict enrollment in coverage to open or special enrollment periods and requires the commissioner of insurance to establish a statewide open enrollment period of no shorter than 30 days for every individual health benefit plan. The bill prohibits a group health insurance policy, including a self-insured governmental health plan, from imposing a preexisting condition exclusion. The bill also prohibits an individual health insurance policy from reducing or denying a claim or loss incurred or disability commencing under the policy on the ground that a disease or physical condition existed prior to the effective date of coverage.

A health benefit plan offered on the individual or small employer market or a self-insured governmental health plan may not vary premium rates for a specific plan except on the basis of whether the plan covers an individual or family, area in the state, age, and tobacco use as specified in the bill. An individual health benefit plan or self-insured health plan is prohibited under the bill from establishing rules for the eligibility of any individual to enroll based on health-status related factors, which are specified in the bill. A self-insured health plan or an insurer offering an individual health benefit plan is also prohibited from requiring an enrollee to pay a greater premium, contribution, deductible, copayment, or coinsurance amount than is required of a similarly situated enrollee based on a health-status related factor. Current state law prohibits group health benefit plans from establishing rules of eligibility or requiring greater premium or contribution amounts based on a health-status related factor. The bill adds to these current law requirements for group health benefit plans that the plan may not require a greater deductible, copayment, or coinsurance amount based on a health-status related factor.

Under the bill, an individual or group health benefit plan or a self-insured governmental health plan may not establish lifetime or annual limits on the dollar value of benefits for an enrollee or a dependent of an enrollee under the plan. The bill specifies a maximum amount of cost-sharing that a plan may impose as the amount calculated under the federal Patient Protection and Affordable Care Act (ACA).

The bill requires individual and small employer plans to have either a single statewide risk pool for the individual market and a single pool for the small employer market or a single statewide risk pool for a combination of the individual and small employer markets. The bill requires individual and small employer plans to have a medical loss ratio of at least 80 percent and larger group plans to have a medical loss ratio of at least 85 percent. The medical loss ratio is the proportion of premium revenues that the plan spends on clinical services and quality improvement. The bill also requires individual and small employer plans to provide a level of coverage that is designed to provide benefits that are actuarially equivalent to at least 60 percent of the full actuarial value of the benefits provided under the plan. An actuarial value of 60 percent corresponds to a bronze tier plan under the ACA.

The bill requires certain health insurance policies, known in the bill as disability insurance policies, and self–insured governmental health plans to cover essential health benefits that will be specified by the commissioner of insurance by rule. The bill specifies a list of requirements that the commissioner must follow when establishing the essential health benefits including certain limitations on cost–sharing and the following general categories of benefits, items, or services in which the commissioner must require coverage: ambulatory patient services, emergency services, hospitalization, maternity and newborn care, mental health and substance use disorder services, prescription drugs, rehabilitative and habilitative services and devices, laboratory services, preventive and wellness services and chronic disease management, and pediatric services. If an essential health benefit specified by the commissioner is also subject to its own mandated coverage requirement, the bill requires the disability insurance policy or self–insured health plan to provide coverage under whichever requirement provides the insured or plan participant with more comprehensive coverage.

The bill requires health insurance policies and self–insured governmental health plans to cover certain preventive services and to provide coverage of those preventive services without subjecting that coverage to deductibles, copayments, or coinsurance. The preventive services for which coverage is required are specified in the bill. The bill also specifies certain instances when cost–sharing amounts may be charged for an office visit associated with a preventive service.

Short–term plan coverage requirements

The bill generally sets certain coverage requirements on health plans that are short–term limited duration health plans. Under current law, short–term plans may have an initial term of no longer than 12 months and may have an aggregate duration of no longer than 18 months. The bill shortens the initial term to no longer than three months and the aggregate duration to no longer than six months.

The bill requires every short–term, limited duration plan to accept every individual who applies for coverage, whether the individual has a preexisting condition. Current law allows short–term limited duration plans to impose a preexisting condition exclusion but requires the plan to reduce the length of time of the exclusion by the aggregate duration of the insured's consecutive periods of coverage. A preexisting condition exclusion is a period of time during which a plan will not cover a medical condition for which the insured received some medical attention before the effective date of coverage. The bill, however, prohibits short–term, limited duration plans from imposing any preexisting condition exclusion.

A short–term, limited duration plan may not vary premium rates for a specific plan except on the basis of whether the plan covers an individual or family, area in the state, age, and tobacco use as specified in the bill. A short–term, limited duration plan is prohibited under the bill from establishing rules for the eligibility of any individual to enroll based on health status–related factors, which are specified in the bill, and from requiring an enrollee to pay a greater premium, contribution, deductible, copayment, or coinsurance amount than is required of a similarly situated enrollee based on a health status–related factor. Under the bill, a

short–term, limited duration plan may not establish lifetime or limits for the duration of the coverage on the dollar value of benefits for an enrollee or a dependent of an enrollee under the plan.

Balance billing for emergency medical services and other items and services

The bill requires defined network plans, such as health maintenance organizations, and certain preferred provider plans and self–insured governmental plans that cover benefits or services provided in either an emergency department of a hospital or independent freestanding emergency department to cover emergency benefits without requiring a prior authorization determination and without regard to whether or not the health care provider providing the emergency medical services is a participating provider or facility. If the emergency medical services for which coverage is required are provided by a nonparticipating provider, the plan must 1) not impose a prior authorization requirement or other limitation that is more restrictive than if the service was provided by a participating provider, 2) not impose cost–sharing on the enrollee that is greater than the cost–sharing required if the service was provided by a participating provider, 3) calculate the cost–sharing amount to be equal to the amount that would have been charged if the service was provided by a participating provider, 4) provide, within 30 days of the provider's or facility's bill, an initial payment or denial notice to the provider or facility and then pay a total amount to the provider or facility that is equal to the amount by which the provider's or facility's rate exceeds the amount it received in cost–sharing from the enrollee, and 5) count any cost–sharing payment made by the enrollee for the emergency medical services toward any in–network deductible or out–of–pocket maximum as if the cost–sharing payment were made for services provided by a participating provider or facility. The provider or facility may not bill or hold liable an enrollee of the plan for any amount for the emergency medical service that is more than the cost–sharing amount that is determined as described in the bill for the emergency medical service.

For coverage of an item or service that is provided by a nonparticipating provider in a participating facility, a plan must 1) not impose a cost–sharing requirement for the item or service that is greater than the cost–sharing requirement that would have been imposed if the item or service was provided by a participating provider, 2) calculate the cost–sharing amount to be equal to the amount that would have been charged if the service was provided by a participating provider, 3) provide, within 30 days of the provider's bill, an initial payment or denial notice to the provider and then pay a total amount to the provider that is equal to the amount by which the provider's rate exceeds the amount it received in cost–sharing from the enrollee, and 4) count any cost–sharing payment made by the enrollee for the emergency medical services toward any in–network deductible or out–of–pocket maximum as if the cost–sharing payment were made for services provided by a participating provider. A nonparticipating provider providing an item or service in a participating facility may not bill or hold liable an enrollee for more than the cost–sharing amount unless the provider provides notice and obtains consent as described in the bill. However, if the nonparticipating provider is providing an ancillary item or service that is specified in the bill and the commissioner of

insurance has not specifically allowed balance billing for that item or service by rule, the nonparticipating provider providing the ancillary item or service in a participating facility may not bill or hold liable an enrollee for more than the cost–sharing amount.

A provider or facility that is entitled to a payment under the bill for an emergency medical service or other item or service may initiate open negotiations with the plan to determine the amount of payment. If the open negotiation period terminates without determination of the payment amount, the provider, facility, or plan may initiate the independent dispute resolution process as specified by the commissioner of insurance. If an enrollee of a plan is a continuing care patient, as defined in the bill, and is obtaining services from a participating provider or facility and the contract is terminated or the coverage of benefits is going to be terminated, the plan must notify an enrollee of the enrollee's right to elect to continue transitional care, provide the enrollee an opportunity to notify the plan of the need for transitional care, and allow the enrollee to continue to have the benefits provided under the plan under the same terms and conditions as would have applied without the termination until either 90 days after the termination notice date or the date on which the enrollee is no longer a continuing care patient, whichever is earlier.

Telehealth parity

The bill requires health insurance policies and self–insured governmental health plans to cover a treatment or service that is provided through telehealth if the treatment or service is covered by the policy or plan when provided in person. A policy or plan may limit its coverage to those treatments or services that are medically necessary. "Telehealth" is defined in the bill as a practice of health care delivery, diagnosis, consultation, treatment, or transfer of medically relevant data by means of audio, video, or data communications that are used either during a patient visit or consultation or are used to transfer medically relevant data about a patient. Health insurance policies are referred to as disability insurance policies in the bill, and a self–insured governmental health plan is a self–funded health plan of the state or a county, city, village, town, or school district.

The bill also sets parameters on the coverage of telehealth treatments and services that is required in the bill. A policy or plan may not subject a telehealth treatment or service to a greater deductible, copayment, or coinsurance than if provided in person. Similarly, a policy or plan may not impose a policy or calendar year or a lifetime benefit limit or other maximum limitation or a prior authorization requirement on a telehealth treatment or service that is not imposed on treatments or services provided through manners other than telehealth. A policy or plan also may not place unique location requirements on telehealth treatment or services. If a policy or plan covers a telehealth treatment or service that has no in–person equivalent, the policy or plan must disclose this in the policy or plan materials.

Participation by school districts in state group health insurance plan

The bill requires the commissioner of insurance to create a task force to develop an implementation plan for participation by school districts in a group health insurance plan offered by the Group Insurance Board. The task force consists of 13

members appointed by the governor, including a representative from each of the following entities: OCI, DOA, DPI, and ETF. The task force also includes one administrator of a school district, one business official of a school district, one member of a school board, one official of a public employee union, three employees of public schools, and one representative of a health plan. Under the bill, the commissioner of insurance and the secretary of employee trust funds are required to consult with the task force and review an actuarial study conducted by GIB and develop a plan to implement participation by school districts in a group health insurance plan offered by GIB, by January 1, 2024. Finally, under the bill, the commissioner of insurance and the secretary of employee trust funds are required to provide the implementation plan to the governor and JCF no later than December 31, 2022.

Outreach and education regarding employee misclassification

The bill directs the commissioner of insurance to conduct, on at least an annual basis, outreach and education to insurers and other persons regulated by the state insurance laws on how to identify the misclassification of employees and report suspected misclassifications to the appropriate federal and state agencies.

JUSTICE

Powers of the attorney general

The bill repeals changes made to the powers of the attorney general in 2017 Wisconsin Act 369 relating to the power to compromise or discontinue civil actions prosecuted by DOJ and the power to compromise and settle actions in cases in which DOJ is defending the state. The bill reestablishes these settlement powers as they existed under the law before 2017 Wisconsin Act 369 was enacted.

The bill allows the attorney general to compromise or discontinue actions prosecuted by DOJ 1) when directed by the officer, department, board, or commission that directed the prosecution or 2) with the approval of the governor when the action is prosecuted by DOJ on the initiative of the attorney general or at the request of any individual. The bill eliminates the requirement for approval of a compromise or discontinuance from a legislative intervenor or JCF. It also eliminates the requirement for the attorney general to obtain approval of a compromise or discontinuance by the Joint Committee on Legislative Organization in certain circumstances before submitting a proposed plan to JCF.

Under the bill, when DOJ is defending the state, the attorney general may compromise and settle the action as the attorney general determines to be in the best interest of the state. The bill eliminates the requirement under current law that, in actions for injunctive relief or if there is a proposed consent decree, the attorney general must 1) obtain the approval of any legislative intervenor or 2) if there is no intervenor, submit a proposed plan to JCF and, in certain circumstances, obtain approval of JCF. The bill also eliminates the requirement for the attorney general to obtain approval from JCLO in certain circumstances before submitting a proposed plan of settlement or compromise to JCF.

Gifts and grants and disposition of settlement funds

The bill repeals certain changes made by 2017 Wisconsin Act 369 relating to gifts and grants and certain proceeds received by DOJ, specifically reversing provisions that changed a DOJ gifts and grants appropriation and a DOJ gifts, grants, and proceeds appropriation from continuing appropriations to annual appropriations.

Second, the bill repeals the requirement that the attorney general must deposit all settlement funds into the general fund. The bill restores procedures relating to discretionary settlement funds under which the attorney general could expend certain settlement funds not committed under the terms of a settlement after submitting a plan to JCF for passive review and either 1) the cochairpersons of JCF do not schedule a meeting; or 2) a meeting is scheduled and JCF approves a plan for expenditure.

Sexual assault kits

Under current law, there is no statutory procedure for the collection and processing of sexual assault kits. The bill creates procedures for transmission, processing, and storage of sexual assault kits. Under the bill, a health care professional who collects a sexual assault kit must do one of the following: 1) if the victim wants to report the sexual assault to law enforcement, the health care professional must notify a law enforcement agency within 24 hours of collecting the kit; or 2) if the victim does not want to report the sexual assault to law enforcement, the health care professional must send the kit to the state crime laboratories within 72 hours for storage. Under the bill, if a law enforcement agency has received notification from a health care professional that a kit has been collected, the law enforcement agency must take possession of the kit within 72 hours and must send the kit to the state crime laboratories for processing within 14 days. If the victim changes his or her mind about wanting to have his or her kit analyzed after it is given to a law enforcement agency but before the agency sends the kit to the state crime laboratories for processing, the agency must send the kit to the state crime laboratories for storage rather than for processing.

Under the bill, once the state crime laboratories takes possession of a sexual assault kit, it must do one of the following: 1) if it has received the kit of a person who has not consented to analysis, securely store the kit for a period of 10 years; or 2) if it has received the kit of a person who has consented to analysis, process the kit and then send it to a law enforcement agency to store the kit for a period of 50 years, or until the date of the expiration of the statute of limitations, or until the end of a term of imprisonment or probation of a person convicted in the sexual assault case, whichever is longer.

Under current law, local law enforcement agencies report certain crime statistics to DOJ. The bill requires law enforcement agencies to provide additional data to DOJ regarding sexual assault kits collected and processed in Wisconsin in addition to the data currently being reported. The bill also requires DOJ to publish data on law enforcement agency compliance with DOJ reporting requirements.

Collection of data from traffic stops

The bill requires a law enforcement agency to collect the following information concerning motor vehicle stops made on or after January 1, 2022: 1) the name, address, gender, and race of the operator of the motor vehicle, with the officer subjectively determining the person's race as being Caucasian, Black or African American, Hispanic, American Indian or Alaska Native, or Asian or Pacific Islander; 2) the reason for the motor vehicle stop; 3) the make and year of the motor vehicle; 4) the date, time, and location of the motor vehicle stop; 5) whether or not a law enforcement officer conducted a search of the motor vehicle, the operator, or any passenger and, if so, whether the search was with consent or by other means; 6) the name, address, gender, and race of any person searched; and 7) the name and badge number of the officer making the motor vehicle stop.

The information that is collected under the bill concerning motor vehicle stops is not subject to inspection or copying as a public record. The information, however, must be forwarded to DOJ, which must then compile and analyze it, along with any other relevant information, to determine, both for the state as a whole and for each law enforcement agency, whether the number of stops and searches involving motor vehicles operated or occupied by members of a racial minority are disproportionate compared to the number of stops and searches involving motor vehicles operated or occupied solely by persons who are not members of a racial minority.

Universal background check requirement for all firearm transfers

Current law provides that a federally licensed firearms dealer may not transfer a handgun after a sale until the dealer has asked DOJ to perform a background check on the prospective transferee to determine if he or she is prohibited from possessing a firearm under state or federal law. The bill generally prohibits any person from transferring any firearm, including the frame or receiver of a firearm, unless the transfer occurs through a federally licensed firearms dealer and involves a DOJ background check of the prospective transferee. Under the bill, the following are excepted from that prohibition: a transfer to a firearms dealer or to a law enforcement or armed services agency; a transfer of a firearm classified as antique; or a transfer that is by gift, bequest, or inheritance to a family member. A person who is convicted of violating the prohibition is guilty of a misdemeanor and must be fined not less than $500 nor more than $10,000, may be imprisoned for not more than nine months, and may not possess a firearm for a period of two years.

Treatment alternatives and diversion grant program

Under current law, DOJ, in collaboration with DOC and DHS, awards grants to counties or tribes that have established qualifying treatment alternatives and diversion (TAD) programs that offer substance abuse or mental health treatment services as alternatives to prosecution or incarceration in order to reduce recidivism, promote public safety, and reduce prison and jail populations.

Under current law, in order to qualify for a TAD grant, a county's or tribe's program is required to match 25 percent of the grant, and a program is required to charge participants a fee to participate. A county or tribe that receives a TAD grant must create an oversight committee to administer and evaluate its program. DOJ is required to make grants available to any county or tribe on a competitive basis

every five years. At the end of the five–year grant cycle, DOJ is required to prepare a comprehensive report on the grant program based on annual reports and other data it collects from the counties and tribes.

The bill makes several changes to the TAD grant program. Under the bill, a program funded by a TAD grant need not focus solely on alcohol and other drug treatment, but must employ evidence–based practices targeted to the population served by the program. The bill changes the match requirement from 25 percent to 10 percent and changes the competitive grant process to a four–year cycle. The bill allows, but does not require, an eligible program to charge participants a fee for their treatment. The bill also eliminates certain requirements pertaining to exposure of genitals during drug testing.

Under current law, when a person pleads or is found guilty of certain drug offenses, the court is required to order a substance use assessment. Under current law, the court does not have to order an assessment if the person is already covered by such an order, has recently completed an assessment under such an order, or is participating in a TAD program. The bill specifies that if a person is participating in any evidence–based substance use disorder treatment program as determined by DOJ, regardless of its status relating to the TAD program, the court does not need to order an assessment.

Sentencing review council

The bill creates the Sentencing Review Council within DOJ. The council is charged with studying and making recommendations on 1) criminal penalties and reforming the Criminal Code; 2) the equitability of sentences; 3) the state's bifurcated sentencing structure; and 4) sentencing for individuals who were age 18 to 25 at the time the crime was committed. Under the bill, membership of and appointments to the council are determined by the governor.

Grants for alternative emergency response and 911 diversion

The bill creates a grant program within DOJ for alternative emergency response and 911 diversion. Under the bill, DOJ must issue grants to counties with a population of 750,000 or more to facilitate contracts between local health departments and behavioral crisis support service providers and to support research, design, and personnel costs associated with creating programs to divert behavioral health situations in 911 call centers.

Sexual assault victim services grants for the Wisconsin Coalition Against Sexual Assault

Under current law, DOJ administers a grant program to provide grants to organizations that provide services to victims of sexual assault. The bill requires that, in addition to the other grants under the program, DOJ must provide an annual grant of $100,000 to the Wisconsin Coalition Against Sexual Assault. Under the bill, the Wisconsin Coalition Against Sexual Assault may also apply for additional grants under the program.

Youth diversion services

Under current law, DOJ allocates $1,050,000 to contract with organizations to provide services in Milwaukee, Racine, Kenosha, and Brown Counties for the

diversion of youths from gang activities into productive activities such as educational, recreational, and employment programs. Under current law, these contracts are funded by a penalty surcharge on court fines and forfeitures. The bill creates a GPR appropriation account from which funding for these services may be provided.

County Victim Witness Reimbursement

Under current law, there are three program revenue appropriations from which DOJ is required to reimburse counties for services provided to victims and witnesses of crime. The bill creates an additional general purpose revenue annual appropriation from which DOJ is required to reimburse counties for services provided to victims and witnesses of crime.

Nonviolent offender diversion program

The 2019 biennial budget created a diversion pilot program for nonviolent criminal offenders to be diverted to a treatment option. Under current law, the pilot program sunsets on July 1, 2021. The bill repeals that sunset so that the diversion program remains in place beyond July 1, 2021.

Ongoing transfer for investigation of crimes against children

The bill creates an ongoing transfer of moneys collected from crime laboratory, DNA analysis, and drug law enforcement surcharges to an appropriation to be used for investigation and prosecution of internet crimes against children.

Relator appropriation

The bill creates a continuing appropriation to hold all money received by DOJ that is owed to a relator, to provide payments to relators. A relator is a type of party in a legal action in whose name an action is brought by a state.

LAW ENFORCEMENT

Use of force policies

Under current law, each law enforcement agency must have a written public policy that regulates the use of force by law enforcement officers. The bill makes several changes that affect this requirement.

First, the bill requires the law enforcement agency to post its policy on the law enforcement agency website or, if the agency does not have one, on a website maintained by the municipality over which the law enforcement agency has jurisdiction.

Second, the bill requires each law enforcement agency to ensure that its use of force policy incorporates the following principles: that the primary duty of all law enforcement is to preserve the life of all individuals; that deadly force is to be used only as the last resort; that chokeholds are banned; that officers should use skills and tactics that minimize the likelihood that force will become necessary; that, if officers must use physical force, it should be the least amount of force necessary to safely address the threat; and that law enforcement officers must take reasonable action to stop or prevent any unreasonable use of force by their colleagues.

Third, under the bill, each law enforcement officer must annually complete at least eight hours of training on use–of–force options and techniques a law enforcement officer may use to de–escalate a potentially unstable situation.

Fourth, the bill prohibits disciplining a law enforcement officer for reporting a violation of a law enforcement agency's use of force policy.

Finally, the bill requires the Law Enforcement Standards Board to develop a model use of force policy for law enforcement agencies. The model policy must address interactions with individuals with mental disorders, alcohol or drug problems, dementia disorders, and developmental disabilities; limit the use of force against vulnerable populations; and include other best practices that LESB identifies.

Reports on use of force incidents

Current law requires DOJ to collect certain information concerning criminal offenses committed in Wisconsin. The bill requires DOJ to collect data and publish an annual report on law enforcement use of force incidents, including incidents in which there was a shooting, in which a firearm was discharged in the direction of a person (even if there was no injury), and in which other serious bodily harm resulted from the incident. The bill requires certain demographic information to be collected about each such incident, and reported annually by DOJ on its website.

Grant program to reduce violence

The bill creates a $1,000,000 grant program, administered by DOJ, to fund community organizations that are utilizing evidence–based outreach and violence interruption strategies to mediate conflicts, prevent retaliation and other potentially violent situations, and connect individuals to community supports.

Cause of action for unnecessarily summoning a law enforcement officer

The bill creates a civil cause of action for unnecessarily summoning a law enforcement officer. Under the bill, a person may bring an action against another person who, with the intent to do any of the following, causes a law enforcement officer to arrive at a location to contact the person: infringe upon a constitutional right of the person; unlawfully discriminate against the person; cause the person to feel harassed, humiliated, or embarrassed; cause the person to be expelled from a place in which the person is lawfully located; damage the person's reputation or standing within the community; or damage the person's financial, economic, consumer, or business prospects or interests.

Under the bill, the person may recover the greater of special and general damages, including damages for emotional distress, or an amount equal to $250 from each defendant found liable; punitive damages; and costs, including all reasonable attorney fees and other costs of the investigation and litigation that were reasonably incurred.

Prohibition on no-knock warrants

Under current law, a law enforcement officer executing a search warrant must knock and announce before entering unless, at the time the warrant is executed, the law enforcement officer has a reasonable suspicion that knocking and announcing will be dangerous or futile or will inhibit the effective investigation of the crime. The bill requires that a law enforcement officer executing a search warrant must, before entering the premises, identify himself or herself as a law enforcement officer and announce the authority and purpose of the entry.

Training and recruiting officers

The bill makes certain changes to the responsibilities of the Law Enforcement Standards Board. Under current law, LESB regulates the training of law enforcement officers. The bill requires LESB to also regulate jail and juvenile detention officer training standards, and to regulate recruitment standards for the recruiting of new law enforcement, jail, and juvenile detention officers.

The bill also requires each law enforcement agency to maintain an employment file for each employee. Under the bill, when a law enforcement agency, jail, or juvenile detention facility is recruiting for new officers, the agency, jail, or facility must require each candidate that is or has been employed by a different agency, jail, or facility to authorize that employer to disclose his or her employment files to the recruiting agency, jail, or facility and to release that employer from any liability related to the use and disclosure of the files.

LOCAL GOVERNMENT

Public contracts

Bidding thresholds

In general, under current law, a second, third, or fourth class city or a village, town, county, technical college district board, or federated public library system must let a public contract having an estimated cost of more than $25,000 to the lowest responsible bidder. Under the bill, the amount above which any of these local governmental units must let a contract to the lowest responsible bidder is raised to $50,000.

Levy limits

Levy limits; alternative minimum growth factor increase

Generally under current law, local levy limits are applied to the property tax levies that are imposed by a city, village, town, or county (political subdivision) in December of each year. Current law prohibits any political subdivision from increasing its levy by a percentage that exceeds its "valuation factor," which is defined as the greater of either 0 percent or the percentage change in the political subdivision's equalized value due to new construction, less improvements removed. The bill increases the alternative percentage factor for purposes of the "valuation factor" to 2 percent.

Levy limit reduction for service transfer

Under current law, if a political subdivision transfers to another governmental unit the responsibility to provide a service that it provided in the previous year, the levy limit otherwise applicable in the current year is decreased to reflect the cost that the political subdivision would have incurred to provide that service. The bill repeals that provision.

Levy limit negative adjustment for certain service revenues

Under current law, a political subdivision must reduce its allowable levy by the estimated amount of any revenue from fees or payments in lieu of taxes if the revenue is received for providing certain "covered services" that were funded with property tax revenues in calendar year 2013. The "covered services" are certain garbage

collection, fire protection, snow plowing, street sweeping, and storm water management.

The bill repeals the requirement that a political subdivision must reduce its allowable levy by the estimated amount of revenues received for providing covered services that were funded with property tax revenues in calendar year 2013.

Levy limit exclusion for cross-municipality transit routes

Current law contains a number of exceptions to the levy limit, such as amounts a county levies for a countywide emergency medical system, for a county children with disabilities education board, and for certain bridge and culvert construction and repair. In addition, a political subdivision may exceed the levy limit that is otherwise applicable if its governing body adopts a resolution to do so and if that resolution is approved by the electors in a referendum.

The bill creates another exception to local levy limits. Under the bill, amounts levied by a political subdivision for costs related to new or enhanced transit services that cross adjacent county or municipal borders do not apply to the limit if the political subdivisions between which the routes operate have entered into an agreement to provide for the services and if the agreement is approved in a referendum.

Levy limit exception for regional planning commission contributions

The bill creates a local levy limit exception for the amount a political subdivision levies to pay for the political subdivision's share of a regional planning commission's (RPC's) budget.

An RPC's budget is determined annually by the RPC. The RPC then charges all political subdivisions within its jurisdiction a proportional amount to fund the budget based on the equalized value of property in the political subdivision and the total amount of equalized value of property within the RPC's jurisdiction.

TAX INCREMENTAL FINANCING

Tax incremental housing for workforce housing

The bill authorizes workforce housing initiatives and makes changes that affect tax incremental districts and state housing grants. The bill creates a definition for workforce housing, changes the definition of "mixed–use development TID," increases the maximum number of years a city or village may extend the life of a TID to improve its affordable and workforce housing, requires a TID's project plan to contain alternative economic projections, and changes the method of imposing certain impact fees.

Under the bill, a political subdivision may put into effect a workforce housing initiative by taking one of several specified actions and posting on its website an explanation of the initiative. Workforce housing initiatives include the following: reducing permit processing times or impact fees for workforce housing; increasing zoning density for a workforce housing development; rehabilitating existing uninhabitable housing stock into habitable workforce housing; or implementing any other initiative to address workforce housing needs. Once an initiative takes effect, it remains in effect for five years. After June 30, 2021, if a political subdivision has in effect at least three initiatives at the same time, WHEDA, WEDC, and DOA must

give priority to housing grant applications from, or related to a project in, the political subdivision.

The bill defines "workforce housing" to mean the following, subject to the five–year average median costs as determined by the U.S. Census Bureau:

1. Housing that costs a household no more than 30 percent of the household's gross median income.

2. Housing that comprises residential units for initial occupancy by individuals whose household median income is no more than 120 percent of the county's gross median income.

Under current law, a mixed–use development TID contains a combination of industrial, commercial, or residential uses, although newly platted residential areas may not exceed more than 35 percent of the real property within the TID. Under the bill, newly platted residential areas may not exceed either the 35 percent limit or 60 percent of the real property within the TID if the newly platted residential use that exceeds 35 percent is used solely for workforce housing.

Currently, a city or village may extend the life of a TID for up to one year for housing stock improvement if all of the following occurs:

1. The city or village pays off all of the TID's project costs.

2. The city or village adopts a resolution stating that it intends to extend the life of the TID, the number of months it intends to do so, and how it intends to improve housing stock.

3. The city or village notifies DOR.

Current law requires the city or village to use 75 percent of the tax increments received during the period specified in the resolution to benefit affordable housing in the city or village and 25 percent to improve the city's or village's housing stock.

Under the bill, a city or village may extend the life of a TID for up to three years to increase the number of affordable and workforce housing improvements. The bill also changes the term "housing stock" to "affordable and workforce housing units."

Under current law, if a city, village, or town (municipality) imposes an impact fee on a developer to pay for certain capital costs to accommodate land development, the municipality may provide in the ordinance an exemption from, or a reduction in the amount of, impact fees on land development that provides low–cost housing. Under the bill, the impact fee exemption or reduction provisions also apply to workforce housing. Current law prevents the shifting of an exemption from or reduction in impact fees to any other development in the land development in which the low–cost housing is located. The bill applies this provision to workforce housing as well.

Tax incremental districts in city of Wisconsin Dells

The bill extends the expenditure periods for two tax incremental districts in the City of Wisconsin Dells. Under current law, a city or village that creates a TID generally may not make expenditures for project costs later than five years before the TID's unextended termination date. Under the bill, the City of Wisconsin Dells may make expenditures for project costs through November 2026 for TID Number Two and through May 2040 for TID Number Three.

GENERAL LOCAL GOVERNMENT

Provision and funding of emergency medical services by towns

The bill authorizes a town to contract for or maintain emergency medical services for the town. The bill also authorizes a town to do any of the following for the purpose of funding these emergency medical services:

1. Appropriate money.

2. Charge property owners a fee for the cost of emergency medical services provided to their property according to a written schedule established by the town board.

3. Levy taxes on the entire town.

4. Levy taxes on property served by a particular source of emergency medical services, to support the source of emergency medical services.

Municipality construction, ownership, or operation of broadband facilities

Current law prohibits, with several exceptions, a municipality from constructing, owning, or operating a facility for providing video service, telecommunications service, or broadband service to the public unless 1) the municipality holds a public hearing on the proposed action, 2) notice of the public hearing is given, and 3) the municipality prepares and makes available for public inspection a report estimating the total costs of, and revenues derived from, constructing, owning, or operating the facility for a period of at least three years. The bill eliminates the requirement that a municipality prepare and make available for public inspection that report if the facility is a broadband facility intended to serve an area designated as underserved or unserved by PSC.

Currently, under one of the exceptions, the public hearing and cost report do not apply to a facility for providing broadband service if 1) the municipality offers use of the facility on a nondiscriminatory basis to persons who provide broadband service to end users of the service, 2) the municipality itself does not use the facility to provide broadband service to end users, and 3) the municipality determines that, at the time of authorization, the facility does not compete with more than one provider of broadband service. The bill eliminates the requirements under items 2 and 3 for facilities that are intended to serve an underserved or unserved area. As a result, a municipality is not required to hold a public hearing or prepare a report for a broadband facility intended to serve an underserved or unserved area if the municipality offers use of the facility on a nondiscriminatory basis to persons who provide broadband service.

Currently, under another of the exceptions, the public hearing and cost report do not apply to a facility for providing broadband service to an area within the boundaries of a municipality if the municipality asks, in writing, each person that provides broadband service within the boundaries of the municipality whether the person currently provides broadband service to the area or intends to provide broadband service to the area within nine months and 1) does not receive an affirmative response within 60 days, 2) the municipality determines that a person who responded does not currently provide broadband service to the area, and no other person makes the response to the municipality, or 3) the municipality determines that a person who responded that the person intended to provide

broadband service to the area within nine months did not actually provide the service within nine months and no other person makes the response to the municipality.

Under the bill, for this exception in the case of an underserved or unserved area, rather than asking whether a person plans to provide broadband service to the area within nine months, the municipality must ask whether the person intends or actively plans to provide broadband service to the area within three months.

County debt issuance

The bill authorizes a county to issue debt to replace revenue lost due to a disaster or public health emergency declared by the governor or by the county board itself. The county board must adopt a resolution stating that the debt is issued for such a purpose, must specify the amount of revenue lost or expected to be lost, and must send a certified copy of the resolution to DOA. DOA must determine, based on the resolution and any other available information, the appropriate amount of debt that the county may issue. The bill requires DOA to promulgate any rules it believes are necessary to administer its requirement to determine the appropriate amount of debt. Under the bill, the county may not issue debt in an amount that exceeds the amount specified by DOA. The debt may not be issued for a term that exceeds 10 years.

Use of premiums received in issuance of municipal obligations

Under current law, the proceeds of municipal obligations must be paid into a municipality's borrowed money fund, except that any accrued interest and any premium received when municipal obligations are sold above par value must be paid into the debt service fund. In general, moneys may be disbursed from the borrowed money fund only for the purposes for which the municipal obligations were issued and from the debt service fund only to pay debt service on the obligations. Under the bill, a premium received when municipal obligations are sold above par value is paid into the debt service fund only to the extent provided in a resolution authorizing the issuance of the municipal obligations.

Local landlord-tenant ordinances

Current law prohibits political subdivisions from enacting certain ordinances relating to landlords and tenants. Political subdivisions may not do any of the following:

1. Prohibit or limit landlords from obtaining or using certain information relating to a tenant or prospective tenant, including monthly household income, occupation, rental history, credit information, court records, and social security numbers.

2. Limit how far back in time a landlord may look at a prospective tenant's credit information, conviction record, or previous housing.

3. Prohibit or limit a landlord from entering into a rental agreement with a prospective tenant while the premises are occupied by a current tenant.

4. Prohibit or limit a landlord from showing a premises to a prospective tenant during a current tenant's tenancy.

5. Place requirements on a landlord with respect to security deposits or earnest money or inspections that are in addition to what is required under administrative rules.

6. Limit a tenant's responsibility for any damage to or neglect of the premises.

7. Require a landlord to provide any information to tenants or to the local government any information that is not required to be provided under federal or state law.

8. Require a residential property to be inspected except under certain circumstances.

9. Impose an occupancy or transfer of tenancy fee on a rental unit.

Current law also prohibits political subdivisions from regulating rent abatement in a way that permits abatement for conditions other than those that materially affect the health or safety of the tenant or that substantially affect the use and occupancy of the premises. The bill eliminates all of these prohibitions.

Local moratorium on evictions

Current law prohibits political subdivisions from imposing a moratorium on landlords from pursuing evictions actions against a tenant. The bill eliminates that prohibition.

Local employment regulations

The bill repeals the preemptions of local governments from enacting or enforcing ordinances related to the following:

1. Regulations related to wage claims and collections.

2. Regulation of employee hours and overtime, including scheduling of employee work hours or shifts.

3. The employment benefits an employer may be required to provide to its employees.

4. An employer's right to solicit information regarding the salary history of prospective employees.

5. Occupational licensing requirements that are more stringent than a state requirement.

Certain local and state government regulations

The bill repeals the following:

1. The prohibition of the state and local governments from requiring any person to waive the person's rights under state or federal labor laws as a condition of any approval by the state or local government.

2. A provision under which neither the state nor a local government may enact a statute or ordinance, adopt a policy or regulation, or impose a contract, zoning, permitting, or licensing requirement, or any other condition, that would require any person to accept any provision that is a subject of collective bargaining under state labor laws or the federal National Labor Relations Act.

Exception to law enforcement officer citizenship requirement

Under current law, no person may be appointed as a deputy sheriff of any county or police officer of a municipality unless that person is a citizen of the United States. The bill allows the sheriff of a county or the appointing authority of a local law enforcement agency to elect to authorize the appointment of noncitizens who are in receipt of valid employment authorization from the federal Department of Homeland Security as deputy sheriffs or police officers. The bill also prevents the

law enforcement standards board from preventing such a noncitizen from participating in a law enforcement preparatory training program.

Local government civil service system and grievance procedure requirements

The bill modifies the requirements for any grievance system established by local governmental units, including adding a requirement for any civil service system or grievance procedure to include a just cause standard of review for employee terminations. Under current law, a local governmental unit that did not have a civil service system before June 29, 2011, must have established a grievance system. In order to comply with the requirement to have established a grievance system, a local governmental unit may establish either 1) a civil service system under any provision authorized by law, to the greatest extent practicable, if no specific provision for creation of a civil service system applies to the governmental unit; or 2) a grievance procedure as set forth in the statutes. Current law requires that any civil service system established or grievance procedure created must contain a grievance procedure that addresses employee terminations, employee discipline, and workplace safety. The bill does not eliminate the requirement for these provisions, but instead adds a requirement for a provision relating to a just cause standard of review for employee terminations, including a refusal to renew a teaching contract.

Current law also requires that if a local governmental unit creates a grievance procedure, the procedure must contain certain elements, including a written document specifying the process that a grievant and an employer must follow; a hearing before an impartial hearing officer; and an appeal process in which the highest level of appeal is the governing body of the local governmental unit. The bill provides that the hearing officer must be from the Wisconsin Employment Relations Commission, and adds two additional required elements in the grievance procedure: 1) a provision indicating the grievant is entitled to representation throughout the grievance process; and 2) a provision indicating that the employer must bear all fees and costs related to the grievance process, except the grievant's representational fees and costs.

Consideration of climate change in certain local plans

Under current law, local governmental units are required or permitted to prepare a variety of plans that guide the local governmental unit's response to future events. Among these plans are comprehensive plans that assist in guiding a local governmental unit's future physical development, community health plans that assist in guiding a local governmental unit's response to community health problems, and hazard mitigation plans that assist a local governmental unit in preparing for disasters. Under the bill, if a local governmental unit prepares a comprehensive plan, a community health plan, or a disaster mitigation plan, it must consider the effects of climate change when preparing the plan.

Municipal records filings and filing requirements for certain annexations

The bill transfers the duty of filing certain municipal records from the secretary of state to the secretary of administration and transfers certain records held by the secretary of state to instead be held by DOA. 2015 Wisconsin Act 55 transferred

some, but not all, municipal records filing duties from the secretary of state to DOA. The bill completes the transfer of these duties from the secretary of state to DOA for all municipal filing categories.

The bill also replaces the term "plat" with the term "scale map" in certain filing statutes to conform with existing statutory requirements for certain filings, including petitions for incorporation and for annexation. The bill reduces the number of copies that must be provided to DOA in certain circumstances from multiple copies to just one copy. Finally, the bill removes the population requirement for annexations initiated by electors and property owners to make uniform the filing requirements for all annexations, regardless of county population size.

City of Superior local exposition district

Generally, under current law, a political subdivision may create a local exposition district, either singly or with another political subdivision. A local exposition district is a unit of government that is separate from the political subdivision that creates it and has powers related to creating and operating an exposition center.

The bill makes changes to the local exposition district law that apply only to future districts created by the City of Superior (Superior exposition districts). Under the bill, the primary uses of a Superior exposition district may include sporting tournaments, and the structures included in the district may include those intended for use by transient tourists. A Superior exposition district may impose and collect a food and beverage tax and may impose and collect a room tax at a maximum rate of 2 percent. The bill limits the maximum amount of bond proceeds that the district may issue for development and construction of an exposition center to $20,300,000. Before an enabling resolution adopted by the City of Superior to create a Superior exposition district may take effect, it must be approved in a referendum by a majority of the electors in the city voting on the resolution.

MMSD dredged material management facility

The bill allows a metropolitan sewerage commission for a sewerage district including a first class city (currently only the city of Milwaukee) to finance and construct a dredged material management facility.

Current law allows a metropolitan sewerage commission for a sewerage district including a first class city to participate in certain shore protection projects, but the provision does not apply to any project after January 1, 1992. The bill would modify certain current law requirements, including the date restriction, to specifically allow the metropolitan sewerage commission to construct projects, including a dredged material management facility project, before January 1, 2032. Under the bill, the metropolitan sewerage commission must pay for all costs of the project through its capital budget and finance the project over a period of 35 years. The bill also provides that the commission may reserve space in the dredged material management facility for the disposal of sediment from flood management projects.

SENATE BILL 111

MARIJUANA

Legalizing recreational marijuana

Current law prohibits a person from manufacturing, distributing, or delivering marijuana; possessing marijuana with the intent to manufacture, distribute, or deliver it; possessing or attempting to possess marijuana; using drug paraphernalia; or possessing drug paraphernalia with the intent to produce, distribute, or use a controlled substance. The bill changes state law so that it allows recreational use of marijuana. The bill does not affect federal law, which generally prohibits persons from manufacturing, delivering, or possessing marijuana and applies to both intrastate and interstate violations.

The bill changes state law to allow a Wisconsin resident who is at least 21 years old, or a qualifying patient, to possess no more than two ounces of marijuana and to allow a nonresident of Wisconsin who is at least 21 years old to possess no more than one–quarter ounce of marijuana. Under the bill, generally, a qualifying patient is an individual who has been diagnosed by a physician as having or undergoing a debilitating medical condition or treatment and who is at least 18 years old.

Generally, under the bill, a person who possesses more than the maximum amount he or she is allowed to possess, but not more than 28 grams of marijuana, is subject to a civil forfeiture not to exceed $1,000 or imprisonment not to exceed 90 days or both. A person who possesses more than 28 grams of marijuana is guilty of a Class B misdemeanor, except that, if the person takes action to hide the amount of marijuana he or she has and the person has in place a security system to alert him or her to the presence of law enforcement, a method of intimidation, or a trap that could injure or kill a person approaching the area containing the marijuana, the person is guilty of a Class I felony.

The bill also eliminates the prohibition on possessing or using drug paraphernalia that relates to marijuana consumption.

Permits to produce, process, and sell recreational marijuana

The bill creates a process by which a person may obtain a permit to produce, process, or sell marijuana for recreational use and pay an excise tax for the privilege of doing business in this state. Sixty percent of the revenue collected from the tax is deposited into a segregated fund called the "community reinvestment fund." Under the bill, the community reinvestment fund is used to provide grants to underserved communities, sparsity aid to school districts, grants to promote health equity, and grants to promote diversity and advance equity and inclusion.

The bill requires a person to obtain separate permits from DOR to produce, process, distribute, or sell marijuana, and requires marijuana producers and processors to obtain additional permits from DATCP. The requirements for obtaining these permits differ based on whether the permit is issued by DOR or DATCP but, in general, a person may not obtain such a permit if he or she is not a state resident, is under the age of 21, or has been convicted of certain crimes. In addition, a person may not operate under a DOR permit within 500 feet of a school, playground, recreation facility, child care facility, public park, public transit facility, or library and may not operate as a marijuana producer under a DATCP permit

within 500 feet of a school. A person who holds a permit from DOR must also comply with certain operational requirements.

Under the bill, a permit applicant with 20 or more employees may not receive a permit from DATCP or DOR unless the the applicant certifies that the applicant has entered into a labor peace agreement with a labor organization. The labor peace agreement prohibits the labor organization and its members from engaging in any economic interference with persons doing business in this state, prohibits the applicant from disrupting the efforts of the labor organization to communicate with and to organize and represent the applicant's employees, and provides the labor organization access to areas in which the employees work to discuss employment rights and the terms and conditions of employment. Current law prohibits the state and any local unit of government from requiring a labor peace agreement as a condition for any regulatory approval. The permit requirements under the bill are not subject to that prohibition.

The bill also requires DATCP and DOR to use a competitive scoring system to determine which applicants are eligible to receive permits. Each department must issue permits to the highest scoring applicants that it determines will best protect the environment; provide stable, family–supporting jobs to local residents; ensure worker and consumer safety; operate secure facilities; and uphold the laws of the jurisdictions in which they operate. Each department may deny a permit to an applicant with a low score.

Under the bill, a person who does not have a permit from DOR to sell marijuana may not sell, distribute, or transfer marijuana or possess marijuana with the intent to sell or distribute it. A person who violates this prohibition is guilty of a Class I felony.

Also under the bill, a person who does not have a permit from DATCP may not produce or process marijuana. A person who violates this prohibition, who fails to pay the fee for a permit, or who violates any rules promulgated by DATCP relating to producing or processing marijuana is subject to a criminal penalty of a fine of between $100 and $500, imprisonment of up to six months, or both. In addition, a person who is cultivating marijuana plants without a permit who possesses more than six but not more than 12 marijuana plants that have reached the flowering stage is subject to a civil forfeiture not to exceed $1,000 or imprisonment not to exceed 90 days or both. If the person possesses more than 12 plants that have reached the flowering stage at one time, the person is guilty of a Class B misdemeanor, except that, if the person takes action to hide the number of plants he or she has and the person has in place a security system to alert him or her to the presence of law enforcement, a method of intimidation, or a trap that could injure or kill a person approaching the area containing the plants, the person is guilty of a Class I felony.

Penalties for sales to minors

The bill prohibits a DOR permittee from selling, distributing, or transferring marijuana to a person who is under the age of 21 (minor) and from allowing a minor to be on premises for which a permit is issued. If a permittee violates one of those prohibitions, the permittee may be subject to a civil forfeiture of not more than $500 and the permit may be suspended for up to 30 days. If a person who does not have

a permit from DOR to sell marijuana sells, distributes, or transfers marijuana to a minor, and the person is at least three years older than the minor, the person is guilty of a Class H felony.

Under the bill, a minor who does any of the following is subject to a forfeiture of not less than $250 nor more than $500: procures or attempts to procure marijuana from a permittee; falsely represents his or her age to receive marijuana from a permittee; knowingly possesses marijuana for recreational use; or knowingly enters any premises for which a permit has been issued without being accompanied by his or her parent, guardian, or spouse who is at least 21 years of age or at least 18 years of age if a qualifying patient.

Medical marijuana registry

The bill requires DOR to create and maintain a medical marijuana registry program whereby a person who is a qualifying patient may obtain a registry identification card and purchase marijuana from a licensed retail establishment without having to pay the sales or excise taxes imposed on that sale.

Registration for testing labs

The bill also requires DATCP to register entities as tetrahydrocannabinols (THC)–testing laboratories. The laboratories must test marijuana for contaminants; research findings on the use of medical marijuana; and provide training on safe and efficient cultivation, harvesting, packaging, labeling, and distribution of marijuana, security and inventory accountability, and research on medical marijuana.

Employment discrimination

Under the fair employment law, no employer or other person may engage in any act of employment discrimination against any individual on the basis of the individual's use or nonuse of lawful products off the employer's premises during nonworking hours, subject to certain exceptions, one of which is if the use impairs the individual's ability to undertake adequately the job–related responsibilities of that individual's employment. The bill specifically defines marijuana as a lawful product for purposes of the fair employment law, such that no person may engage in any act of employment discrimination against an individual because of the individual's use of marijuana off the employer's premises during nonworking hours, subject to those exceptions.

Unemployment benefits

Under current law, an individual may be disqualified from receiving unemployment insurance benefits if he or she is terminated because of misconduct or substantial fault. The bill specifically provides that an employee's use of marijuana off the employer's premises during nonworking hours does not constitute misconduct or substantial fault unless termination for that use is permitted under one of the exceptions under the fair employment law. Also under current law, DWD must establish a program to test claimants who apply for UI benefits for the presence of controlled substances, as defined under federal law. If a claimant tests positive for a controlled substance, the claimant may be denied UI benefits, subject to certain exceptions and limitations. The bill excludes THC for purposes of this testing

requirement. As such, under the bill, an individual who tests positive for THC may not be denied UI benefits.

Drug testing for public assistance programs

The bill exempts THC, including marijuana, from drug testing for certain public assistance programs. Currently, a participant in a community service job or transitional placement under the Wisconsin Works program (W–2) or a recipient of the FoodShare program, also known as the food stamp program, who is convicted of possession, use, or distribution of a controlled substance must submit to a test for controlled substances as a condition of continued eligibility. DHS is currently required to request a waiver of federal Medicaid law to require drug screening and testing as a condition of eligibility for the childless adult demonstration project in the Medical Assistance program. Current law also requires DHS to promulgate rules to develop and implement a drug screening, testing, and treatment policy for able–bodied adults without dependents in the FoodShare employment and training program. The bill exempts THC from all of those drug–testing requirements and programs. In addition, because THC is not a controlled substance under state law under the bill, the requirement under current law that DCF promulgate rules to create a controlled substance abuse screening and testing requirement for applicants for the work experience program for noncustodial parents under W–2 and the Transform Milwaukee Jobs and Transitional Jobs programs does not include THC.

Anatomical gifts

Unless federal law requires otherwise, the bill prohibits a hospital, physician, organ procurement organization, or other person from determining the ultimate recipient of an anatomical gift on the sole basis of a positive test for the use of marijuana by a potential recipient.

MILITARY AFFAIRS

Urban search and rescue task force

Under current law, a regional structural collapse team contracted with the Division of Emergency Management in the DMA is required to respond to structural collapse incidents that meet criteria established by the division. Under current law, a team may respond only to incidents of structural collapse. The bill changes the team's designation from being a structural collapse team to an urban search and rescue task force, as designated by the National Fire Protection Association and Emergency Management Accreditation program standards. This change allows an urban search and rescue task force to respond to a wider variety of incidents.

Under current law, when a regional structural collapse team responds to an incident, the team must make a good faith effort to identify the party who is responsible for the structural collapse and provide that information to the Division of Emergency Management to seek reimbursement from that party. Any reimbursement to a regional structural collapse team is limited to the amounts collected by the Division of Emergency Management. Under the bill, this limitation on reimbursement is removed, and DMA must reimburse within 60 days local agencies that provided services as part of an urban search and rescue task force if

agencies apply for reimbursement within 45 days of the conclusion of the task force's deployment. DMA may seek reimbursement for those services from any responsible party.

The bill also allows DMA to reimburse a local agency for any increase in contributions for duty disability premiums because an employee incurred an injury while performing duties as a member of an urban search and rescue task force.

Statewide public safety interoperable communication system

Under current law, DMA provides staff support for the Interoperability Council and is charged with overseeing the development and operation of a statewide public safety interoperable communication system, which is a system that allows various public safety entities, public works and transportation agencies, hospitals, and volunteer emergency services agencies to communicate via radio or other communication technology in an emergency.

The bill provides that DMA must also administer any current or future statewide public safety interoperable communication system, and allows DMA to enter into agreements for maintenance and support of, upgrades to, and enhancements for the statewide public safety interoperable communication system.

Next Generation 911 geographic information systems grants

Under current law, DMA must issue grants to public safety answering points, more commonly known as 911 call centers, for a variety of purposes related to advanced 911 operations, known as Next Generation 911.

The bill creates an additional grant program, under which DMA must issue grants to counties for the purpose of preparing geographic information systems data to help enable Next Generation 911. Under the bill, the appropriate purposes and eligibility criteria for the grants must be developed by DMA policy. Grant purposes may include data preparation, data gathering, data creation, geographic information system staffing, data preparation and collection contracts, and training, if these purposes enable Next Generation 911, but may not include general overhead or costs for providing emergency services or emergency services equipment. DMA must coordinate with DOA in administering the grant program. DMA may not award more than one such grant per county per fiscal year. Under the bill, this new grant program sunsets on June 30, 2025.

State disaster assistance for hazard mitigation measures

Under current law, the state disaster assistance program requires DMA to make payments to retail electric cooperatives, local governmental units, and federally recognized American Indian tribes and bands in this state for damages and costs incurred as the result of certain disasters that do not qualify for federal disaster assistance funding. The bill authorizes state disaster assistance payments to include costs incurred for approved hazard mitigation measures after a disaster.

Truax Field electrical micro grid

The bill directs DMA to conduct a study in fiscal year 2022–23 to determine whether it would be feasible to build an electrical micro grid system at Truax Field. DMA may spend $64,000 in fiscal year 2022–23 to conduct such a study. If, based on the study, the adjutant general determines that construction of an electrical micro

grid system at Truax Field is feasible, DMA may spend $296,000 in fiscal year 2022–23 for schematic designs related to the construction of such an electrical micro grid system.

Emergency management assistance compact

The bill converts two appropriations for services provided under the emergency management assistance compact from annual appropriations to continuing appropriations. Under current law, the emergency management assistance compact is an agreement between the state of Wisconsin and all other states that have entered into the compact to provide for mutual assistance among the states in managing any emergency or disaster that is declared by the governor of the affected state.

Lapses to the general fund

The bill lapses $130,094 to the general fund from three continuing appropriations to DMA related to emergency management.

NATURAL RESOURCES

General natural resources

Extending the Warren Knowles-Gaylord Nelson Stewardship 2000 program

Current law authorizes the state to incur public debt for certain conservation activities under the Warren Knowles–Gaylord Nelson Stewardship 2000 program, which is administered by DNR. The state may incur this debt to acquire land for the state for conservation purposes and for property development activities and may award grants to local governments and nonprofit organizations to acquire land for these purposes. Current law establishes the amounts that DNR may obligate in each fiscal year through fiscal year 2021–22 for expenditure under each of five subprograms of the stewardship program.

The bill reauthorizes the stewardship program until fiscal year 2031–32 and sets at $70,000,000 the amount that DNR may obligate under the program in each fiscal year beginning in fiscal year 2022–23 and ending in fiscal year 2031–32. The bill increases to $1,788,850,000 the total amount of public debt that the state may contract under the program.

Beginning in fiscal year 2022–23 the bill increases the amount DNR may obligate in each fiscal year under the land acquisition subprogram from $21,000,000 to $26,000,000 until fiscal year 2025–26, then decreases that amount to $25,000,000 in each fiscal year until 2031–32. Of that total amount, the bill increases from $9,000,000 to $10,000,000 the amount that DNR may obligate for DNR land acquisitions in each fiscal year. The bill requires DNR to set aside $1,000,000 in each fiscal year in fiscal years 2022–23 to 2025–26 to acquire land from the board of commissioners of public lands and to provide counties with 50 percent matching grants to acquire land from BCPL. The bill increases from $7,000,000 to $10,000,000 the amount in each fiscal year that must be set aside for grants awarded to nonprofit conservation organizations (NCO).

The bill maintains the following amounts that DNR must set aside in each fiscal year for the following purposes under the land acquisition subprogram: $5,000,000 for the county forest grant program, $1,000,000 for the Ice Age Trail, and $2,000,000 to match federal Forest Legacy Program grants. The bill adds property development

and maintenance to the activities for which stewardship moneys may be obligated for the Ice Age Trail and property development to the activities for which stewardship moneys may be obligated under the county forest grant program. In addition, the bill provides that the Ice Age Trail moneys may also be obligated for 50 percent matching grants to NCOs and local governments to acquire, develop, and maintain Ice Age Trail properties.

Beginning in fiscal year 2022–23 the bill increases from $9,750,000 to $41,000,000 the amount in each fiscal year that DNR may obligate under the property development and local assistance subprogram, then increases this amount to $42,000,000 in each fiscal year beginning in fiscal year 2026–27 and ending with fiscal year 2031–32. Of that total amount, the bill increases from $3,250,000 to $22,000,000 the amount DNR must obligate in each fiscal year under current law for DNR property development beginning in fiscal year 2022–23, then increases this amount to $23,000,000 in each fiscal year beginning in fiscal year 2026–27 and ending with fiscal year 2031–32. The bill increases from $6,000,000 to $18,000,000 the amount that DNR may obligate in each fiscal year for local assistance grants for property development. The bill requires DNR to set aside $1,000,000 in each fiscal year for grants to NCOs and friends groups for property development projects on DNR properties, with a limit of $80,000 in grants per DNR property in each fiscal year. Current law limits the amount that may be encumbered on those grants to $250,000 each fiscal year and $20,000 per DNR property. The bill eliminates all–terrain vehicle (ATV), utility terrain vehicle (UTV), and snowmobile projects as one of the purposes for which moneys may be obligated under the property development and local assistance subprogram.

Beginning in fiscal year 2022–23 the bill increases from $2,500,000 to $3,000,000 the amount in each fiscal year that DNR may obligate under the recreational boating aids subprogram.

Under the bill, if for fiscal years 2022–23, 2024–25, 2026–27, 2028–29, and 2030–31 DNR does not obligate the full amount it is authorized to obligate under the land acquisition, property development and local assistance, and recreational boating aids subprograms, DNR may obligate the unobligated amount in the next fiscal year for the purpose for which it was authorized. Then, if for fiscal years 2023–24, 2025–26, 2027–28, 2029–30, and 2031–32 DNR does not obligate the full amount it is authorized to obligate under those subprograms, plus any unobligated amount from the prior fiscal year, DNR may obligate those unobligated amounts in any fiscal year through 2031–32, but only for property development of DNR lands or on conservation easements adjacent to DNR lands.

Under current law, if DNR does not obligate the full amount it is authorized to obligate in a fiscal year for grants to NCOs, it may obligate the unobligated amount in the next fiscal year but only for county forest grants. Under the bill, if DNR does not obligate the full amount it is authorized to obligate for grants to NCOs for any of the fiscal years 2022–23, 2024–25, 2026–27, 2028–29, and 2030–31, it may obligate the unobligated amount in the next fiscal year but only for local assistance grants. If any of that unobligated amount remains after that second year, DNR may

obligate it in any fiscal year through 2031–32, but only for property development of DNR lands or on conservation easements adjacent to DNR lands.

Under current law, generally, for any project or activity for which more than $250,000 of stewardship moneys are proposed to be obligated, DNR must obtain written approval for the project or activity from the joint committee on finance. The bill increases this threshold to $500,000. The bill also eliminates the requirement that DNR obtain written approval for obligating stewardship moneys for any land acquisition located north of STH 64.

Under current law, any person receiving a stewardship grant to acquire land on former managed forest land must allow public access to the land for nature–based outdoor activities, except that a person may prohibit public access for one or more nature–based outdoor activities if the Natural Resources Board determines the prohibition is necessary in order to protect public safety, protect a unique animal or plant community, or accommodate usership patterns. The bill eliminates a current law provision under which the exception with respect to accommodating usership patterns does not apply for land acquired after the effective date of the bill that is not for state trails or the Ice Age Trail.

The bill eliminates a limitation under current law that prohibits more than one–third of the amount set aside for DNR's acquisition of land from being obligated to acquire land in fee simple.

Finally, the bill eliminates a requirement under current law that DNR provide a written directory of all stewardship land that is open for public access.

Pierce County islands wildlife restoration

The bill creates a continuing appropriation from the conservation fund to DNR for restoration projects in the Pierce County islands wildlife area.

Terrestrial invasive species prevention

The bill creates an annual appropriation from the conservation fund to DNR for grants to cooperative invasive species management areas for surveying, monitoring, and controlling terrestrial invasive species.

Law enforcement technology

Under current law, DNR is appropriated scheduled amounts from the general fund, the environmental fund, and the conservation fund for acquiring law enforcement radios. Under the bill, each appropriation is made for the purpose of acquiring law enforcement technology.

Sheboygan Marsh dam funding

The bill authorizes DNR to award a $1,000,000 grant to Sheboygan county to remove and reconstruct a dam on the Sheboygan River at the Sheboygan Marsh.

MacKenzie environmental center

Under current law, moneys are appropriated to the MacKenzie environmental center biennially from the general fund (MacKenzie appropriation). A biennial appropriation is expendable only for the biennium for which made. Current law allows DNR to charge fees to participants in a DNR environmental education program to cover the costs of the program, and requires such fees collected by DNR

for the use of the MacKenzie environmental center to be deposited in the general fund and credited to the MacKenzie appropriation.

The bill changes the MacKenzie appropriation to a continuing appropriation, which is an appropriation that is expendable until fully depleted or repealed by subsequent action of the legislature. Under the bill, the MacKenzie appropriation is still funded by all moneys received from fees collected for the use of the MacKenzie environmental center.

Funding from Indian gaming receipts

Current law requires DOA to transfer portions of Indian gaming receipts to certain DNR appropriations annually. The bill eliminates the requirement to transfer these amounts to appropriations that fund elk management and the reintroduction of whooping cranes, eliminates those appropriations, and replaces them with appropriations funded from the conservation fund. The bill also eliminates the requirement to transfer these amounts to an appropriation that funds snowmobile law enforcement operations and safety training and fatality reporting and eliminates that appropriation. The bill makes no change to an appropriation funding the same purposes from the conservation fund.

NAVIGABLE WATERS AND WETLANDS

Great Lakes erosion control loan program

The bill requires DNR to administer a revolving loan program to assist municipalities and owners of homes located on the shore of Lake Michigan or Lake Superior where the structural integrity of municipal buildings or homes is threatened by erosion of the shoreline. Under the bill, moneys for the program are provided from the environmental fund. The bill requires DNR to promulgate rules to administer the program, including eligibility requirements and income limitations, and authorizes DNR to promulgate emergency rules for the period before permanent rules take effect.

Hydrologic restoration

Under current law, DNR may issue a general permit to a person wishing to proceed with a wetland restoration activity sponsored by a federal agency. The bill requires DNR to issue a general permit that authorizes wetland, stream, and floodplain restoration and management activities that will result in a net improvement in hydrologic connections, conditions, and functions.

The general permit issued under the bill is valid for a period of five years, except that an activity that DNR determines is authorized by a general permit remains authorized under the permit until the activity is completed. The general permit issued under the bill for an activity is in lieu of any permit or approval that would otherwise be required for that activity under state navigable water law, water quality law, or wetland law. The bill requires DNR to apply several conditions to the new general permit and authorizes DNR to require an individual seeking approval to conduct activities under the general permit to apply for an individual permit under certain circumstances.

The bill creates at DNR a hydrologic restoration and management advisory council to provide input, make recommendations, and generally assist DNR with the implementation of the new general permit and associated restoration projects.

Bonding for dam safety projects

Under current law, the state may contract up to $29,500,000 in public debt to provide financial assistance to counties, cities, villages, towns, and public inland lake protection and rehabilitation districts for dam safety projects. The bill increases the bonding authority for these projects by $6,000,000.

PARKS, FORESTRY, AND RECREATION

Free admission to state parks for 4th graders

Under current law, no person may operate a vehicle in any state park or in certain other recreational areas on state land unless the vehicle displays a vehicle admission receipt. The bill requires DNR to waive the fee for an annual vehicle admission receipt issued to the parent or guardian of a student receiving a 4th grade level of instruction. A parent or guardian of a qualifying pupil may apply to DNR for the waiver by submitting required certifications. A parent or guardian may receive the waiver only once in his or her lifetime and DNR may issue a waiver only once for a household. The bill also requires DNR to provide on its website an activity guide for state parks, forests, recreation areas, and trails.

Recreational vehicle online registration

Under current law, no person may operate an ATV, UTV, or snowmobile and no owner may give permission for such operation unless the ATV, UTV, or snowmobile is registered with DNR. Current law allows DNR to appoint persons who are not DNR employees as agents to issue, transfer, or renew registration documents for ATVs, UTVs, and snowmobiles and to issue reprints of those documents. Current law provides that an agent who accepts an application and required fees for ATV, UTV, or snowmobile registration documents must issue to the applicant a temporary operating receipt or some or all of the registration documents at the time the application is submitted, and issue any remaining registration documents directly from DNR at a later date. The bill allows an agent to accept an application by facilitating an online application for registration documents.

Current law requires every ATV, UTV, or snowmobile manufacturer, dealer, distributor, or renter to register with DNR and apply to DNR for, respectively, a commercial ATV and UTV or commercial snowmobile certificate. The bill allows these applications to be completed through an online application system.

Under current law, no person may operate an off–highway motorcycle (OHM) off the highways and no owner may give permission for such operation unless the OHM is registered with DNR. Current law requires an OHM dealer to register with DNR and apply to obtain a commercial OHM certificate. Current law requires an OHM dealer to require an OHM buyer to pay the applicable registration fee and complete an application for registration of an OHM. Current law requires an OHM dealer to affix a decal issued by DNR to a removable plate or sign on an OHM offered for sale. If a commercial OHM certificate or decal is lost or destroyed, current law

allows the holder to apply to DNR for a duplicate. The bill allows for all of these applications to be completed through an online application system.

Current law requires an OHM dealer to provide an OHM buyer with a temporary operating receipt, and to mail or deliver the application and fee to DNR no later than seven days after the date of the sale. If ownership of an unregistered OHM is transferred by a person other than an OHM dealer, current law requires the buyer or transferee to complete an application for registration. If ownership of a registered OHM is transferred, current law requires the transferee to complete an application for transfer on a DNR form and mail or deliver the form to DNR within 10 days after the date of transfer. The bill allows for all of these applications to be completed through an online application system.

Boating enforcement aids

Under current law, a county or municipality that operates a water safety patrol unit is eligible for an aid payment that is calculated based on the costs that are directly attributable to the operation and maintenance of the water safety patrol unit. Aid payments are currently limited to 75 percent of these costs. The bill increases the aid payment limit to 80 percent of costs.

Vehicle registration and trail use fee retention

Off-highway motorcycle administration

Under current law, moneys received from the sale of nonresident trail passes for OHM operation are not credited to a specific appropriation but are deposited in the conservation fund. Under the bill, all moneys received from the sale of nonresident trail passes for OHM operation will continue to be deposited in the conservation fund but will be credited to the appropriation account that provides DNR moneys to administer the OHM program.

Snowmobile aids for trail maps and grooming tracker

Under current law, state aid is available for snowmobile trail development, maintenance, rehabilitation, and signage. The bill expands the purposes for which this state aid may be used to include payment of a qualified vendor to provide real–time tracking of snowmobile trail grooming through DNR's online trail grooming reporting system (commonly known as the Snowmobile Automated Reporting System, or SNARS) and to develop and maintain an accurate, statewide geographic information system map of snowmobile trails.

Withdrawal of county forest lands for sale to American Indian tribes

Under current law, a county board may designate certain land as a county forest and enter that designation by application to DNR. The county must manage the county forest for recreational use, timber harvesting, and other specified purposes and DNR must make payment to the county based on the acreage of county forest the county maintains. A county may subsequently apply to DNR to withdraw the entry of land as a county forest and sell the land. If the sale is to be to a person other than the state or a local unit of government, DNR must establish a minimum value for the land to be withdrawn. Under the bill, county forest that is withdrawn to be sold to an American Indian tribe or band is also excluded from the requirement that DNR establish the minimum value of the land to be withdrawn.

Emergency rule making for the urban forestry grant program

Under current law, DNR administers an urban forestry grant program to provide grants to municipalities and NCOs to undertake various tree projects in urban areas. The bill allows DNR to promulgate emergency rules to incorporate new priorities and categories of grants and recipients and to increase the minimum amount of urban forestry grants, without finding that an emergency exists or providing evidence that promulgating an emergency rule is necessary to preserve public peace, health, safety, or welfare.

FISH, GAME, AND WILDLIFE

Use of ID card to establish residency for DNR approvals

Under current law, DNR issues approvals that authorize the holder of the approval to engage in certain activities, such as hunting wild animals. In general, residents of the state are issued a different approval, for a lower fee, than nonresidents of the state. Current law provides that a resident is anyone who has maintained a permanent abode in the state for at least 30 days prior to applying for an approval, which must be established by demonstrating domiciliary intent. Under current law, evidence of domiciliary intent includes voting, paying personal income taxes, or obtaining a driver's license at a location in the state. The bill provides that domiciliary intent may also be satisfied by obtaining an identification card issued by DOT. Under current law, an identification card issued by DOT is required to contain the same information that is required for an operator's license, including the license holder's name, address, and photograph, but must be clearly labeled as providing only identification of the card's holder.

Waterfowl stamp fee and uses

Under current law generally, no person may hunt waterfowl unless he or she is issued a conservation patron license, a hunting license authorizing the hunting of small game and a waterfowl hunting stamp, or a sports license and a waterfowl hunting stamp. The bill raises the fee for a waterfowl hunting stamp from $6.75 to $11.75. Current law requires DNR to spend 67 percent of the money received from fees for waterfowl hunting stamps for developing, managing, preserving, restoring, and maintaining wetland habitat and for producing waterfowl and ecologically related species of wildlife. Under the bill, DNR may also provide those moneys to NCOs and local units of government for developing and restoring wetland habitat.

Aquatic plant management

Under current law, without a valid aquatic plant management permit issued by DNR, no person may introduce nonnative aquatic plants into waters of this state, manually remove aquatic plants from navigable waters, or control aquatic plants in waters of this state by the use of chemicals or by introducing biological agents, by using a process that involves dewatering, desiccation, burning, or freezing, or by using mechanical means. Under current law, DNR establishes fees for aquatic plant management permits, and those fees are deposited into a general fund appropriation used for facilities, materials, or services provided by DNR relating to its environmental quality functions and to the management of the state's water

resources. Under the bill, those fees are deposited into a general fund appropriation used solely for the aquatic plant management permit program.

Deer carcass disposal sites

The bill requires DNR to provide financial assistance to local governments, individuals, businesses, and conservation organizations to purchase large metal containers for the disposal of deer carcasses.

PUBLIC UTILITIES

Broadband line extension grants

The bill requires PSC to make grants to residents of properties that are not served by a broadband service provider to assist in paying the customer costs associated with line extension necessary to connect broadband service to the properties. The maximum amount of a broadband line extension grant is $4,000. The bill also requires PSC to give priority to primary residences and to establish other criteria for awarding the grants.

Broadband planning grants

The bill requires PSC to make grants to cities, villages, towns, counties, school districts, tribal governments, regional planning commissions, nonprofit organizations, and local economic development councils for the following: 1) broadband planning; 2) feasibility engineering related to broadband infrastructure construction; 3) broadband adoption planning; and 4) digital inclusion activities. The maximum amount of a broadband planning grant is $50,000. The bill also requires PSC to provide training, technical assistance, and information on broadband infrastructure construction, broadband adoption, and digital inclusion.

Creating an appropriation for the state broadband office

The bill creates an appropriation to fund the operations of the state broadband office within PSC. Currently, the state broadband office enhances the availability, adoption, and use of broadband across the state.

Funding for broadband expansion grant program

The bill appropriates general purpose revenue for the broadband expansion grant program administered by PSC.

Eligibility for broadband expansion grants

The bill makes a city, village, town, or county (political subdivision) eligible to apply for a broadband expansion grant from PSC if the political subdivision is underserved or located in an unserved area. Under current law, underserved means served by fewer than two broadband service providers, and an unserved area is an area not served by an Internet service provider that meets certain standards for the service provided and for upload and download speeds. Under current law, a political subdivision is only eligible to apply for a broadband expansion grant if its application is submitted in partnership with a nonprofit organization or a telecommunications utility.

Broadband mapping

Under the bill, PSC must require Internet service providers, annually by April 1, to disclose to PSC the properties they serve, the average minimum download and

upload speeds at which they provide Internet service to those properties, and a description of their existing service areas. The bill requires PSC to use this information to conduct broadband mapping and facilitate the deployment of broadband infrastructure and access to broadband service. The bill adds an exception to the public records law by requiring PSC to withhold from public inspection any information disclosed by Internet service providers that would aid a competitor in competing with that provider if PSC determines that public disclosure is not necessary to conduct broadband mapping or facilitate the deployment of broadband infrastructure and access to broadband service.

Allowing electric providers to use easements for broadband service

The bill allows electric providers to use easements that they hold to do the following: 1) install or maintain broadband infrastructure; and 2) lease or provide excess capacity in broadband infrastructure to a supplier of broadband services. Under the bill, "electric provider" includes both electric public utilities and electric cooperatives. The bill also provides that except for an easement that expressly prohibits, by its terms, using the easement for those purposes, the terms or conditions of an easement held by an electric provider that inhibit it from using the easement for those purposes do not apply.

Before an electric provider uses an easement for the purposes allowed under the bill, it must provide notice to the owner of the property subject to the easement. After providing notice, an electric provider may record a memorandum including certain information in the office of the register of deeds of the county where the property subject to the easement is located. The bill also establishes requirements for actions brought by a property owner against an electric provider, subsidiary of an electric provider, or supplier of broadband services because of the electric provider's use of an easement for a purpose allowed by the bill, and the bill prohibits owners from bringing such actions if the bill's requirements are not satisfied.

Focus on Energy funding

The bill makes changes to the funding of statewide energy efficiency and renewable resources programs, known as Focus on Energy, that current law requires investor–owned electric and natural gas utilities to fund. Under the bill, PSC must require those utilities to spend 2.4 percent of their annual operating revenues derived from retail sales to fund Focus on Energy and related programs. Under current law, the amount those utilities must spend is 1.2 percent of their annual operating revenues from retail sales.

Focus on Energy initiatives for low–income households

The bill requires statewide energy efficiency and renewable resources programs, known as Focus on Energy, to include programs that promote energy efficiency and renewable energy measures for low–income households and that address the energy needs and decrease the energy burden of low–income households. Current law requires investor–owned electric and natural gas utilities to fund Focus on Energy and related programs.

Social cost of carbon

The bill requires PSC to consider the social cost of carbon in determining whether to issue certificates required to construct large electric generating facilities or high–voltage transmission lines or to engage in certain other public utility projects. The bill defines "social cost of carbon" as a measure of the economic harms and other impacts expressed in dollars that result from emitting one ton of carbon dioxide into the atmosphere. The bill requires PSC to evaluate and set the social cost of carbon emissions as a dollar amount per ton of carbon dioxide emitted into the atmosphere. The bill requires PSC to evaluate and adjust as necessary that dollar amount every two years. In making the evaluations, PSC must use integrated assessment models and consider appropriate discount rates. The bill requires any adjustment by PSC to be consistent with the international consensus on the social cost of carbon. The bill requires PSC to consult with DNR in making the evaluations.

The bill also requires that, beginning no later than December 31, 2021, PSC must submit a report every odd–numbered year to the legislature describing PSC's evaluation of the social cost of carbon. If PSC adjusts the previously set dollar amount, the report must specify the social cost of carbon as adjusted by PSC.

Nonutility–owned electric vehicle charging stations

The bill exempts from regulation as a public utility a person who supplies electricity through an electric vehicle charging station to users' electric vehicles. Under current law, a person who directly or indirectly provides electricity to the public is regulated as a public utility by PSC.

Compensation for participants in PSC proceedings

The bill requires PSC to require investor–owned electric and natural gas public utilities to provide funding to a "consumer advocate," which is defined as the Citizens Utility Board. All actions by the consumer advocate that are funded under the bill must be directed toward a duty to represent and protect the interests of residential, small commercial, and small industrial energy customers of the state. The bill requires the consumer advocate to annually file with PSC a budget, which PSC must approve if it is consistent with the foregoing duty and covers reasonable annual costs. The bill allows PSC to approve the budget with conditions and modifications that PSC determines are necessary.

The bill limits the total annual funding for the consumer advocate to a maximum of $900,000. Each energy utility's share of that total is based on an individual energy utility's proportionate share of residential, small commercial, and small industrial customer meters in the state. The bill requires PSC to ensure in rate–making orders that energy utilities recover the funding from their customers. The bill also limits the amount that PSC may compensate the consumer for participating in PSC proceedings to $100,000 annually. Under current law, if certain requirements are satisfied, PSC is allowed to compensate participants in proceedings who are not public utilities.

The bill also requires PSC to reserve $50,000 annually to compensate equity–focused participants who review economic and environmental issues impacting low–income populations.

Residential energy improvement program

The bill authorizes PSC to establish and implement a program under which a public utility may finance energy improvements at a specific dwelling for a residential customer. Under the bill, a public utility may recover the costs of such an energy improvement through a surcharge periodically placed on the customer's account.

Model ordinance and marketing related to efficiency and renewable resource improvements

Under current law, a political subdivision may make a loan to, or enter into a repayment agreement with, an owner or lessee of a premises for installing certain energy or water efficiency improvements or renewable resource improvements (known as the property assessed clean energy or PACE program). The bill requires PSC to develop and make available a model ordinance that addresses political subdivisions making loans or entering into agreements under the PACE program for installing certain energy or water efficiency improvements or renewable resource improvements.

The bill also authorizes activities advertising the availability of PACE program loans to be conducted as part of Focus on Energy programs. Under current law, Focus on Energy programs are a set of statewide energy efficiency and renewable resources programs that investor–owned electric and natural gas utilities are required to fund.

Energy utility innovative technology programs

The bill allows investor–owned energy utilities to establish innovative technology programs. Under the bill, a program must first be approved by PSC, and an energy utility may pay for the program by charging its customers or by another method approved by PSC. The bill also requires PSC to promulgate rules and establish goals, priorities, and measurable targets related to these programs.

Penalties for gas pipeline safety violations

The bill increases the maximum penalties for persons who fail to operate and maintain gas production, transmission, and distribution facilities in a reasonably adequate and safe manner. Current law requires gas production, transmission, and distribution facilities to be operated and maintained in a reasonably adequate and safe manner and authorizes PSC to issue orders and rules to promote safety of those facilities. Under current law, a person who violates one of these PSC orders or rules or fails to operate and maintain gas production, transmission, and distribution facilities in a reasonably adequate and safe manner is subject to a forfeiture of up $25,000 per day and a total forfeiture of up to $500,000 for a single persisting violation. Under the bill, a violator is subject to a forfeiture of up to $200,000 per day and a total forfeiture of up to $2,000,000 for a single persisting violation.

Securitization of retiring power plants

Under current law, an energy utility is allowed to apply to PSC for an order allowing the utility to finance the costs of the following activities by issuing bonds: 1) the construction, installation, or otherwise putting into place of environmental control equipment in connection with a plant that, before March 30, 2004, has been used to provide service to customers; and 2) the retiring of any existing plant, facility,

or other property to reduce, control, or eliminate environmental pollution in accordance with federal or state law. Current law defines these activities as "environmental control activities." If approved by PSC, the bonds, which are referred to as "environmental trust bonds," are secured by revenues arising from charges paid by an energy utility's customers for the utility to recover the cost of the activities, as well as the cost of financing the bonds.

The bill adds the retiring of any existing electric generating facility fueled by nonrenewable combustible energy resources as an environmental control activity, the costs of which may be financed by an environmental trust bond.

High–voltage transmission line fees

The bill requires PSC to administer annual impact and onetime environmental impact fees paid under current law by persons authorized by PSC to operate high–voltage transmission lines. Under current law, DOA administers the fees.

RETIREMENT AND GROUP INSURANCE

Domestic partners

Benefits for domestic partners

2017 Wisconsin Act 59, the 2017 biennial budget act, removed from the statutes certain benefits provided to domestic partners of public employees who receive benefits through the Wisconsin Retirement System (WRS), the Group Insurance Board (GIB), and the Deferred Compensation Program. The bill reestablishes those benefits.

Specifically, Act 59 did all of the following: 1) for purposes of WRS, limited domestic partners to only those individuals who submitted an affidavit of domestic partnership to ETF before January 1, 2018; 2) prohibited GIB from covering an eligible employee's domestic partner or stepchild under a domestic partnership in a group health insurance plan offered by GIB; 3) eliminated the option for a surviving domestic partner to purchase health insurance coverage under a group health insurance plan offered by GIB; and 4) for deaths occurring on or after January 1, 2018, provided that a surviving domestic partner is not a default beneficiary for purposes of a deferred compensation plan and is not eligible to receive duty disability survivorship benefits. The bill reverses, prospectively, those changes to those benefits.

Wisconsin Retirement System

Rehired teacher annuitants in the Wisconsin Retirement System

Under current law, certain people who receive a retirement or disability annuity from WRS and who are hired by an employer that participates in WRS must suspend that annuity and may not receive a WRS annuity payment until the person is no longer in a WRS–covered position. This suspension applies to a person who 1) has reached his or her normal retirement date; 2) is appointed to a position with a WRS–participating employer or provides employee services as a contractor to a WRS–participating employer; and 3) is expected to work at least two–thirds of what is considered full–time employment by ETF.

The bill creates an exception to this suspension if 1) the person retired from WRS–covered employment as a teacher; 2) at least 15 days have elapsed from the

date the person left WRS–covered employment with a school district; 3) the person is hired as a teacher; 4) at the time the person initially retires from a school district, the person does not have an agreement with any school district to return to employment as a teacher or a contractor providing employee services as a teacher; and 5) the person elects to not become a participating employee at the time the person is rehired or enters into a contract after retirement. In other words, the bill allows a WRS teacher annuitant who is either hired as a teacher or provides employee services as a teacher with a school district that is a participating employer to return to work as a teacher and elect to not become a participating employee for purposes of WRS and instead continue to receive his or her annuity.

Health insurance

Waiting period for state employees

Under current law, most state employees, other than limited–term employees, may become covered under the state group health insurance plan on the first day of the first month after becoming employed with the state by filing an election within 30 days of being hired. However, most state employees are ineligible for an employer contribution towards the premiums for the health insurance for the first three months of employment. The bill changes the date to the first day of the second month for most state employees other than limited–term appointments hired on or after the effective date of the bill.

Actuarial study of mandatory participation by school districts

The bill requires GIB to conduct a study of the potential costs and savings to school districts and current participants in group health insurance plans offered by GIB of mandating participation by all school districts in this state in a group health insurance plan offered by GIB. The bill also requires GIB to submit a written report of the study to the governor and JCF by June 30, 2022.

Disability plans

Oversight of group disability benefit insurance plans

Under current law, GIB oversees the group income continuation insurance plan and the group long–term disability insurance (LTDI) plan. The bill transfers oversight of those plans to the Employee Trust Funds Board (ETFB). The bill provides explicit statutory authority for ETFB to establish the LTDI plan.

Employee trust funds boards

Board consolidation

Under current law, ETF is under the direction and supervision of ETFB, which has 11 appointed or elected members, serving four–year terms, and two members appointed by virtue of another office each holds (ex officio members). Eight of the board members are appointed by two boards attached to ETF, four members from the Wisconsin Retirement Board (WRB) and four members from the Teachers Retirement Board (TRB).

ETFB sets policy for ETF; appoints the secretary of employee trust funds; approves tables used for computing benefits, contribution rates, and actuarial assumptions; authorizes all annuities except for disability; approves or rejects ETF

administrative rules; and oversees the benefit programs for state and local government employees, except the group insurance and deferred compensation programs.

Under current law, WRB advises ETFB on matters relating to retirement; approves or rejects administrative rules; authorizes or terminates disability benefits for WRS members who aren't teachers; and hears appeals of disability rulings. WRB appoints one member to the separate State of Wisconsin Investment Board (SWIB). All members of WRB are ex officio members or appointed by the governor.

Also under current law, TRB advises ETFB on retirement and other benefit matters involving teachers at public schools, technical schools, community colleges, and state universities; acts on administrative rules; authorizes or terminates teacher disability benefits; and hears disability benefit appeals. Nine members of TRB are elected, and four are appointed by the governor.

The bill eliminates WRB and TRB and transfers their property, contracts, orders, and pending matters to ETFB on the effective date of the bill. The bill also transfers the duties of WRB and TRB to ETFB. Between the effective date of the bill and April 30, 2026, all current members of ETFB will transition off ETFB at a rate of two to three members per year, and they will be replaced by new members. The membership of ETFB will remain 13, with a mix of ex officio, elected, and appointed members.

State of Wisconsin Investment Board and membership

Under the bill, the secretary of employee trust funds or his or her designee and one WRS participant appointed by ETFB are members of SWIB. Under current law, two WRS participants are members of SWIB, one of which is a teacher participant appointed by TRB and the other is a participant appointed by WRB who is not a teacher.

ADMINISTRATIVE CHANGES

Internal auditor

The bill creates the Office of Internal Audit attached to ETF. Under the bill, the office plans and conducts audits of activities and programs administered by ETF, among other responsibilities, while following policies, principles, and directives established by ETFB.

The bill requires ETFB to appoint an internal auditor and internal audit staff within the classified service who report directly to ETFB. Currently, the internal auditor for ETF reports to the secretary of employee trust funds, and internal audit staff report to the internal auditor.

Trust funds earnings allocations

Under current law, investment gains and losses of the core and variable retirement investment trust funds are distributed in a ratio of each participating account's average daily balance to the total average daily balance of all participating accounts. SWIB invests assets of the core and variable investment trust funds, which are commingled under current law, but all activity is not recorded on a daily basis for the separate participating accounts. SWIB provides certified annual earnings reports for the core and variable trust funds.

The bill provides that ETF may distribute the earnings to each participating account by calculating a simple average balance, which uses beginning and end–of–year balances for each participating account, and comparing that average balance to the total average balance of all participating accounts.

Gifts and grants appropriation

The bill creates a continuing appropriation for all gifts, grants, and bequests received by ETF. The bill also provides that such a gift, grant, or bequest is not subject to JCF approval.

SAFETY AND PROFESSIONAL SERVICES

Buildings and safety

Use of vapor products in indoor locations

The bill specifies that the general prohibition under current law against smoking in indoor locations includes inhaling or exhaling vapor from a "vapor product." Under the bill, a "vapor product" is a noncombustible product that produces vapor or aerosol for inhalation from the application of a heating element to a liquid or other substance. The prohibition applies to vapor products regardless of whether they contain nicotine.

Construction contractor registration

The bill requires most persons who hold themselves out or act as a construction contractor to be registered by DSPS. DSPS may directly assess a forfeiture by issuing an order against any person who fails to register as required under the bill. The registration requirement does not apply to a person who engages in construction on his or her own property, to a state agency or local governmental unit, or to a person who engages in construction in the course of his or her employment by a state agency or local governmental unit.

Private on–site wastewater treatment system grants

The bill extends the grant program aiding certain persons and businesses served by failing private on–site wastewater treatment systems (POWTS), which are commonly known as septic tanks. Under current law, the program is repealed effective June 30, 2021. In addition, under the bill, a failing POWTS installed at least 33 years ago is eligible to receive a grant. Current law authorizes grants only for failing POWTS that were installed before July 1, 1978.

Professional licensure

Licensure of dental therapists

Under current law, dentists and dental hygienists are licensed by the Dentistry Examining Board to practice dentistry and dental hygiene, respectively. The bill provides for the licensure of a third type of dental practitioner: dental therapists. Under the bill, the examining board must grant a dental therapist license to an individual who satisfies certain criteria, including completion of a dental therapy program and passage of required examinations. The bill specifies the settings in which a dental therapist may practice dental therapy.

Dental therapists may provide dental therapy services only under the general supervision of a dentist with whom the dental therapist has a collaborative

management agreement that addresses various aspects of the dental therapist's practice. The supervising dentist must give consent to supervise the dental therapist and must have prior knowledge of dental therapy services performed and examinations conducted. However, the supervising dentist is not required to be present at the time a task is performed or an examination is conducted. Dental therapists are, subject to the terms of a collaborative management agreement, limited to providing services, treatments, and procedures that are specified in the bill, as well as additional services, treatments, or procedures specified by the examining board by rule. The bill enumerates settings in which a dental therapist may practice dental therapy, requires the examining board to establish by rule the additional settings in which a dental therapist may provide dental therapy services, and specifies that those additional settings may be only settings in which low–income, uninsured, and underserved populations are served. Dental therapists must complete 12 hours of continuing education each biennium.

The bill subjects dental therapists to, or covers dental therapists under, various other laws, including the health care records law, the volunteer health care provider program, the health care worker protection law, and the emergency volunteer health care practitioner law. The bill also provides for loan forgiveness for dental therapists under the health care provider loan assistance program.

Finally, the bill requires, effective when the first individual becomes licensed as a dental therapist in this state, that two dental therapists be added to the examining board.

Dispensing of naloxone by pharmacists; training

The bill requires the Pharmacy Examining Board to promulgate rules requiring all pharmacists to receive training on delivering or dispensing an opioid antagonist. Opioid antagonists are prescription drugs, such as the drug naloxone, some of which can, when administered to a person undergoing an overdose on drugs such as heroin or prescription narcotics, have the effect of countering the effects of the overdose.

Pharmacist continuing education credits for volunteering at free and charitable clinics

The bill allows pharmacists to satisfy up to 10 hours of their biennial continuing education requirements by volunteering at a free and charitable clinic. Current law requires pharmacists to complete 30 hours of continuing education every two years as a condition of renewing their licenses.

Maintaining current e–mail addresses for credential applicants and recipients

The bill requires that applicants for and recipients of a professional credential provide DSPS with a current e–mail address. Current law requires those applicants and recipients to inform DSPS of their current name and address and of any changes to that information within 30 days of such change. This new requirement does not apply if the applicant or recipient does not have reasonable access to the Internet, in which case the applicant or recipient may maintain paper communication with DSPS. The bill specifies that electronic communications from DSPS may not be substituted for the service of any process, notice, or demand.

Moneys from other agencies

The bill creates an appropriation for DSPS to receive and use moneys received from other agencies, such as federal moneys.

STATE GOVERNMENT

LEGISLATURE

Congressional and legislative redistricting

Under the U.S. and Wisconsin Constitutions, the Wisconsin Legislature undertakes congressional and state assembly and senate redistricting after each federal decennial census. The most recent federal census was conducted beginning on April 1, 2020. The bill imposes all of the following requirements on the 2021–23 legislature concerning congressional and legislative redistricting:

1. The Legislative Reference Bureau must prepare bills that give effect to the congressional and legislative redistricting plans proposed by the People's Maps Commission, which Governor Evers created on January 27, 2020, under Executive Order 66. Executive Order 66 requires the commission to hold public hearings throughout the state and develop redistricting maps for consideration by the legislature. Once LRB has prepared the bills, LRB is required to deliver the bills to the governor for approval.

2. The governor then provides the bills to the Joint Committee on Legislative Organization (JCLO), which is required to introduce the bills without change in each house of the legislature. The legislature must take final action on the bills no later than the 60th day after the bills are introduced. Additionally, the bill prohibits the legislature from taking action on any other redistricting legislation until after each house of the legislature votes on final passage of the commission's maps.

3. All records created or maintained by each house, committee, and member of the legislature that relate to congressional or legislative redistricting may not be destroyed until after December 31, 2030. Under current law, legislators' records need not be retained for a specified period of time.

4. All records created or maintained by each house, committee, and member of the legislature that relate to congressional or legislative redistricting are subject to public access under Wisconsin's open records law and may not be withheld from public access on the basis of any claim of confidentiality or privilege, except for records containing confidential attorney–client communications concerning a previously drafted congressional or legislative redistricting plan. Under current law, such records, depending on the circumstances, may be subject to statutory or common law confidentiality requirements or privileges, including the attorney–client privilege.

5. Each meeting related to congressional or legislative redistricting that includes at least two members of the legislature, members of the partisan staff of at least two legislative offices, a member of the legislature and nonpartisan legislative staff, or a member of the legislature and a person retained by the legislature to assist with congressional or legislative redistricting, must be preceded by public notice in the manner provided under Wisconsin's open meetings law and must be held in a place reasonably accessible to members of the public and open to all citizens at all

times. Under current law, the open meetings law applies to meetings of government bodies. It does not apply to meetings between legislators and staff.

Legislative intervention in certain court proceedings

Current law as established in 2017 Wisconsin Act 369 provides that the legislature may intervene as a matter of right in an action in state or federal court when a party to the action does any of the following:

1. Challenges the constitutionality of a statute.
2. Challenges a statute as violating or preempted by federal law.
3. Otherwise challenges the construction or validity of a statute.

Current law as established in Act 369 also provides that the legislature must be served with a copy of the proceedings in all such actions, regardless of whether the legislature intervenes in the action.

The bill repeals all of those provisions.

Retention of legal counsel by the legislature

Current law allows representatives to the assembly and senators, as well as legislative employees, to receive legal representation from DOJ in most legal proceedings. However, current law also provides all of the following:

1. With respect to the assembly, that the speaker of the assembly may authorize a representative to the assembly or assembly employee who requires legal representation to obtain outside legal counsel if the acts or allegations underlying the action are arguably within the scope of the representative's or employee's legislative duties; and that the speaker may obtain outside legal counsel in any action in which the assembly is a party or in which the interests of the assembly are affected, as determined by the speaker.

2. With respect to the senate, that the senate majority leader may authorize a senator or senate employee who requires legal representation to obtain outside legal counsel if the acts or allegations underlying the action are arguably within the scope of the senator's or employee's legislative duties; and that the majority leader may obtain outside legal counsel in any action in which the senate is a party or in which the interests of the senate are affected, as determined by the majority leader.

3. That the cochairpersons of JCLO may authorize a legislative service agency employee who requires legal representation to obtain outside legal counsel if the acts or allegations underlying the action are arguably within the scope of the employee's legislative duties; and that the cochairpersons may obtain outside legal counsel in any action in which the legislature is a party or in which the interests of the legislature are affected, as determined by the cochairpersons.

The bill eliminates these provisions. Under the bill, representatives to the assembly and senators, as well as legislative employees, may continue to receive legal representation from DOJ in most legal proceedings.

Advice and consent of the senate

Under current law, any individual nominated by the governor or another state officer or agency subject to the advice and consent of the senate, whose confirmation for the office or position is rejected by the senate, may not do any of the following during the legislative session biennium in which his or her nomination is rejected:

1. Hold the office or position for which he or she was rejected.

2. Be nominated again for that office or position.
3. Perform any duties of that office or position.

The bill eliminates those restrictions.

Capitol security

Under current law, DOA is required to submit any proposed changes to security at the capitol, including the posting of a firearm restriction, to JCLO for approval under passive review. The bill eliminates that requirement.

STATE FINANCE

Refunding certain general obligation debt

The bill increases from $7,510,000,000 to $9,510,000,000 the amount of state public debt that may generally be contracted to refund any unpaid indebtedness used to finance tax–supported or self–amortizing facilities.

Use of bond premium proceeds for costs incurred in contracting and administering public debt

The bill authorizes the state to use premium proceeds from the sale of bonds for costs incurred in contracting and administering public debt. Premium proceeds are proceeds received at the time of the bond sale that are in excess of the actual amount of principal borrowed.

GENERAL STATE GOVERNMENT

Office of Sustainability and Clean Energy

The bill creates the Office of Sustainability and Clean Energy in DOA to administer certain energy programs. The bill requires the Office of Sustainability and Clean Energy to work on initiatives with specified goals regarding clean and renewable energy, innovative sustainability, and diversification of energy resources and imposes duties on the office for advising, supporting, reporting, and assisting state agencies, local governments, and private entities on clean and renewable energy. The bill allows the Office of Sustainability and Clean Energy to provide technical assistance to governmental units and private entities. In addition, the bill requires the Office of Sustainability and Clean Energy to establish a program for making grants from the environmental fund for clean energy production research.

Creating the Office of Environmental Justice

The bill creates the Office of Environmental Justice within DOA. The office is led by a director outside the classified service who is appointed by the secretary of administration.

The duties of the office include all of the following: 1) developing a statewide climate risk assessment and resiliency plan; 2) assisting state agencies, local governments, and tribal governments with the development of climate risk assessment and resiliency plans; 3) administering a climate risk assessment and resiliency plan technical assistance grant program; 4) collaborating with state agencies and entities that serve vulnerable communities to address the impact of climate change on vulnerable communities; 5) providing guidance to state entities on issues regarding environmental justice and related community issues to address environmental issues and concerns that affect primarily low income and minority

communities; and 6) creating an annual report on issues, concerns, and problems related to environmental justice. The bill also creates the unclassified positions of chief resiliency officer and director of the Office of Environmental Justice. Under the bill, the chief resiliency officer and the director of the Office of Environmental Justice are assigned to executive salary group 3.

The bill makes an appropriation for the administration of the Office of Environmental Justice, development of state agency climate risk assessments and resiliency plans, and the chief resiliency officer. Also under the bill, DOA is required to charge state agencies a fee for the development of state agency climate risk assessments and resiliency plans.

The bill also makes an appropriation for the administration of the climate risk assessment and resiliency plan technical assistance grant program.

Office of Digital Transformation; enterprise data management and analytics

The bill creates the Office of Digital Transformation in DOA. The office is under the direction and supervision of a director who is appointed by and serves at the pleasure of the secretary of administration.

The bill authorizes the office to establish an enterprise data management and analytics program to gather, combine, and analyze data provided by state agencies to evaluate the outcomes of state–funded programs; develop and implement policies and strategies to promote the effective, efficient, and best use of state resources; and identify, prevent, or eliminate the fraudulent use of state funds, resources, and programs. At the office's request, a state agency must provide data to the office for use under the program.

The bill includes measures to protect the confidentiality of data provided to the office under the program and requires the office, in consultation with other agencies, to develop protocols and security measures to ensure the security and proper use of data shared under the program.

Administrative attachments to DOA

Under current law, a division, office, commission, council, or board that is attached to an agency for administrative purposes exercises its powers and duties independently, but the agency performs budgeting, program coordination, and related management functions on behalf of the division, office, or other body.

Under current law, the governor, lieutenant governor, secretary of state, and state treasurer each head a staff termed the "office" of the respective constitutional officer. The bill attaches all of those offices to DOA for administrative purposes.

Under current law, the Higher Educational Aids Board is an independent agency in the executive branch of state government. The bill attaches to DOA for administrative purposes both HEAB and the Distance Learning Authorization Board, which is currently attached to HEAB.

Under current law, the Kickapoo Reserve Management Board is attached to the Department of Tourism for administrative purposes. The bill attaches the board to DOA for administrative purposes.

Under current law, the State Fair Park Board is attached to the Department of Tourism for administrative purposes. The bill attaches the board to DOA for administrative purposes.

The bill also requires DOA to perform budgeting, program coordination, and related management functions on behalf of the Department of Tourism.

Assistant secretary of state

2015 Wisconsin Act 55 eliminated the position of assistant secretary of state. The bill restores that position. The secretary of state may delegate any duty or power to the assistant secretary of state, except duties and powers the secretary of state performs as a member of the Board of Commissioners of Public Lands (BCPL).

Office of the State Treasurer appropriation

The bill creates a GPR program operations appropriation for the Office of the State Treasurer. Currently, the office is funded by a PR appropriation from moneys received from the state's unclaimed property program.

Programs for the certification of certain businesses for preference in state contracting

Under current law, DOA administers disabled veteran–owned business certifications, woman–owned business certifications, and minority business certifications. A business that qualifies for and maintains one of those certifications may be eligible to receive certain advantages bidding on public projects and other benefits. Current law authorizes DOA to charge a certification fee to cover its costs to administer the certifications programs. The bill eliminates that fee authorization.

Additionally, the bill establishes the following new certification programs:

1. Lesbian, gay, bisexual, or transgender–owned businesses, including financial advisers and investment firms. DOA may certify a business as a lesbian, gay, bisexual, or transgender–owned business if it determines the business satisfies all of the following:

a. One or more lesbian, gay, bisexual, or transgender individuals own at least 51 percent of the business or, in the case of any publicly owned business, one or more lesbian, gay, bisexual, or transgender individuals own at least 51 percent of the stock of the business.

b. One or more lesbian, gay, bisexual, or transgender individuals or one or more duly authorized representatives of one or more lesbian, gay, bisexual, or transgender individuals control the management and daily business operations of the business.

c. The business has its principal place of business in this state.

d. The business is currently performing a useful business function.

2. Disability–owned businesses, including financial advisers and investment firms. DOA may certify a business as a disability–owned business if it determines the business satisfies all of the following:

a. One or more individuals with a disability own at least 51 percent of the business or, in the case of any publicly owned business, one or more individuals with a disability own at least 51 percent of the stock of the business.

b. One or more individuals with a disability or one or more duly authorized representatives of one or more individuals with a disability control the management and daily business operations of the business.

c. The business has its principal place of business in this state.

d. The business is currently performing a useful business function.

Under the bill, lesbian, gay, bisexual, or transgender–owned businesses and disability–owned businesses are not charged a fee for certification and, if certified, are eligible to receive certain advantages bidding on public projects and other benefits similar to certified disabled veteran–owned businesses, woman–owned businesses, and minority businesses.

Technology for Educational Achievement program (TEACH)

The bill makes various changes to the Technology for Educational Achievement program, known as TEACH, which offers telecommunications access to school districts, private schools, cooperative educational service agencies, technical college districts, independent charter school authorizers, juvenile correctional facilities, private and tribal colleges, and public library boards (educational agencies) at discounted rates and by subsidizing the cost of installing data lines.

The bill makes the following changes to the TEACH educational telecommunications access program:

1. Under the program, educational agencies are required to pay for the services provided to them by the TEACH program. Under current law, an educational agency's payment to the state may not exceed $100 per month for each data line that relies on a transport medium that operates at a speed of 1.544 megabits per second or less and may not exceed $250 per month for each data line that operates at a higher speed. The bill increases the threshold data line speed to which the minimum monthly payment limitation applies from 1.544 megabits per second or less to less than one gigabit per second.

2. Under current law, DOA must ensure that a juvenile correctional facility that receives access to data lines or bandwidth under the program uses that access only for educational purposes. The bill expands this requirement to apply to all types of educational agencies and requires that the access must be used primarily for educational purposes, rather than only for educational purposes.

3. Eliminates a provision under current law that prohibits an educational agency that receives access to a data line under the program from 1) providing access to the data line to any business entity unless certain conditions are met; or 2) requesting access to an additional data line for purposes of providing access to a political subdivision under a shared service agreement.

4. Eliminates a provision under current law that allows a public library board that receives access to a data line under the program to enter into a shared service agreement with a political subdivision, subject to certain conditions, to provide the political subdivision with access to any excess bandwidth.

The bill also makes statutory language changes to the former TEACH educational technology infrastructure financial assistance program. Under the program, school districts and public libraries could apply for loans and grants to fund the upgrading of electrical wiring in buildings in existence on October 14, 1997, and the installation and upgrading of computer network wiring. The program required DOA to determine the amount of financial assistance for which a school district or library was eligible and to loan the school district or library 50 percent of that amount

and to award a grant for the other 50 percent of that amount. Schools and libraries were required to pay the debt service on the loans and to repay the loans within 10 years, and the state paid the debt service for the grants. The program was closed to new applications for assistance as of July 26, 2003. The bill eliminates obsolete language in the statutes related to the former program while retaining language that requires repayment of certain debt service expenditures.

TEACH information technology block grant program

As part of the TEACH program, DOA awards information technology block grants to rural school districts and rural public libraries to improve information technology infrastructure. The bill makes the following changes to the information technology block grant program:

1. Extends the sunset for awarding grants from June 30, 2021, to June 30, 2025.

2. Adjusts the amounts DOA may award annually under the grant program. Under current law, DOA may award up to $3,000,000 in each of fiscal years 2019–20 and 2020–21. Under the bill, DOA may award $3,000,000 in each fiscal year, but, if DOA does not award the full amount in the first fiscal year of a biennium, DOA may award that unawarded amount in the second fiscal year of the biennium.

3. Specifies that eligibility for school districts based on membership and for public libraries based on municipal population is determined in the first fiscal year of a biennium and that the determination applies for both fiscal years of the biennium.

4. Specifies that a school district's eligibility is based on its membership in the most recent school year for which finalized data is available, rather than membership in the previous school year.

5. Modifies the definition for what constitutes a "rural" public library for eligibility purposes. Under the bill, a public library is eligible for the grant program if the population of the municipality in which the library is located is 20,000 or less and the library is located outside of urban areas, as determined by the U.S. Census Bureau.

Finally, the bill requires DOA to, at least annually, provide all school districts and public libraries in this state that are eligible for information technology block grants with information regarding how to apply for the grants.

Project labor agreements

Under current law, the state and local units of government are prohibited from engaging in certain practices in letting bids for state procurement or public works contracts. Among these prohibitions, as established by 2017 Wisconsin Act 3, the state and local governments may not do any of the following in specifications for bids for the contracts: 1) require that a bidder enter into an agreement with a labor organization; 2) consider, when awarding a contract, whether a bidder has or has not entered into an agreement with a labor organization; or 3) require that a bidder enter into an agreement that requires that the bidder or bidder's employees become or remain members of a labor organization or pay any dues or fees to a labor organization. The bill repeals these limitations related to labor organizations.

Fund of funds investment program

Currently, DOA administers a program for the investment of moneys in venture capital funds that invest in businesses located in this state, called the fund of funds investment program. Under the program, the state initially contracted with an investment manager during the 2013–14 fiscal year to invest $25,000,000 in venture capital funds. The gross proceeds from the investment of this $25,000,000 were to be returned to the state for deposit into the general fund. The bill provides that the gross proceeds are to be reinvested in venture capital funds unless otherwise directed by DOA.

Volkswagen settlement grants

Under current law, moneys received under a settlement that the state received from a legal action against Volkswagen are held in an appropriation account that limits spending to three purposes: replacement of state fleet vehicles, grants for the replacement of public transit vehicles, and grants for the replacement of school buses. The bill eliminates the school bus grant program and provides that grants may be awarded for the replacement of public transit vehicles and the installation of electric vehicle charging stations. The bill requires that, of the settlement funds that are received for grants during the 2021–23 biennium, DOA must allocate $10,000,000 for electric vehicle charging stations and any funds in excess of $10,000,000 to the replacement of state vehicles with fuel efficient or electric vehicles.

Equal opportunity internship program

The bill requires the Division of Personnel Management in DOA to establish a program for the placement of up to 16 paid interns annually with state agencies and members of the legislature. Under the program, each intern must come from a household whose income does not exceed 300 percent of the federal poverty line based on family size. Additionally, each intern must be paid a stipend of at least $15 per hour, which may be paid for up to 20 hours of work per week. Under the bill, the stipend is required to be disregarded in establishing household income for purposes of obtaining public benefits under any state program.

Youth wellness center

Under current law, DOA provides funding to American Indian tribes to create architectural plans for a youth wellness center. The bill changes the appropriation to provide funding for a youth wellness center, removing the limitation of the creation of architectural plans.

Equity grant program and diversity, equity, and inclusion

The bill requires DOA to provide grants to public, private, and nonprofit entities in this state that promote diversity and advance equity and inclusion. The bill also makes a new appropriation to DOA to administer the equity grant program and for diversity, equity, and inclusion activities overseen by DOA.

Director of Native American affairs

The bill requires the secretary of administration to appoint a director of Native American affairs in the unclassified service to manage relations between the state and American Indian tribes or bands in the state.

Grants to American Indian tribes or bands

The bill requires DOA to award grants of equal amounts to each American Indian tribe or band in the state for the purpose of supporting programs to meet the needs of members of the tribe or band. No grant moneys may be used to pay gaming–related expenses.

Civil legal services for the indigent

The bill requires DOA to make annual payments to the Wisconsin Trust Account Foundation, Inc., for the purpose of providing civil legal services to indigent persons.

Procurement and risk management educational services

The bill authorizes DOA to provide educational services in procurement and risk management to local governmental units and private entities. The bill requires DOA to charge fees for its services. The bill also creates an appropriation for fees received from local governmental units and private entities for technical assistance services provided by the Office of Sustainability and Clean Energy.

Plan for green and environmentally friendly state procurement practices

The bill requires DOA to develop a plan to expand the use of green and environmentally friendly state procurement practices, and to provide the written plan to the governor by June 30, 2022.

Contracts for written foreign language translation

The bill requires the Bureau of Procurement in DOA to enter into contracts or amend existing contracts with vendors to provide written foreign language translation services to executive branch agencies by September 1, 2022.

High–voltage transmission line fees

The bill requires PSC to administer annual impact and onetime environmental impact fees paid under current law by persons authorized by PSC to operate high–voltage transmission lines. Under current law, DOA administers the fees.

Excess insurance premiums

The bill creates an appropriation account to receive premiums charged to state agencies for excess insurance under a contract entered into by DOA.

Worker misclassification outreach

The bill requires DOA to direct state agencies, constitutional offices, departments, independent agencies, and societies, associations, and certain other agencies of state government for which appropriations are made by law, to provide educational outreach regarding worker misclassification to employers, workers, and organizations that serve vulnerable populations.

Juneteenth state holiday

The bill designates June 19, the day on which Juneteenth is celebrated, as a state holiday on which state offices are closed. Under current law, the offices of the agencies of state government are generally closed on Saturdays, Sundays, and a total of nine state holidays. The bill also increases the number of regular paid holidays state employees receive annually from nine days to 10 days. The bill also requires the administrator of the Division of Personnel Management in DOA to include June

19 as a paid holiday for UW System employees in the proposal it submits to the Joint Committee on Employee Relations for compensation plan changes for the 2021–23 biennium.

BCPL payments in lieu of taxes appropriation

Under current law, land that BCPL owns is not subject to property taxes. For certain lands purchased on or after July 14, 2015, though, BCPL makes annual payments to municipalities in lieu of the property tax that would have been owed on these lands were they not tax exempt. Currently, these payments are made from BCPL's general operations appropriation account. The bill creates an appropriation account specifically for these payments in lieu of taxes.

BCPL gifts and grants appropriation

The bill creates a continuing appropriation for all gifts and grants received by BCPL.

Raffle and bingo appropriations

The bill combines the appropriation accounts for general program operations for raffles and bingo, and removes the requirement for unspent bingo funds to be transferred into the lottery fund at the end of each fiscal year.

Defining "multijurisdictional" for the purposes of the lottery

Under current law, the state is authorized to operate a state lottery, which includes participation in a multijurisdictional lottery. Under current law, "multijurisdictional" is defined to include any U.S. state or territory, Canada, or any Canadian province. The bill changes the definition of "multijurisdictional," for the purposes of the state lottery, to include any other country or nation.

Public records location fee

Current law allows an authority to impose a fee on any person requesting a public record to cover the cost of locating that record, if the cost is $50 or more. The location fee may not exceed the actual, necessary, and direct cost of locating the record. Current law defines an "authority" to include any elective official or state or local government agency that has custody of a public record.

Under the bill, the cost of locating a public record must be $100 or more before an authority may impose a fee to cover the actual, necessary, and direct cost of locating the record.

TAXATION

INCOME TAXATION

Child and dependent care tax credit

The bill creates an individual income tax credit based on the federal child and dependent care tax credit. The federal credit may be claimed by an individual who pays for the care of a "qualifying individual" so that the credit claimant can work or actively look for work. A qualifying individual is the claimant's dependent child under 13 years of age or the claimant's spouse or dependent who is incapable of self care. The total expenses for care that a claimant may take into account when calculating the federal credit is $3,000 if there is one qualifying individual and $6,000 if there is more than one qualifying individual. Depending on the claimant's

adjusted gross income, the credit may be worth between 20 percent and 35 percent of the allowable expenses. The federal credit is nonrefundable, which means it may be claimed only up to the amount of the claimant's tax liability.

Under current law, Wisconsin does not have a child and dependent care tax credit but does allow individuals to deduct the expenses that qualify for the federal credit when computing their income for state tax purposes.

For taxable years beginning after December 31, 2020, the bill creates a tax credit based on the amount claimed under the federal credit and repeals the existing deduction. Under the bill, an individual who is eligible for and claims the federal child and dependent care tax credit may claim 50 percent of the same amount as a nonrefundable credit on his or her Wisconsin income tax return. The Wisconsin credit may not be claimed by a part–year resident or nonresident of this state.

Caregiver tax credit

The bill creates an income tax credit for individuals who pay for items that directly relate to the care or support of a family member who requires assistance with one or more daily living activities and is over the age of 18. The credit equals 50 percent of the expenses, limited to a maximum annual credit per family member of $500, or $250 for married spouses filing separately. If more than one individual may claim the credit based on the same family member, the maximum annual credit amount is apportioned among them based on expenses paid. For married couples filing jointly, the credit phases out between federal adjusted gross income of $150,000 and $170,000, and no credit may be claimed if federal AGI exceeds $170,000. For all other taxpayers, the phase out range is between federal AGI of $75,000 and $85,000, and no credit may be claimed if federal AGI exceeds $85,000. Under the bill, expenses that qualify for the credit include amounts spent on improving the claimant's primary residence to assist the family member, purchasing equipment to help the family member with daily living activities, and obtaining other goods or services to help care for the family member. Expenses that do not qualify for the credit include general food, clothing, transportation, and household repair costs, as well as amounts that are reimbursed by insurance or other means. The credit is nonrefundable, which means it may be claimed only up to the amount of the claimant's tax liability.

Earned income tax credit

The bill increases the amount that an individual with fewer than three qualifying children may claim as the Wisconsin earned income tax credit. Under current law, the Wisconsin EITC is equal to a percentage of the federal EITC. The percentage is 4 percent of the federal EITC if the individual has one qualifying child, 11 percent if the individual has two qualifying children, and 34 percent if the individual has three or more qualifying children. The credit is refundable, which means that if the credit exceeds the individual's tax liability, he or she will receive the excess as a refund check.

Under the bill, the percentage of the federal EITC that an eligible individual may claim for Wisconsin purposes is 16 percent if the individual has one qualifying child, 25 percent if the individual has two qualifying children, and 34 percent if the individual has three or more qualifying children.

Subtraction for active duty pay

Under current law, members of a reserve component of the U.S. armed forces who are called into active federal service or special state service under specified sections of the U.S. Code may subtract the military pay they receive from the federal government while on active duty. The bill expands the existing subtraction to include members who are activated under an additional section of the U.S. Code that relates to orders to active duty for preplanned missions in support of the combatant commands. Also under the bill, members of the Wisconsin national guard may, when computing their state income taxes, subtract from income the pay they receive from the state while on active state duty.

Manufacturing and agriculture credit limitation

Currently, a person may claim a tax credit on the basis of the person's income from manufacturing or agriculture. A taxpayer may claim a credit equal to 7.5 percent of the income derived from either the sale of tangible personal property manufactured in whole or in part on property in this state that is assessed as manufacturing property or from the sale of tangible personal property produced, grown, or extracted in whole or in part from property in this state assessed as agricultural property. If the amount of the credit exceeds the taxpayer's income tax liability, the taxpayer does not receive a refund, but may apply the balance to the taxpayer's tax liability in subsequent taxable years.

The bill limits to $300,000 the amount of income from manufacturing that a person may use as the basis for claiming the credit. The bill does not affect the amount of income from agriculture that may be used as a basis for claiming the credit.

Work opportunity tax credit

The bill creates a state income and franchise tax credit to supplement the federal Work Opportunity Tax Credit. The federal tax credit is available to employers who hire individuals from specified targeted groups. The targeted groups are veterans, ex–felons, Temporary Assistance for Needy Families recipients, designated community residents, vocational rehabilitation referrals, summer youth employees, Supplemental Nutrition Assistance Program recipients, Supplemental Security Income recipients, long–term family assistance recipients, and long–term unemployment recipients. In general, the federal credit equals 40 percent of the wages, limited to $6,000, paid to the individual during the first year of employment if the individual works at least 400 hours and 20 percent of such wages if the individual works between 120 and 400 hours. Different limitations and rules exist for members of certain targeted groups. The federal tax credit is scheduled to expire on January 1, 2026.

Under the bill, an employer may claim a state tax credit for wages paid to individuals who are members of a targeted group, as determined under federal law, for services performed in Wisconsin. The state credit is equal to 50 percent of the amount that the claimant could claim under the federal credit for those wages and must be claimed at the same time as the federal credit.

First–time homebuyer savings accounts

The bill creates a tax–advantaged first–time homebuyer savings account. Under the bill, an individual, known as the account holder, may open an account at a financial institution for the purpose of paying the down payment and closing costs for the purchase of a single–family residence in Wisconsin by the account's designated beneficiary. The beneficiary, who may be the account holder, must be a Wisconsin resident who has not owned a single–family residence during the 36 months prior to the purchase. An individual may be designated the beneficiary of more than one account, but not by the same account holder. The account holder may change the beneficiary at any time. An account may only remain open for 10 years.

The bill provides that an account holder, when calculating his or her income for state tax purposes, may subtract the deposits that he or she made into the account during the year, as well as any interest and other gains on the account that are redeposited into it. The maximum amount of deposits that the account holder may subtract per account each year is $5,000, which is increased to $10,000 if he or she is married and files a joint return. Over all taxable years, the account holder may not subtract more than $50,000 of deposits into any account for each beneficiary. The bill provides that other persons may contribute to the account, but they may not subtract their contributions.

Under the bill, with limited exceptions, if an amount is withdrawn from the account for any reason other than paying the down payment and closing costs, the account holder is subject to a 10 percent penalty tax on the withdrawal and must include the amount of the withdrawal in income for state tax purposes.

The bill requires that the account holder annually submit information about the account to DOR, including a list of the account's transactions. These provisions apply to taxable years beginning after December 31, 2021.

Homestead tax credit

Under current law, the homestead tax credit is a refundable income tax credit that may be claimed by homeowners and renters. The credit is based on the claimant's household income and the amount of property taxes or rent constituting property taxes on his or her Wisconsin homestead. Because the credit is refundable, if the credit exceeds the claimant's income tax liability, he or she receives the excess as a refund check. Under current law, there are three key dollar amounts used when calculating the credit:

1. If household income is $8,060 or less, the credit is 80 percent of the property taxes or rent constituting property taxes. If household income exceeds $8,060, the property taxes or rent constituting property taxes are reduced by 8.785 percent of the household income exceeding $8,060, and the credit is 80 percent of the reduced property taxes or rent constituting property taxes.

2. The credit may not be claimed if household income exceeds $24,680.

3. The maximum property taxes or rent constituting property taxes used to calculate the credit is $1,460.

Beginning with claims filed in 2021, the bill reduces the percentage used for household income over $8,060 from 8.785 to 6.655 percent and increases the

maximum income amount from $24,680 to $30,000. The bill also indexes the $8,060, $30,000, and $1,460 amounts for inflation, beginning in 2023.

Veterans and surviving spouses property tax credit

Under current law, an eligible veteran or surviving spouse may claim a refundable income tax credit that equals the amount of property taxes paid during the year on his or her principal dwelling in Wisconsin. Current law does not expressly address the treatment of renters. DOR allows an eligible veteran or surviving spouse who is a renter to claim the credit if he or she is required to pay the property taxes under a written agreement with the landlord and pays the property taxes directly to the municipality.

Under the bill, an eligible veteran or surviving spouse who is a renter may claim the credit in an amount equal to his or her rent constituting property taxes. The bill defines "rent constituting property taxes" to mean 20 percent of the rent paid during the year for the use of a principal dwelling if heat is included in the rent, and 25 percent of the rent if heat is not included.

Medical care insurance subtraction

The bill modifies the income tax subtraction for amounts paid for medical care insurance by self–employed individuals. Under current law, the subtraction may not exceed the individual's net earnings from a trade or business that are taxable by Wisconsin. Under the bill, the subtraction may not exceed the individual's wages, salary, tips, unearned income, and net earnings from a trade or business that are taxable by Wisconsin.

The bill similarly modifies the provision under current law that prorates the subtraction for self–employed nonresidents and part–year residents based on the percentage of the individual's net earnings from a trade or business taxable by Wisconsin to total net earnings from a trade or business. Under the bill, the subtraction is prorated based on the percentage of the individual's wages, salary, tips, unearned income, and net earnings from a trade or business that are taxable by Wisconsin to total wages, salary, tips, unearned income, and net earnings from a trade or business. The bill also eliminates obsolete provisions related to the medical care insurance subtraction for self–employed individuals.

Private school tuition deduction

Under current law, an individual, when computing income for income tax purposes, may deduct the tuition paid during the year to send his or her dependent child to private school. The maximum deduction is $4,000 for an elementary school pupil and $10,000 for a secondary school pupil.

Under the bill, only individuals whose Wisconsin adjusted gross income is below a threshold amount may claim the deduction for private school tuition. The threshold amount is $100,000 for single individuals and heads of household, $150,000 for married couples filing jointly; and $75,000 for married individuals filing separately.

Limitation on capital gains exclusion

Current law allows individuals, when computing their income for state tax purposes, to subtract 30 percent of the net capital gains realized from the sale of

assets held more than one year or acquired from a decedent. The subtraction is increased to 60 percent for gains realized from the sale of farm assets held more than one year or acquired from a decedent.

Under the bill, an individual may not make the 30 percent subtraction if his or her federal adjusted gross income exceeds $400,000 for a single individual or head of household filer; $533,000 for a married couple who files jointly; or $266,500 for a married individual who files separately. The bill creates an exception for individuals whose federal AGI, after subtracting 30 percent of net capital gains from nonfarm assets, is below the threshold amount. These individuals may make the subtraction, subject to the 30 percent limitation, but must reduce the amount subtracted by the amount that federal AGI exceeds the threshold amount. The bill makes no changes to the 60 percent subtraction.

Education award subtraction

Under current law, an individual who completes a term of service in the AmeriCorps program may receive a Segal AmeriCorps education award to pay for post–secondary educational expenses and to repay student loans. The awards are subject to federal and state income taxation. Under the bill, an individual may subtract the amount received as an award during the taxable year when calculating his or her income for Wisconsin income tax purposes.

Flood insurance premiums

The bill creates a nonrefundable individual income tax credit for flood insurance premiums. The credit is equal to 10 percent of the amount of the premiums that an individual paid in the taxable year for flood insurance, but the amount of the claim may not exceed $60 in any taxable year. Because the credit is nonrefundable, it may be claimed only up to the amount of the individual's tax liability.

Dividends received deduction

Current law allows corporations to deduct, for income and franchise tax purposes, the dividends received from related corporations. The dividends must be paid on common stock, and the corporation receiving the dividends must own at least 70 percent of the total combined voting stock of the other corporation. Current law also allows businesses to carry forward net business losses to future taxable years in order to offset income in those years. Under the bill, a business may not take the dividends received deduction into account when determining if it has a net business loss that can be carried forward.

Net operating loss carryback

The bill repeals the provision under which an individual may carry back a net operating loss to the two prior taxable years in order to reduce the amount of income subject to tax in those years.

Pass–through entities and refundable tax credits

Current law allows businesses operating in this state to claim a number of income and franchise tax credits to promote job creation and economic development. The following credits allow a business to receive a refund if the amount of the credit exceeds its tax liability: the jobs tax credit, the business development credit, the enterprise zones jobs credit, the electronics and information technology

manufacturing zone credit, and the research credit. Partnerships, limited liability companies, and tax–option corporations may not claim these credits, but, instead, the partners, members, and shareholders of the respective entities may claim the credits in proportion to their ownership interests in the entity. Generally, the entities determine the aggregate amount of the credits that the partners, members, or shareholders may claim.

The bill allows partnerships, limited liability companies, and tax–option corporations to claim the refundable tax credits, not including the electronics and information technology manufacturing zone credit and the research credit.

Research credit refunds

Current law allows a person to claim an income and franchise tax credit equal to a percentage of the person's qualified research expenses that exceed 50 percent of the average qualified research expenses for the three taxable years immediately preceding the taxable year for which the person claims the credit. For example, a person may claim a credit equal to 11.5 percent of the person's excess qualified research expenses related to research related to the design and manufacturing of energy efficient lighting systems, building automation and control systems, or automotive batteries for use in hybrid–electric vehicles.

If the amount of the credit exceeds the person's tax liability, the person will receive a refund in an amount not exceeding 10 percent of the allowable claim. The taxpayer may apply any remaining unused portion of the credit to subsequent taxable years. Under the bill, if the amount of the credit exceeds the person's tax liability, the person will receive a refund in an amount not exceeding 20 percent of the allowable claim and may continue to claim the remaining unused portion in subsequent taxable years.

Federal changes to college savings accounts

The bill adopts for state income tax purposes current and future provisions of the federal Internal Revenue Code related to qualified tuition programs, including the provision that requires a taxpayer to reduce the amount that he or she claims as interest on education loans by the amount of distributions from a qualified tuition program treated as qualified higher education expenses under federal law. In addition, current state law requires a taxpayer to add back to his or her federal adjusted gross income any amount distributed from a qualified tuition program that was not used for qualified higher education expenses, if the amount was contributed to the qualified tuition program account after December 31, 2013, and the taxpayer also claimed that amount as a subtraction. Under the bill, the taxpayer must make that addition regardless of when the amount was contributed to the account.

Broker–dealer apportionment factor

Under current law, multistate businesses must apportion their income to Wisconsin and the other state or states for income and franchise tax purposes. Current law requires that DOR promulgate rules for apportioning the income of specialized industries. A DOR rule provides that broker–dealers, investment advisers, investment companies, and underwriters apportion income using a single receipts factor. The rule also provides that, under certain circumstances, the factor's numerator includes the modified gross receipts from the sales of trading assets,

unless DOR orders or allows modified net gains to be used instead. The bill amends the DOR rule to provide that the factor's numerator includes the modified net gains from the sales of trading assets, rather than modified gross receipts.

Internal Revenue Code references

The bill adopts, for state income and franchise tax purposes, certain changes made to the Internal Revenue Code by the federal Tax Cuts and Jobs Act, enacted in December 2017. The bill adopts provisions of the act related to amortization of research and experimental expenditures, certain special rules for the taxable year of inclusion, and limitations on excessive employee renumeration, the business–related deduction for interest, the deduction by employers of expenses for fringe benefits, the deduction for Federal Deposit Insurance Corporation premiums, and losses for taxpayers other than for corporations,.

PROPERTY TAXATION

Assessments; leased property and comparable sales

The bill provides that, for property tax purposes, real property includes any leases, rights, and privileges pertaining to the property, including assets that cannot be taxed separately as real property, but are inextricably intertwined with the real property. The bill also requires real property to be assessed at its highest and best use. Current law requires that real property be assessed at its full value and upon actual view or from the best information that the assessor can obtain from "arm's–length sales" of comparable property. The bill defines an "arm's–length sale" as a sale between a willing buyer and willing seller, neither being under compulsion to buy or sell and each being familiar with the attributes of the property sold.

The bill also provides that an assessor may determine the value of leased property by considering the lease provisions and actual rent pertaining to the property, if the lease provisions and rent are the result of an "arm's–length transaction." The bill defines an "arm's–length transaction" as an agreement between willing parties, neither being under compulsion to act and each being familiar with the attributes of the property.

The Wisconsin Supreme Court decided in 2008 that a property tax assessment of leased retail property using the income approach must be based on "market rents," which is what a person would pay to rent the property, based on rentals of similar property, as opposed to "contract rents," which is the amount that the lessee actually paid to rent the property. See, *Walgreen Company v. City of Madison*, 2008 WI 80, 752 N.W.2d 689. The bill changes Wisconsin law to specify that an assessment using the income approach must be based instead on contract rents.

The bill also provides that to determine the value of property using generally accepted appraisal methods, an assessor must consider all of the following as comparable to the property being assessed:

1. Sales or rentals of properties exhibiting the same or a similar highest and best use with placement in the same real estate market segment.

2. Sales or rentals of properties that are similar to the property being assessed with regard to age, condition, use, type of construction, location, design, physical features, and economic characteristics.

The bill defines "real estate market segment" to mean a pool of potential buyers and sellers that typically buy or sell properties similar to the property being assessed, including potential buyers who are investors or owner–occupants.

The bill also provides that a property is not comparable to the property being assessed if the seller has placed restrictions on the highest and best use of the property or if the property is dark property and the property being assessed is not dark property. The bill defines "dark property" as property that is vacant or unoccupied beyond the normal period for property in the same real estate market segment.

Manufacturing property assessment fees

Under current law, DOR assesses manufacturing property for property tax purposes and imposes a fee on each municipality in which the property is located to cover part of the assessment costs. DOR bills the municipalities for the fee. If a municipality does not pay by March 31 of the following year, DOR reduces the municipality's July shared revenue distribution by the amount of the fee.

The bill directs DOR to first collect the fees by reducing municipalities' July and November shared revenue distributions. If DOR is unable to collect the fee from a municipality in this manner, then the fee is directly imposed on the municipality.

Community health centers

The bill creates a property tax exemption for the property of a community health center that receives federal grants to provide health services to vulnerable populations, is a nonprofit organization exempt from federal income taxes, and annually treats at least 30,000 patients. With regard to land owned by the community health center, the exemption is limited to 25 acres necessary for the location and convenience of buildings while such property is not used for profit. Current law provides similar property tax exemptions for property owned by churches or religious, educational, or benevolent associations. Under current law, land owned by churches or religious associations that is necessary for the location and convenience of buildings and used for educational purposes and not for profit is subject to a 30–acre limitation.

Sales of certain lands to American Indian tribes

Current law provides that before a county may sell tax delinquent real estate in its possession it must provide public notice of the sale and the property's appraised value. In addition, although the county may accept any bid on the property that is advantageous to it, the county may not accept at the first attempt to sell the property a bid that is less than the property's appraised value. After that first attempt, the property may be sold at less than its appraised value if the sale is reviewed and approved by the county board or by a committee designated by the board. Also, the county may not sell the property for less than the highest bid unless the county board prepares a written statement for public inspection that explains its reasons for accepting a lower bid. Under current law, these provisions do not apply to the sale or exchange of lands to or between municipalities or to the state. Under the bill, the provision for the sale of tax delinquent real estate also does not apply to the sale or exchange of lands to or between federally recognized American Indian tribes or bands.

School aid reduction information

The bill requires that a person's property tax bill include information from the school district in which the property is located regarding the amount of any gross reduction in state aid to the district as a result of pupils enrolled in the statewide choice program, the Racine choice program, or the Milwaukee choice program or as a result of making payments to private schools under the special needs scholarship program.

GENERAL TAXATION

County and municipality sales and use taxes

Current law allows a county to enact an ordinance to impose sales and use taxes at the rate of 0.5 percent of the sales price or purchase price on tangible personal property and taxable services. The county must use the revenue from the taxes for property tax relief. The bill allows a county to impose, by ordinance, an additional sales and use tax at the rate of 0.5 percent of the sales price or purchase price on tangible personal property and taxable services. However, the ordinance does not take effect unless approved by the majority of the voters of the county at a referendum. The revenue from those taxes may be used for any purpose designated by the county board or specified in the ordinance or in the referendum approving the ordinance.

The bill also allows a municipality with a 2020 population exceeding 30,000 to enact an ordinance to impose sales and use taxes at the rate of 0.5 percent of the sales price or purchase price on tangible personal property and taxable services. The ordinance does not take effect unless approved by the majority of the voters of the municipality at a referendum. The revenue from those taxes may be used for any purpose designated by the governing body of the municipality or specified in the ordinance or in the referendum approving the ordinance.

Sales tax exemption for energy systems

Current law provides a sales and use tax exemption for a product that has as its power source wind energy, direct radiant energy received from the sun, or gas generated from anaerobic digestion of animal manure and other agricultural waste, if the product produces at least 200 watts of alternating current or 600 British thermal units per day. The sale of electricity or energy produced by the product is also exempt.

The bill modifies current law so that the exemption applies to solar power systems and wind energy systems that produce electrical or heat energy directly from the sun or wind and are capable of continuously producing at least 200 watts of alternating current or 600 British thermal units. In addition, the exemption applies to a waste energy system that produces electrical or heat energy directly from gas generated from anaerobic digestion of animal manure and other agricultural waste and are capable of continuously producing at least 200 watts of alternating current or 600 British thermal units. A system for which the exemption applies includes tangible personal property sold with the system that is used primarily to store or facilitate the storage of the electrical or heat energy produced by the system.

Vapor products

Current law imposes a tax on vapor products, which are any noncombustible products that produce vapor or aerosol for inhalation from the application of a heating element to a liquid or other substance that is depleted as the product is used, regardless of whether the liquid or other substance contains nicotine. The tax is imposed at the rate of 5 cents per milliliter of the liquid or other substance based on the volume as listed by the manufacturer.

The bill taxes vapor products at the rate of 71 percent of the manufacturer's list price and modifies the definition of "vapor product." Under the bill, "vapor product" means a noncombustible product that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means that can be used to produce vapor from a solution or other substance, regardless of whether the product contains nicotine. A "vapor product" is defined to include an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device, as well as any container of a solution or other substance that is intended to be used with these items. The bill specifies that any product regulated by the federal Food and Drug Administration as a drug or device is not a vapor product.

Little cigars

The bill taxes little cigars at the same rate as the excise tax imposed on cigarettes. Under current law, all cigars are taxed at the rate of 71 percent of the manufacturer's established list price, limited to 50 cents per cigar. Under the bill, little cigars are taxed at the rate of 126 mills per little cigar, regardless of weight. The bill defines "little cigar" to mean a cigar that has an integrated cellulose acetate filter and is wrapped in any substance containing tobacco.

Definition of "manufacturer's list price"

Current law imposes a tax on tobacco products based on the "manufacturer's established list price," without defining the term. The bill removes the word "established" and defines "manufacturer's list price" to mean the total price of tobacco products charged by the manufacturer or other seller to an unrelated distributor. The bill specifies that the total price must include all charges by the manufacturer or other seller that are necessary to complete the sale, without reduction for any cost or expense incurred by the manufacturer or other seller or for the value or cost of discounts or free promotional or sample products. The bill provides that a manufacturer or other seller is related to a distributor if they have significant common purposes and either substantial common membership or substantial common direction or control.

Sales tax exemption for diapers

The bill creates a sales and use tax exemption for the sale of diapers, not including adult undergarments for incontinence.

Prairie and wetland counseling services

Under current law, the sale of landscaping and lawn maintenance services is subject to the sales tax. The bill excludes from taxable landscaping services the planning and counseling services for the restoration, reclamation, or revitalization

of prairie, savanna, or wetlands if such services are provided for a separate and optional fee distinct from other services.

Repeal of sales tax exemption for farm–raised deer

The bill repeals the sales and use tax exemption that applies to the sale of farm–raised deer to a person operating a hunting preserve or game farm in this state.

Repeal of sales tax exemption for game birds and clay pigeons

The bill repeals the sales and use tax exemption that applies to the sale of live game birds and clay pigeons to qualifying bird hunting preserves and shooting facilities.

Sales and use tax on candy

Current law imposes the sales and use tax on the sale of candy. For purposes of the sales and use tax, "candy" is defined, generally, as a preparation of sugar, honey or other sweetener combined with chocolate, fruit, nuts or other ingredients or flavorings. "Candy" does not include a preparation that contains flour or that requires refrigeration. Under the bill, for purposes of the sales and use tax, "candy" also does not include a preparation that has as its predominant ingredient dried or partially dried fruit, not including a preparation that has a confectionary coating or glazing on the dried or partially dried fruit.

Providing notices for public utility taxes

Under current law, public utility companies, including railroads and air carriers, are exempt from local property taxes and are instead subject to special state taxes. Current law requires DOR to send certain notices regarding these taxes by certified mail. Under the bill, DOR must still provide the notices but is no longer required to send them by certified mail.

SHARED REVENUE

Increase in county and municipal aid

The bill increases the amount that each county and municipality annually receives as a county and municipal aid payment. Currently, a county or municipality receives a payment equal to the payment it received in 2012. The bill increases that amount by 2 percent in 2021 and an additional 2 percent beginning in 2022.

Expenditure restraint program

Under current law, generally, a municipality is eligible to receive an expenditure restraint payment if its property tax levy is greater than five mills and if the annual increase in its municipal budget is less than the sum of factors based on inflation and the increased value of property in the municipality as a result of new construction. Current law excludes certain payments and expenditures from the municipal budget for purposes of determining eligibility for an expenditure restraint payment. For example, principal and interest on long–term debt, recycling fee payments, and unreimbursed expenses related to a declared state of emergency are excluded from the determination.

The bill excludes from the expenditure restraint program payment determination additional revenues resulting from a referendum to increase the municipality's property tax levy limit or the tax rate of the premier resort area tax.

Video service provider fee

Under current law, the state provides an aid payment to municipalities to compensate the municipalities for a state–mandated reduction in the amount of video service provider franchise fees that a municipality may impose and collect. The aid amount is a percentage of the gross receipts reported to the municipality by the video service provider. In 2020, the amount that a municipality received was equal to 0.5 percent of the video service provider's gross receipts. In 2021, the municipality will receive an amount equal to 1 percent of the gross receipts. Annually, beginning in 2022, the municipality will receive an amount equal to the amount it received in 2021.

The bill changes the appropriation for the aid payment from an annual appropriation to a sum sufficient appropriation.

TRANSPORTATION

DRIVERS AND MOTOR VEHICLES

Driver's cards

Under 2007 Wisconsin Act 20, certain provisions specified in the federal REAL ID Act of 2005 (REAL ID) were incorporated into state law and these provisions became effective on January 1, 2013. Among these provisions was the requirement that DOT follow certain procedures in processing applications for driver's licenses and identification cards. However, under 2011 Wisconsin Acts 23 and 32, DOT may process applications for driver's licenses and identification cards in a manner other than that required by REAL ID if the driver's licenses and identification cards are marked to indicate that they are not REAL ID compliant and DOT processes the applications in compliance with DOT practices and procedures applicable immediately prior to implementation of REAL ID.

Under current law, an applicant for a driver's license or identification card, regardless of whether it is REAL ID compliant or REAL ID noncompliant, must provide to DOT 1) an identification document that includes either the applicant's photograph or both the applicant's full legal name and date of birth; 2) documentation, which may be the same as item 1, above, showing the applicant's date of birth; 3) proof of the applicant's social security number or verification that the applicant is not eligible for a social security number; 4) documentation showing the applicant's name and address of principal residence; and 5) documentary proof that the applicant is a U.S. citizen or is otherwise lawfully present in the United States. However, in processing an application for a REAL ID noncompliant driver's license or identification card, DOT is not required to meet the standards for document retention and verification that are imposed for REAL ID compliant products.

Under the bill, an applicant for a REAL ID noncompliant driver's license or identification card (noncompliant REAL ID) is not required to provide documentary proof that the applicant is a U.S. citizen or is otherwise lawfully present in the United States. Also, an applicant may, in lieu of item 1, above, provide an individual taxpayer identification number, a foreign passport, or any other documentation deemed acceptable to the department and, in lieu of items 2 and 4, above, provide documentation deemed acceptable to the department. If the applicant does not have

a social security number, the applicant is required to provide verification only that he or she does not have one, rather than verification that he or she is not eligible for one. In processing an application for, and issuing or renewing, a noncompliant REAL ID, DOT may not include any question or require any proof or documentation as to whether the applicant is a U.S. citizen or is otherwise lawfully present in the United States. The bill does not change any current law requirements related to driver qualifications such as minimum age or successful completion of knowledge and driving skills tests.

Under current law, most driver's licenses issued by DOT are issued for an initial two–year period and must be renewed every eight years thereafter. In general, an applicant for renewal of a driver's license must pass an eyesight test and have his or her photograph taken with each renewal. Most identification cards issued by DOT are issued for an initial period of eight years and are renewable for eight–year periods thereafter, and applicants, generally, must have their photograph taken with each renewal.

Under the bill, an applicant for a noncompliant REAL ID who does not provide a social security number is issued a noncompliant REAL ID that displays, on its face, the words "Not valid for voting purposes. Not evidence of citizenship or immigration status." and that has a four–year renewal period rather than an eight–year renewal period. With each renewal, DOT has discretion whether or not to take a new photograph and, for a driver's license, give an eyesight test. However, DOT must take a new photograph and, for a driver's license, give an eyesight test at least once every eight years.

With limited exceptions, DOT may not disclose social security numbers obtained from operator's license or identification card applicants. The bill prohibits DOT from disclosing the fact that an applicant has verified to DOT that the applicant does not have a social security number, except that DOT may disclose this information to the Elections Commission.

The bill also prohibits discrimination on the basis of a person's status as a holder or a nonholder of a noncompliant REAL ID, adding this license status as a prohibited basis for discrimination in employment, housing, and the equal enjoyment of a public place of accommodation or amusement.

Electronic renewal of operator's licenses

Under current law, most operator's licenses issued by DOT must be renewed every eight years. In general, an applicant for renewal of an operator's license must pass an eyesight test and have his or her photograph taken.

Under the bill, if an applicant for renewal of an operator's license, other than a commercial driver license, meets certain requirements, the applicant may apply for renewal, and DOT may renew the license, by electronic means. The renewal may occur without an eyesight test and without a photograph. Licenses issued under this procedure will be marked as REAL–ID noncompliant licenses that are not intended to be accepted by federal agencies for federal identification or other official purposes. Among the eligibility requirements for use of the electronic procedure are 1) that the applicant's most recent previous license transaction was not made by electronic means; 2) that the applicant's license is not subject to restrictions based on medical

conditions, other than a requirement that the applicant use corrective lenses; 3) that the applicant is not more than 65 years of age; and 4) that the applicant meets any additional criteria for eligibility established by DOT.

Driving skills test waiver

Under current law, with limited exceptions, an applicant for an operator's license authorizing operation of "Class D" vehicles, which are automobiles and most passenger vehicles, must successfully complete a knowledge test and a driving skills (road) test. The bill allows DOT to waive the road test for a person if all of the following are satisfied:

1. The person is under 18 years of age.
2. The person is applying for authorization to operate only "Class D" vehicles.
3. The person has satisfactorily completed a course in driver education.
4. The person has held an instruction permit for not less than six months.
5. The person has not committed a moving violation during the six–month period immediately preceding application.
6. An adult sponsor of the person consents to a waiver of the driving skills test.

Operator license suspension and arrest for nonmoving violations

Under current law, if a person does not pay the forfeiture or appear in court in response to a citation for a nonmoving violation (commonly known as a parking ticket), the court may issue a summons for the person, order DOT to suspend the person's vehicle registration, or issue a warrant for the person's arrest. If a person fails to pay the forfeiture for a moving or nonmoving violation, the court may order the person to be imprisoned until the judgment is paid, but for a time period not to exceed 90 days. In lieu of imprisonment, the court may order that the person's operating privilege be suspended.

The bill eliminates the option to arrest a person and suspend the person's motor vehicle operator license for failure to pay the required forfeiture for a nonmoving violation.

Replacement of motor vehicle registration plates

Under current law, DOT must establish new designs for plates at intervals determined by DOT. Subsequently, DOT must issue plates with the new design at a time determined by DOT. Plates may also be replaced upon application of a vehicle owner in the case of lost, destroyed, or illegible plates.

Under the bill, beginning with registrations effective July 1, 2021, if the registration for a vehicle is renewed and plates for that vehicle have not been issued during the previous 10 years, DOT must issue two new registration plates for the vehicle. The bill requires DOT to assess a $6.25 fee for the replacement plates.

Disclosure of records relating to identification card holders

Under current law, with certain exceptions, DOT is prohibited from disclosing records or other information relating to applicants for, or holders of, identification cards. The bill eliminates this prohibition.

Exemption from probationary license requirement for persons enlisted in the U.S. armed forces

Under current law, probationary licenses are, with certain exceptions, issued to all applicants who qualify for an original driver's license and remain in effect for two years from the date of the licensee's next birthday. Currently, the following persons are exempt from this requirement:

1. Certain persons who have been licensed by another jurisdiction.

2. Persons who are issued a commercial driver license.

3. Persons entitled to a regular license under a foreign license reciprocity agreement.

Those who are exempt from the probationary license requirement are instead issued a regular license that remains in effect for eight years after the date of issuance.

Under the bill, a person who provides DOT with documentary proof that the person is enlisted in the U.S. armed forces is also exempt from the probationary license requirement.

Fee for paper registration renewal notice

Under current law, a person may not operate a vehicle on any highway unless the vehicle is registered with DOT. At least 30 days prior to the expiration of a vehicle's registration, DOT must mail to the registrant a notice of the date upon which the vehicle's registration must be renewed. DOT is also authorized to test and evaluate the effectiveness of alternative methods of processing and distributing vehicle registration renewals. Under the bill, for a vehicle registration renewal notice that DOT sends by mail, DOT must charge the recipient a fee of $0.33 and deposit all such fees in the transportation fund.

HIGHWAYS

Enumeration of the I 94 east–west corridor project

Under current law, DOT may not encumber or expend any moneys for construction of a southeast Wisconsin freeway megaproject unless the project is enumerated by the legislature. The bill enumerates as a southeast Wisconsin freeway megaproject the "I 94 east–west corridor project," which is defined to mean "all freeways, including related interchange ramps, roadways, and shoulders, encompassing I 94 in Milwaukee County from 70th Street to 16th Street, and all adjacent frontage roads and collector road systems." The bill authorizes DOT to contract up to $40,000,000 in public debt for the project.

Establishment of bikeways and pedestrian ways in highway projects

Under current law, DOT must, with exceptions, give due consideration to establishing bikeways and pedestrian ways in all new highway construction and reconstruction projects funded from state or federal funds.

Under the bill, with several exceptions, DOT must ensure that bikeways and pedestrian ways are established in all new highway construction and reconstruction projects funded from state or federal funds and must promulgate rules identifying certain exceptions to the requirement.

Transportation revenue bonds

Under current law, the Building Commission may issue revenue bonds for major highway projects and transportation administrative facilities in a principal amount that may not exceed $4,055,372,900. The bill increases the revenue bond limit to $4,359,650,700, an increase of $304,277,800.

Also, under a separate authorization, the Building Commission may issue revenue bonds for major highway projects and transportation administrative facilities in a principal amount that may not exceed $142,254,600. The bill eliminates this separate authorization.

State highway rehabilitation bonding

Under current law, state highway rehabilitation projects may be funded from various sources, including bond proceeds. Various provisions of current law authorize specific maximum levels of general obligation bonding for these projects and the total authorized amount of general obligation bonding available for these projects is the cumulative amount specified in all of these provisions. Under one of these provisions of current law, the state may contract up to $141,000,000 in public debt to fund state highway rehabilitation projects. The bill increases this authorized general obligation bonding limit by $278,500,000 to $419,500,000.

Design–build project bonding

Under current law, the design and construction of highway projects are generally two distinct phases. Under this method, often referred to as "design–bid–build," DOT has broad authority to accomplish the design of a project. The construction of a project must be executed by contract based on bids, with DOT awarding the contract to the lowest responsible bidder. Alternatively, DOT may use the "design–build" method, under which design, engineering, construction, and related services are procured through a single contract with a single entity capable of providing the services.

Under current law, state highway rehabilitation projects, major highway projects, and southeast Wisconsin freeway megaprojects may be funded from various sources, including bond proceeds. The bill provides that the state may contract up to $20,000,000 in public debt to fund state highway rehabilitation projects, major highway projects, and southeast Wisconsin freeway megaprojects that are delivered using the design–build method.

Transportation project requirements

Under current law, for certain highway projects for which DOT spends federal money, federal money must make up at least 70 percent of the funding for those projects. DOT is required to notify political subdivisions receiving aid for local projects whether the aid includes federal moneys and how those moneys must be spent. For certain projects that receive no federal money, DOT may not require political subdivisions to comply with any portion of DOT's facilities development manual other than design standards. Any local project funded with state funds under the surface transportation program or the local bridge program must be let through competitive bidding and by contract to the lowest responsible bidder. The bill repeals all of these requirements.

Specific information signs

The bill makes numerous changes to the specific information sign program administered by DOT, under which DOT erects and maintains signs to direct motorists to services located near certain highways.

Under current law, DOT may not authorize the erection of specific information signs along a highway unless the highway is enumerated by the legislature. The bill makes numerous changes to existing enumerations to reflect highway construction and designation changes. The bill also enumerates two new highway segments.

Under current law, the annual permit fee for inclusion on a specific information sign is $40. The bill increases the fee to $80. Current law specifies the design of specific information signs and provides that signs may be illuminated. The bill eliminates the reference to sign illumination.

Under current law, to be included on a specific information sign for the "FOOD" category, a business must operate at least five days a week and be open, at a minimum, from 10 a.m. to 7 p.m. The bill eliminates the hours–of–service requirement.

Current law provides that no more than four specific information signs for each category of motorist service may be erected along an approach to an interchange or intersection. The bill removes the specific limit on the number of allowable signs and instead provides that the number may not exceed the number allowed under the federal *Manual on Uniform Traffic Control Devices for Streets and Highways* adopted by DOT.

Electric vehicle infrastructure program

The bill establishes an electric vehicle infrastructure program within DOT. Under the program, DOT provides funding for electric vehicle infrastructure projects. DOT, in consultation with DOA, determines appropriate locations for such projects. The bill also authorizes the issuance of $5,000,000 in public debt for the purpose of funding projects under this program.

Ray Nitschke Memorial Bridge

The bill requires DOT, in the 2021–22 fiscal year, to set aside $1,200,000 of the amounts appropriated to DOT for bridge development, construction, and rehabilitation for repairs to the Ray Nitschke Memorial Bridge in Brown County.

Improvements to the interchange of I 94 and Moorland Road

The bill requires DOT, in the 2021–23 fiscal biennium, to allocate $1,750,000 for the construction of geometric improvements to improve the safety of the interchange of I 94 and Moorland Road in Waukesha County.

Thresholds for certain contracts requiring gubernatorial approval

Current law requires gubernatorial approval of certain DOT contracts involving expenditures over specified thresholds. The bill increases these thresholds as follows:

1. Engagement of engineering or related services, from $3,000 to $100,000.

2. Contracts for highway improvement, from $1,000 to $250,000.

3. Non–bid contracts with counties for highway improvements, from $5,000 to $100,000.

4. Non–bid contracts with railroads or public utilities for highway improvements, from $5,000 to $100,000.

5. Emergency non–bid contracts for highway improvements, from $10,000 to $100,000.

TRANSPORTATION AIDS

General transportation aids

The bill increases the amount of aid DOT may provide to counties and municipalities under the general transportation aids program. Under current law, DOT makes aid payments to counties based on a share–of–costs formula and to municipalities based on the greater of a share–of–costs formula or an aid rate per mile. Under the bill, the aid rate per mile is increased to $2,681 for calendar year 2022 and $2,734 for calendar year 2023 and thereafter. The maximum amount of aid that may be paid to counties under the program is increased to $124,647,300 for calendar year 2022 and $127,140,200 for calendar year 2023 and thereafter. The maximum amount of aid that may be paid to municipalities under the program is increased to $391,173,300 for calendar year 2022 and $398,996,800 for calendar year 2023 and thereafter.

Penalty for late submission of reports related to general transportation aids

Under the general transportation aids program, counties and municipalities with a population of 25,000 or more are required to file certain financial reports with DOR by July 31 each year. If a county or municipality fails to file the necessary reports by the deadline, but does file the reports within 30 days after the deadline, the amount of aid payable to that county or municipality for the following year is reduced by 1 percent for each day late, up to a maximum 10 percent reduction. If a county or municipality fails to file the necessary reports within 30 days of the deadline, the amount of aid payable to that county or municipality for the following year is reduced by 10 percent.

Under the bill, if a county or municipality fails to file the necessary reports by the specified deadline, but does provide the reports within 30 days after the deadline, the amount of aid payable to the county or municipality may not be reduced by more than $100 for each day that the necessary reports are late.

Mass transit aids amounts

Under current law, DOT provides state aid payments to local public bodies in urban areas served by mass transit systems to assist the local public bodies with the expenses of operating those systems. There are five classes of mass transit systems, and the total amount of state aid payments to four of these classes is limited to a specified amount in each calendar year. The fifth class consists of certain commuter or light rail systems, and no state aid amounts are specified for this class.

The bill increases the total amount of state aid payments to the four classes of mass transit systems for which state aid amounts are specified as follows:

1. For mass transit systems having annual operating expenses of $80,000,000 or more, the bill maintains the current limit of $65,477,800 in calendar year 2021 and increases the limit to $67,114,700 in calendar year 2022 and $68,792,600 in calendar year 2023 and thereafter.

2. For mass transit systems having annual operating expenses of over $20,000,000 but less than $80,000,000, the bill maintains the current limit of $17,205,400 in calendar year 2021 and increases the limit to $17,635,500 in calendar year 2022 and $18,076,400 in calendar year 2023 and thereafter.

3. For mass transit systems serving urban areas having a population of at least 50,000 but having annual operating expenses of no more than $20,000,000, the bill maintains the current limit of $24,976,400 in calendar year 2021 and increases the limit to $25,600,800 in calendar year 2022 and $26,240,800 in calendar year 2023 and thereafter.

4. For mass transit systems serving urban areas having a population of less than 50,000, the bill maintains the current limit of $5,292,700 in calendar year 2021 and increases the limit to $5,425,000 in calendar year 2022 and $5,560,600 in calendar year 2023 and thereafter.

Transit capital assistance grants

The bill requires DOT to establish a transit capital assistance grant program, under which DOT awards grants to eligible applicants for the replacement of public transit vehicles.

Local infrastructure grant program

The bill establishes a local road aids for critical infrastructure grant program within the DOT. Under the program, DOT makes grants to political subdivisions for the reconstruction to a higher standard durability of a culvert or bridge. Bridges and culverts eligible for grants under the program must be owned by the political subdivision and must be at risk of being damaged by future extreme storm water events. Grants under the program may cover up to 50 percent of the cost of the reconstruction project. The bill also authorizes the issuance of $15,000,000 in public debt for the purpose of making grants under this program.

Local supplement grant program

The bill creates a local supplement grant program under which DOT provides discretionary grants to political subdivisions for projects related to bridge construction or reconstruction or local road improvement or to local governments for projects related to transportation alternatives, including construction of pedestrian and bicycle facilities and environmental mitigation of highway construction.

Tribal elderly transportation grants

Current law requires DOA to transfer a portion of Indian gaming receipts to a DOT appropriation that funds tribal elderly transportation grants. The bill eliminates the requirement to make this transfer and replaces the DOT appropriation that funds tribal elderly transportation grants using transferred Indian gaming receipts with an appropriation from the transportation fund.

Town of Milton project

The bill requires DOT to award a grant of $75,000 to the town of Milton in Rock County for the Clear Lake Road project.

Rail and air transportation

Freight rail preservation bonding

Under current law, the state may contract up to $280,300,000 in public debt for DOT to acquire railroad property and to provide grants and loans for railroad property acquisition and improvement. The bill increases the authorized general obligation bonding limit for these purposes by $20,000,000 to $300,300,000.

Airport sound mitigation grant program

The bill requires DOT to develop and administer an airport sound mitigation grant program. Under the program, DOT must award grants for projects that mitigate the impact of airport sound on structures located near airports that include a military base or installation. DOT is required to give highest priority in awarding these grants to projects involving schools and child care centers and secondary priority to projects involving private residences.

General transportation

Collection of data from traffic stops

The bill requires a law enforcement agency to collect the following information concerning motor vehicle stops made on or after January 1, 2022: 1) the name, address, gender, and race of the operator of the motor vehicle, with the officer subjectively determining the person's race as being Caucasian, Black or African American, Hispanic, American Indian or Alaska Native, or Asian or Pacific Islander; 2) the reason for the motor vehicle stop; 3) the make and year of the motor vehicle; 4) the date, time, and location of the motor vehicle stop; 5) whether or not a law enforcement officer conducted a search of the motor vehicle, the operator, or any passenger and, if so, whether the search was with consent or by other means; 6) the name, address, gender, and race of any person searched; and 7) the name and badge number of the officer making the motor vehicle stop.

The information that is collected under the bill concerning motor vehicle stops is not subject to inspection or copying as a public record. The information, however, must be forwarded to DOJ, which must then compile and analyze it, along with any other relevant information, to determine, both for the state as a whole and for each law enforcement agency, whether the number of stops and searches involving motor vehicles operated or occupied by members of a racial minority are disproportionate compared to the number of stops and searches involving motor vehicles operated or occupied solely by persons who are not members of a racial minority.

Harbor assistance bonding

Under current law, the state may contract up to $152,000,000 in public debt for DOT to provide local grants for harbor assistance and for harbor improvements such as dock wall repair and maintenance, construction of new dock walls, dredging of materials from a harbor, or the placement of dredged materials in containment facilities. The bill increases the authorized general obligation bonding limit for these purposes by $15,300,000 to $167,300,000.

Intermodal freight assistance program

Current law authorizes DOT to make grants to public or private applicants for intermodal freight facilities that the department determines have a public purpose.

The bill provides that DOT may not make such a grant unless the grantee agrees to provide adequate intermodal freight services at the facility funded by the grant, subject to remedial transfer of the facility to DOT. The bill also states that the program has a public purpose.

VETERANS

Veterans service officer grants

Under current law, DVA is required to annually award a grant to counties that employ a full–time county veterans service officer. The grants are awarded for the purpose of improving a county's services to veterans. The amount of each grant is as follows: $8,500 for a county with a population of less than 20,000, $10,000 for a county with a population of 20,000 to 45,499, $11,500 for a county with a population of 45,500 to 74,999, and $13,000 for a county with a population of 75,000 or more. Counties that employ a part–time county veterans service officer are eligible to receive an annual grant not exceeding $500. DVA may also make annual grants not to exceed $15,000 to the governing bodies of federally recognized American Indian tribes and bands if the tribal governing body appoints a tribal veterans service officer. The bill increases the amount of each of these grants by 5 percent.

Veterans outreach and recovery program

Under current law, DVA administers a program to provide outreach, mental health services, and support to veterans who reside in the state who have a mental health condition or substance use disorder. The bill directs DVA to spend at least $100,000 annually under the program to promote suicide prevention and awareness by providing services to individuals who are members of a traditionally underserved population, including minority groups and individuals who reside in rural areas of the state.

Hire Heroes program

Under current law, DWD administers the Hire Heroes program that provides transitional jobs to veterans and reimburses employers of veterans for wages and other related costs. In order for a veteran to be eligible to participate in the program, he or she must be a DVA–certified veteran, be at least 18 years old, be ineligible to participate in the Wisconsin Works program, be unemployed for at least four weeks, and satisfy any applicable substance abuse screening, testing, and treatment. Prospective program participants must also submit an application to the program no later than seven years after the date of discharge from military service. The bill removes the seven–year limit on when veterans may submit an application to the program.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

Because this bill may increase or decrease, directly or indirectly, the cost of the development, construction, financing, purchasing, sale, ownership, or availability of housing in this state, the Department of Administration, as required by law, will prepare a report to be printed as an appendix to this bill.

This proposal may contain a health insurance mandate requiring a social and financial impact report under s. 601.423, stats.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 1.031 of the statutes is amended to read:

1.031 Retrocession of jurisdiction. The governor may accept on behalf of the state, retrocession of full or partial jurisdiction over any roads, highways or other lands in federal enclaves within the state where such retrocession has been offered by appropriate federal authority. Documents concerning such action shall be filed in the office of the secretary of ~~state~~ administration and recorded in the office of the register of deeds of the county wherein such lands are located.

SECTION 2. 5.02 (6m) (f) of the statutes is amended to read:

5.02 **(6m)** (f) An ~~unexpired~~ identification card issued by a university or college in this state that is accredited, as defined in s. 39.30 (1) (d), or by a technical college in this state that is a member of and governed by the technical college system under ch. 38, that contains the date of issuance and signature of the individual to whom it is issued and that contains an expiration date indicating that the card expires no later than 2 years after the date of issuance ~~if the individual establishes~~, except that if the identification card is expired the individual shall establish that he or she is enrolled as a student at the university or college on the date that the card is presented.

SECTION 3. 5.02 (20) of the statutes is amended to read:

5.02 **(20)** "Special primary" means the primary held 4 weeks before the special election, except as provided in s. 8.50 (4m) and except when the special election is held on the same day as the general election the special primary shall be held on the same day as the general primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary.

SECTION 4. 5.02 (22) of the statutes is amended to read:

5.02 **(22)** "Spring primary" means the ~~nonpartisan~~ primary held on the 3rd Tuesday in February to nominate nonpartisan candidates to be voted for at the spring election and partisan candidates to be voted for at a special election under s. 8.50 (4m).

SECTION 5. 5.05 (11m) of the statutes is created to read:

5.05 **(11m)** AIDS TO COUNTIES AND MUNICIPALITIES FOR CERTAIN SPECIAL ELECTION COSTS. (a) From the appropriation under s. 20.510 (1) (f), the commission shall reimburse counties and municipalities for costs incurred in the administration of special primaries for state or national office and special elections for state or national office.

(b) A cost is eligible for reimbursement under par. (a) only if all of the following apply:

1. The commission determines that the cost is reasonable.

2. The cost is specified under par. (c).

3. If applicable, the commission determines that the rate paid by the county or municipality for the cost does not exceed the rate customarily paid for similar costs at a primary or election that is not a special primary or election.

4. If the special primary or election coincides with a primary or election that is not a special primary or election, the commission determines that the cost does not

exceed the amount that would be incurred if the primaries or elections did not coincide.

(c) Only the following costs are eligible for reimbursement under par. (a):

1. Rental payments for polling places.

2. Election day wages paid under s. 7.03 to election officials working at the polls.

3. Costs for the publication of required election notices.

4. Printing and postage costs for absentee ballots and envelopes.

5. Costs for the design and printing of ballots and poll books.

6. Purchase of ballot bags or containers, including ties or seals for chain of custody purposes.

7. Costs to program electronic voting machines.

8. Purchase of memory devices for electronic voting machines.

9. Wages paid to conduct a county canvass.

10. Data entry costs for the statewide voter registration system.

SECTION 6. 5.056 of the statutes is amended to read:

5.056 Matching program with secretary of transportation. The commission administrator shall enter into the agreement with the secretary of transportation specified under s. 85.61 (1) to match personally identifiable information on the official registration list maintained by the commission under s. 6.36 (1) and the information specified in ~~s.~~ ss. 6.256 (2) and 6.34 (2m) with personally identifiable information maintained by the department of transportation. Subject to s. 343.14 (2p) (b), the agreement shall provide for the electronic transfer of information under s. 6.256 (2) to the commission on a continuous basis, no less often than weekly.

SECTION 7. 5.35 (6) (a) 4c. of the statutes is created to read:

5.35 **(6)** (a) 4c. A voter bill of rights in substantially the following form:

VOTER BILL OF RIGHTS

You have the following rights:

• **The right to vote if you are registered and eligible to vote.** You are eligible to vote if you (1) are a U.S. citizen, (2) are at least 18 years old, (3) are registered where you currently live, (4) are not currently serving any portion of a felony sentence, including probation or supervision, (5) are not currently found mentally incompetent to vote by a court, and (6) have not placed a bet or a wager on the outcome of the election.

• **The right to inspect a sample ballot before voting.**

• **The right to cast a ballot if you are in line when your polling place closes** or when your municipal clerk's office closes if you are voting by in–person absentee ballot on the last day for which such voting is allowed.

• **The right to cast a secret ballot**, without anyone bothering you or telling you how to vote.

• **If you have a disability, the right to get help casting your ballot** from anyone you choose, except from your employer or union representative.

• **The right to get help voting in a language other than English** if enough voters where you live speak your language.

• **The right to get a new ballot if you made a mistake.** You can get up to 3 ballots in all if you make a mistake and have not already cast your ballot.

• **The right to cast a provisional ballot.** You can cast a provisional ballot if you are unable or unwilling to provide required proof of identification for voting or a valid driver license or identification card number for registering to vote on election

day. Your provisional ballot will not be counted unless you provide the required information to the poll workers by 8:00 p.m. on election day or to the municipal clerk by 4:00 p.m. of the Friday following the election.

• **The right to have your ballot counted accurately.**

• **The right to vote free from coercion or intimidation by any election official or other person.**

• **The right to report any illegal or fraudulent election activity** to an elections official or the State of Wisconsin Elections Commission.

SECTION 8. 5.84 (1) of the statutes is amended to read:

5.84 **(1)** Where any municipality employs an electronic voting system which utilizes automatic tabulating equipment, ~~either at the polling place or at a central counting location,~~ the municipal clerk shall, on any day not more than 10 days prior to the ~~election~~ day on which the equipment is to be utilized in an election, have the equipment tested to ascertain that it will correctly count the votes cast for all offices and on all measures. Public notice of the time and place of the test shall be given by the clerk at least 48 hours prior to the test by publication of a class 1 notice under ch. 985 in one or more newspapers published within the municipality if a newspaper is published therein, otherwise in a newspaper of general circulation therein. The test shall be open to the public. The test shall be conducted by processing a preaudited group of ballots so marked as to record a predetermined number of valid votes for each candidate and on each referendum. The test shall include for each office one or more ballots which have votes in excess of the number allowed by law and, for a partisan primary election, one or more ballots which have votes cast for candidates of more than one recognized political party, in order to test the ability of the automatic tabulating equipment to reject such votes. If any error is detected, the

municipal clerk shall ascertain the cause and correct the error. The clerk shall make an errorless count before the automatic tabulating equipment is approved by the clerk for use in the election.

SECTION 9. 5.86 (1) of the statutes is amended to read:

5.86 **(1)** All proceedings at each central counting location shall be under the direction of the municipal clerk or an election official designated by the clerk unless the central counting location is at the county seat ~~and the municipal clerk delegates the responsibility to supervise the location to the county clerk~~, in which case the proceedings shall be under the direction of the county clerk or an election official designated by the county clerk. If for any municipality the central counting location is at the county seat and the municipal clerk authorizes the early canvassing of absentee ballots under s. 7.525, the county clerk or the county clerk's designee shall begin the proceedings for that municipality on the day before the election consistent with that section. Unless election officials are selected under s. 7.30 (4) (c) without regard to party affiliation, the employees at each central counting location, other than any specially trained technicians who are required for the operation of the automatic tabulating equipment, shall be equally divided between members of the 2 major political parties under s. 7.30 (2) (a) and all duties performed by the employees shall be by teams consisting of an equal number of members of each political party whenever sufficient persons from each party are available.

SECTION 10. 6.02 (1) of the statutes is amended to read:

6.02 **(1)** Every U.S. citizen age 18 or older who has resided in an election district or ward for ~~28~~ 10 consecutive days before any election where the citizen offers to vote is an eligible elector.

SECTION 11. 6.02 (2) of the statutes is amended to read:

6.02 **(2)** Any U.S. citizen age 18 or older who moves within this state later than ~~28~~ 10 days before an election shall vote at his or her previous ward or election district if the person is otherwise qualified. If the elector can comply with the ~~28–day~~ 10–day residence requirement at the new address and is otherwise qualified, he or she may vote in the new ward or election district.

SECTION 12. 6.10 (3) of the statutes is amended to read:

6.10 **(3)** When an elector moves his or her residence from one ward or municipality to another ward or municipality within the state at least ~~28~~ 10 days before the election, the elector may vote in and be considered a resident of the new ward or municipality where residing upon registering at the proper polling place or other registration location in the new ward or municipality under s. 6.55 (2) or 6.86 (3) (a) 2. If the elector moves his or her residence later than ~~28~~ 10 days before an election, the elector shall vote in the elector's former ward or municipality if otherwise qualified to vote there.

SECTION 13. 6.10 (4) of the statutes is amended to read:

6.10 **(4)** The residence of an unmarried person sleeping in one ward and boarding in another is the place where the person sleeps. The residence of an unmarried person in a transient vocation, a teacher or a student who boards at different places for part of the week, month, or year, if one of the places is the residence of the person's parents, is the place of the parents' residence unless through registration or similar act the person elects to establish a residence elsewhere. If the person has no parents and if the person has not registered elsewhere, the person's residence shall be at the place that the person considered his or her residence in preference to any other for at least ~~28~~ 10 consecutive days before an election. If this

place is within the municipality, the person is entitled to all the privileges and subject to all the duties of other citizens having their residence there, including voting.

SECTION 14. 6.15 (1) of the statutes is amended to read:

6.15 **(1)** QUALIFICATIONS. Any person who was or who is an eligible elector under ss. 6.02 and 6.03, except that he or she has been a resident of this state for less than ~~28~~ 10 consecutive days prior to the date of the presidential election, is entitled to vote for the president and vice president but for no other offices. The fact that the person was not registered to vote in the state from which he or she moved does not prevent voting in this state if the elector is otherwise qualified.

SECTION 15. 6.15 (2) (a) of the statutes is amended to read:

6.15 **(2)** (a) The elector's request for the application form may be made in person to the municipal clerk of the municipality where the person resides. Application may be made not sooner than ~~27~~ 9 days nor later than 5 p.m. on the day before the election, or may be made at the proper polling place in the ward or election district in which the elector resides. If an elector makes application before election day, the application form shall be returned to the municipal clerk after the affidavit has been signed in the presence of the clerk or any officer authorized by law to administer oaths. The affidavit shall be in substantially the following form:

STATE OF WISCONSIN

County of ....

I, ..., do solemnly swear that I am a citizen of the United States; that prior to establishing Wisconsin residence, my legal residence was in the .... (town) (village) (city) of ...., state of ...., residing at .... (street address); that on the day of the next presidential election, I shall be at least 18 years of age and that I have been a legal resident of the state of Wisconsin since ...., ... (year), residing at .... (street address),

in the [.... ward of the .... aldermanic district of] the (town) (village) (city) of ...., county of ....; that I have resided in the state less than ~~28~~ 10 consecutive days, that I am qualified to vote for president and vice president at the election to be held November ...., ... (year), that I am not voting at any other place in this election and that I hereby make application for an official presidential ballot, in accordance with section 6.15 of the Wisconsin statutes.

Signed ....

P.O. Address ....

Subscribed and sworn to before me this .... day of ...., ... (year)

....(Name)

....(Title)

SECTION 16. 6.15 (4) (b) of the statutes is amended to read:

6.15 **(4)** (b) During polling hours, or between 7 a.m. and 8 p.m. on the day before the election if authorized for that election under s. 7.525, the inspectors shall open each carrier envelope, announce the elector's name, check the affidavit for proper execution, and check the voting qualifications for the ward, if any. In municipalities where absentee ballots are canvassed under s. 7.52, the municipal board of absentee ballot canvassers shall perform this function at a meeting of the board of absentee ballot canvassers.

SECTION 17. 6.18 (form) of the statutes is amended to read:

6.18 (form) This form shall be returned to the municipal clerk's office. Application must be received in sufficient time for ballots to be mailed and returned prior to any presidential election at which applicant wishes to vote. Complete all statements in full.

APPLICATION FOR PRESIDENTIAL

ELECTOR'S ABSENTEE BALLOT

(To be voted at the Presidential Election

on November ...., ... (year)

I, ... hereby swear or affirm that I am a citizen of the United States, formerly residing at .... in the .... ward .... aldermanic district (city, town, village) of ...., County of .... for ~~28~~ 10 consecutive days prior to leaving the State of Wisconsin. I, ... do solemnly swear or affirm that I do not qualify to register or vote under the laws of the State of ....(State you now reside in) where I am presently residing. A citizen must be a resident of: State ....(Insert time) County ....(Insert time) City, Town or Village ....(Insert time), in order to be eligible to register or vote therein. I further swear or affirm that my legal residence was established in the State of ....(the State where you now reside) on .... Month .... Day .... Year.

Signed ....

Address ....(Present address)

....(City) ....(State)

Subscribed and sworn to before me this .... day of .... (year)

....(Notary Public, or other officer authorized to administer oaths.)

....(County)

My Commission expires

MAIL BALLOT TO:

NAME ....

ADDRESS ....

CITY .... STATE .... ZIP CODE ....

Penalties for Violations. Whoever swears falsely to any absent elector affidavit under this section may be fined not more than $1,000 or imprisoned for not more than

6 months or both. Whoever intentionally votes more than once in an election may be fined not more than $10,000 or imprisoned for not more than 3 years and 6 months or both.

....(Municipal Clerk)

....(Municipality)

SECTION 18. 6.22 (7) of the statutes is amended to read:

6.22 **(7)** EXTENSION OF PRIVILEGE. This section applies to all military electors for ~~28~~ 10 days after the date of discharge from a uniformed service or termination of services or employment of individuals specified in sub. (1) (b) 1. to 4.

SECTION 19. 6.256 of the statutes is created to read:

6.256 Facilitating registration of electors. (1) The commission shall use all feasible means to facilitate the registration of all eligible electors of this state and the maintenance of the registration of all eligible electors for so long as they remain eligible.

(2) Subject to s. 343.14 (2p) (b), for the purpose of carrying out its functions under sub. (1), the commission shall obtain the following information from the department of transportation, to the extent that the department has the information:

(a) The full name of each individual who holds a current operator's license issued to the individual under ch. 343 or a current identification card issued to the individual under s. 343.50, together with the following information pertaining to that individual:

1. The current address of the individual together with any address history and any name history maintained by the department of transportation.

2. The date of birth of the individual.

3. The number of the license or identification card issued to the individual.

4. A copy of each document that the applicant provided as proof of citizenship and a statement from the department of transportation indicating that the department verified the applicant's citizenship.

(b) For each item of information specified in par. (a), the most recent date that the item of information was provided to or obtained by the department of transportation.

(3) The commission shall compare the information obtained under sub. (2) with the information in the registration list under s. 6.36 (1) (a). If the commission finds any discrepancy between the information obtained under sub. (2) regarding an elector and the information in the registration list under s. 6.36 (1) (a) regarding that elector, the commission shall attempt to contact the elector to resolve the discrepancy and update the registration list accordingly. If the commission is unable to resolve the discrepancy, the information in the registration list shall control.

(4) If the commission concludes that an individual appears eligible to vote in this state but is not registered and the commission has obtained from reliable sources all the information required under s. 6.33 (1) to complete the individual's registration, the commission shall enter the individual's name on the registration list maintained under s. 6.36 (1) (a). If the commission has not obtained from reliable sources all the information pertaining to an individual that is required under s. 6.33 (1), the commission shall attempt to obtain from reliable sources the necessary information under s. 6.33 (1) that is required to complete the individual's registration. If an elector's status has been changed from eligible to ineligible under s. 6.50 and the elector's eligibility, name, or residence has not changed, the commission may not change the individual's name to eligible status unless the

commission first verifies that the individual is eligible and wishes to change his or her status to eligible.

(5) The commission shall attempt to contact an individual described in sub. (4) if necessary to obtain all the information specified in s. 6.33 (1) pertaining to the individual that is required to complete the individual's registration.

(6) The commission shall mail a notice to each individual whose name the commission enters under sub. (4) on the registration list maintained under s. 6.36 (1) (a). The notice shall be printed in English, Spanish, and other languages spoken by a significant number of state residents, as determined by the commission, and shall include all of the following:

(a) A statement informing the individual that his or her name has been entered on the registration list and showing the current address for the individual based on the commission's records.

(b) A statement informing the individual that he or she may request to have his or her name deleted from the registration list and instructions for doing so.

(c) Instructions for notifying the commission of a change in name or address.

(d) Instructions for obtaining a confidential listing under s. 6.47 (2) and a description of how an individual qualifies for a confidential listing.

(7) Any individual may file a request with the commission to exclude his or her name from the registration list maintained under s. 6.36 (1) (a). Any individual whose name is added to the registration list by the commission may file a request with the commission or a municipal clerk to have his or her name deleted from the list. A request for exclusion or deletion shall be filed in the manner prescribed by the commission. An individual who files an exclusion or deletion request under this subsection may revoke his or her request by the same means that an individual may

request an exclusion or deletion. The commission shall ensure that the name of any individual who has filed an exclusion or deletion request under this subsection is excluded from the registration list or, if the individual's name appears on the list, is removed from the registration list and is not added to the list at any subsequent time unless the individual files a revocation of his or her request under this subsection.

(8) If the commission removes from the registration list maintained under s. 6.36 (1) (a) the name of an elector who does not request that his or her name be deleted, or changes the elector's status from eligible to ineligible, other than to correct an entry that the commission determines to be a duplication or to change the name of an individual who is verified to be deceased to ineligible status, the commission shall mail the individual a notice of the removal or change in status by 1st class postcard at the individual's last–known address. The notice shall provide that the individual may apply to have his or her status changed to eligible if he or she is a qualified elector.

(9) The commission shall attempt to facilitate the initial registration of all eligible electors as soon as practicable.

(10) The commission shall maintain the confidentiality of all information obtained from the department of transportation under sub. (2) and may use this information only for the purpose of carrying out its functions under sub. (1) and s. 6.34 (2m) and in accordance with the agreement under s. 85.61 (1).

SECTION 20. 6.29 (2) (a) of the statutes is amended to read:

6.29 **(2)** (a) Any qualified elector of a municipality who has not previously filed a registration form or whose name does not appear on the registration list of the municipality may register after the close of registration but not later than 5 p.m. or the close of business, whichever is later, on the Friday before an election at the office

of the municipal clerk and at the office of the clerk's agent if the clerk delegates responsibility for electronic maintenance of the registration list to an agent under s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2), a registration form containing all information required under s. 6.33 (1). The registration form shall also contain the following certification: "I, ..., hereby certify that, to the best of my knowledge, I am a qualified elector, having resided at ... for at least ~~28~~ 10 consecutive days immediately preceding this election, and I have not voted at this election". The elector shall also provide proof of residence under s. 6.34.

SECTION 21. 6.29 (2) (e) of the statutes is created to read:

6.29 **(2)** (e) The municipal clerk or clerk's agent shall promptly add the names of qualified electors who register and vote under this section to the registration list maintained under s. 6.36 (1) (a). The clerk or clerk's agent shall add the names of qualified electors who vote at their polling places in the manner prescribed in s. 6.33 (5) (a).

SECTION 22. 6.33 (2) (a) of the statutes is amended to read:

6.33 **(2)** (a) All information may be recorded by any person, except that the clerk shall record the ward and aldermanic district, if any, other geographic information under sub. (1), the indication of whether the registration is received by mail, and the type of identifying document submitted by the elector as proof of residence under s. 6.34 or the indication of verification of information in lieu of proof of residence under s. 6.34 (2m). Except as provided in s. 6.30 (5), each elector shall sign his or her own name unless the elector is unable to sign his or her name due to physical disability. In such case, the elector may authorize another elector to sign the form on his or her behalf. If the elector so authorizes, the elector signing the form shall attest to a

statement that the application is made upon request and by authorization of a named elector who is unable to sign the form due to physical disability.

SECTION 23. 6.35 (3) of the statutes is amended to read:

6.35 **(3)** ~~Original~~ Except for electronic registrations, original registration forms shall be maintained in the office of the municipal clerk or board of election commissioners at all times. The commission shall maintain records of registrations that are entered electronically under s. 6.30 (5) and make such records available for inspection by the municipal clerk, the clerk's designated agent, or the board of election commissioners.

SECTION 24. 6.55 (2) (a) (form) of the statutes is amended to read:

6.55 **(2)** (a) (form) "I, ..., hereby certify that, to the best of my knowledge, I am a qualified elector, having resided at .... for at least ~~28~~ 10 consecutive days immediately preceding this election, and I have not voted at this election."

SECTION 25. 6.85 (2) of the statutes is amended to read:

6.85 **(2)** Any otherwise qualified elector who changes residence within this state by moving to a different ward or municipality later than ~~28~~ 10 days prior to an election may vote an absentee ballot in the ward or municipality where he or she was qualified to vote before moving.

SECTION 26. 6.86 (1) (b) of the statutes is amended to read:

6.86 **(1)** (b) Except as provided in this section, if application is made by mail, the application shall be received no later than 5 p.m. on the 5th day immediately preceding the election. If application is made in person, the application shall be made ~~no earlier than 14 days preceding the election and~~ no later than ~~the Sunday~~ 7 p.m. on the Friday preceding the election. No application may be received on a legal holiday. A municipality shall specify the hours in the notice under s. 10.01 (2) (e).

The municipal clerk or an election official shall witness the certificate for any in–person absentee ballot cast. Except as provided in par. (c), if the elector is making written application for an absentee ballot at the partisan primary, the general election, the presidential preference primary, or a special election for national office, and the application indicates that the elector is a military elector, as defined in s. 6.34 (1), the application shall be received by the municipal clerk no later than 5 p.m. on election day. If the application indicates that the reason for requesting an absentee ballot is that the elector is a sequestered juror, the application shall be received no later than 5 p.m. on election day. If the application is received after 5 p.m. on the Friday immediately preceding the election, the municipal clerk or the clerk's agent shall immediately take the ballot to the court in which the elector is serving as a juror and deposit it with the judge. The judge shall recess court, as soon as convenient, and give the elector the ballot. The judge shall then witness the voting procedure as provided in s. 6.87 and shall deliver the ballot to the clerk or agent of the clerk who shall deliver it to the ~~polling place~~ election inspectors of the proper ward or election district or, in municipalities where absentee ballots are canvassed under s. 7.52, to the municipal clerk as required in s. 6.88. If application is made under sub. (2) or (2m), the application may be received no later than 5 p.m. on the Friday immediately preceding the election.

SECTION 27. 6.86 (3) (c) of the statutes is amended to read:

6.86 **(3)** (c) An application under par. (a) 1. may be made and a registration form under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier than 7 days before an election and not later than 5 p.m. on the day of the election. A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by the municipal clerk and used to check that the electors vote only once, and by

absentee ballot. ~~If~~ Except as provided in s. 6.34 (2m), if the elector is registering for the election after the close of registration or if the elector registered by mail and has not voted in an election in this state, the municipal clerk shall inform the agent that proof of residence under s. 6.34 is required and the elector shall enclose proof of residence under s. 6.34 in the envelope with the ballot. The clerk shall verify that the name on any required proof of identification presented by the agent conforms to the name on the elector's application. The clerk shall then enter his or her initials on the carrier envelope indicating that the agent presented proof of identification to the clerk. The agent is not required to enter a signature on the registration list. The ballot shall be sealed by the elector and returned to the municipal clerk either by mail or by personal delivery of the agent; but if the ballot is returned on the day of the election, the agent shall make personal delivery to the polling place serving the hospitalized elector's residence before the closing hour or, in municipalities where absentee ballots are canvassed under s. 7.52, to the municipal clerk no later than 8 p.m. on election day.

SECTION 28. 6.87 (2) (form) of the statutes is amended to read:

6.87 **(2)** (form)

[STATE OF ....

County of ....]

or

[(name of foreign country and city or other jurisdictional unit)]

I, ..., certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false statements, that I am a resident of the [.... ward of the] (town) (village) of ...., or of the .... aldermanic district in the city of ...., residing at ....* in said city, the county of ...., state of Wisconsin, and am entitled to vote in the (ward) (election district) at

the election to be held on ....; that I am not voting at any other location in this election; that I am unable or unwilling to appear at the polling place in the (ward) (election district) on election day or have changed my residence within the state from one ward or election district to another later than ~~28~~ 10 days before the election. I certify that I exhibited the enclosed ballot unmarked to the witness, that I then in (his) (her) presence and in the presence of no other person marked the ballot and enclosed and sealed the same in this envelope in such a manner that no one but myself and any person rendering assistance under s. 6.87 (5), Wis. Stats., if I requested assistance, could know how I voted.

Signed ....

Identification serial number, if any: ....

The witness shall execute the following:

I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false statements, certify that I am an adult U.S. citizen** and that the above statements are true and the voting procedure was executed as there stated. I am not a candidate for any office on the enclosed ballot (except in the case of an incumbent municipal clerk). I did not solicit or advise the elector to vote for or against any candidate or measure.

....(Printed name)

....(Address)***

Signed ....

* — An elector who provides an identification serial number issued under s. 6.47 (3), Wis. Stats., need not provide a street address.

** — An individual who serves as a witness for a military elector or an overseas elector voting absentee, regardless of whether the elector qualifies as a resident of

Wisconsin under s. 6.10, Wis. Stats., need not be a U.S. citizen but must be 18 years of age or older.

*** — If this form is executed before 2 special voting deputies under s. 6.875 (6), Wis. Stats., both deputies shall witness and sign.

SECTION 29. 6.87 (6) of the statutes is amended to read:

6.87 **(6)** The ballot shall be returned so it is delivered to the ~~polling place~~ election inspectors of the proper ward or election district no later than 8 p.m. on election day. Except in municipalities where absentee ballots are canvassed under s. 7.52, if the municipal clerk receives an absentee ballot on election day, the clerk shall secure the ballot and cause the ballot to be delivered to the polling place serving the elector's residence before 8 p.m. Any ballot not mailed or delivered as provided in this subsection may not be counted.

SECTION 30. 6.88 (1) of the statutes is amended to read:

6.88 **(1)** When an absentee ballot arrives at the office of the municipal clerk, or at an alternate site under s. 6.855, if applicable, the clerk shall enclose it, unopened, in a carrier envelope which shall be securely sealed and endorsed with the name and official title of the clerk, and the words "This envelope contains the ballot of an absent elector and must be opened ~~in the same room where votes are being cast at the polls during polling hours on election day or, in municipalities where absentee ballots are canvassed under s. 7.52, stats., at a meeting of the municipal board of absentee ballot canvassers under s. 7.52, stats~~ only as provided by law." If the elector is a military elector, as defined in s. 6.34 (1), or an overseas elector, regardless of whether the elector qualifies as a resident of this state under s. 6.10, and the ballot was received by the elector by facsimile transmission or electronic mail and is accompanied by a separate certificate, the clerk shall enclose the ballot in a

certificate envelope and securely append the completed certificate to the outside of the envelope before enclosing the ballot in the carrier envelope. The clerk shall keep the ballot in the clerk's office or at the alternate site, if applicable until delivered, as required in sub. (2).

SECTION 31. 6.88 (3) (a) of the statutes is amended to read:

6.88 **(3)** (a) Except in municipalities where absentee ballots are canvassed under s. 7.52, at any time between the opening and closing of the polls on election day, or between 7 a.m. and 8 p.m. on the day before the election if authorized for that election under s. 7.525, the inspectors shall, in the same room where votes are being cast, or in the place where absentee ballots begin being canvassed early under s. 7.525, in such a manner that members of the public can hear and see the procedures, open the carrier envelope only, and announce the name of the absent elector or the identification serial number of the absent elector if the elector has a confidential listing under s. 6.47 (2). When the inspectors find that the certification has been properly executed, the applicant is a qualified elector of the ward or election district, and the applicant has not voted in the election, they shall enter an indication on the poll list next to the applicant's name indicating an absentee ballot is cast by the elector. They shall then open the envelope containing the ballot in a manner so as not to deface or destroy the certification thereon. The inspectors shall take out the ballot without unfolding it or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If the poll list indicates that proof of residence under s. 6.34 is required and proof of residence is enclosed, the inspectors shall enter both the type of identifying document submitted by the absent elector and the name of the entity or institution that issued the identifying document on the poll list in the space

provided. If the poll list indicates that proof of residence under s. 6.34 is required and no proof of residence is enclosed or the name or address on the document that is provided is not the same as the name and address shown on the poll list, the inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall then deposit the ballot into the proper ballot box and enter the absent elector's name or voting number after his or her name on the poll list in the same manner as if the elector had been present and voted in person.

SECTION 32. 6.94 of the statutes is amended to read:

6.94 Challenged elector oath. If the person challenged refuses to answer fully any relevant questions put to him or her by the inspector under s. 6.92, the inspectors shall reject the elector's vote. If the challenge is not withdrawn after the person offering to vote has answered the questions, one of the inspectors shall administer to the person the following oath or affirmation: "You do solemnly swear (or affirm) that: you are 18 years of age; you are a citizen of the United States; you are now and for ~~28~~ 10 consecutive days have been a resident of this ward except under s. 6.02 (2); you have not voted at this election; you have not made any bet or wager or become directly or indirectly interested in any bet or wager depending upon the result of this election; you are not on any other ground disqualified to vote at this election". If the person challenged refuses to take the oath or affirmation, the person's vote shall be rejected. If the person challenged answers fully all relevant questions put to the elector by the inspector under s. 6.92, takes the oath or affirmation, and fulfills the applicable registration requirements, and if the answers to the questions given by the person indicate that the person meets the voting qualification requirements, the person's vote shall be received.

SECTION 33. 7.52 (1) (a) of the statutes is amended to read:

7.52 **(1)** (a) The governing body of any municipality may provide by ordinance that, in lieu of canvassing absentee ballots at polling places under s. 6.88, the municipal board of absentee ballot canvassers designated under s. 7.53 (2m) shall, at each election held in the municipality, canvass all absentee ballots received by the municipal clerk by 8 p.m. on election day. Prior to enacting an ordinance under this subsection, the municipal clerk or board of election commissioners of the municipality shall notify the elections commission in writing of the proposed enactment and shall consult with the elections commission concerning administration of this section. At every election held in the municipality following enactment of an ordinance under this subsection, the board of absentee ballot canvassers shall, between 7 a.m. and 8 p.m. on the day before the election if authorized for that election under s. 7.525 or any time after the opening of the polls and before 10 p.m. on election day, publicly convene to count the absentee ballots for the municipality. The municipal clerk shall give at least 48 hours' notice of any meeting under this subsection. Any member of the public has the same right of access to a meeting of the municipal board of absentee ballot canvassers under this subsection that the individual would have under s. 7.41 to observe the proceedings at a polling place. The board of absentee ballot canvassers may order the removal of any individual exercising the right to observe the proceedings if the individual disrupts the meeting.

SECTION 34. 7.52 (5) (b) of the statutes is amended to read:

7.52 **(5)** (b) For the purpose of deciding upon ballots that are challenged for any reason, the board of absentee ballot canvassers may call before it any person whose absentee ballot is challenged if the person is available to be called. If the person challenged refuses to answer fully any relevant questions put to him or her by the

board of absentee ballot canvassers under s. 6.92, the board of absentee ballot canvassers shall reject the person's vote. If the challenge is not withdrawn after the person offering to vote has answered the questions, one of the members of the board of absentee ballot canvassers shall administer to the person the following oath or affirmation: "You do solemnly swear (or affirm) that: you are 18 years of age; you are a citizen of the United States; you are now and for ~~28~~ 10 consecutive days have been a resident of this ward except under s. 6.02 (2), stats.; you have not voted at this election; you have not made any bet or wager or become directly or indirectly interested in any bet or wager depending upon the result of this election; you are not on any other ground disqualified to vote at this election." If the person challenged refuses to take the oath or affirmation, the person's vote shall be rejected. If the person challenged answers fully all relevant questions put to the elector by the board of absentee ballot canvassers under s. 6.92, takes the oath or affirmation, and fulfills the applicable registration requirements, and if the answers to the questions given by the person indicate that the person meets the voting qualification requirements, the person's vote shall be received.

SECTION 35. 7.52 (10) of the statutes is created to read:

7.52 **(10)** If, subject to s. 7.525, absentee ballots begin being canvassed under this section on the day before the election, no action under subs. (4) to (8) may be performed before election day.

SECTION 36. 7.525 of the statutes is created to read:

7.525 Early canvassing of absentee ballots. (1) AUTHORIZING EARLY CANVASSING; REQUIREMENTS. (a) 1. The municipal clerk or municipal board of election commissioners may elect to begin the canvassing of absentee ballots received by the municipal clerk on the day before any election.

2. Prior to the canvass under subd. 1., the municipal clerk or municipal board of election commissioners shall notify the elections commission in writing and shall consult with the elections commission concerning administration of this section.

(b) Ballots may be canvassed early under this section only between 7 a.m. and 8 p.m. on the day before the election and may not be tallied until after the polls close on election day.

(c) Any member of the public has the same right of access to a place where absentee ballots are being canvassed early under this section that the individual would have under s. 7.41 to observe the proceedings at a polling place.

(d) When not in use, automatic tabulating equipment used for purposes of this section and the areas where the programmed media, memory devices, and ballots are housed shall be secured with tamper–evident security seals in a double–lock location such as a locked cabinet inside a locked office.

(e) No person may act in any manner that would give him or her the ability to know or to provide information on the accumulating or final results from the ballots canvassed early under this section before the close of the polls on election day. A person who violates this paragraph is guilty of a Class I felony.

(2) NOTICE REQUIREMENTS. Absentee ballots may not begin being canvassed early under this section for any election unless all of the following apply:

(a) At least 70 days before the election the municipal clerk or executive director of the municipal board of election commissioners notifies in writing the county clerk or executive director of the county board of election commissioners that early canvassing of absentee ballots will take place in the election.

(b) The notice under s. 10.01 (2) (e) specifies the date and time during which, and each location where, the early canvassing of absentee ballots will be conducted.

SECTION 37. 8.50 (intro.) of the statutes is amended to read:

8.50 Special elections. (intro.) Unless otherwise provided, this section applies to filling vacancies in the U.S. senate and house of representatives, executive state offices except the offices of governor, lieutenant governor, and district attorney, judicial and legislative state offices, county, city, village, and town offices, and the offices of municipal judge and member of the board of school directors in school districts organized under ch. 119. State legislative offices may be filled in anticipation of the occurrence of a vacancy whenever authorized in sub. (4) (e). ~~No~~ Except as provided in sub. (4m), no special election may be held after February 1 preceding the spring election unless it is held on the same day as the spring election, nor after August 1 preceding the general election unless it is held on the same day as the general election, until the day after that election. If the special election is held on the day of the general election, the primary for the special election, if any, shall be held on the day of the partisan primary. If the special election is held on the day of the spring election, the primary for the special election, if any, shall be held on the day of the spring primary.

SECTION 38. 8.50 (2) of the statutes is amended to read:

8.50 **(2)** DATE OF SPECIAL ELECTION. (a) ~~The~~ Except as provided in sub. (4m), the date for the special election shall be not less than 62 nor more than 77 days from the date of the order except when ~~the special election is held to fill a vacancy in a national office or~~ the special election is held on the day of the general election or spring election. If a special election is held concurrently with the spring election, the special election may be ordered not earlier than 92 days prior to the spring primary and not later than 49 days prior to that primary. If a special election is held concurrently with the general election ~~or a special election is held to fill a national office~~, the special

election may be ordered not earlier than 122 days prior to the partisan primary or special primary, respectively, and not later than 92 days prior to that primary.

(b) ~~If~~ Except as provided in sub. (4m), if a primary is required, the primary shall be on the day 4 weeks before the day of the special election except when the special election is held on the same day as the general election the special primary shall be held on the same day as the partisan primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary, and except when the special election is held on the Tuesday after the first Monday in November of an odd–numbered year, the primary shall be held on the 2nd Tuesday of August in that year.

SECTION 39. 8.50 (3) (a) of the statutes is amended to read:

8.50 **(3)** (a) ~~Nomination~~ Except as provided in sub. (4m), nomination papers may be circulated no sooner than the day the order for the special election is filed and shall be filed not later than 5 p.m. 28 days before the day that the special primary will or would be held, if required, except when a special election is held concurrently with the spring election or general election, the deadline for filing nomination papers shall be specified in the order and the date shall be no earlier than the date provided in s. 8.10 (2) (a) or 8.15 (1), respectively, and no later than 35 days prior to the date of the spring primary or no later than June 1 preceding the partisan primary. Nomination papers may be filed in the manner specified in s. 8.10, 8.15, or 8.20. Each candidate shall file a declaration of candidacy in the manner provided in s. 8.21 no later than the latest time provided in the order for filing nomination papers. If a candidate for state or local office has not filed a registration statement under s. 11.0202 (1) (a) at the time he or she files nomination papers, the candidate shall file the statement with the papers. A candidate for state office shall also file a statement

of economic interests with the ethics commission no later than the end of the 3rd day following the last day for filing nomination papers specified in the order.

SECTION 40. 8.50 (4) (b) of the statutes is repealed.

SECTION 41. 8.50 (4m) of the statutes is created to read:

8.50 **(4m)** SPECIAL ELECTIONS FOR NATIONAL OFFICE. (a) Except as provided in par. (b), a vacancy in the office of U.S. senator or representative in congress shall be filled as soon as practicable in the following manner:

1. At a special election to be held on the 3rd Tuesday in May following the first day of the vacancy. The special primary shall be held concurrently with the spring primary on the 3rd Tuesday in February. The first day for circulating nomination papers shall be November 1 and the papers shall be filed no later 5 p.m. on the first Tuesday in December preceding the primary.

2. At a special election to be held on the 2nd Tuesday in August following the first day of the vacancy. The special primary shall be held on the 3rd Tuesday in May in that year. The first day for circulating nomination papers shall be February 1 and the papers shall be filed no later than 5 p.m. on the first Tuesday in March.

3. At a special election to be held on the Tuesday after the first Monday in November following the first day of the vacancy. The special primary shall be held on the 2nd Tuesday in August in that year. Nomination papers shall be circulated and as filed as provided under s. 8.15.

(b) A special election shall not be held under par. (a) 3. in any year in which the general election is held for that office, but, instead, the vacancy shall be filled at the partisan primary and general election.

(c) A vacancy filled under par. (a) shall be for the residue of the unexpired term.

SECTION 42. 13.124 of the statutes is repealed.

SECTION 43. 13.127 of the statutes is repealed.

SECTION 44. 13.365 of the statutes is repealed.

SECTION 45. 13.48 (20m) (c) of the statutes is amended to read:

13.48 **(20m)** (c) The building commission may authorize up to $25,000,000 in general fund supported borrowing under par. (b), including up to $3,000,000 for the project described in par. (d).

SECTION 46. 13.48 (20m) (d) of the statutes is created to read:

13.48 **(20m)** (d) 1. The legislature finds and determines that supporting entrepreneurs and innovators, providing facilities for job training, and promoting dynamic community revitalization and development are of vital importance in creating jobs and contributing to economic development and tourism in this state and are statewide responsibilities of statewide dimension. It is therefore in the public interest, and it is the public policy of this state, to assist the Incourage Community Foundation, Inc., in redeveloping the former Daily Tribune building in the city of Wisconsin Rapids into an economic and community hub.

2. The building commission may under this subsection assist the Incourage Community Foundation, Inc., in redeveloping the former Daily Tribune building in the city of Wisconsin Rapids into an economic and community hub. The state funding commitment shall be in the form of a grant to the Incourage Community Foundation, Inc. Before approving any state funding commitment for redeveloping the former Daily Tribune building, the building commission shall determine that the Incourage Community Foundation, Inc., has secured additional funding for the project from nonstate revenue sources at least equal to the state's grant.

3. If the building commission authorizes a grant to the Incourage Community Foundation, Inc., under subd. 2., and if, for any reason, the facility that is

redeveloped with funds from the grant is not used for an economic and community hub, the state shall retain an ownership interest in the facility equal to the amount of the state's grant.

SECTION 47. 13.48 (26) of the statutes is amended to read:

13.48 **(26)** ENVIRONMENTAL IMPROVEMENT ANNUAL FINANCE PLAN APPROVAL. The building commission shall review the versions of the biennial finance plan and any amendments to the biennial finance plan submitted to it by the department of natural resources and the department of administration under s. 281.59 (3) (bm) and the recommendations of the joint committee on finance and the standing committees to which the versions of the biennial finance plan and any amendments were submitted under s. 281.59 (3) (bm). The building commission shall consider the extent to which that version of the biennial finance plan that is updated to reflect the adopted biennial budget act will maintain the funding for the clean water fund program and the safe drinking water loan program, in the environmental improvement fund, in perpetuity. The building commission shall consider the extent to which the implementation of the clean water fund program~~,~~ and the safe drinking water loan program ~~and the land recycling loan program~~, as set forth in the biennial finance plan updated to reflect the adopted biennial budget act, implements legislative intent on the clean water fund program~~,~~ and the safe drinking water loan program ~~and the land recycling loan program~~. The building commission shall, no later than 60 days after the date of enactment of the biennial budget act, either approve or disapprove the biennial finance plan that is updated to reflect the adopted biennial budget act. If the building commission disapproves the version of the biennial finance plan that is updated to reflect the adopted biennial budget act, it must notify the department of natural resources and the department of

administration of its reasons for disapproving the plan, and those departments must revise that version of the biennial finance plan and submit the revision to the building commission.

SECTION 48. 13.48 (26m) of the statutes is created to read:

13.48 **(26m)** LEAD SERVICE LINE REPLACEMENT. The legislature finds and determines that the prevalence of lead service lines in connections to public water systems poses a public health hazard and that processes for reducing lead entering drinking water from such pipes requires additional treatment of wastewater. It is therefore in the public interest, and it is the public policy of this state, to assist private users of public water systems in replacing lead service lines.

SECTION 49. 13.56 (2) of the statutes is amended to read:

13.56 **(2)** PARTICIPATION IN CERTAIN PROCEEDINGS. The cochairpersons of the joint committee for review of administrative rules or their designated agents shall accept service made under ss. 227.40 (5) and 806.04 (11). If the committee determines that the legislature should be represented in the proceeding, it shall request the joint committee on legislative organization to ~~intervene in~~ designate the legislature's representative for the proceeding ~~as provided under s. 806.04 (11)~~. The costs of participation in the proceeding shall be paid equally from the appropriations under s. 20.765 (1) (a) and (b), except that such costs incurred by the department of justice shall be paid from the appropriation under s. 20.455 (1) (d).

SECTION 50. 13.75 (1g) (b) of the statutes is amended to read:

13.75 **(1g)** (b) Filing the principal registration form under s. 13.64, ~~$375~~ $430.

SECTION 51. 13.75 (1g) (d) of the statutes is amended to read:

13.75 **(1g)** (d) Filing an authorization statement under s. 13.65, ~~$125~~ $180.

SECTION 52. 13.90 (2) of the statutes is amended to read:

13.90 **(2)** The cochairpersons of the joint committee on legislative organization or their designated agent shall accept service made under ~~ss.~~ s. 806.04 (11) ~~and 893.825 (2)~~. If the committee, the senate organization committee, or the assembly organization committee determines that the legislature should ~~intervene~~ be represented in the proceeding ~~as provided under s. 803.09 (2m), the assembly shall represent the assembly, the senate shall represent the senate, and the joint committee on legislative organization shall represent the legislature~~, that committee shall designate the legislature's representative for the proceeding. The costs of participation in the proceeding shall be paid equally from the appropriations under s. 20.765 (1) (a) and (b), except that such costs incurred by the department of justice shall be paid from the appropriation under s. 20.455 (1) (d).

SECTION 53. 13.94 (intro.) of the statutes is amended to read:

13.94 Legislative audit bureau. (intro.) There is created a bureau to be known as the "Legislative Audit Bureau," headed by a chief known as the "State Auditor." The bureau shall be strictly nonpartisan and shall at all times observe the confidential nature of any audit currently being performed. Subject to s. 230.35 (4) (a) and (f), the state auditor or designated employees shall at all times with or without notice have access to all departments and to any books, records, or other documents maintained by the departments and relating to their expenditures, revenues, operations, and structure, including specifically any such books, records, or other documents that are confidential by law, except as provided in sub. (4) and except that access to documents of counties, cities, villages, towns, or school districts is limited to work performed in connection with audits authorized under sub. (1) (m) ~~and except that access to documents of the opportunity schools and partnership programs under s. 119.33, subch. IX of ch. 115, and subch. II of ch. 119 is limited to~~

~~work performed in connection with audits authorized under sub. (1) (os)~~. In the discharge of any duty imposed by law, the state auditor may subpoena witnesses, administer oaths and take testimony and cause the deposition of witnesses to be taken as prescribed for taking depositions in civil actions in circuit courts.

SECTION 54. 13.94 (1) (b) of the statutes is amended to read:

13.94 **(1)** (b) At the state auditor's discretion or as the joint legislative audit committee directs, audit the records of each department. Audits of the records of a county, city, village, town, or school district may be performed only as provided in par. (m). ~~Audits of the records of the opportunity schools and partnership programs under s. 119.33, subch. IX of ch. 115, and subch. II of ch. 119 may be performed only as provided in par. (os).~~ After completion of any audit under this paragraph, the bureau shall file with the chief clerk of each house of the legislature, the governor, the department of administration, the legislative reference bureau, the joint committee on finance, the legislative fiscal bureau, and the department audited, a detailed report of the audit, including the bureau's recommendations for improvement and efficiency and including specific instances, if any, of illegal or improper expenditures. The chief clerks shall distribute the report to the joint legislative audit committee, the appropriate standing committees of the legislature, and the joint committee on legislative organization.

SECTION 55. 13.94 (1) (e) of the statutes is amended to read:

13.94 **(1)** (e) Make such special examinations of the accounts and financial transactions of any department, agency, or officer as the legislature, joint legislative audit committee, or joint committee on legislative organization directs. Examinations of the accounts and transactions of a county, city, village, town, or,

~~subject to par. (os), of a~~ school district~~,~~ may be performed only as authorized in par. (m).

SECTION 56. 13.94 (1) (os) of the statutes is repealed.

SECTION 57. 13.94 (1s) (a) of the statutes is amended to read:

13.94 **(1s)** (a) Except as otherwise provided in par. (c), the legislative audit bureau may charge any department for the reasonable cost of auditing services performed at the request of a department or at the request of the federal government that the bureau is not required to perform under sub. (1) (b) or (c) or any other law. This paragraph does not apply to counties, cities, villages, towns, or school districts ~~or to the opportunity schools and partnership programs under sub. (1) (os)~~.

SECTION 58. 14.46 of the statutes is created to read:

14.46 Assistant secretary of state. The secretary of state may appoint an assistant secretary of state who may perform and execute any duty or power of the secretary of state, except duties and powers the secretary of state performs as a member of the board of commissioners of public lands. The assistant secretary of state shall take and file the official oath and shall file an official bond in the sum and with the conditions as the secretary of state prescribes.

SECTION 59. 15.01 (6) of the statutes is amended to read:

15.01 **(6)** "Division," "bureau," "section," and "unit" means the subunits of a department or an independent agency, whether specifically created by law or created by the head of the department or the independent agency for the more economic and efficient administration and operation of the programs assigned to the department or independent agency. The office of credit unions and the office of the student loan ombudsman in the department of financial institutions, the office of the inspector general in the department of children and families, the office of the inspector general

in the department of health services, and the office of children's mental health in the department of health services have the meaning of "division" under this subsection. The office of the long–term care ombudsman under the board on aging and long–term care and the office of educational accountability in the department of public instruction have the meaning of "bureau" under this subsection.

SECTION 60. 15.02 (1) of the statutes is amended to read:

15.02 **(1)** SEPARATE CONSTITUTIONAL OFFICES. The governor, lieutenant governor, secretary of state, and state treasurer each head a staff to be termed the "office" of the respective constitutional officer. Each of those offices shall be attached to the department of administration under s. 15.03.

SECTION 61. 15.02 (3) (c) 1. of the statutes is amended to read:

15.02 **(3)** (c) 1. The principal subunit of the department is the "division". Each division shall be headed by an "administrator". The office of credit unions and the office of the student loan ombudsman in the department of financial institutions and the office of children's mental health in the department of health services have the meaning of "division" and the director of credit unions in the department of financial institutions and the director of the office of children's mental health in the department of health services have the meaning of "administrator" under this subdivision.

SECTION 62. 15.03 of the statutes is amended to read:

15.03 Attachment for limited purposes. Any division, office, commission, council, or board attached under this section to a department or independent agency or a specified division thereof or constitutional office shall be a distinct unit of that department, independent agency, or specified division or constitutional office. Any division, office, commission, council, or board so attached shall exercise its powers,

duties, and functions prescribed by law, including rule making, licensing and regulation, and operational planning within the area of program responsibility of the division, office, commission, council, or board, independently of the head of the department or independent agency, but budgeting, program coordination, and related management functions shall be performed under the direction and supervision of the head of the department or independent agency, except that with respect to the office of the commissioner of railroads, all personnel and biennial budget requests by the office of the commissioner of railroads shall be provided to the department of transportation as required under s. 189.02 (7) and shall be processed and properly forwarded by the public service commission without change except as requested and concurred in by the office of the commissioner of railroads.

SECTION 63. 15.07 (1) (a) 3. of the statutes is amended to read:

15.07 **(1)** (a) 3. Members of the employee trust funds board appointed or elected under s. 15.16 (1) ~~(a), (b), (d) and (f)~~ (cm) 1. a. to e., 2. a. to d., and 3. shall be appointed or elected as provided in that section.

SECTION 64. 15.07 (1) (b) 15m. of the statutes is amended to read:

15.07 **(1)** (b) 15m. The members of the state fair park board appointed under s. ~~15.445 (4)~~ 15.105 (38r) (a) 3. to 5.

SECTION 65. 15.07 (1) (b) 20. of the statutes is amended to read:

15.07 **(1)** (b) 20. The 3 members of the Kickapoo reserve management board appointed under s. ~~15.445 (2)~~ 15.105 (38) (b) 3.

SECTION 66. 15.07 (2) (h) of the statutes is amended to read:

15.07 **(2)** (h) The chairperson of the state fair park board shall be designated annually by the governor from among the members appointed under s. ~~15.445 (4)~~ 15.105 (38r) (a) 3., 4. and 5.

SECTION 67. 15.07 (3) (bm) 7. of the statutes is created to read:

15.07 **(3)** (bm) 7. The prescription drug affordability review board shall meet at least 4 times each year.

SECTION 68. 15.07 (5) (f) of the statutes is amended to read:

15.07 **(5)** (f) ~~Members of the teachers retirement board, appointive members of the Wisconsin retirement board, appointive~~ Appointive members of the group insurance board, members of the deferred compensation board, and members of the employee trust funds board, $25 per day.

SECTION 69. 15.105 (34) of the statutes is created to read:

15.105 **(34)** OFFICE OF ENVIRONMENTAL JUSTICE. There is created in the department of administration an office to be known as the office of environmental justice. The office shall be under the direction and supervision of a director, who shall be appointed by the secretary of administration to serve at the pleasure of the secretary.

SECTION 70. 15.105 (35) of the statutes is created to read:

15.105 **(35)** OFFICE OF SUSTAINABILITY AND CLEAN ENERGY. There is created in the department of administration an office to be known as the office of sustainability and clean energy.

SECTION 71. 15.105 (38s) of the statutes is created to read:

15.105 **(38s)** OFFICE OF DIGITAL TRANSFORMATION. There is created in the department of administration an office of digital transformation. The office shall be under the direction and supervision of a director who shall be appointed by the secretary of administration to serve at his or her pleasure.

SECTION 72. 15.16 (1) of the statutes is repealed and recreated to read:

15.16 **(1)** EMPLOYEE TRUST FUNDS BOARD. (am) *Definitions.* In this subsection:

1. "Annuitant" has the meaning given for purposes other than group life insurance under s. 40.02 (4).

2. "Educational support personnel employee" has the meaning given in s. 40.02 (22m).

3. "Elected official" has the meaning given in s. 40.02 (24).

4. "Governing body" has the meaning given in s. 40.02 (36).

5. "Municipal employer" has the meaning given in s. 40.02 (41n).

6. "Participating employee" has the meaning given in s. 40.02 (46).

7. "Participating employer" has the meaning given in s. 40.02 (47).

8. "Protective occupation participant" has the meaning given in s. 40.02 (48).

9. "Teacher" has the meaning given in s. 40.02 (55).

(bm) *Board member status.* Any member of the employee trust funds board who loses the status upon which the appointment or election was based shall cease to be a member of the board upon appointment or election to the board of a qualified successor.

(cm) *Membership.* The employee trust funds board shall consist of the governor or the governor's designee on the group insurance board, the administrator of the division of personnel management in the department of administration or the administrator's designee, and 11 individuals appointed or elected for 4–year terms as follows:

1. To represent the interests of annuitants and participating employees, the following individuals:

a. One member who is a participating employee and who is a public school teacher, elected by participating employees meeting the same criteria. The member

elected under this subd. 1. a. may not be from the same county as the member appointed under subd. 2. e.

b. One member who is an annuitant and who retired from covered service, elected by annuitants meeting the same criteria.

c. One member who is an annuitant and who retired from covered service as a public school teacher, elected by annuitants.

d. One member who is a protective occupation participant or who retired from a protective occupation, elected by protective occupation participants meeting the same criteria.

e. One member who is a participating employee and who is an educational support personnel employee, elected by participating employees meeting the same criteria.

2. To represent the interests of participating employers, elected officials, municipal employers, and administrators, the following individuals, appointed by the governor:

a. One member who is a participating employee and who is an employee of the University of Wisconsin System or a state employee.

b. One member who is a participating employee and who is an administrator of a public school in this state.

c. One member who is a participating employee and who is an elected member of the governing body of a municipal employer that is a participating employer.

d. One member who is a participating employee as an administrator of a municipal employer that is a participating employer and who is not employed by a public school district.

e. One member who is a participating employee and who is a public school teacher. The member appointed under this subd. 2. e. may not be from the same county as the member appointed under subd. 1. a.

3. One member who is elected by participating employees and is a public member and who is not a participant in or beneficiary of the Wisconsin Retirement System, with experience in actuarial analysis, audit functions, or finance related to an employee benefit plan or experience with significant administrative responsibility for a major insurer. It is the intent of the legislature that the member elected under this subdivision shall represent the interests of the taxpayers of this state and shall not be representative of public employee or employer interests.

SECTION 73. 15.165 (title) of the statutes is amended to read:

15.165 (title) **Same; attached boards and offices.**

SECTION 74. 15.165 (1) (b) of the statutes is amended to read:

15.165 **(1)** (b) For purposes of this section, annuitants are deemed to be employees in the last position in which they were covered by the Wisconsin retirement system~~, except that annuitants may not be elected, appointed or vote under sub. (3) (a) 1., 2., 4. or 7~~.

SECTION 75. 15.165 (3) of the statutes is repealed.

SECTION 76. 15.165 (5) of the statutes is created to read:

15.165 **(5)** OFFICE OF INTERNAL AUDIT. There is created an office of internal audit that is attached to the department of employee trust funds under s. 15.03. The office shall be under the direction and supervision of an internal auditor who shall be appointed by the employee trust funds board in the classified service. The internal auditor shall report directly to the employee trust funds board.

SECTION 77. 15.185 (4) of the statutes is created to read:

15.185 **(4)** SMALL BUSINESS RETIREMENT SAVINGS BOARD. (a) There is created a small business retirement savings board that is attached to the department of financial institutions under s. 15.03. The board shall consist of the following members:

1. The state treasurer or his or her designee.

2. The secretary of financial institutions or his or her designee.

3. One member who has a favorable reputation for skill, knowledge, and experience in the field of retirement saving and investments, appointed by the governor.

4. One member who has a favorable reputation for skill, knowledge, and experience relating to small business, appointed by the governor.

5. One member who is a representative of an association representing employees or who has a favorable reputation for skill, knowledge, and experience in the interests of employees in retirement saving, appointed by the speaker of the assembly.

6. One member who has a favorable reputation for skill, knowledge, and experience in the interests of employers in retirement saving, appointed by the president of the senate.

7. One member who has a favorable reputation for skill, knowledge, and experience in retirement investment products or retirement plan designs, appointed by the state treasurer.

8. One member appointed by the investment board.

9. One member appointed, notwithstanding s. 15.07 (4), by a majority vote of all of the members identified in subds. 1. to 8.

(b) The members under par. (a) 3. to 9. shall be appointed for 4–year terms.

SECTION 78. 15.185 (6) of the statutes is created to read:

15.185 **(6)** OFFICE OF THE STUDENT LOAN OMBUDSMAN. There is created in the department of financial institutions an office of the student loan ombudsman.

SECTION 79. 15.197 (20) of the statutes is created to read:

15.197 **(20)** SPINAL CORD INJURY COUNCIL. (a) There is created in the department of health services a spinal cord injury council that, except as provided in par. (b), consists of the following members appointed by the department for 2–year terms:

1. One member representing the University of Wisconsin School of Medicine and Public Health.

2. One member representing the Medical College of Wisconsin.

3. One member who has a spinal cord injury.

4. One member who is a family member of a person with a spinal cord injury.

5. One member who is a veteran who has a spinal cord injury.

6. One member who is a physician specializing in the treatment of spinal cord injuries.

7. One member who is a researcher in the field of neurosurgery.

8. One member who is a researcher employed by the veterans health administration of the U.S. department of veterans affairs.

(b) If the department of health services is unable to appoint a member specified in par. (a) 1. to 8., the department of health services may appoint a member representing the general public in lieu of the member so specified.

SECTION 80. 15.257 (3) of the statutes is created to read:

15.257 **(3)** SENTENCING REVIEW COUNCIL. There is created in the department of justice a sentencing review council. The governor shall determine membership of and make appointments to the council.

SECTION 81. 15.347 (23) of the statutes is created to read:

15.347 **(23)** HYDROLOGIC RESTORATION AND MANAGEMENT ADVISORY COUNCIL.

(a) There is created in the department of natural resources a hydrologic restoration and management advisory council consisting of no fewer than 7 and no more than 15 members appointed by the secretary of natural resources. The secretary shall, as feasible, appoint members who represent entities such as local governments and state and federal agencies with shared regulatory jurisdiction or programmatic priorities; tribal partners; and academic, nongovernmental, and private sector partners. The secretary shall appoint members with diverse expertise in policies and practices relevant to the functions of the council, such as wetland, stream, and watershed restoration; floodplain management and hydrology; fluvial geomorphology; and hydrogeology.

(b) The hydrologic restoration and management advisory council shall do all of the following:

1. Provide input on the terms, conditions, and implementation of policies related to the review of hydrologic restoration and management projects, including the general permit for hydrologic restoration and management issued under s. 30.2065 (1g).

2. Create a forum to help increase and improve interagency coordination on the review of proposals to reconnect streams and floodplains.

3. Consider and recommend opportunities to help local governments plan, review, and implement hydrologic and floodplain restoration projects.

4. Consider and recommend policy and program changes needed to increase integration of hydrologic restoration and management strategies in state–sponsored

programs related to flood hazard mitigation, water quality improvement, and fishery and wildlife management.

5. Assist the department of natural resources with the planning and implementation of trainings on hydrologic restoration and management for state regulatory and resource management staff, local governments, restoration practitioners, and other relevant audiences.

6. Identify and address other issues related to subds. 1. to 5. and provide recommendations on those issues.

(c) The department of natural resources shall staff the council.

SECTION 82. 15.405 (6) (am) of the statutes is created to read:

15.405 **(6)** (am) Two dental therapists who are licensed under ch. 447.

SECTION 83. 15.445 (2) of the statutes is renumbered 15.105 (38), and 15.105 (38) (a), as renumbered, is amended to read:

15.105 **(38)** (a) *Creation.* There is created a Kickapoo reserve management board which is attached to the department of ~~tourism~~ administration under s. 15.03.

SECTION 84. 15.445 (4) of the statutes is renumbered 15.105 (38r), and 15.105 (38r) (a) (intro.), as renumbered, is amended to read:

15.105 **(38r)** (a) (intro.) There is created a state fair park board attached to the department of ~~tourism~~ administration under s. 15.03, consisting of the following members:

SECTION 85. 15.67 of the statutes is renumbered 15.105 (35s), and 15.105 (35s) (title), (a) (intro.) and (b), as renumbered, are amended to read:

15.105 **(35s)** (title) HIGHER EDUCATIONAL AIDS BOARD~~; CREATION~~. (a) (intro.) There is created a higher educational aids board ~~consisting~~, attached to the department of administration under s. 15.03. The board shall consist of the state superintendent

of public instruction and the following members appointed for 3–year terms, except that the members specified under ~~pars. (a) 5.~~ subds. 1. e. and ~~6.~~ f. and ~~(b) 3.~~ 2. c. shall be appointed for 2–year terms:

(b) If a student member under ~~sub. (1)~~ par. (a) loses the status upon which the appointment was based, he or she shall cease to be a member of the higher educational aids board upon appointment to the higher educational aids board of a qualified successor.

SECTION 86. 15.675 (title) of the statutes is repealed.

SECTION 87. 15.675 (1) of the statutes is renumbered 15.105 (36), and 15.105 (36) (intro.), as renumbered, is amended to read:

15.105 **(36)** DISTANCE LEARNING AUTHORIZATION BOARD. (intro.) There is created a distance learning authorization board, for higher education, that is attached to the ~~higher educational aids board~~ department of administration under s. 15.03 and that consists of all of the following members:

SECTION 88. 15.735 of the statutes is created to read:

15.735 Same; attached board. (1) There is created a prescription drug affordability review board attached to the office of the commissioner of insurance under s. 15.03. The board shall consist of the following members:

(a) The commissioner of insurance or his or her designee.

(b) Two members appointed for 4–year terms who represent the pharmaceutical drug industry, including pharmaceutical drug manufacturers and wholesalers. At least one of the members appointed under this paragraph shall be a licensed pharmacist.

(c) Two members appointed for 4–year terms who represent the health insurance industry, including insurers and pharmacy benefit managers.

(d) Two members appointed for 4–year terms who represent the health care industry, including hospitals, physicians, pharmacies, and pharmacists. At least one of the members appointed under this paragraph shall be a licensed practitioner.

(e) Two members appointed for 4–year terms who represent the interests of the public.

(2) A member appointed under sub. (1) may not be an employee of, a board member of, or a consultant to a drug manufacturer or trade association for drug manufacturers.

(3) Any conflict of interest, including any financial or personal association, that has the potential to bias or has the appearance of biasing an individual's decision in matters related to the board or the conduct of the board's activities shall be considered and disclosed when appointing that individual to the board under sub. (1).

SECTION 89. 15.76 (1m) of the statutes is created to read:

15.76 **(1m)** The secretary of employee trust funds, or the secretary's designee.

SECTION 90. 15.76 (3) of the statutes is amended to read:

15.76 **(3)** ~~Two participants~~ One participant in the Wisconsin retirement system appointed for a 6–year ~~terms, one of whom shall be a teacher participant appointed by the teacher retirement board and one of whom shall be a participant other than a teacher appointed~~ term by the ~~Wisconsin retirement board~~ employee trust funds board.

SECTION 91. 16.004 (19) of the statutes is created to read:

16.004 **(19)** ADMINISTRATIVE SERVICES. The department shall perform budgeting, program coordination, and related management functions on behalf of the department of tourism.

SECTION 92. 16.004 (25) of the statutes is created to read:

16.004 **(25)** PROCUREMENT AND RISK MANAGEMENT EDUCATIONAL SERVICES. The department may provide educational services regarding procurement and risk management, including seminars, courses, or conferences, to local governmental units, as defined in s. 16.97 (7), and private organizations. The department shall charge and collect fees sufficient to recover the costs of activities authorized under this subsection.

SECTION 93. 16.004 (26) of the statutes is created to read:

16.004 **(26)** TRIBAL RELATIONS. The secretary shall appoint a director of Native American affairs to manage relations between the state and American Indian tribes or bands in the state.

SECTION 94. 16.035 of the statutes is created to read:

16.035 Office of environmental justice. The office of environmental justice shall do all of the following:

(1) Develop a statewide climate risk assessment and resiliency plan.

(2) Assist state agencies, local governments, and federally recognized tribal governing bodies in this state with the development of climate risk assessment and resiliency plans.

(3) Administer a climate risk assessment and resiliency plan technical assistance grant program.

(4) Collaborate with state agencies and entities that serve vulnerable communities to address the impact of climate change on vulnerable communities.

(5) Assess state agencies a fee for the development of climate risk assessment and resiliency plans.

(6) Analyze grant opportunities, enforcement of environmental laws and regulations, and based on those analyses and input from residents of this state, advise and provide guidance to state entities on environmental justice and related community issues to address environmental issues and concerns that affect primarily low income and minority communities.

(7) Based on the analysis required under sub. (6), create an annual report on issues, concerns, and problems related to environmental justice, including addressing areas of this state in need of environmental justice issues that require immediate attention.

SECTION 95. 16.047 (4m) (b) of the statutes is amended to read:

16.047 **(4m)** (b) The department shall establish a program to award grants of settlement funds from the appropriation under s. 20.855 (4) (h) to eligible applicants for the replacement of public transit vehicles or the installation of charging stations for vehicles with an electric motor. Any eligible applicant may apply for a grant under the program.

SECTION 96. 16.047 (4m) (c) of the statutes is amended to read:

16.047 **(4m)** (c) The department shall award grants under this subsection on a competitive basis and shall give preference to the replacement of public transit vehicles or the installation of charging stations for vehicles with an electric motor in communities or on routes that the department determines are critical for the purpose of connecting employees with employers.

SECTION 97. 16.047 (4m) (d) of the statutes is amended to read:

16.047 **(4m)** (d) An eligible applicant may use settlement funds awarded under this subsection only for the payment of costs incurred by the eligible applicant to

replace public transit vehicles or install charging stations for vehicles with an electric motor in accordance with the settlement guidelines.

SECTION 98. 16.047 (4s) of the statutes is repealed.

SECTION 99. 16.07 of the statutes is created to read:

16.07 Grants to American Indian tribes or bands. From the appropriation under s. 20.505 (1) (kk), the department shall award grants to American Indian tribes or bands in this state. No tribe or band may be awarded grant moneys under this section that exceed the amount awarded to any other tribe or band. Each tribe or band may use grant moneys as it deems necessary to support programs to meet the needs of members of the tribe or band. No grant moneys may be used to pay gaming–related expenses.

SECTION 100. 16.09 of the statutes is created to read:

16.09 Equal opportunity internship program. (1) DEFINITIONS. In this section:

(a) "Division" means the division of personnel management.

(b) "Low–income household" means a household having an income that does not exceed 300 percent of the federal poverty line based on family size.

(c) "State agency" means any office, department, or independent agency in the executive branch of state government.

(2) PROGRAM. The division shall establish a program under which it places up to 16 interns annually with state agencies and members of the legislature, upon written request of the agency or member and upon approval of the request by the division, subject to all of the following requirements:

(a) Each intern shall be paid a stipend of at least $15 per hour for services provided to the state agency or member of the legislature. The stipend may be paid

for up to 20 hours of work per week. The stipend shall be paid from the appropriation under s. 20.505 (1) (kz).

(b) The stipend an intern receives under par. (b) shall be disregarded in establishing household income for purposes of obtaining public benefits under any state program.

SECTION 101. 16.19 of the statutes is created to read:

16.19 Civil legal services for the indigent. Annually, the department shall pay the amount appropriated under s. 20.505 (1) (e) to the Wisconsin Trust Account Foundation, Inc., to provide civil legal services to indigent persons. The Wisconsin Trust Account Foundation, Inc., shall distribute the amount received as grants to programs that provide civil legal services to indigent persons, and those programs may use the grant funds to match other federal and private grants. The grants may be used only for the purposes for which the funding was provided.

SECTION 102. 16.281 of the statutes is created to read:

16.281 Equity grant program. The department shall develop and administer a program to provide grants to public, private, and nonprofit entities in this state that promote diversity and advance equity and inclusion.

SECTION 103. 16.282 of the statutes is created to read:

16.282 Equity grants. The department shall develop and administer a grants program to provide grants to public, private, and nonprofit entities in this state that promote diversity and advance equity and inclusion.

SECTION 104. 16.283 (2) of the statutes is amended to read:

16.283 **(2)** DISABLED VETERAN-OWNED BUSINESS DATABASE. The department shall develop, maintain, and keep current a computer database of businesses, financial advisers, and investment firms certified under this section.

SECTION 105. 16.283 (3) (b) 1m. a. of the statutes is amended to read:

16.283 **(3)** (b) 1m. a. One or more disabled veterans owns ~~not less than~~ at least 51 percent of the business, financial adviser, or investment firm or, in the case of any publicly owned business, financial adviser, or investment firm, one or more disabled veterans owns ~~not less than~~ at least 51 percent of the stock of the business, financial adviser, or investment firm.

SECTION 106. 16.283 (3) (c) of the statutes is repealed.

SECTION 107. 16.285 (1) (bm) of the statutes is repealed.

SECTION 108. 16.287 (2) (dm) of the statutes is repealed.

SECTION 109. 16.288 of the statutes is created to read:

16.288 Lesbian, gay, bisexual, or transgender-owned businesses. (1) DEFINITIONS. (a) "Business" means a sole proprietorship, partnership, limited liability company, joint venture, or corporation.

(b) "Duly authorized representative" has the meaning given in s. 45.04 (1) (a).

(c) "Financial adviser" means a business that serves as an adviser with regard to the sale of evidences of indebtedness or other obligations.

(d) "Investment firm" means a business that serves as a manager, comanager, or in any other underwriting capacity with regard to the sale of evidences of indebtedness or other obligations or as a broker–dealer, as defined in s. 551.102 (4).

(e) "Useful business function" means the provision of materials, supplies, equipment, or services to customers, including the state.

(2) LESBIAN, GAY, BISEXUAL, OR TRANSGENDER-OWNED BUSINESS DATABASE. The department shall develop, maintain, and keep current a computer database of all businesses, financial advisers, and investment firms certified under this section.

(3) LESBIAN, GAY, BISEXUAL, OR TRANSGENDER–OWNED BUSINESS, FINANCIAL ADVISER, AND INVESTMENT FIRM CERTIFICATION. (a) Any business, financial adviser, or investment firm may apply to the department for certification under this section.

(b) 1. The department shall certify a business, financial adviser, or investment firm under this section if, after conducting an investigation, the department determines that the business, financial adviser, or investment firm fulfills all of the following requirements:

a. One or more lesbian, gay, bisexual, or transgender individuals own at least 51 percent of the business, financial adviser, or investment firm or, in the case of any publicly owned business, financial adviser, or investment firm, one or more lesbian, gay, bisexual, or transgender individuals own at least 51 percent of the stock of the business, financial adviser, or investment firm.

b. One or more lesbian, gay, bisexual, or transgender individuals or one or more duly authorized representatives of one or more lesbian, gay, bisexual, or transgender individuals control the management and daily business operations of the business, financial adviser, or investment firm.

c. The business, financial adviser, or investment firm has its principal place of business in this state.

d. The business, financial adviser, or investment firm is currently performing a useful business function. Acting as a conduit for the transfer of funds to a business that is not certified under this section does not constitute a useful business function, unless doing so is a normal industry practice.

2. The department may, without conducting an investigation, certify a business, financial adviser, or investment firm having its principal place of business in this state and currently performing a useful business function if the business,

financial adviser, or investment firm is certified, or otherwise classified, as a lesbian, gay, bisexual, or transgender–owned business, financial adviser, or investment firm by an agency or municipality of this or another state, a federally recognized American Indian tribe, or the federal government, or by a private business with expertise in certifying lesbian, gay, bisexual, or transgender–owned businesses if the business uses substantially the same procedures the department uses in making a determination under subd. 1.

(c) If a business, financial adviser, or investment firm applying for certification under this section fails to provide the department with sufficient information to enable the department to conduct an investigation under par. (b) 1. or does not qualify for certification under par. (b), the department shall deny the application. A business, financial adviser, or investment firm whose application is denied may, within 30 days after the date of the denial, appeal in writing to the secretary. The secretary shall enter his or her final decision within 30 days after receiving the appeal.

(d) 1. The department may, at the request of any state agency or on its own initiative, evaluate any business, financial adviser, or investment firm certified under this section to verify that it continues to qualify for certification. The business, financial adviser, or investment firm shall provide the department with any records or information necessary to complete the examination.

2. If a business, financial adviser, or investment firm fails to comply with a reasonable request for records or information, the department shall notify the business, financial adviser, or investment firm and the department of transportation, in writing, that it intends to decertify the business, financial adviser, or investment firm.

3. If, after an evaluation under this paragraph, the department determines that a business, financial adviser, or investment firm no longer qualifies for certification under this section, the department shall notify the business, financial adviser, or investment firm and the department of transportation, in writing, that it intends to decertify the business, financial adviser, or investment firm.

(e) 1. A business, financial adviser, or investment firm receiving a notice under par. (d) 2. or 3. may appeal in writing to the secretary within 30 days after the date of the notice.

2. If the business, financial adviser, or investment firm does not submit an appeal under subd. 1., the department shall immediately decertify the business, financial adviser, or investment firm.

3. If the business, financial adviser, or investment firm submits an appeal under subd. 1., the secretary shall enter his or her final decision, in writing, within 30 days after receiving the appeal. If the secretary confirms the decision of the department, the department shall immediately decertify the business, financial adviser, or investment firm.

4. A business, financial adviser, or investment firm decertified under subd. 3. may, within 30 days after the secretary's decision, request a contested case hearing under s. 227.42 from the department. If the final administrative or judicial proceeding results in a determination that the business, financial adviser, or investment firm qualifies for certification under this section, the department shall immediately certify the business, financial adviser, or investment firm. The department shall provide the business, financial adviser, or investment firm and the department of transportation with a copy of the final written decision regarding certification under this paragraph.

(4) DEPARTMENT RULE MAKING. The department shall promulgate by administrative rule procedures to implement this section.

SECTION 110. 16.289 of the statutes is created to read:

16.289 Disability-owned businesses. (1) DEFINITIONS. (a) "Business" means a sole proprietorship, partnership, limited liability company, joint venture, or corporation.

(b) "Duly authorized representative" has the meaning given in s. 45.04 (1) (a).

(c) "Financial adviser" means a business that serves as an adviser with regard to the sale of evidences of indebtedness or other obligations.

(d) "Investment firm" means a business that serves as a manager, comanager, or in any other underwriting capacity with regard to the sale of evidences of indebtedness or other obligations or as a broker–dealer, as defined in s. 551.102 (4).

(e) "Useful business function" means the provision of materials, supplies, equipment, or services to customers, including the state.

(2) DISABILITY-OWNED BUSINESS DATABASE. The department shall develop, maintain, and keep current a computer database of all businesses, financial advisers, and investment firms certified under this section.

(3) DISABILITY-OWNED BUSINESS, FINANCIAL ADVISER, AND INVESTMENT FIRM CERTIFICATION. (a) Any business, financial adviser, or investment firm may apply to the department for certification under this section.

(b) 1. The department shall certify a business, financial adviser, or investment firm under this section if, after conducting an investigation, the department determines that the business, financial adviser, or investment firm fulfills all of the following requirements:

a. One or more individuals with a disability own at least 51 percent of the business, financial adviser, or investment firm or, in the case of any publicly owned business, financial adviser, or investment firm, one or more individuals with a disability own at least 51 percent of the stock of the business, financial adviser, or investment firm.

b. One or more individuals with a disability or one or more duly authorized representatives of one or more individuals with a disability control the management and daily business operations of the business, financial adviser, or investment firm.

c. The business, financial adviser, or investment firm has its principal place of business in this state.

d. The business, financial adviser, or investment firm is currently performing a useful business function. Acting as a conduit for the transfer of funds to a business that is not certified under this section does not constitute a useful business function, unless doing so is a normal industry practice.

2. The department may, without conducting an investigation, certify a business, financial adviser, or investment firm having its principal place of business in this state and currently performing a useful business function if the business, financial adviser, or investment firm is certified, or otherwise classified, as disability–owned business, financial adviser, or investment firm by an agency or municipality of this or another state, a federally recognized American Indian tribe, or the federal government, or by a private business with expertise in certifying disability–owned businesses if the business uses substantially the same procedures the department uses in making a determination under subd. 1.

(c) If a business, financial adviser, or investment firm applying for certification under this section fails to provide the department with sufficient information to

enable the department to conduct an investigation under par. (b) 1. or does not qualify for certification under par. (b), the department shall deny the application. A business, financial adviser, or investment firm whose application is denied may, within 30 days after the date of the denial, appeal in writing to the secretary. The secretary shall enter his or her final decision within 30 days after receiving the appeal.

(d) 1. The department may, at the request of any state agency or on its own initiative, evaluate any business, financial adviser, or investment firm certified under this section to verify that it continues to qualify for certification. The business, financial adviser, or investment firm shall provide the department with any records or information necessary to complete the examination.

2. If a business, financial adviser, or investment firm fails to comply with a reasonable request for records or information, the department shall notify the business, financial adviser, or investment firm and the department of transportation, in writing, that it intends to decertify the business, financial adviser, or investment firm.

3. If, after an evaluation under this paragraph, the department determines that a business, financial adviser, or investment firm no longer qualifies for certification under this section, the department shall notify the business, financial adviser, or investment firm and the department of transportation, in writing, that it intends to decertify the business, financial adviser, or investment firm.

(e) 1. A business, financial adviser, or investment firm receiving a notice under par. (d) 2. or 3. may appeal in writing to the secretary within 30 days after the date of the notice.

2. If the business, financial adviser, or investment firm does not submit an appeal under subd. 1., the department shall immediately decertify the business, financial adviser, or investment firm.

3. If the business, financial adviser, or investment firm submits an appeal under subd. 1., the secretary shall enter his or her final decision, in writing, within 30 days after receiving the appeal. If the secretary confirms the decision of the department, the department shall immediately decertify the business, financial adviser, or investment firm.

4. A business, financial adviser, or investment firm decertified under subd. 3. may, within 30 days after the secretary's decision, request a contested case hearing under s. 227.42 from the department. If the final administrative or judicial proceeding results in a determination that the business, financial adviser, or investment firm qualifies for certification under this section, the department shall immediately certify the business, financial adviser, or investment firm. The department shall provide the business, financial adviser, or investment firm and the department of transportation with a copy of the final written decision regarding certification under this paragraph.

(4) DEPARTMENT RULE MAKING. The department shall promulgate by administrative rule procedures to implement this section.

SECTION 111. 16.29 (title) of the statutes is amended to read:

16.29 (title) **Technical assistance; tourism marketing.**

SECTION 112. 16.29 (4) of the statutes is created to read:

16.29 **(4)** Annually, the department shall grant to the Great Lakes inter–tribal council the amount appropriated under s. 20.505 (1) (kv) to fund a program to promote tourism featuring American Indian heritage and culture.

SECTION 113. 16.293 of the statutes is created to read:

16.293 Water utility assistance for low-income households. (1) DEFINITIONS. In this section:

(a) "County department" means a county department under s. 46.215 or 46.22.

(b) "Crisis assistance" means a benefit that is given to a household experiencing or at risk of experiencing a water utility–related emergency.

(c) "Household" means any individual or group of individuals who are living together as one economic unit for whom residential water is customarily purchased in common or who make undesignated payments for water in the form of rent.

(d) "Utility allowance" means the amount of utility costs paid by those individuals in subsidized housing who pay their own utility bills, as averaged from total utility costs for the housing unit by the housing authority.

(e) "Water utility assistance" means a benefit that is given to a household to assist in meeting the cost of water utility.

(2) ADMINISTRATION. (a) The department shall administer a water utility assistance program for low–income households to assist eligible households to meet home water utility costs and shall establish a payments schedule for the program.

(b) The department may contract with a county department, another local governmental agency, or a private nonprofit organization to process applications and make payments under the water utility assistance program for low–income households.

(3) APPLICATION PROCEDURE. (a) A household may apply for water utility assistance from a county department, another local governmental agency, or a private nonprofit organization with which the department contracts under the water

utility assistance program for low–income households. A household shall apply on a form prescribed by the department.

(b) If by February 1 of any year the number of households applying for assistance under par. (a) substantially exceeds the number anticipated to apply, the department may reduce the assistance payments under sub. (5) made after that date. The department may also suspend the processing of additional applications until the department adjusts assistance amounts payable.

(4) ELIGIBILITY. Subject to sub. (3) (b), the following households are eligible to receive water utility assistance under this section:

(a) A household with income that is not more than 60 percent of the statewide median household income.

(b) A household entirely composed of persons receiving food stamps under 7 USC 2011 to 2036 or supplemental security income or state supplemental payments under 42 USC 1381 to 1383c or s. 49.77.

(c) A household with income within the limits specified under par. (b) that resides in housing that is subsidized or administered by a municipality, a county, the state, or the federal government for which a utility allowance is applied to determine the amount of rent or the amount of the subsidy.

(5) ASSISTANCE PAYMENTS. Subject to moneys appropriated under s. 20.505 (7) (e) and any payment reduction under sub. (3) (b), water utility assistance shall be paid according to the payment schedule established under sub. (2) (a).

(6) INDIVIDUALS IN STATE PRISONS OR SECURED JUVENILE FACILITIES. No assistance payment under sub. (5) may be made to an individual who is imprisoned in a state prison under s. 302.01 or to an individual placed at a juvenile correctional facility,

as defined in s. 938.02 (10p), or a secured residential care center for children and youth, as defined in s. 938.02 (15g).

(7) CRISIS ASSISTANCE PROGRAM. A household eligible for water utility assistance under sub. (5) may also be eligible for a crisis assistance payment. The department shall define the circumstances constituting a crisis for which an assistance payment may be made and shall establish the amount of payment to an eligible household. The department may delegate a portion of its responsibility under this subsection to a county department, another local governmental agency, or a private nonprofit organization.

SECTION 114. 16.295 (5) (b) 4. of the statutes is created to read:

16.295 **(5)** (b) 4. Unless otherwise directed by the department, the gross proceeds from all investments of the moneys designated in subd. 1.

SECTION 115. 16.295 (6) of the statutes is repealed.

SECTION 116. 16.3065 of the statutes is created to read:

16.3065 Affordable workforce housing grants. (1) DEFINITION. In this section, "municipality" means a city, village, or town.

(2) GRANTS. From the appropriation under s. 20.505 (7) (fq), the department shall award grants to municipalities for the purpose of increasing the availability of affordable workforce housing within the municipality. The department may establish eligibility requirements and other program guidelines for the grant program under this subsection.

SECTION 117. 16.3077 of the statutes is created to read:

16.3077 Housing quality standards grants. From the appropriation under s. 20.505 (7) (bp), the department shall award grants to owners of rental housing units in this state for purposes of satisfying applicable housing quality standards.

SECTION 118. 16.3078 of the statutes is created to read:

16.3078 Rental assistance grants for homeless veterans. From the appropriation under s. 20.505 (7) (bq), the department shall award grants to each continuum of care organization in this state designated by the federal department of housing and urban development. All grant funds shall be used to provide tenant–based rental assistance to homeless veterans in this state.

SECTION 119. 16.3085 (2) (a) of the statutes is amended to read:

16.3085 **(2)** (a) From the appropriation under s. 20.505 (7) (kg), the department may award ~~up to 10~~ annual grants~~,~~ of up to ~~$50,000~~ $75,000 each~~, annually~~ to any shelter facility.

SECTION 120. 16.313 of the statutes is repealed.

SECTION 121. 16.40 (24) of the statutes is created to read:

16.40 **(24)** WORKER MISCLASSIFICATION OUTREACH. Direct all departments to provide targeted educational outreach regarding worker misclassification in English, Spanish, and other languages spoken by a significant number of individuals in this state, to employers, workers, and organizations that serve vulnerable populations, including individuals with limited English proficiency. The outreach shall emphasize the appropriate departments to contact and the rights of individuals to remain anonymous when reporting worker misclassification.

SECTION 122. 16.51 (7) of the statutes is amended to read:

16.51 **(7)** AUDIT CLAIMS FOR EXPENSES IN CONNECTION WITH PRISONERS AND JUVENILES IN JUVENILE CORRECTIONAL FACILITIES. Receive, examine, determine, and audit claims, duly certified and approved by the department of corrections, from the ~~county~~ clerk of any county ~~in~~, city, village, or town, on behalf of the county, city, village, or town, which are presented for ~~payment to reimburse the county~~

reimbursement for certain expenses incurred or paid by it in reference to ~~all~~ matters ~~growing out of actions and proceedings~~ involving prisoners in state prisons, as defined in s. 302.01, or juveniles in juvenile correctional facilities, as defined in s. 938.02 (10p), including prisoners or juveniles transferred to a mental health institute for observation or treatment~~, when the~~. The department shall reimburse a county under this subsection for expenses relating to actions or proceedings that are commenced in counties in which the prisons or juvenile correctional facilities are located by a district attorney or by the prisoner or juvenile as a postconviction remedy or a matter involving the prisoner's status as a prisoner or the juvenile's status as a resident of a juvenile correctional facility and for certain expenses incurred or paid by ~~it~~ the county in reference to holding those juveniles in secure custody while those actions or proceedings are pending. The department shall reimburse a county, city, village, or town under this subsection for expenses relating to law enforcement investigative services that it provided for an incident involving a prisoner in a state prison or a juvenile in a juvenile correctional facility within its jurisdiction. Expenses shall only include the amounts that were necessarily incurred and actually paid and shall be no more than the legitimate cost would be to any other ~~county~~ jurisdiction had the offense or crime occurred therein.

SECTION 123. 16.705 (1b) (d) of the statutes is amended to read:

16.705 **(1b)** (d) The department of financial institutions under s. 224.51 or the small business retirement savings board under s. 224.56.

SECTION 124. 16.71 (5r) of the statutes is amended to read:

16.71 **(5r)** The department shall delegate authority to the department of financial institutions to enter into vendor contracts under s. 224.51 and to the small business retirement savings board to enter into vendor contracts under s. 224.56.

SECTION 125. 16.75 (1p) of the statutes is repealed.

SECTION 126. 16.75 (3m) (a) 1. of the statutes is renumbered 16.75 (3m) (a) 1j.

SECTION 127. 16.75 (3m) (a) 1e. of the statutes is created to read:

16.75 **(3m)** (a) 1e. "Disability–owned business" means a business, other than a financial adviser or investment firm, certified by the department under s. 16.289 (3).

SECTION 128. 16.75 (3m) (a) 1f. of the statutes is created to read:

16.75 **(3m)** (a) 1f. "Disability–owned financial adviser" means a financial adviser certified by the department under s. 16.289 (3).

SECTION 129. 16.75 (3m) (a) 1g. of the statutes is created to read:

16.75 **(3m)** (a) 1g. "Disability–owned investment firm" means an investment firm certified by the department under s. 16.289 (3).

SECTION 130. 16.75 (3m) (a) 3q. of the statutes is created to read:

16.75 **(3m)** (a) 3q. "Lesbian, gay, bisexual, or transgender–owned business" means a business, other than a financial adviser or investment firm, certified by the department under s. 16.288 (3).

SECTION 131. 16.75 (3m) (a) 3r. of the statutes is created to read:

16.75 **(3m)** (a) 3r. "Lesbian, gay, bisexual, or transgender–owned financial adviser" means a financial adviser certified by the department under s. 16.288 (3).

SECTION 132. 16.75 (3m) (a) 3s. of the statutes is created to read:

16.75 **(3m)** (a) 3s. "Lesbian, gay, bisexual, or transgender–owned investment firm" means an investment firm certified by the department under s. 16.288 (3).

SECTION 133. 16.75 (3m) (b) 2g. of the statutes is created to read:

16.75 **(3m)** (b) 2g. The department, any agency to which the department delegates purchasing authority under s. 16.71 (1), and any agency making purchases

under s. 16.74 shall attempt to ensure that at least 1 percent of the total amount expended under this subchapter in each fiscal year is paid to lesbian, gay, bisexual, or transgender–owned businesses.

SECTION 134. 16.75 (3m) (b) 2r. of the statutes is created to read:

16.75 **(3m)** (b) 2r. The department, any agency to which the department delegates purchasing authority under s. 16.71 (1), and any agency making purchases under s. 16.74 shall attempt to ensure that at least 1 percent of the total amount expended under this subchapter in each fiscal year is paid to disability–owned businesses.

SECTION 135. 16.75 (3m) (b) 3. of the statutes is amended to read:

16.75 **(3m)** (b) 3. Except as provided under sub. (7), the department, any agency to which the department delegates purchasing authority under s. 16.71 (1), and any agency making purchases under s. 16.74 may purchase materials, supplies, equipment, and contractual services from any minority business ~~or,~~ disabled veteran–owned business, lesbian, gay, bisexual, or transgender–owned business, or disability–owned business, or a business that is ~~both a minority business and a disabled veteran–owned business~~ any combination of those, submitting a qualified responsible competitive bid that is no more than 5 percent higher than the apparent low bid or competitive proposal that is no more than 5 percent higher than the most advantageous proposal. In administering the preference for minority businesses ~~or,~~ disabled veteran–owned businesses, lesbian, gay, bisexual, or transgender–owned businesses, and disability–owned businesses established in this paragraph, the department, the delegated agency, and any agency making purchases under s. 16.74 shall maximize the use of minority businesses ~~or,~~ disabled veteran–owned businesses ~~which~~, lesbian, gay, bisexual, or transgender–owned businesses, and

disability–owned businesses that are incorporated under ch. 180 or ~~which~~ that have their principal place of business in this state.

SECTION 136. 16.75 (3m) (c) 1. of the statutes is amended to read:

16.75 **(3m)** (c) 1. After completing any contract under this subchapter, the contractor shall report to the agency that awarded the contract any amount of the contract that was subcontracted to minority businesses ~~and~~, any amount of the contract that was subcontracted to disabled veteran–owned businesses, any amount of the contract that was subcontracted to lesbian, gay, bisexual, or transgender–owned businesses, and any amount of the contract that was subcontracted to disability–owned businesses.

SECTION 137. 16.75 (3m) (c) 2. e. of the statutes is created to read:

16.75 **(3m)** (c) 2. e. The total amount of money and the percentage of the total amount of money it has expended for contracts and orders awarded to lesbian, gay, bisexual, or transgender–owned businesses.

SECTION 138. 16.75 (3m) (c) 2. f. of the statutes is created to read:

16.75 **(3m)** (c) 2. f. The number of contacts with lesbian, gay, bisexual, or transgender–owned businesses in connection with proposed purchases.

SECTION 139. 16.75 (3m) (c) 2. g. of the statutes is created to read:

16.75 **(3m)** (c) 2. g. The total amount of money and the percentage of the total amount of money it has expended for contracts and orders awarded to disability–owned businesses.

SECTION 140. 16.75 (3m) (c) 2. h. of the statutes is created to read:

16.75 **(3m)** (c) 2. h. The number of contacts with disability–owned businesses in connection with proposed purchases.

SECTION 141. 16.75 (3m) (c) 3. of the statutes is amended to read:

16.75 **(3m)** (c) 3. The department shall maintain and annually publish data on state purchases from minority businesses ~~and on state purchases from,~~ disabled veteran–owned businesses, lesbian, gay, bisexual, or transgender–owned businesses, and disability–owned businesses, including amounts expended and the percentage of total expenditures awarded to minority businesses ~~and amounts expended and the percentage of total expenditures awarded to,~~ disabled veteran–owned businesses, lesbian, gay, bisexual, or transgender–owned businesses, and disability–owned businesses.

SECTION 142. 16.75 (3m) (c) 4. of the statutes is amended to read:

16.75 **(3m)** (c) 4. The department shall annually prepare and submit a report to the governor and to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. 13.172 (3), on the total amount of money paid to and the amount of indebtedness or other obligations underwritten by minority businesses, ~~minority~~ financial advisers, ~~minority~~ and investment firms~~,~~; disabled veteran–owned businesses, ~~disabled veteran–owned~~ financial advisers, and ~~disabled veteran–owned~~ investment firms; lesbian, gay, bisexual, or transgender–owned businesses, financial advisers, and investment firms; and disability–owned businesses, financial advisers, and investment firms under the requirements of this subsection and ss. 16.855 (10m), 16.87 (2), 25.185, 84.075 and 565.25 (2) (a) 3. and on this state's progress toward achieving compliance with par. (b) and ss. 16.855 (10m) (am) and (10n), 16.87 (2), 25.185, and 84.075 (1m). The report shall also include the percentage of the total amount of money paid to and the percentage of the total amount of indebtedness or other obligations underwritten by disabled veteran–owned businesses, ~~disabled veteran–owned~~ financial advisers, and ~~disabled veteran–owned~~ investment firms; lesbian, gay, bisexual, or

transgender–owned businesses, financial advisers, and investment firms; and disability–owned businesses, financial advisers, and investment firms. In calculating the percentages to be reported under this subsection, the department shall exclude any purchase or contract for which a preference would violate any federal law or regulation or any contract between an agency and a federal agency or any contract that would result in a reduction in the amount of federal aids received by this state.

SECTION 143. 16.75 (3m) (c) 5. a. of the statutes is amended to read:

16.75 **(3m)** (c) 5. a. In determining whether a purchase, contract, or subcontract complies with the goal established under par. (b) 1. ~~or,~~ 2., 2g., or 2r. or s. 16.855 (10m) (am) 1. or 2., 16.87 (2) (b) or (c), or 25.185 (2) (a) or (b), the department shall include only amounts paid to businesses, financial advisers, and investment firms certified by the department of administration under s. 16.283 ~~or,~~ 16.287 (2), 16.288 (3), or 16.289 (3), whichever is appropriate.

SECTION 144. 16.765 (1) of the statutes is amended to read:

16.765 **(1)** Contracting agencies, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin Economic Development Corporation, and the Bradley Center Sports and Entertainment Corporation shall include in all contracts executed by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability, as defined in s. 51.01 (5), sexual orientation, as defined in s. 111.32 (13m), gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k), or national origin and, except with respect to

sexual orientation, gender expression, and gender identity, obligating the contractor to take affirmative action to ensure equal employment opportunities.

SECTION 145. 16.765 (2) of the statutes is amended to read:

16.765 **(2)** Contracting agencies, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin Economic Development Corporation, and the Bradley Center Sports and Entertainment Corporation shall include the following provision in every contract executed by them: "In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability, as defined in s. 51.01 (5), sexual orientation, gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k), or national origin. This provision shall include~~, but not be limited to, the following:~~ employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, gender expression, and gender identity, the contractor further agrees to take affirmative action to ensure equal employment opportunities. The contractor agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination ~~clause".~~ clause."

SECTION 146. 16.84 (2m) of the statutes is repealed.

SECTION 147. 16.855 (1p) of the statutes is repealed.

SECTION 148. 16.855 (10m) (ac) of the statutes is renumbered 16.855 (10m) (ac) (intro.) and amended to read:

16.855 **(10m)** (ac) (intro.) In this subsection~~, "disabled:~~

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

SECTION 149. 16.855 (10m) (ac) 1. of the statutes is created to read:

16.855 **(10m)** (ac) 1. "Disability–owned business" means a business certified by the department under s. 16.289 (3).

SECTION 150. 16.855 (10m) (ac) 3. of the statutes is created to read:

16.855 **(10m)** (ac) 3. "Lesbian, gay, bisexual, or transgender–owned business" means a business certified by the department under s. 16.288 (3).

SECTION 151. 16.855 (10m) (am) 2g. of the statutes is created to read:

16.855 **(10m)** (am) 2g. In awarding construction contracts, the department shall attempt to ensure that at least 1 percent of the total amount expended in each fiscal year is awarded to contractors and subcontractors that are disability–owned businesses.

SECTION 152. 16.855 (10m) (am) 2r. of the statutes is created to read:

16.855 **(10m)** (am) 2r. In awarding construction contracts, the department shall attempt to ensure that at least 1 percent of the total amount expended in each fiscal year is awarded to contractors and subcontractors that are lesbian, gay, bisexual, or transgender–owned businesses.

SECTION 153. 16.855 (10m) (am) 3. of the statutes is amended to read:

16.855 **(10m)** (am) 3. The department may award any contract to a minority business ~~or~~, disabled veteran–owned business, lesbian, gay, bisexual, or transgender–owned business, or disability–owned business, or a business that is

~~both a minority business and a disabled veteran–owned business~~ any combination of these, if the business is a qualified responsible bidder and the business submits a bid that is no more than 5 percent higher than the apparent low bid.

SECTION 154. 16.855 (10m) (b) of the statutes is amended to read:

16.855 **(10m)** (b) Upon completion of any contract, the contractor shall report to the department any amount of the contract that was subcontracted to minority businesses ~~or~~, disabled veteran–owned businesses, lesbian, gay, bisexual, or transgender–owned businesses, and disability–owned businesses.

SECTION 155. 16.855 (10m) (c) of the statutes is amended to read:

16.855 **(10m)** (c) The department shall maintain and annually publish data on contracts awarded to minority businesses ~~and~~, disabled veteran–owned businesses, lesbian, gay, bisexual, or transgender–owned businesses, and disability–owned businesses under this subsection and ss. 16.87 and 84.075.

SECTION 156. 16.865 (8) of the statutes is amended to read:

16.865 **(8)** Annually in each fiscal year, allocate as a charge to each agency a proportionate share of the estimated costs attributable to programs administered by the agency to be paid from the appropriation under s. 20.505 (2) (k). The department may charge premiums to agencies to finance costs under this subsection and pay the costs from the appropriation on an actual basis. The department shall deposit all collections under this subsection in the appropriation account under s. 20.505 (2) (k). Costs assessed under this subsection may include judgments, investigative and adjustment fees, data processing and staff support costs, program administration costs, and litigation costs~~, and the cost of insurance contracts under sub. (5)~~. In this subsection, "agency" means an office, department, independent agency, institution of higher education, association, society, or other body in state government created

or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or in ch. 231, 232, 233, 234, 237, 238, or 279.

SECTION 157. 16.865 (8m) of the statutes is created to read:

16.865 **(8m)** Charge premiums to agencies to pay the actual cost of insurance contracts under sub. (5). The department shall deposit all collections under this subsection into the appropriation account under s. 20.505 (kj). In this subsection, "agency" means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or in ch. 231, 232, 233, 234, 237, 238, or 279.

SECTION 158. 16.87 (1) (aL) of the statutes is created to read:

16.87 **(1)** (aL) "Disability–owned business" means a business certified by the department under s. 16.289 (3).

SECTION 159. 16.87 (1) (br) of the statutes is created to read:

16.87 **(1)** (br) "Lesbian, gay, bisexual, or transgender–owned business" means a business, financial adviser, or investment firm certified by the department under s. 16.288 (3).

SECTION 160. 16.87 (2) (d) of the statutes is created to read:

16.87 **(2)** (d) The department shall attempt to ensure that at least 1 percent of the total amount expended under this section in each fiscal year is paid to lesbian, gay, bisexual, or transgender–owned businesses.

SECTION 161. 16.87 (2) (e) of the statutes is created to read:

16.87 **(2)** (e) The department shall attempt to ensure that at least 1 percent of the total amount expended under this section in each fiscal year is paid to disability–owned businesses.

SECTION 162. 16.954 of the statutes is created to read:

16.954 Office of sustainability and clean energy. (1) DEFINITIONS. In this section:

(a) "Office" means the office of sustainability and clean energy.

(b) "Public utility" has the meaning given in s. 196.01 (5).

(2) INITIATIVES. The office shall work on initiatives that have the following goals:

(a) Promoting the development and use of clean and renewable energy across this state.

(b) Advancing innovative sustainability solutions in ways that improve this state's economy and environment, including energy initiatives that reduce carbon emissions, accelerate economic growth, and lower customer energy costs.

(c) Diversifying the resources used to reliably meet the energy needs of consumers in this state and generate family–supporting jobs through the expansion of this state's clean energy economy.

(3) OTHER DUTIES. The office shall do all of the following:

(a) Provide advice and support to state agencies in developing or retrofitting sustainable infrastructure to reduce energy use and lessen negative impacts on this state's air and water quality.

(b) Study and report on the status of existing clean and renewable energy efforts by the state, including economic development initiatives, and develop future energy policy opportunities for consideration by the governor and state agencies.

(c) Serve as a single point of contact to assist businesses, local units of government, and nongovernmental organizations that are pursuing clean energy opportunities.

(d) Identify and share information about clean energy funding and employment opportunities for private and state and local governmental entities.

(e) Take other steps necessary to facilitate the implementation of the initiatives specified in sub. (2) and to identify and address barriers to the implementation of those initiatives.

(4) CLEAN ENERGY GRANTS. The office shall establish a program for making grants from the appropriation under s. 20.505 (4) (q) to fund research in support of clean energy production.

(5) TECHNICAL ASSISTANCE. (a) The office may provide technical assistance to local governmental units and private entities to assist in the planning and implementation of energy efficiency and renewable resources and may charge for those services. The office may request technical and staff assistance from other state agencies in providing technical assistance to those units of government and private entities.

(b) The office may require a public utility to provide energy billing and use data regarding public schools, if the office determines that the data are necessary to provide technical assistance under par. (a) in public schools, including those with the highest energy costs.

(c) The office shall consult with the public service commission in implementing this subsection.

SECTION 163. 16.969 (title) of the statutes is renumbered 196.492 (title).

SECTION 164. 16.969 (1) (intro.) and (b) of the statutes are consolidated, renumbered 196.492 (1) and amended to read:

196.492 **(1)** In this section~~: (b) "High–voltage~~, "high–voltage transmission line" means a high–voltage transmission line, as defined in s. 196.491 (1) (f), that is designed for operation at a nominal voltage of 345 kilovolts or more.

SECTION 165. 16.969 (1) (a) of the statutes is repealed.

SECTION 166. 16.969 (2) of the statutes is renumbered 196.492 (2), and 196.492 (2) (intro.), as renumbered, is amended to read:

196.492 **(2)** (intro.) The ~~department~~ commission shall promulgate rules that require a person who is issued a certificate of public convenience and necessity by the commission under s. 196.491 (3) for a high–voltage transmission line to pay the ~~department~~ commission the following fees:

SECTION 167. 16.969 (3) of the statutes is renumbered 196.492 (3), and 196.492 (3) (a) and (b) 1. and 2., as renumbered, are amended to read:

196.492 **(3)** (a) The ~~department~~ commission shall distribute the fees that are paid by a person under the rules promulgated under sub. (2) (a) to each town, village and city that is identified by the commission under s. 196.491 (3) (gm) in proportion to the amount of investment that is allocated by the commission under s. 196.491 (3) (gm) to each such town, village and city.

(b) 1. The ~~department~~ commission shall pay 50 percent of the fee to each county that is identified by the commission under s. 196.491 (3) (gm) in proportion to the

amount of investment that is allocated by the commission under s. 196.491 (3) (gm) to each such county.

2. The ~~department~~ commission shall pay 50 percent of the fee to each town, village and city that is identified by the commission under s. 196.491 (3) (gm) in proportion to the amount of investment that is allocated by the commission under s. 196.491 (3) (gm) to each such town, village and city.

SECTION 168. 16.969 (4) of the statutes is renumbered 196.492 (4).

SECTION 169. 16.971 (2) (o) of the statutes is created to read:

16.971 **(2)** (o) Assist the elections commission with information technology systems development for purposes of facilitating the registration of eligible electors under s. 6.256.

SECTION 170. 16.978 of the statutes is created to read:

16.978 Enterprise data management and analytics. (1) In this section, "office" means the office of digital transformation.

(2) The office may establish an enterprise data management and analytics program to gather, combine, and analyze data provided by one or more agencies to do any of the following:

(a) Evaluate the outcomes of state–funded programs.

(b) Develop and implement policies and strategies that promote the effective, efficient, and best use of state resources.

(c) Identify, prevent, or eliminate the fraudulent use of state funds, resources, and programs.

(3) (a) At the office's request, an agency shall provide data for use under the program. Each agency that provides data under the program shall comply with the data–sharing protocols established under sub. (4).

(b) An agency's provision of data to the office under par. (a) is considered a permitted use of the data for all purposes and may not be construed as a violation of law.

(c) An agency that provides data to the office under par. (a) remains the custodian of the data while it is in the custody of the office, and access to the data by that agency or any other person shall be determined by that agency in accordance with applicable law.

(d) 1. All confidential data an agency provides to the office under par. (a) remains confidential while in the custody of the office, and the same requirements that apply to the agency and its agents or employees with respect to the confidentiality of the data apply equally to the office and its agents or employees, including penalties for breach of confidentiality.

2. The office shall compare the results of any data analysis conducted with respect to confidential data against the confidentiality laws applicable to the source data to determine if the results retain any attributes of the source data that bring the results within the scope of any confidentiality requirement that applies to the source data. If so, the results are subject to all applicable confidentiality requirements, and, in the event of a conflict between applicable confidentiality requirements, the most stringent of those requirements shall control.

(4) In consultation with other agencies, the office shall develop a data–sharing protocol and a security plan for the program. The security plan shall establish how the data is to be protected. The data–sharing protocol shall include all of the following:

(a) How participating agencies may use confidential data in accordance with confidentiality laws applicable to the data provided.

(b) Who has authority to access data gathered under the program.

(c) How participating agencies shall make, verify, and retain corrections to personally identifying information gathered under the program.

SECTION 171. 16.99 (3b) of the statutes is repealed and recreated to read:

16.99 **(3b)** "Juvenile correctional facility" means a secured residential care center for children and youth, as defined in s. 938.02 (15g), operated by the department of corrections.

SECTION 172. 16.9945 (1) (intro.) of the statutes is amended to read:

16.9945 **(1)** COMPETITIVE GRANTS. (intro.) ~~In fiscal years 2017–18, 2018–19, 2019–20, and 2020–21, the~~ The department may annually award grants on a competitive basis to eligible school districts and to eligible public libraries for the purpose of improving information technology infrastructure. For purposes of awarding grants under this section, "improving information technology infrastructure" includes purchasing and installing on a bus a portable device that creates an area of wireless Internet coverage and purchasing for individuals to temporarily borrow from a school or for patrons to check out from a public library a portable device that creates an area of wireless Internet coverage. In awarding grants to eligible school districts under this section, the department shall give priority to applications for school districts in which the percentage of pupils who satisfy the income eligibility criteria under 42 USC 1758 (b) (1) for a free or reduced–price lunch is greater than in other applicant school districts. The department shall require an applicant for a grant under this section to provide all of the following:

SECTION 173. 16.9945 (2) of the statutes is amended to read:

16.9945 **(2)** ELIGIBLE SCHOOL DISTRICTS. A school district is eligible for a grant under this section in a fiscal ~~year~~ biennium if the school district's membership in the ~~previous~~ most recent school year for which finalized school year data is available, as determined in the first year of the fiscal biennium, divided by the school district's area in square miles is 16 or less.

SECTION 174. 16.9945 (2m) (a) 1m. of the statutes is created to read:

16.9945 **(2m)** (a) 1m. "Rural territory" means any territory located outside of urban areas.

SECTION 175. 16.9945 (2m) (a) 2. of the statutes is repealed.

SECTION 176. 16.9945 (2m) (a) 3. of the statutes is amended to read:

16.9945 **(2m)** (a) 3. ~~"Urbanized~~ "Urban area" means an urban area, as defined by the U.S. bureau of the census, ~~with a population of 50,000 or more~~ that is located in this state.

SECTION 177. 16.9945 (2m) (b) (intro.) of the statutes is renumbered 16.9945 (2m) (b) and amended to read:

16.9945 **(2m)** (b) A public library, including a library branch, is eligible for a grant under this section in a fiscal ~~year~~ biennium if the population of the municipality within which the public library or library branch is located, as determined in the first year of the fiscal biennium, is 20,000 or less and if the public library or library branch is located in ~~one of the following areas of the state:~~ a rural territory.

SECTION 178. 16.9945 (2m) (b) 1. to 3. of the statutes are repealed.

SECTION 179. 16.9945 (3m) (a) of the statutes is amended to read:

16.9945 **(3m)** (a) If the population of the municipality within which the eligible public library or library branch, as defined in sub. (2m) (a) 1., is located is 2,000 or less, $5,000.

SECTION 180. 16.9945 (3m) (b) of the statutes is amended to read:

16.9945 **(3m)** (b) If the population of the municipality within which the eligible public library or library branch, as defined in sub. (2m) (a) 1., is located is at least 2,001 but less than 5,000, $7,500.

SECTION 181. 16.9945 (3m) (c) of the statutes is amended to read:

16.9945 **(3m)** (c) If the population of the municipality within which the eligible public library or library branch, as defined in sub. (2m) (a) 1., is located is at least 5,000 but less than 20,001, $10,000.

SECTION 182. 16.9945 (4) of the statutes is renumbered 16.9945 (4) (a) and amended to read:

16.9945 **(4)** (a) ~~The~~ Except as provided in par. (b), the department ~~cannot~~ may not award grants under this section that total more than $3,000,000 in ~~the 2019–20 or 2020–21~~ any fiscal year.

SECTION 183. 16.9945 (4) (b) of the statutes is created to read:

16.9945 **(4)** (b) In the second fiscal year of a fiscal biennium, the department may increase the maximum amount under par. (a) by an amount equal to the difference between the maximum amount under par. (a) and the amount the department awarded in the first fiscal year of the fiscal biennium.

SECTION 184. 16.9945 (4m) of the statutes is created to read:

16.9945 **(4m)** NOTIFICATION. The department, at least annually, shall provide all school districts and public libraries located in this state that are eligible for grants under this section with information regarding how to apply for grants.

SECTION 185. 16.9945 (5) of the statutes is amended to read:

16.9945 **(5)** SUNSET. The department may not award grants under this section after June 30, ~~2021~~ 2025.

SECTION 186. 16.995 (2) of the statutes is repealed.

SECTION 187. 16.997 (2) (b) of the statutes is amended to read:

16.997 **(2)** (b) Establish eligibility requirements for an educational agency to participate in the program established under sub. (1) and to receive additional telecommunications access under s. 16.998, including a requirement that a charter school sponsor use data lines to benefit pupils attending the charter school and a requirement that Internet access to material that is harmful to children, as defined in s. 948.11 (1) (b), is blocked on the computers of juvenile correctional facilities that are served by data ~~links~~ lines subsidized under this section.

SECTION 188. 16.997 (2) (d) of the statutes is amended to read:

16.997 **(2)** (d) Require an educational agency to pay the department not more than $250 per month for each data line that is provided to the educational agency under the program established under sub. (1), except that the charge may not exceed $100 per month for each data line that relies on a transport medium that operates at a speed of ~~1.544 megabits~~ less than one gigabit per second.

SECTION 189. 16.997 (2) (f) of the statutes is amended to read:

16.997 **(2)** (f) Ensure that ~~juvenile correctional facilities~~ an educational agency that ~~receive~~ receives access under this section to data lines or that ~~receive~~ receives additional access under s. 16.998 to data lines and bandwidth ~~use~~ uses those data lines and that bandwidth ~~only~~ primarily for educational purposes.

SECTION 190. 16.997 (2g) of the statutes is repealed.

SECTION 191. 16.997 (2r) of the statutes is repealed.

SECTION 192. 17.18 of the statutes is amended to read:

17.18 Vacancies, U.S. senator and representative in congress; how filled. Vacancies in the office of U.S. senator or representative in congress from this state shall be filled by election, as provided in s. 8.50 ~~(4) (b), for the residue of the unexpired term~~ (4m).

SECTION 193. 18.04 (3) of the statutes is amended to read:

18.04 **(3)** Each purpose enumerated in sub. (1) shall be construed to include any premium payable with respect thereto and the expenses of funding, refunding and acquiring public debt. Each purpose specified by the legislature under subs. (1) and (2) shall be construed to include the expenses of contracting and administering public debt.

SECTION 194. 18.08 (1) (a) 3. of the statutes is amended to read:

18.08 **(1)** (a) 3. Premiums required for deposit in reserve funds or those necessary to pay expenses incurred in contracting and administering public debt or to make ~~cost of issuance and~~ other ancillary payments may be credited to one or more of the sinking funds of the bond security and redemption fund or to the capital improvement fund, as determined by the commission.

SECTION 195. 18.08 (1) (b) of the statutes is amended to read:

18.08 **(1)** (b) Moneys within the capital improvement fund shall be segregated into separate and distinct accounts according to the program purposes defined under ch. 20 for which public debt has been authorized by the legislature or for the payment of expenses incurred in contracting and administering public debt.

SECTION 196. 18.08 (1m) (a) of the statutes is renumbered 18.08 (1m) (am) and amended to read:

18.08 **(1m)** (am) Premium proceeds not used under par. (ag) shall first be used for the purposes for which the bonds were issued in proportion to the par value of the bond issue. If the premiums are used for the purposes, the authorized bonding authorization for those purposes is reduced by the amount of premiums that are used.

SECTION 197. 18.08 (1m) (ag) of the statutes is created to read:

18.08 **(1m)** (ag) Premium proceeds may be used for the payment of expenses incurred in contracting and administering public debt, as determined by the commission. The authorized bonding authorization is not reduced by the amount of premiums that are used for those expenses.

SECTION 198. 18.08 (1m) (b) of the statutes is amended to read:

18.08 **(1m)** (b) Any ~~premiums~~ premium proceeds not used ~~for the purposes for which bonding was authorized~~ under pars. (ag) and (am) may be used for other purposes, as determined by the commission. If the premiums are used for any other purposes, the authorized bonding authorization for those purposes is reduced by the amount of premiums that are used.

SECTION 199. 18.08 (2) of the statutes is amended to read:

18.08 **(2)** The capital improvement fund may be expended, pursuant to appropriations, only for the purposes and in the amounts for which the public debts have been contracted, for the payment of principal and interest on loans or on notes, for the payment due, if any, under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a) with respect to any such public debt, for the purposes identified under s. 20.867 (2) (v) and (4) (q), and for expenses incurred in contracting and administering public debt.

SECTION 200. 18.16 (title) of the statutes is amended to read:

18.16 (title) **Minority ~~financial advisers and investment firms~~; disabled veteran-owned; lesbian, gay, bisexual, or transgender-owned; and disability-owned financial advisers and investment firms.**

SECTION 201. 18.16 (1) (a) of the statutes is renumbered 18.16 (1) (ah).

SECTION 202. 18.16 (1) (ae) of the statutes is created to read:

18.16 **(1)** (ae) "Disability–owned financial adviser" means a financial adviser certified by the department of administration under s. 16.289 (3).

SECTION 203. 18.16 (1) (af) of the statutes is created to read:

18.16 **(1)** (af) "Disability–owned investment firm" means an investment firm certified by the department of administration under s. 16.289 (3).

SECTION 204. 18.16 (1) (br) of the statutes is created to read:

18.16 **(1)** (br) "Lesbian, gay, bisexual, or transgender–owned financial adviser" means a financial adviser certified by the department of administration under s. 16.288 (3).

SECTION 205. 18.16 (1) (bs) of the statutes is created to read:

18.16 **(1)** (bs) "Lesbian, gay, bisexual, or transgender–owned investment firm" means an investment firm certified by the department of administration under s. 16.288 (3).

SECTION 206. 18.16 (2) (c) of the statutes is created to read:

18.16 **(2)** (c) Except as provided in sub. (7), in contracting public debt by competitive sale, the commission shall make efforts to ensure that at least 1 percent of the total public indebtedness contracted in each fiscal year is underwritten by lesbian, gay, bisexual, or transgender–owned investment firms.

SECTION 207. 18.16 (2) (d) of the statutes is created to read:

18.16 **(2)** (d) Except as provided in sub. (7), in contracting public debt by competitive sale, the commission shall make efforts to ensure that at least 1 percent of the total public indebtedness contracted in each fiscal year is underwritten by disability–owned investment firms.

SECTION 208. 18.16 (3) (c) of the statutes is created to read:

18.16 **(3)** (c) Except as provided under sub. (7), in contracting public debt by negotiated sale, the commission shall make efforts to ensure that at least 1 percent of total public indebtedness contracted in each fiscal year is underwritten by lesbian, gay, bisexual, or transgender–owned investment firms.

SECTION 209. 18.16 (3) (d) of the statutes is created to read:

18.16 **(3)** (d) Except as provided under sub. (7), in contracting public debt by negotiated sale, the commission shall make efforts to ensure that at least 1 percent of total public indebtedness contracted in each fiscal year is underwritten by disability–owned investment firms.

SECTION 210. 18.16 (4) (c) of the statutes is created to read:

18.16 **(4)** (c) Except as provided under sub. (7), in contracting public debt by competitive sale or negotiated sale, the commission shall make efforts to ensure that at least 1 percent of the total moneys expended in each fiscal year for the services of financial advisers are expended for the services of lesbian, gay, bisexual, or transgender–owned financial advisers.

SECTION 211. 18.16 (4) (d) of the statutes is created to read:

18.16 **(4)** (d) Except as provided under sub. (7), in contracting public debt by competitive sale or negotiated sale, the commission shall make efforts to ensure that at least 1 percent of the total moneys expended in each fiscal year for the services of

financial advisers are expended for the services of disability–owned financial advisers.

SECTION 212. 18.16 (5) (c) of the statutes is created to read:

18.16 **(5)** (c) Except as provided under s. 18.06 (9) and sub. (7), an individual underwriter or syndicate of underwriters shall make efforts to ensure that each bid or proposal, submitted by that individual or syndicate in a competitive or negotiated sale of public debt, provides for at least 1 percent of sales to lesbian, gay, bisexual, or transgender–owned investment firms.

SECTION 213. 18.16 (5) (d) of the statutes is created to read:

18.16 **(5)** (d) Except as provided under s. 18.06 (9) and sub. (7), an individual underwriter or syndicate of underwriters shall make efforts to ensure that each bid or proposal, submitted by that individual or syndicate in a competitive or negotiated sale of public debt, provides for at least 1 percent of sales to disability–owned investment firms.

SECTION 214. 18.16 (6) of the statutes is amended to read:

18.16 **(6)** The commission shall annually report to the department of administration the total amount of public indebtedness contracted with the underwriting services of minority ~~investment firms and,~~ disabled veteran–owned, lesbian, gay, bisexual, or transgender–owned, and disability–owned investment firms and the total amount of moneys expended for the services of minority ~~financial advisers and,~~ disabled veteran–owned, lesbian, gay, bisexual, or transgender–owned, and disability–owned financial advisers during the preceding fiscal year.

SECTION 215. 18.64 (title) of the statutes is amended to read:

18.64 (title) **Minority ~~financial advisers and investment firms~~; disabled veteran-owned; lesbian, gay, bisexual, or transgender-owned; and disability-owned financial advisers and investment firms.**

SECTION 216. 18.64 (1) (a) of the statutes is renumbered 18.64 (1) (ah).

SECTION 217. 18.64 (1) (ae) of the statutes is created to read:

18.64 **(1)** (ae) "Disability–owned financial adviser" means a financial adviser certified by the department of administration under s. 16.289 (3).

SECTION 218. 18.64 (1) (af) of the statutes is created to read:

18.64 **(1)** (af) "Disability–owned investment firm" means an investment firm certified by the department of administration under s. 16.289 (3).

SECTION 219. 18.64 (1) (br) of the statutes is created to read:

18.64 **(1)** (br) "Lesbian, gay, bisexual, or transgender–owned financial adviser" means a financial adviser certified by the department of administration under s. 16.288 (3).

SECTION 220. 18.64 (1) (bs) of the statutes is created to read:

18.64 **(1)** (bs) "Lesbian, gay, bisexual, or transgender–owned investment firm" means an investment firm certified by the department of administration under s. 16.288 (3).

SECTION 221. 18.64 (2) (c) of the statutes is created to read:

18.64 **(2)** (c) Except as provided under sub. (7), in issuing evidences of revenue obligations by competitive sale, the commission shall make efforts to ensure that at least 1 percent of the total of revenue obligations contracted in each fiscal year is underwritten by lesbian, gay, bisexual, or transgender–owned investment firms.

SECTION 222. 18.64 (2) (d) of the statutes is created to read:

18.64 **(2)** (d) Except as provided under sub. (7), in issuing evidences of revenue obligations by competitive sale, the commission shall make efforts to ensure that at least 1 percent of the total of revenue obligations contracted in each fiscal year is underwritten by disability–owned investment firms.

SECTION 223. 18.64 (3) (c) of the statutes is created to read:

18.64 **(3)** (c) Except as provided under sub. (7), in issuing evidences of revenue obligations by negotiated sale, the commission shall make efforts to ensure that at least 1 percent of the total of revenue obligations contracted in each fiscal year is underwritten by lesbian, gay, bisexual, or transgender–owned investment firms.

SECTION 224. 18.64 (3) (d) of the statutes is created to read:

18.64 **(3)** (d) Except as provided under sub. (7), in issuing evidences of revenue obligations by negotiated sale, the commission shall make efforts to ensure that at least 1 percent of the total of revenue obligations contracted in each fiscal year is underwritten by disability–owned investment firms.

SECTION 225. 18.64 (4) (c) of the statutes is created to read:

18.64 **(4)** (c) Except as provided under sub. (7), in issuing evidences of revenue obligations by competitive sale or negotiated sale, the commission shall make efforts to ensure that at least 1 percent of the total moneys expended in each fiscal year for the services of financial advisers are expended for the services of lesbian, gay, bisexual, or transgender–owned financial advisers.

SECTION 226. 18.64 (4) (d) of the statutes is created to read:

18.64 **(4)** (d) Except as provided under sub. (7), in issuing evidences of revenue obligations by competitive sale or negotiated sale, the commission shall make efforts to ensure that at least 1 percent of the total moneys expended in each fiscal year for

the services of financial advisers are expended for the services of disability–owned financial advisers.

SECTION 227. 18.64 (5) (c) of the statutes is created to read:

18.64 **(5)** (c) Except as provided under sub. (7), an individual underwriter or syndicate of underwriters shall make efforts to ensure that each bid or proposal, submitted by that individual or syndicate in a competitive or negotiated sale of a revenue obligation, provides for at least 1 percent of sales to lesbian, gay, bisexual, or transgender–owned investment firms.

SECTION 228. 18.64 (5) (d) of the statutes is created to read:

18.64 **(5)** (d) Except as provided under sub. (7), an individual underwriter or syndicate of underwriters shall make efforts to ensure that each bid or proposal, submitted by that individual or syndicate in a competitive or negotiated sale of a revenue obligation, provides for at least 1 percent of sales to disability–owned investment firms.

SECTION 229. 18.64 (6) of the statutes is amended to read:

18.64 **(6)** The commission shall annually report to the department of administration the total amount of revenue obligations contracted with the underwriting services of minority ~~investment firms and,~~ disabled veteran–owned, lesbian, gay, bisexual, or transgender–owned, and disability–owned investment firms and the total amount of moneys expended for the services of minority ~~financial advisers and,~~ disabled veteran–owned, lesbian, gay, bisexual, or transgender–owned, and disability–owned financial advisers during the preceding fiscal year.

SECTION 230. 18.77 (title) of the statutes is amended to read:

18.77 (title) **Minority ~~financial advisers and investment firms~~; disabled veteran-owned; lesbian, gay, bisexual, or transgender-owned; and disability-owned financial advisers and investment firms.**

SECTION 231. 18.77 (1) (a) of the statutes is renumbered 18.77 (1) (ah).

SECTION 232. 18.77 (1) (ae) of the statutes is created to read:

18.77 **(1)** (ae) "Disability–owned financial adviser" means a financial adviser certified by the department of administration under s. 16.289 (3).

SECTION 233. 18.77 (1) (af) of the statutes is created to read:

18.77 **(1)** (af) "Disability–owned investment firm" means an investment firm certified by the department of administration under s. 16.289 (3).

SECTION 234. 18.77 (1) (br) of the statutes is created to read:

18.77 **(1)** (br) "Lesbian, gay, bisexual, or transgender–owned financial adviser" means a financial adviser certified by the department of administration under s. 16.288 (3).

SECTION 235. 18.77 (1) (bs) of the statutes is created to read:

18.77 **(1)** (bs) "Lesbian, gay, bisexual, or transgender–owned investment firm" means an investment firm certified by the department of administration under s. 16.288 (3).

SECTION 236. 18.77 (2) (c) of the statutes is created to read:

18.77 **(2)** (c) Except as provided under sub. (7), in contracting operating notes by competitive sale, the commission shall make efforts to ensure that at least 1 percent of total operating note indebtedness contracted in each fiscal year is underwritten by lesbian, gay, bisexual, or transgender–owned investment firms.

SECTION 237. 18.77 (2) (d) of the statutes is created to read:

18.77 **(2)** (d) Except as provided under sub. (7), in contracting operating notes by competitive sale, the commission shall make efforts to ensure that at least 1 percent of total operating note indebtedness contracted in each fiscal year is underwritten by disability–owned investment firms.

SECTION 238. 18.77 (3) (c) of the statutes is created to read:

18.77 **(3)** (c) Except as provided under sub. (7), in contracting operating notes by negotiated sale, the commission shall make efforts to ensure that at least 1 percent of total operating note indebtedness contracted in each fiscal year is underwritten by lesbian, gay, bisexual, or transgender–owned investment firms.

SECTION 239. 18.77 (3) (d) of the statutes is created to read:

18.77 **(3)** (d) Except as provided under sub. (7), in contracting operating notes by negotiated sale, the commission shall make efforts to ensure that at least 1 percent of total operating note indebtedness contracted in each fiscal year is underwritten by disability–owned investment firms.

SECTION 240. 18.77 (4) (c) of the statutes is created to read:

18.77 **(4)** (c) Except as provided under sub. (7), in contracting operating notes by competitive sale or negotiated sale, the commission shall make efforts to ensure that at least 1 percent of the total moneys expended in such fiscal year for the services of financial advisers are expended for the services of lesbian, gay, bisexual, or transgender–owned financial advisers.

SECTION 241. 18.77 (4) (d) of the statutes is created to read:

18.77 **(4)** (d) Except as provided under sub. (7), in contracting operating notes by competitive sale or negotiated sale, the commission shall make efforts to ensure that at least 1 percent of the total moneys expended in such fiscal year for the services

of financial advisers are expended for the services of disability–owned financial advisers.

SECTION 242. 18.77 (5) (c) of the statutes is created to read:

18.77 **(5)** (c) Except as provided under sub. (7), an individual underwriter or syndicate of underwriters shall make efforts to ensure that each bid or proposal, submitted by that individual or syndicate in a competitive or negotiated sale of an operating note, provides for at least 1 percent of sales to lesbian, gay, bisexual, or transgender–owned investment firms.

SECTION 243. 18.77 (5) (d) of the statutes is created to read:

18.77 **(5)** (d) Except as provided under sub. (7), an individual underwriter or syndicate of underwriters shall make efforts to ensure that each bid or proposal, submitted by that individual or syndicate in a competitive or negotiated sale of an operating note, provides for at least 1 percent of sales to disability–owned investment firms.

SECTION 244. 18.77 (6) of the statutes is amended to read:

18.77 **(6)** The commission shall annually report to the department of administration the total amount of operating note indebtedness contracted with the underwriting services of minority, disabled veteran–owned, lesbian, gay, bisexual, or transgender–owned, and disability–owned investment firms and the total amount of moneys expended for the services of minority ~~financial advisers and~~, disabled veteran–owned, lesbian, gay, bisexual, or transgender–owned, and disability–owned financial advisers during the preceding fiscal year.

SECTION 245. 19.01 (4) (b) 1. of the statutes is amended to read:

19.01 **(4)** (b) 1. The secretary of state and assistant secretary of state.

SECTION 246. 19.35 (3) (c) of the statutes is amended to read:

19.35 **(3)** (c) Except as otherwise provided by law or as authorized to be prescribed by law, an authority may impose a fee upon a requester for locating a record, not exceeding the actual, necessary and direct cost of location, if the cost is ~~$50~~ $100 or more.

SECTION 247. 19.36 (12) of the statutes is created to read:

19.36 **(12)** INFORMATION RELATING TO CERTAIN EMPLOYEES. Unless access is specifically authorized or required by statute, an authority may not provide access to a record prepared or provided by an employer performing work on a project to which s. 66.0903, 103.49, or 103.50 applies, or on which the employer is otherwise required to pay prevailing wages, if that record contains the name or other personally identifiable information relating to an employee of that employer, unless the employee authorizes the authority to provide access to that information. In this subsection, "personally identifiable information" does not include an employee's work classification, hours of work, or wage or benefit payments received for work on such a project.

SECTION 248. 20.005 (1) of the statutes is repealed and recreated to read:

20.005 **(1)** SUMMARY OF ALL FUNDS. The budget governing fiscal operations for the state of Wisconsin for all funds beginning on July 1, 2021, and ending on June 30, 2023, is summarized as follows: [See Figure 20.005 (1) following]

Figure: 20.005 (1)

GENERAL FUND SUMMARY

	2021-22	2022-23
Opening Balance, July 1	$ 1,894,581,800	$ 803,237,700

	2021-22	2022-23
Revenues		
Taxes	$ 18,909,024,000	$ 19,752,884,000
Departmental Revenues		
Tribal Gaming Revenues	2,029,800	25,186,400
Other	503,630,200	519,130,800
Total Available	$ 21,309,265,800	$ 21,100,438,900
Appropriations, Transfers, and Reserves		
Gross Appropriations	$ 20,715,493,400	$ 21,121,522,000
Transfers to:		
Transportation Fund	47,272,600	49,382,200
Compensation Reserves	54,066,100	117,807,800
Less Lapses	(310,804,000)	(330,960,600)
Net Appropriations	$ 20,506,028,100	$ 20,957,751,400
Balances		
Gross Balance	$ 803,237,700	$ 142,687,500
Less Required Statutory Balance	(90,000,000)	(95,000,000)
Net Balance, June 30	$ 713,237,700	$ 47,687,500

SUMMARY OF APPROPRIATIONS — ALL FUNDS

	2021-22	2022-23
General Purpose Revenue	$ 20,715,493,400	$ 21,121,522,000
Federal Revenue	$ 13,786,557,100	$ 13,531,025,200
Program	(12,824,916,200)	(12,553,598,300)
Segregated	(961,640,900)	(977,426,900)
Program Revenue	$ 6,951,611,600	$ 6,959,411,600
State	(5,940,915,100)	(5,991,245,400)
Service	(1,010,696,500)	(968,166,200)

	2021-22	2022-23
Segregated Revenue	$ 3,920,249,100	$ 3,962,634,000
State	(3,688,045,700)	(3,732,413,500)
Local	(115,438,800)	(115,455,900)
Service	(116,764,600)	(114,764,600)
GRAND TOTAL	$ 45,373,911,200	$ 45,574,592,800

SUMMARY OF COMPENSATION RESERVES — ALL FUNDS

	2021-22	2022-23
General Purpose Revenue	$ 54,066,100	$ 117,807,800
Federal Revenue	9,253,800	18,875,700
Program Revenue	15,391,900	31,395,800
Segregated Revenue	9,360,800	19,093,900
TOTAL	$ 88,072,600	$ 187,173,200

LOTTERY FUND SUMMARY

	2021-22	2022-23
Gross Revenue		
Ticket Sales	$ 715,024,100	$ 716,857,500
Miscellaneous Revenue	142,300	142,300
	$ 715,166,400	$ 716,999,800
Expenses—SEG		
Prizes	$ 447,469,700	$ 448,395,800
Administrative Expenses	20,312,900	20,650,000

	2021-22	2022-23
	$ 467,782,600	$ 469,045,800
Expenses—GPR		
Administrative Expenses	$ 72,875,000	$ 72,875,000
	$ 72,875,000	$ 72,875,000
Net Proceeds	$ 247,383,800	$ 247,954,000
Total Available for Property Tax Relief		
Opening Balance	$ 33,238,900	$ 14,303,300
Net SEG Proceeds	247,383,800	247,954,000
Interest Earnings	28,400	28,400
Gaming–Related Revenue	0	0
	$ 280,651,100	$ 262,285,700
Property Tax Relief	$ 266,347,800	$ 247,945,700
Gross Closing Balance	$ 14,303,300	$ 14,340,000
Reserve	$ 14,303,300	$ 14,340,000
Net Balance	$ 0	$ 0

SECTION 249. 20.005 (2) of the statutes is repealed and recreated to read:

20.005 **(2)** STATE BORROWING PROGRAM SUMMARY. The following schedule sets forth the state borrowing program summary: [See Figures 20.005 (2) (a) and (b) following]

Figure: 20.005 (2) (a)

SUMMARY OF BONDING AUTHORITY MODIFICATIONS
2021-23 FISCAL BIENNIUM

Source and Purpose	**Amount**
GENERAL OBLIGATIONS	
Agriculture, Trade and Consumer Protection	
Soil and water	$ 7,000,000
Natural Resources	
Contaminated sediment removal	25,000,000
Dam safety projects	6,000,000
Nonpoint source	6,500,000
Urban nonpoint source cost–sharing	12,000,000
Knowles–Nelson stewardship	700,000,000
Transportation	
Freight rail	20,000,000
Interstate 94 East–West	40,000,000
Critical infrastructure pilot program	15,000,000
Alternative contracting—design–build	20,000,000
Electric vehicle infrastructure	5,000,000
Harbor assistance	15,300,000
State highway rehabilitation	278,500,000
TOTAL General Obligation Bonds	$ 1,150,300,000*

Source and Purpose	**Amount**

*Excludes $2,000,000,000 of economic refunding bonds authorized.

REVENUE OBLIGATIONS

Environmental Improvement Program	
Clean water and safe drinking water	385,000,000
Transportation	
Transportation facilities and major highway projects	162,023,200
TOTAL Revenue Obligation Bonds	$ 547,023,200
GRAND TOTAL	$ 1,697,323,200

Figure: 20.005 (2) (b)

GENERAL OBLIGATION DEBT SERVICE
FISCAL YEARS 2021-22 AND 2022-23

STATUTE, AGENCY AND PURPOSE			SOURCE	2021-22	2022-23
20.115 Agriculture, trade and consumer protection, department of					
(2)	(d)	Principal repayment and interest	GPR	$ 1,800	$ 800
(7)	(b)	Principal repayment and interest, conservation reserve enhancement	GPR	1,326,700	1,156,200
20.190 State fair park board					
(1)	(c)	Housing facilities principal repayment, interest and rebates	GPR	132,700	38,900
(1)	(d)	Principal repayment and interest	GPR	1,831,900	1,783,600
20.225 Educational communications board					
(1)	(c)	Principal repayment and interest	GPR	2,239,900	1,844,400

STATUTE, AGENCY AND PURPOSE			SOURCE	2021-22	2022-23
20.245 Historical society					
(1)	(e)	Principal repayment, interest, and rebates	GPR	4,381,100	4,619,000
20.250 Medical College of Wisconsin					
(1)	(c)	Principal repayment, interest, and rebates; biomedical research and technology incubator	GPR	3,132,500	3,175,800
(1)	(e)	Principal repayment and interest	GPR	489,300	462,200
20.255 Public instruction, department of					
(1)	(d)	Principal repayment and interest	GPR	928,700	1,150,400
20.285 University of Wisconsin System					
(1)	(d)	Principal repayment and interest	GPR	205,856,900	212,611,900
20.320 Environmental improvement program					
(1)	(c)	Principal repayment and interest — clean water fund program	GPR	4,245,500	3,072,300
(2)	(c)	Principal repayment and interest — safe drinking water loan program	GPR	4,400,000	3,808,300
20.370 Natural resources, department of					
(7)	(aa)	Resource acquisition and development — principal repayment and interest	GPR	64,032,900	56,181,100
(7)	(cb)	Principal repayment and interest — pollution abatement bonds	GPR	0	0
(7)	(cc)	Principal repayment and interest — combined sewer overflow; pollution abatement bonds	GPR	634,100	255,200
(7)	(cd)	Principal repayment and interest — municipal clean drinking water grants	GPR	5,600	2,100

STATUTE, AGENCY AND PURPOSE	SOURCE	2021-22	2022-23
(7) (ea) Administrative facilities — principal repayment and interest	GPR	549,500	555,100
20.395 Transportation, department of			
(6) (ad) Principal repayment and interest, contingent funding of southeast Wisconsin freeway megaprojects, state funds	GPR	16,382,700	17,482,800
(6) (ae) Principal repayment and interest, contingent funding of major highway and rehabilitation projects, state funds	GPR	13,944,000	14,034,100
(6) (af) Principal repayment and interest, local roads for job preservation program, major highway and rehabilitation projects, southeast megaprojects, state funds	GPR	78,078,500	64,080,500
20.410 Corrections, department of			
(1) (e) Principal repayment and interest	GPR	48,026,500	34,770,200
(1) (ec) Prison industries principal, interest and rebates	GPR	0	0
(3) (e) Principal repayment and interest	GPR	2,605,800	2,261,900
(3) (fm) Secured residential care centers for children and youth	GPR	256,300	2,025,700
20.435 Health services, department of			
(2) (ee) Principal repayment and interest	GPR	17,557,900	17,890,100
20.465 Military affairs, department of			
(1) (d) Principal repayment and interest	GPR	6,459,000	6,303,400

STATUTE, AGENCY AND PURPOSE			SOURCE	2021-22	2022-23
20.485 Veterans affairs, department of					
(1)	(f)	Principal repayment and interest	GPR	2,255,100	1,431,100
20.505 Administration, department of					
(4)	(es)	Principal, interest, and rebates; general purpose revenue — schools	GPR	734,000	307,300
(4)	(et)	Principal, interest, and rebates; general purpose revenue — public library boards	GPR	6,600	3,400
(5)	(c)	Principal repayment and interest; Black Point Estate	GPR	229,100	193,200
20.855 Miscellaneous appropriations					
(8)	(a)	Dental clinic and education facility; principal repayment, interest and rebates	GPR	1,975,600	882,400
20.867 Building commission					
(1)	(a)	Principal repayment and interest; housing of state agencies	GPR	0	0
(1)	(b)	Principal repayment and interest; capitol and executive residence	GPR	4,058,500	2,374,500
(3)	(a)	Principal repayment and interest	GPR	31,988,500	44,705,700
(3)	(b)	Principal repayment and interest	GPR	1,544,800	2,067,200
(3)	(bb)	Principal repayment, interest, and rebates; AIDS Network, Inc.	GPR	25,100	23,900
(3)	(bc)	Principal repayment, interest, and rebates; Grand Opera House in Oshkosh	GPR	52,300	43,300

STATUTE, AGENCY AND PURPOSE	SOURCE	2021-22	2022-23
(3) (bd) Principal repayment, interest, and rebates; Aldo Leopold climate change classroom and interactive laboratory	GPR	36,900	36,500
(3) (be) Principal repayment, interest, and rebates; Bradley Center Sports and Entertainment Corporation	GPR	686,400	636,200
(3) (bf) Principal repayment, interest, and rebates; AIDS Resource Center of Wisconsin, Inc.	GPR	66,800	63,600
(3) (bg) Principal repayment, interest, and rebates; Madison Children's Museum	GPR	20,900	19,900
(3) (bh) Principal repayment, interest, and rebates; Myrick Hixon EcoPark, Inc.	GPR	36,700	42,300
(3) (bj) Principal repayment, interest, and rebates; Lac du Flambeau Indian Tribal Cultural Center	GPR	16,000	16,000
(3) (bL) Principal repayment, interest and rebates; family justice center	GPR	725,500	725,900
(3) (bm) Principal repayment, interest, and rebates; HR Academy, Inc.	GPR	121,500	98,700
(3) (bn) Principal repayment, interest and rebates; Hmong cultural centers	GPR	22,100	19,900
(3) (bq) Principal repayment, interest and rebates; children's research institute	GPR	915,900	856,200
(3) (br) Principal repayment, interest and rebates	GPR	67,700	13,000

STATUTE, AGENCY AND PURPOSE			SOURCE	2021-22	2022-23
(3)	(bt)	Principal repayment, interest, and rebates; Wisconsin Agriculture Education Center, Inc.	GPR	327,500	324,600
(3)	(bu)	Principal repayment, interest and rebates; Civil War exhibit at the Kenosha Public Museums	GPR	34,400	33,900
(3)	(bv)	Principal repayment, interest, and rebates; Bond Health Center	GPR	42,200	56,500
(3)	(bw)	Principal repayment, interest, and rebates; Eau Claire Confluence Arts, Inc.	GPR	999,800	991,400
(3)	(bx)	Principal repayment, interest, and rebates; Carroll University	GPR	185,700	184,200
(3)	(cb)	Principal repayment, interest and rebates; Domestic Abuse Intervention Services, Inc.	GPR	36,500	36,500
(3)	(cd)	Principal repayment, interest and rebates; K I Convention Center	GPR	134,100	133,400
(3)	(cf)	Principal repayment, interest and rebates; Dane County; livestock facilities	GPR	573,600	575,000
(3)	(ch)	Principal repayment, interest, and rebates; Wisconsin Maritime Center of Excellence	GPR	346,300	344,600
(3)	(cj)	Principal repayment, interest, and rebates; Norskedalen Nature and Heritage Center	GPR	8,800	56,100
(3)	(cq)	Principal repayment, interest, and rebates; La Crosse Center	GPR	130,300	401,300

STATUTE, AGENCY AND PURPOSE			SOURCE	2021-22	2022-23
(3)	(cr)	Principal repayment, interest, and rebates; St. Ann Center for Intergenerational Care, Inc.; Bucyrus Campus	GPR	342,700	338,100
(3)	(cs)	Principal repayment, interest, and rebates; Brown County innovation center	GPR	404,100	399,500
(3)	(cw)	Principal repayment, interest, and rebates; projects	GPR	0	0
(3)	(cx)	Principal repayment, interest, and rebates; center	GPR	0	0
(3)	(e)	Principal repayment, interest, and rebates; parking ramp	GPR	0	0
TOTAL General Purpose Revenue Debt Service				$ 526,651,800	$ 508,001,300
20.190 State fair park board					
(1)	(j)	State fair principal repayment, interest and rebates	PR	$ 2,634,900	$ 2,639,600
20.225 Educational communications board					
(1)	(i)	Program revenue facilities; principal repayment, interest, and rebates	PR	0	0
20.245 Historical society					
(1)	(j)	Self–amortizing facilities; principal repayment, interest, and rebates	PR	949,200	2,899,300
20.285 University of Wisconsin System					
(1)	(gj)	Self–amortizing facilities principal and interest	PR	152,158,700	161,303,600
20.370 Natural resources, department of					
(7)	(ad)	Land sales — principal repayment	PR	0	0

STATUTE, AGENCY AND PURPOSE			SOURCE	2021-22	2022-23
(7)	(ag)	Land acquisition — principal repayment and interest	PR	0	0
(7)	(cg)	Principal repayment and interest — nonpoint repayments	PR	0	0
20.410 Corrections, department of					
(1)	(ko)	Prison industries principal repayment, interest and rebates	PR	51,600	49,000
20.485 Veterans affairs, department of					
(1)	(go)	Self–amortizing facilities; principal repayment and interest	PR	3,686,400	4,273,100
20.505 Administration, department of					
(4)	(ha)	Principal, interest, and rebates; program revenue — schools	PR	0	0
(4)	(hb)	Principal, interest, and rebates; program revenue — public library boards	PR	0	0
(5)	(g)	Principal repayment, interest and rebates; parking	PR	3,044,200	2,217,300
(5)	(kc)	Principal repayment, interest and rebates	PR	29,224,700	23,804,900
20.867 Building commission					
(3)	(g)	Principal repayment, interest and rebates; program revenues	PR	0	0
(3)	(h)	Principal repayment, interest and rebates	PR	0	0
(3)	(i)	Principal repayment, interest and rebates; capital equipment	PR	0	0
(3)	(kd)	Energy conservation construction projects; principal repayment, interest and rebates	PR	1,427,800	2,693,000

STATUTE, AGENCY AND PURPOSE	SOURCE	2021-22	2022-23
(3) (km) Aquaculture demonstration facility; principal repayment and interest	PR	256,500	196,700
TOTAL Program Revenue Debt Service		$ 193,434,000	$ 200,076,500
20.115 Agriculture, trade and consumer protection, department of			
(7) (s) Principal repayment and interest; soil and water, environmental fund	SEG	$ 4,785,600	$ 5,234,300
20.320 Environmental improvement program			
(1) (t) Principal repayment and interest — clean water fund program bonds	SEG	8,000,000	7,000,000
20.370 Natural resources, department of			
(7) (aq) Resource acquisition and development — principal repayment and interest	SEG	100	100
(7) (ar) Dam repair and removal — principal repayment and interest	SEG	216,000	139,700
(7) (at) Recreation development — principal repayment and interest	SEG	0	0
(7) (au) State forest acquisition and development — principal repayment and interest	SEG	13,500,000	13,500,000
(7) (bq) Principal repayment and interest — remedial action	SEG	1,633,800	1,246,400
(7) (br) Principal repayment and interest — contaminated sediment	SEG	2,292,700	2,142,600
(7) (cq) Principal repayment and interest — nonpoint source grants	SEG	3,915,600	3,602,300
(7) (cr) Principal repayment and interest — nonpoint source	SEG	2,336,200	2,837,000

STATUTE, AGENCY AND PURPOSE			SOURCE	2021-22	2022-23
(7)	(cs)	Principal repayment and interest — urban nonpoint source cost–sharing	SEG	3,181,600	3,431,000
(7)	(ct)	Principal repayment and interest — pollution abatement, environmental fund	SEG	3,044,400	1,421,500
(7)	(eq)	Administrative facilities — principal repayment and interest	SEG	6,396,100	6,995,800
(7)	(er)	Administrative facilities — principal repayment and interest; environmental fund	SEG	1,080,800	1,044,900
20.395 Transportation, department of					
(6)	(aq)	Principal repayment and interest, transportation facilities, state highway rehabilitation, major highway projects, state funds	SEG	49,944,400	60,634,700
(6)	(ar)	Principal repayment and interest, buildings, state funds	SEG	21,900	27,900
(6)	(au)	Principal repayment and interest, southeast rehabilitation projects, southeast megaprojects, and high–cost bridge projects, state funds	SEG	89,840,300	95,229,800
(6)	(av)	Principal repayment and interest, contingent funding of major highway and rehabilitation projects, state funds	SEG	12,376,600	12,245,200
20.485 Veterans affairs, department of					
(4)	(qm)	Repayment of principal and interest	SEG	800	200
20.866 Public debt					
(1)	(u)	Principal repayment and interest	SEG	0	0

STATUTE, AGENCY AND PURPOSE	SOURCE	2021-22	2022-23
20.867 Building commission			
(3) (q) Principal repayment and interest; segregated revenues	SEG	0	0
TOTAL Segregated Revenue Debt Service		$ 202,566,900	$ 216,733,400
GRAND TOTAL All Debt Service		$ 922,652,700	$ 924,811,200

SECTION 250. 20.005 (3) of the statutes is repealed and recreated to read:

20.005 **(3)** APPROPRIATIONS. The following schedule sets forth all annual, biennial, and sum certain continuing appropriations and anticipated expenditures from other appropriations for the programs and other purposes indicated. All appropriations are made from the general fund unless otherwise indicated. The letter abbreviations shown designating the type of appropriation apply to both fiscal years in the schedule unless otherwise indicated. [See Figure 20.005 (3) following]

Figure: 20.005 (3)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
Commerce				
20.115 Agriculture, Trade and Consumer Protection, Department of				
(1) FOOD SAFETY AND CONSUMER PROTECTION				
(a) General program operations	GPR	A	–0–	–0–
Food inspection	GPR	A	4,198,300	4,197,100
Meat and poultry inspection	GPR	A	5,085,500	5,129,300
Trade and consumer protection	GPR	A	1,980,000	2,081,300
NET APPROPRIATION			11,263,800	11,407,700

	Statute, Agency and Purpose		Source	Type	2021-2022	2022-2023
(c)	Petroleum products; storage tank inventory		GPR	A	–0–	–0–
(g)	Related services		PR	A	57,700	57,700
(gb)	Food, lodging, and recreation		PR	A	11,482,900	11,498,800
(gc)	Testing of petroleum products		PR	C	–0–	–0–
(gf)	Fruit and vegetable inspection		PR	C	587,400	587,400
(gh)	Public warehouse regulation		PR	A	122,500	122,500
(gm)	Dairy trade regulation		PR	A	142,200	146,800
(h)	Grain inspection and certification		PR	C	1,282,600	1,282,600
(hm)	Ozone–depleting refrigerants and products regulation		PR	A	–0–	–0–
(i)	Sale of supplies		PR	A	10,400	10,400
(im)	Consumer protection; telephone solicitor fees		PR	A	318,100	318,700
(ip)	Bisphenol A enforcement		PR	C	–0–	–0–
(j)	Weights and measures inspection		PR	A	2,125,000	2,134,000
(jb)	Consumer protection, information, and education		PR	A	147,800	147,800
(jm)	Telecommunications utility trade practices		PR	A	409,400	410,000
(m)	Federal funds		PR–F	C	6,718,200	6,672,600
(q)	Dairy, grain, and vegetable security		SEG	A	1,350,900	1,350,900

		Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(r)	Unfair sales act enforcement	SEG	A	302,900	302,900
(s)	Weights and measures; petroleum inspection fund	SEG	A	896,100	896,100
(t)	Petroleum products; petroleum inspection fund	SEG	A	4,925,800	4,928,700
(u)	Recyclable and nonrecyclable products regulation	SEG	A	–0–	–0–
(v)	Agricultural producer security; contingent financial backing	SEG	S	–0–	–0–
(w)	Agricultural producer security; payments	SEG	S	200,000	200,000
(wb)	Agricultural producer security; proceeds of contingent financial backing	SEG	C	–0–	–0–
(wc)	Agricultural producer security; repayment of contingent financial backing	SEG	S	–0–	–0–
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			11,263,800	11,407,700
	PROGRAM REVENUE			23,404,200	23,389,300
	FEDERAL			(6,718,200)	(6,672,600)
	OTHER			(16,686,000)	(16,716,700)
	SEGREGATED REVENUE			7,675,700	7,678,600
	OTHER			(7,675,700)	(7,678,600)
	TOTAL–ALL SOURCES			42,343,700	42,475,600
(2)	ANIMAL HEALTH SERVICES				
(a)	General program operations	GPR	A	3,021,300	3,019,900
(b)	Animal disease indemnities	GPR	S	108,600	108,600

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(c)	Financial assistance for paratuberculosis testing	GPR	A	–0–	–0–
(d)	Principal repayment and interest	GPR	S	1,800	800
(e)	Livestock premises registration	GPR	A	350,000	350,000
(g)	Related services	PR	C	–0–	–0–
(h)	Sale of supplies	PR	A	28,400	28,400
(ha)	Inspection, testing and enforcement	PR	C	607,300	607,300
(j)	Dog licenses, rabies control, and related services	PR	C	471,900	471,900
(jm)	Veterinary examining board	PR	C	349,500	367,300
(m)	Federal funds	PR–F	C	317,300	317,300
(q)	Animal health inspection, testing and enforcement	SEG	A	381,900	381,900
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			3,481,700	3,479,300
	PROGRAM REVENUE			1,774,400	1,792,200
	FEDERAL			(317,300)	(317,300)
	OTHER			(1,457,100)	(1,474,900)
	SEGREGATED REVENUE			381,900	381,900
	OTHER			(381,900)	(381,900)
	TOTAL–ALL SOURCES			5,638,000	5,653,400
(3)	AGRICULTURAL DEVELOPMENT SERVICES				
(a)	General program operations	GPR	A	2,842,600	2,997,000
(at)	Farm to school program administration	GPR	A	83,400	83,400
(c)	Farmer mental health assistance	GPR	A	100,000	100,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(d)	Wisconsin initiative for agricultural exports	GPR	B	1,074,400	1,092,200
(e)	Food waste reduction grants	GPR	A	100,000	100,000
(f)	Meat processing tuition grants	GPR	A	1,306,700	1,329,700
(g)	Related services	PR	A	–0–	–0–
(h)	Loans and grants for rural development	PR	C	58,700	58,700
(i)	Marketing orders and agreements	PR	C	109,900	109,900
(j)	Stray voltage program	PR	A	255,200	255,200
(ja)	Agricultural development services and materials	PR	C	97,700	97,700
(jm)	Stray voltage program; rural electric cooperatives	PR	A	25,300	25,300
(L)	Something special from Wisconsin promotion	PR	A	57,700	57,700
(m)	Federal funds	PR–F	C	1,039,800	1,039,800
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			5,507,100	5,702,300
	PROGRAM REVENUE			1,644,300	1,644,300
	FEDERAL			(1,039,800)	(1,039,800)
	OTHER			(604,500)	(604,500)
	TOTAL–ALL SOURCES			7,151,400	7,346,600
(4)	AGRICULTURAL ASSISTANCE				
(a)	Aid to Wisconsin livestock breeders association	GPR	A	–0–	–0–
(b)	Aids to county and district fairs	GPR	A	456,400	456,400

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
(c)	Agricultural investment aids		GPR	B	–0–	–0–
(cm)	Water stewardship certification grants		GPR	C	–0–	250,000
(e)	Aids to World Dairy Expo, Inc.		GPR	A	20,100	20,100
(f)	Agricultural assistance programs		GPR	B	13,725,000	13,325,000
(q)	Grants for agriculture in the classroom program		SEG	A	93,900	93,900
(r)	Agricultural investment aids, agrichemical management fund		SEG	B	–0–	–0–
		(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE				14,201,500	14,051,500
	SEGREGATED REVENUE				93,900	93,900
	OTHER				(93,900)	(93,900)
	TOTAL–ALL SOURCES				14,295,400	14,145,400
(7)	AGRICULTURAL RESOURCE MANAGEMENT					
(a)	General program operations		GPR	A	935,800	944,000
(b)	Principal repayment and interest, conservation reserve enhancement		GPR	S	1,326,700	1,156,200
(c)	Soil and water resource management program		GPR	C	3,027,200	3,027,200
(cm)	Nitrogen optimization pilot program		GPR	C	500,000	–0–
(dm)	Farmland preservation planning grants		GPR	A	210,000	210,000

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
(f)	Soil and water management; climate change personnel		GPR	A	1,800,000	1,800,000
(g)	Agricultural impact statements		PR	C	204,000	204,000
(ga)	Related services		PR	C	367,800	367,800
(gc)	Industrial hemp and marijuana		PR	C	548,200	645,000
(ge)	Marijuana producers and processors; official logotype		PR	C	–0–	–0–
(gm)	Seed testing and labeling		PR	C	90,600	90,600
(h)	Fertilizer research assessments		PR	C	255,600	255,600
(ha)	Liming material research funds		PR	C	21,100	21,100
(i)	Agricultural conservation easements; gifts and grants		PR	C	–0–	–0–
(ja)	Plant protection		PR	C	192,600	192,600
(k)	Agricultural resource management services		PR–S	C	318,000	318,000
(m)	Federal funds		PR–F	C	1,438,300	1,341,800
(qc)	Plant protection; conservation fund		SEG	A	1,762,600	1,762,600
(qd)	Soil and water administration; environmental fund		SEG	A	2,333,300	2,337,900
(qe)	Soil and water management; local assistance		SEG	A	9,536,900	9,644,900
(qf)	Soil and water management; aids		SEG	A	5,365,000	5,365,000

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
(r)	General program operations; agrichemical management		SEG	A	7,462,500	7,488,700
(s)	Principal repayment and interest; soil and water, environmental fund		SEG	S	4,785,600	5,234,300
(tg)	Agricultural conservation easements		SEG	A	–0–	–0–
(tm)	Farmland preservation planning grants, working lands fund		SEG	A	–0–	–0–
(ts)	Working lands programs		SEG	A	12,000	12,000
(u)	Planning grants for regional biodigesters		SEG	A	250,000	250,000
(va)	Clean sweep grants		SEG	A	750,000	750,000
(wm)	Agricultural chemical cleanup reimbursement		SEG	C	900,000	900,000
		(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE				7,799,700	7,137,400
	PROGRAM REVENUE				3,436,200	3,436,500
	FEDERAL				(1,438,300)	(1,341,800)
	OTHER				(1,679,900)	(1,776,700)
	SERVICE				(318,000)	(318,000)
	SEGREGATED REVENUE				33,157,900	33,745,400
	OTHER				(33,157,900)	(33,745,400)
	TOTAL–ALL SOURCES				44,393,800	44,319,300
(8)	CENTRAL ADMINISTRATIVE SERVICES					
(a)	General program operations		GPR	A	6,807,200	6,848,400
(g)	Gifts and grants		PR	C	722,100	722,100
(gm)	Enforcement cost recovery		PR	A	11,000	11,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(h)	Sale of material and supplies	PR	C	9,600	9,600
(ha)	General laboratory related services	PR	C	44,200	44,200
(hm)	Restitution	PR	C	–0–	–0–
(i)	Related services	PR	A	15,200	15,200
(j)	Electronic processing	PR	C	–0–	–0–
(jm)	Telephone solicitation regulation	PR	C	874,300	899,300
(k)	Computer system equipment, staff and services	PR–S	A	3,495,900	3,545,900
(kL)	Central services	PR–S	C	676,100	676,100
(km)	General laboratory services	PR–S	B	4,080,900	4,134,300
(ks)	State services	PR–S	C	188,700	188,700
(m)	Federal funds	PR–F	C	209,200	209,200
(pz)	Indirect cost reimbursements	PR–F	C	1,929,900	1,897,500
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			6,807,200	6,848,400
	PROGRAM REVENUE			12,257,100	12,353,100
	FEDERAL			(2,139,100)	(2,106,700)
	OTHER			(1,676,400)	(1,701,400)
	SERVICE			(8,441,600)	(8,545,000)
	TOTAL–ALL SOURCES			19,064,300	19,201,500
	20.115 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			49,061,000	48,626,600
	PROGRAM REVENUE			42,516,200	42,615,400
	FEDERAL			(11,652,700)	(11,478,200)
	OTHER			(22,103,900)	(22,274,200)
	SERVICE			(8,759,600)	(8,863,000)
	SEGREGATED REVENUE			41,309,400	41,899,800
	OTHER			(41,309,400)	(41,899,800)
	TOTAL–ALL SOURCES			132,886,600	133,141,800

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
20.144 Financial Institutions, Department of						
(1)	SUPERVISION OF FINANCIAL INSTITUTIONS, SECURITIES REGULATION AND OTHER FUNCTIONS					
	(a)	Losses on public deposits	GPR	S	–0–	–0–
	(g)	General program operations	PR	A	19,428,500	19,394,400
	(h)	Gifts, grants, settlements, and publications	PR	C	58,500	58,500
	(i)	Investor education and training fund	PR	A	84,500	84,500
	(j)	Payday loan database and financial literacy	PR	C	900,000	900,000
	(k)	Interagency and intra–agency programs	PR–S	C	–0–	–0–
	(m)	Credit union examinations, federal funds	PR–F	C	–0–	–0–
	(n)	Federal funds	PR–F	C	–0–	–0–
	(u)	State deposit fund	SEG	S	–0–	–0–
		(1) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUE			–0–	–0–
		PROGRAM REVENUE			20,471,500	20,437,400
		FEDERAL			(–0–)	(–0–)
		OTHER			(20,471,500)	(20,437,400)
		SERVICE			(–0–)	(–0–)
		SEGREGATED REVENUE			–0–	–0–
		OTHER			(–0–)	(–0–)
		TOTAL–ALL SOURCES			20,471,500	20,437,400
(3)	COLLEGE TUITION AND EXPENSES AND COLLEGE SAVINGS PROGRAMS					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(tb)	Payment of qualified higher education expenses and refunds; college tuition and expenses program	SEG	S	–0–	–0–
(td)	Administrative expenses; college tuition and expenses program	SEG	A	118,300	118,300
(tf)	Payment of qualified higher education expenses and refunds; college savings program trust fund	SEG	S	–0–	–0–
(th)	Administrative expenses; college savings program trust fund	SEG	A	868,800	868,800
(tj)	Payment of qualified higher education expenses and refunds; college savings program bank deposit trust fund	SEG	S	–0–	–0–
(tL)	Administrative expenses; college savings program bank deposit trust fund	SEG	A	–0–	–0–
(tn)	Payment of qualified higher education expenses and refunds; college savings program credit union deposit trust fund	SEG	S	–0–	–0–
(tp)	Administrative expenses; college savings program credit union deposit trust fund	SEG	A	–0–	–0–

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
		(3) PROGRAM TOTALS				
		SEGREGATED REVENUE			987,100	987,100
		OTHER			(987,100)	(987,100)
		TOTAL–ALL SOURCES			987,100	987,100
(4)		SMALL BUSINESS RETIREMENT SAVINGS PROGRAM				
(a)		General program operations	GPR	A	2,000,000	–0–
(g)		Program operations; other funds	PR	C	–0–	–0–
		(4) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUE			2,000,000	–0–
		PROGRAM REVENUE			–0–	–0–
		OTHER			(–0–)	(–0–)
		TOTAL–ALL SOURCES			2,000,000	–0–
		20.144 DEPARTMENT TOTALS				
		GENERAL PURPOSE REVENUE			2,000,000	–0–
		PROGRAM REVENUE			20,471,500	20,437,400
		FEDERAL			(–0–)	(–0–)
		OTHER			(20,471,500)	(20,437,400)
		SERVICE			(–0–)	(–0–)
		SEGREGATED REVENUE			987,100	987,100
		OTHER			(987,100)	(987,100)
		TOTAL–ALL SOURCES			23,458,600	21,424,500
20.145		**Insurance, Office of the Commissioner of**				
(1)		SUPERVISION OF THE INSURANCE INDUSTRY				
(a)		State operations	GPR	A	1,723,000	1,552,300
(g)		General program operations	PR	A	23,464,300	27,136,500
(gm)		Gifts and grants	PR	C	–0–	–0–
(h)		Holding company restructuring expenses	PR	C	–0–	–0–
(m)		Federal funds	PR–F	C	–0–	–0–
		(1) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUE			1,723,000	1,552,300
		PROGRAM REVENUE			23,464,300	27,136,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
FEDERAL			(–0–)	(–0–)
OTHER			(23,464,300)	(27,136,500)
TOTAL–ALL SOURCES			25,187,300	28,688,800
(2) INJURED PATIENTS AND FAMILIES COMPENSATION FUND				
(a) Supplement for claims payable	GPR	S	–0–	–0–
(q) Interest earned on future medical expenses	SEG	S	–0–	–0–
(u) Administration	SEG	A	8,465,500	2,987,500
(um) Peer review council	SEG	A	145,200	145,200
(v) Specified responsibilities, investment board payments, and future medical expenses	SEG	C	54,150,400	54,150,400
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
SEGREGATED REVENUE			62,761,100	57,283,100
OTHER			(62,761,100)	(57,283,100)
TOTAL–ALL SOURCES			62,761,100	57,283,100
(3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND				
(u) Administration	SEG	A	–0–	–0–
(v) Specified payments, fire dues and reinsurance	SEG	C	500,000	500,000
(3) PROGRAM TOTALS				
SEGREGATED REVENUE			500,000	500,000
OTHER			(500,000)	(500,000)
TOTAL–ALL SOURCES			500,000	500,000
(4) STATE LIFE INSURANCE FUND				
(u) Administration	SEG	A	690,600	690,600
(v) Specified payments and losses	SEG	C	4,493,000	4,493,000

	Statute, Agency and Purpose		Source	Type	2021-2022	2022-2023
		(4) PROGRAM TOTALS				
		SEGREGATED REVENUE			5,183,600	5,183,600
		OTHER			(5,183,600)	(5,183,600)
		TOTAL–ALL SOURCES			5,183,600	5,183,600
	(5)	Wisconsin Healthcare Stability Plan				
	(b)	Reinsurance plan; state subsidy	GPR	S	58,044,800	58,044,800
	(m)	Federal funds; reinsurance plan	PR–F	C	141,955,200	141,955,200
		(5) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUE			58,044,800	58,044,800
		PROGRAM REVENUE			141,955,200	141,955,200
		FEDERAL			(141,955,200)	(141,955,200)
		TOTAL–ALL SOURCES			200,000,000	200,000,000
		20.145 DEPARTMENT TOTALS				
		GENERAL PURPOSE REVENUE			59,767,800	59,597,100
		PROGRAM REVENUE			165,419,500	169,091,700
		FEDERAL			(141,955,200)	(141,955,200)
		OTHER			(23,464,300)	(27,136,500)
		SEGREGATED REVENUE			68,444,700	62,966,700
		OTHER			(68,444,700)	(62,966,700)
		TOTAL–ALL SOURCES			293,632,000	291,655,500
	20.155 Public Service Commission					
	(1)	Regulation of public utilities				
	(c)	State broadband office and planning and line extension grants; general purpose revenue	GPR	A	3,006,900	4,859,000
	(g)	Utility regulation	PR	A	16,458,100	16,263,500
	(gg)	High–voltage transmission line annual impact fee distributions	PR	C	–0–	–0–
	(gr)	High–voltage transmission line environmental impact fee distributions	PR	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(h)	Holding company and nonutility affiliate regulation	PR	C	751,000	751,000
(i)	Relay service	PR	A	2,870,100	2,870,100
(j)	Intervenor financing and grants	PR	B	542,500	542,500
(L)	Stray voltage program	PR	A	312,200	312,200
(Lb)	Gifts for stray voltage program	PR	C	–0–	–0–
(Lm)	Consumer education and awareness	PR	C	–0–	–0–
(m)	Federal funds	PR–F	C	2,930,100	2,930,100
(n)	Indirect costs reimbursement	PR–F	C	50,000	50,000
(q)	Universal telecommunications service; broadband service	SEG	A	5,940,000	5,940,000
(r)	Nuclear waste escrow fund	SEG	S	–0–	–0–
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			3,006,900	4,859,000
	PROGRAM REVENUE			23,914,000	23,719,400
	FEDERAL			(2,980,100)	(2,980,100)
	OTHER			(20,933,900)	(20,739,300)
	SEGREGATED REVENUE			5,940,000	5,940,000
	OTHER			(5,940,000)	(5,940,000)
	TOTAL–ALL SOURCES			32,860,900	34,518,400
(2)	OFFICE OF THE COMMISSIONER OF RAILROADS				
(g)	Railroad and water carrier regulation and general program operations	PR	A	636,200	636,200
(m)	Railroad and water carrier regulation; federal funds	PR–F	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(2) PROGRAM TOTALS				
PROGRAM REVENUE			636,200	636,200
FEDERAL			(–0–)	(–0–)
OTHER			(636,200)	(636,200)
TOTAL–ALL SOURCES			636,200	636,200
(3) AFFILIATED GRANT PROGRAMS				
(a) Broadband expansion grants; general purpose revenue	GPR	A	74,793,100	72,941,000
(r) Broadband expansion grants; transfers	SEG–S	C	2,000,000	2,000,000
(rm) Broadband grants; other funding	SEG	C	–0–	–0–
(s) Energy efficiency and renewable resource programs	SEG	A	413,900	413,900
(t) Police and fire protection fee administration	SEG	A	166,600	166,600
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			74,793,100	72,941,000
SEGREGATED REVENUE			2,580,500	2,580,500
OTHER			(580,500)	(580,500)
SERVICE			(2,000,000)	(2,000,000)
TOTAL–ALL SOURCES			77,373,600	75,521,500
20.155 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			77,800,000	77,800,000
PROGRAM REVENUE			24,550,200	24,355,600
FEDERAL			(2,980,100)	(2,980,100)
OTHER			(21,570,100)	(21,375,500)
SEGREGATED REVENUE			8,520,500	8,520,500
OTHER			(6,520,500)	(6,520,500)
SERVICE			(2,000,000)	(2,000,000)
TOTAL–ALL SOURCES			110,870,700	110,676,100
20.165 Safety and Professional Services, Department of				
(1) PROFESSIONAL REGULATION AND ADMINISTRATIVE SERVICES				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(a)	General program operations – executive and administrative services	GPR	A	–0–	–0–
(g)	General program operations	PR	A	10,646,700	10,652,100
(gm)	Applicant investigation reimbursement	PR	C	113,000	113,000
(h)	Technical assistance; nonstate agencies and organizations	PR	C	–0–	–0–
(hg)	General program operations; medical examining board; interstate medical licensure compact; prescription drug monitoring program	PR	B	2,963,800	3,036,200
(i)	Examinations; general program operations	PR	C	1,402,900	1,402,900
(im)	Boxing and unarmed combat sports; enforcement	PR	C	–0–	–0–
(jm)	Nursing workforce survey administration	PR	B	9,000	9,000
(jr)	Proprietary school programs	PR	A	784,500	784,500
(jt)	Student protection	PR	C	56,600	56,600
(jv)	Closed schools; preservation of student records	PR	C	12,100	12,100
(k)	Technical assistance; state agencies	PR–S	C	–0–	–0–

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(ka)	Sale of materials and services – local assistance	PR–S	C	–0–	–0–
(kb)	Sale of materials and services – individuals and organizations	PR–S	C	–0–	–0–
(kc)	Sale of materials or services	PR–S	C	35,600	35,600
(ke)	Transfer of unappropriated balances	PR–S	C	–0–	–0–
(kf)	Interagency and intra–agency programs	PR	C	–0–	–0–
(m)	Federal funds	PR–F	C	59,600	59,600
(n)	Federal aid, local assistance	PR–F	C	–0–	–0–
(o)	Federal aid, individuals and organizations	PR–F	C	–0–	–0–
(pz)	Indirect cost reimbursements	PR–F	C	–0–	–0–
(s)	Wholesale drug distributor bonding	SEG	C	–0–	–0–
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			–0–	–0–
	PROGRAM REVENUE			16,083,800	16,161,600
	FEDERAL			(59,600)	(59,600)
	OTHER			(15,988,600)	(16,066,400)
	SERVICE			(35,600)	(35,600)
	SEGREGATED REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			16,083,800	16,161,600
(2)	Regulation of industry, safety and buildings				
(a)	General program operations	GPR	A	–0–	–0–

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
(g)	Gifts and grants		PR	C	–0–	–0–
(ga)	Publications and seminars		PR	C	21,000	21,000
(gb)	Local agreements		PR	C	–0–	–0–
(h)	Local energy resource system fees		PR	A	–0–	–0–
(j)	Safety and building operations		PR	A	18,478,200	17,485,900
(ka)	Interagency agreements		PR–S	C	133,600	133,600
(kd)	Administrative services		PR–S	A	3,021,100	3,021,100
(kf)	Private on–site wastewater treatment system replacement and rehabilitation		PR	C	840,000	840,000
(ks)	Data processing		PR–S	C	–0–	–0–
(L)	Fire dues distribution		PR	C	22,560,000	22,560,000
(La)	Fire prevention and fire dues administration		PR	A	765,300	765,300
(m)	Federal funds		PR–F	C	473,400	473,400
(ma)	Federal aid – program administration		PR–F	C	–0–	–0–
(q)	Groundwater – standards; implementation		SEG	A	–0–	–0–
		(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE				–0–	–0–
	PROGRAM REVENUE				46,292,600	45,300,300
	FEDERAL				(473,400)	(473,400)
	OTHER				(42,664,500)	(41,672,200)
	SERVICE				(3,154,700)	(3,154,700)
	SEGREGATED REVENUE				–0–	–0–
	OTHER				(–0–)	(–0–)

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
TOTAL–ALL SOURCES					46,292,600	45,300,300
20.165 DEPARTMENT TOTALS						
GENERAL PURPOSE REVENUE					–0–	–0–
PROGRAM REVENUE					62,376,400	61,461,900
FEDERAL					(533,000)	(533,000)
OTHER					(58,653,100)	(57,738,600)
SERVICE					(3,190,300)	(3,190,300)
SEGREGATED REVENUE					–0–	–0–
OTHER					(–0–)	(–0–)
TOTAL–ALL SOURCES					62,376,400	61,461,900
20.190 State Fair Park Board						
(1) STATE FAIR PARK						
(c)	Housing facilities principal repayment, interest and rebates		GPR	S	132,700	38,900
(d)	Principal repayment and interest		GPR	S	1,831,900	1,783,600
(h)	State fair operations		PR	C	18,809,200	18,809,200
(i)	State fair capital expenses		PR	C	180,000	180,000
(j)	State fair principal repayment, interest and rebates		PR	S	2,634,900	2,639,600
(jm)	Gifts and grants		PR	C	–0–	–0–
(m)	Federal funds		PR–F	C	–0–	–0–
(1) PROGRAM TOTALS						
GENERAL PURPOSE REVENUE					1,964,600	1,822,500
PROGRAM REVENUE					21,624,100	21,628,800
FEDERAL					(–0–)	(–0–)
OTHER					(21,624,100)	(21,628,800)
TOTAL–ALL SOURCES					23,588,700	23,451,300
20.190 DEPARTMENT TOTALS						
GENERAL PURPOSE REVENUE					1,964,600	1,822,500
PROGRAM REVENUE					21,624,100	21,628,800
FEDERAL					(–0–)	(–0–)
OTHER					(21,624,100)	(21,628,800)

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
TOTAL–ALL SOURCES					23,588,700	23,451,300
20.192 Wisconsin Economic Development Corporation						
(1)	PROMOTION OF ECONOMIC DEVELOPMENT					
	(a)	Operations and programs	GPR	S	29,050,700	16,050,700
	(ar)	Small business pandemic recovery programs	GPR	B	200,000,000	–0–
	(b)	Talent attraction and retention initiatives	GPR	C	–0–	–0–
	(c)	Venture capital fund of funds program	GPR	C	100,000,000	–0–
	(k)	Transferred general fund moneys from department of commerce	PR–S	C	–0–	–0–
	(km)	Tribal economic development	PR–S	A	390,000	390,000
	(m)	Federal aids; programs	PR–F	C	–0–	–0–
	(r)	Economic development fund; operations and programs	SEG	C	34,500,000	34,500,000
	(s)	Brownfield site assessment grants	SEG	B	1,000,000	1,000,000
	(t)	Underserved community grants	SEG	A	–0–	5,000,000
		(1) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUE			329,050,700	16,050,700
		PROGRAM REVENUE			390,000	390,000
		FEDERAL			(–0–)	(–0–)
		SERVICE			(390,000)	(390,000)
		SEGREGATED REVENUE			35,500,000	40,500,000
		OTHER			(35,500,000)	(40,500,000)
		TOTAL–ALL SOURCES			364,940,700	56,940,700

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
20.192 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			329,050,700	16,050,700
PROGRAM REVENUE			390,000	390,000
FEDERAL			–0–	–0–
SERVICE			(390,000)	(390,000)
SEGREGATED REVENUE			35,500,000	40,500,000
OTHER			(35,500,000)	(40,500,000)
TOTAL–ALL SOURCES			364,940,700	56,940,700
Commerce				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUE			519,644,100	203,896,900
PROGRAM REVENUE			337,347,900	339,980,800
FEDERAL			(157,121,000)	(156,946,500)
OTHER			(167,887,000)	(170,591,000)
SERVICE			(12,339,900)	(12,443,300)
SEGREGATED REVENUE			154,761,700	154,874,100
FEDERAL			–0–	–0–
OTHER			(152,761,700)	(152,874,100)
SERVICE			(2,000,000)	(2,000,000)
LOCAL			–0–	–0–
TOTAL–ALL SOURCES			1,011,753,700	698,751,800

Education

20.220 Wisconsin Artistic Endowment Foundation

(1)	SUPPORT OF THE ARTS					
(a)	Education and marketing	GPR	C		–0–	–0–
(q)	General program operations	SEG	A		–0–	–0–
(r)	Support of the arts	SEG	C		–0–	–0–
(1) PROGRAM TOTALS						
GENERAL PURPOSE REVENUE					–0–	–0–
SEGREGATED REVENUE					–0–	–0–
OTHER					(–0–)	(–0–)
TOTAL–ALL SOURCES					–0–	–0–
20.220 DEPARTMENT TOTALS						
GENERAL PURPOSE REVENUE					–0–	–0–
SEGREGATED REVENUE					–0–	–0–
OTHER					(–0–)	(–0–)

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
TOTAL–ALL SOURCES					–0–	–0–
20.225 Educational Communications Board						
(1)	INSTRUCTIONAL TECHNOLOGY					
	(a)	General program operations	GPR	A	3,058,700	3,070,800
	(b)	Energy costs; energy–related assessments	GPR	A	812,900	818,300
	(c)	Principal repayment and interest	GPR	S	2,239,900	1,844,400
	(eg)	Transmitter construction	GPR	C	–0–	–0–
	(er)	Transmitter operation	GPR	A	16,000	16,000
	(g)	Gifts, grants, contracts, leases, instructional material, and copyrights	PR	C	14,855,900	14,859,800
	(i)	Program revenue facilities; principal repayment, interest, and rebates	PR	S	–0–	–0–
	(k)	Funds received from other state agencies	PR–S	C	–0–	–0–
	(kb)	Emergency weather warning system operation	PR–S	A	139,700	140,000
	(m)	Federal grants	PR–F	C	–0–	–0–
		(1) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUE			6,127,500	5,749,500
		PROGRAM REVENUE			14,995,600	14,999,800
		FEDERAL			(–0–)	(–0–)
		OTHER			(14,855,900)	(14,859,800)
		SERVICE			(139,700)	(140,000)
		TOTAL–ALL SOURCES			21,123,100	20,749,300

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
20.225 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			6,127,500	5,749,500
PROGRAM REVENUE			14,995,600	14,999,800
FEDERAL			(–0–)	(–0–)
OTHER			(14,855,900)	(14,859,800)
SERVICE			(139,700)	(140,000)
TOTAL–ALL SOURCES			21,123,100	20,749,300
20.235 Higher Educational Aids Board				
(1) STUDENT SUPPORT ACTIVITIES				
(a) Private institution grants for veterans and dependents	GPR	B	2,500,000	2,500,000
(b) Wisconsin grants; private, nonprofit college students	GPR	B	31,355,100	34,205,600
(c) Dual enrollment credential grants	GPR	A	500,000	500,000
(cg) Nursing student loans	GPR	A	–0–	–0–
(cm) Nursing student loan program	GPR	A	445,500	445,500
(cr) Minority teacher loans	GPR	A	259,500	259,500
(ct) Teacher loan program	GPR	A	272,200	272,200
(cu) School leadership loan program	GPR	C	–0–	–0–
(cx) Loan program for teachers and orientation and mobility instructors of visually impaired pupils	GPR	A	99,000	99,000
(d) Dental education contract	GPR	A	1,733,000	1,733,000
(dg) scholarship program; scholarships	GPR	A	800,000	800,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(e)	Minnesota–Wisconsin public vocational school student reciprocity agreement	GPR	S	6,500,000	6,500,000
(fc)	Independent student grants program	GPR	B	–0–	–0–
(fd)	Talent incentive grants	GPR	B	4,458,800	4,458,800
(fe)	Wisconsin grants; University of Wisconsin System students	GPR	B	68,083,600	74,273,100
(ff)	Wisconsin grants; technical college students	GPR	B	25,268,900	27,566,100
(fg)	Minority undergraduate retention grants program	GPR	B	860,000	901,000
(fj)	Impaired student grants	GPR	B	122,600	122,600
(fm)	Wisconsin covenant scholars grants	GPR	S	–0–	–0–
(fp)	Primary care and psychiatry shortage grant program	GPR	C	–0–	–0–
(fw)	Technical excellence higher education scholarships	GPR	S	1,100,000	1,100,000
(fy)	Academic excellence higher education scholarships	GPR	S	3,022,000	3,022,000
(fz)	Remission of fees and reimbursement for veterans and dependents	GPR	B	6,496,700	6,496,700

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
(g)	Student loans		PR	A	–0–	–0–
(gg)	Nursing student loan repayments		PR	C	–0–	–0–
(gm)	Indian student assistance; contributions		PR	C	–0–	–0–
(i)	Gifts and grants		PR	C	–0–	–0–
(k)	Indian student assistance		PR–S	B	779,700	779,700
(kc)	Tribal college payments		PR–S	A	405,000	405,000
(km)	Wisconsin grants; tribal college students		PR–S	B	530,000	578,200
(no)	Federal aid; aids to individuals and organizations		PR–F	C	150,000	150,000
		(1) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUE			153,876,900	165,255,100
		PROGRAM REVENUE			1,864,700	1,912,900
		FEDERAL			(150,000)	(150,000)
		OTHER			(–0–)	(–0–)
		SERVICE			(1,714,700)	(1,762,900)
		TOTAL–ALL SOURCES			155,741,600	167,168,000
	(2) ADMINISTRATION					
(aa)	General program operations		GPR	A	1,103,300	1,103,300
(bb)	Student loan interest, loans sold or conveyed		GPR	S	–0–	–0–
(bc)	Write–off of uncollectible student loans		GPR	A	–0–	–0–
(bd)	Purchase of defective student loans		GPR	S	–0–	–0–

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(ga)	Student interest payments	PR	C	900	900
(gb)	Student interest payments, loans sold or conveyed	PR	C	–0–	–0–
(ia)	Student loans; collection and administration	PR	C	–0–	–0–
(ja)	Write–off of defaulted student loans	PR	A	–0–	–0–
(k)	General program operations – service funds	PR	C	–0–	–0–
(n)	Federal aid; state operations	PR–F	C	–0–	–0–
(qa)	Student loan revenue obligation repayment	SEG	C	–0–	–0–
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,103,300	1,103,300
	PROGRAM REVENUE			900	900
	FEDERAL			(–0–)	(–0–)
	OTHER			(900)	(900)
	SEGREGATED REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			1,104,200	1,104,200
	20.235 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			154,980,200	166,358,400
	PROGRAM REVENUE			1,865,600	1,913,800
	FEDERAL			(150,000)	(150,000)
	OTHER			(900)	(900)
	SERVICE			(1,714,700)	(1,762,900)
	SEGREGATED REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			156,845,800	168,272,200

20.245 Historical Society

(1) HISTORY SERVICES

	Statute, Agency and Purpose		Source	Type	2021-2022	2022-2023
(a)	General program operations		GPR	A	16,667,800	16,667,800
(b)	Wisconsin Black Historical Society and Museum		GPR	A	169,000	169,000
(c)	Energy costs; energy–related assessments		GPR	A	810,800	812,100
(e)	Principal repayment, interest, and rebates		GPR	S	4,381,100	4,619,000
(h)	Gifts, grants, and membership sales		PR	C	1,149,800	1,149,900
(j)	Self–amortizing facilities; principal repayment, interest, and rebates		PR	S	949,200	2,899,300
(k)	Storage facility		PR–S	B	317,800	317,800
(km)	Northern Great Lakes Center		PR–S	A	229,800	229,800
(ks)	General program operations – service funds		PR–S	C	1,801,300	1,802,800
(kw)	Records management – service funds		PR–S	C	269,000	269,000
(m)	General program operations; federal funds		PR–F	C	1,432,300	1,432,500
(n)	Federal aids		PR–F	C	–0–	–0–
(pz)	Indirect cost reimbursements		PR–F	C	117,000	117,000
(q)	Endowment		SEG	C	795,500	795,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(r) History preservation partnership trust fund	SEG	C	3,087,300	4,064,900
(y) Northern great lakes center; interpretive programming	SEG	A	71,300	71,300
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			22,028,700	22,267,900
PROGRAM REVENUE			6,266,200	8,218,100
FEDERAL			(1,549,300)	(1,549,500)
OTHER			(2,099,000)	(4,049,200)
SERVICE			(2,617,900)	(2,619,400)
SEGREGATED REVENUE			3,954,100	4,931,700
OTHER			(3,954,100)	(4,931,700)
TOTAL–ALL SOURCES			32,249,000	35,417,700
20.245 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			22,028,700	22,267,900
PROGRAM REVENUE			6,266,200	8,218,100
FEDERAL			(1,549,300)	(1,549,500)
OTHER			(2,099,000)	(4,049,200)
SERVICE			(2,617,900)	(2,619,400)
SEGREGATED REVENUE			3,954,100	4,931,700
OTHER			(3,954,100)	(4,931,700)
TOTAL–ALL SOURCES			32,249,000	35,417,700
20.250 Medical College of Wisconsin				
(1) TRAINING OF HEALTH PERSONNEL				
(a) Medical student tuition assistance	GPR	A	1,926,600	1,926,600
(b) Family medicine education	GPR	A	5,611,400	5,611,400
(c) Principal repayment, interest, and rebates; biomedical research and technology incubator	GPR	S	3,132,500	3,175,800
(e) Principal repayment and interest	GPR	S	489,300	462,200
(k) Tobacco–related illnesses	PR–S	C	–0–	–0–

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			11,159,800	11,176,000
	PROGRAM REVENUE			–0–	–0–
	SERVICE			(–0–)	(–0–)
	TOTAL–ALL SOURCES			11,159,800	11,176,000
(2)	RESEARCH				
(g)	Cancer research	PR	C	247,500	247,500
(h)	Prostate cancer research	PR	C	–0–	–0–
	(2) PROGRAM TOTALS				
	PROGRAM REVENUE			247,500	247,500
	OTHER			(247,500)	(247,500)
	TOTAL–ALL SOURCES			247,500	247,500
	20.250 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			11,159,800	11,176,000
	PROGRAM REVENUE			247,500	247,500
	OTHER			(247,500)	(247,500)
	SERVICE			(–0–)	(–0–)
	TOTAL–ALL SOURCES			11,407,300	11,423,500
20.255	**Public Instruction, Department of**				
(1)	EDUCATIONAL LEADERSHIP				
(a)	General program operations	GPR	A	13,236,200	13,254,000
(b)	General program operations; Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired	GPR	A	12,874,400	12,874,400

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
1	(c)	Energy costs; Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired; energy–related assessments	GPR	A	429,600	428,300
7	(cm)	Electric energy derived from renewable resources	GPR	A	14,500	14,500
9	(d)	Principal repayment and interest	GPR	S	928,700	1,150,400
10	(dw)	Pupil assessment	GPR	A	16,558,400	16,558,400
11	(e)	Student information system, data collection and maintenance	GPR	C	3,400,000	3,400,000
13	(ee)	Educator effectiveness evaluation system	GPR	A	973,300	973,300
15	(eg)	Rural school teacher talent pilot program	GPR	A	1,500,000	1,500,000
17	(ek)	Longitudinal data system, data collection and maintenance	GPR	A	3,488,100	3,488,100
19	(eL)	WISElearn	GPR	A	1,209,000	1,159,000
20	(em)	Academic and career planning	GPR	C	1,439,000	1,816,000
21	(ep)	Mental health and school climate training programs and grants	GPR	A	920,000	920,000
23	(f)	Assessments of reading readiness	GPR	A	2,151,000	2,151,000

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
(fe)	General education development and high school graduation equivalency; automated data system		GPR	B	145,000	–0–
(fm)	Value–Added Research Center		GPR	A	–0–	–0–
(g)	Student activity therapy		PR	A	100	100
(gb)	Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired; nonresident fees		PR	C	–0–	–0–
(ge)	Educator effectiveness evaluation system; fees		PR	C	4,309,500	4,309,500
(gL)	Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired; leasing of space		PR	C	2,000	2,000
(gs)	Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired; services		PR	C	7,000	7,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(gt)	Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired; pupil transportation	PR	A	1,210,000	1,210,000
(he)	Student information system; fees	PR	C	–0–	–0–
(hg)	Personnel licensure, teacher supply, information and analysis and teacher improvement	PR	C	4,800,200	4,800,200
(hj)	General educational development and high school graduation equivalency	PR	C	132,800	119,700
(hm)	Services for drivers	PR–S	A	157,500	157,500
(i)	Publications	PR	C	143,300	143,300
(im)	Library products and services	PR	C	141,100	141,100
(j)	Milwaukee Parental Choice Program and the parental choice program for eligible school districts and other school districts; financial audits	PR	C	142,000	142,000
(jg)	School lunch handling charges	PR	A	10,104,300	10,104,300
(jm)	Professional services center charges	PR	A	106,300	106,300
(jr)	Gifts, grants and trust funds	PR	C	1,500,000	1,500,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(jz)	School district boundary appeal proceedings	PR	C	10,000	10,000
(kd)	Alcohol and other drug abuse program	PR–S	A	628,500	628,500
(ke)	Funds transferred from other state agencies; program operations	PR–S	C	3,035,000	3,035,000
(km)	State agency library processing center	PR–S	A	8,100	8,100
(ks)	Data processing	PR–S	C	9,429,500	9,429,500
(me)	Federal aids; program operations	PR–F	C	52,244,000	52,244,000
(pz)	Indirect cost reimbursements	PR–F	C	5,496,300	5,496,300
(q)	Digital learning collaborative	SEG	A	1,000,000	1,000,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			59,267,200	59,687,400
	PROGRAM REVENUE			93,607,500	93,594,400
	FEDERAL			(57,740,300)	(57,740,300)
	OTHER			(22,608,600)	(22,595,500)
	SERVICE			(13,258,600)	(13,258,600)
	SEGREGATED REVENUE			1,000,000	1,000,000
	OTHER			(1,000,000)	(1,000,000)
	TOTAL–ALL SOURCES			153,874,700	154,281,800
	(2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING				
(ac)	General equalization aids	GPR	S	5,200,000,000	5,295,000,000
(ad)	Supplemental aid	GPR	A	100,000	100,000
(ae)	Sparsity aid	GPR	A	34,736,000	–0–
(af)	Belmont school library aid	GPR	A	–0–	–0–

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
(aq)	Per pupil aid		GPR	S	648,150,000	646,625,000
(ar)	Low revenue adjustment aid		GPR	A	–0–	–0–
(aw)	Personal electronic computing devices; grant program		GPR	A	–0–	–0–
(az)	Special Needs Scholarship Program		GPR	S	26,037,500	26,461,300
(b)	Aids for special education and school age parents programs		GPR	S	746,970,800	863,166,300
(bb)	Aid for high poverty school districts		GPR	A	16,830,000	16,830,000
(bc)	Aid for children–at–risk programs		GPR	A	–0–	–0–
(bd)	Additional special education aid		GPR	A	11,106,000	17,158,700
(be)	Supplemental special education aid		GPR	A	–0–	–0–
(bf)	Aid for special education transition grants		GPR	A	3,600,000	3,600,000
(bg)	Special education transition readiness grants		GPR	A	1,500,000	3,000,000
(bh)	Aid to county children with disabilities education boards		GPR	A	4,067,300	4,067,300
(br)	School district consolidation aid		GPR	S	–0–	–0–
(bs)	School district consolidation grants		GPR	A	–0–	–0–
(cc)	English learner categorical aid		GPR	A	18,335,300	26,877,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(cg)	Tuition payments; full–time open enrollment transfer payments	GPR	A	8,242,900	8,242,900
(ch)	Capacity–building grants for licensed educators	GPR	A	–0–	750,000
(cm)	Reimbursement for school breakfast programs	GPR	C	4,970,000	5,070,000
(cn)	Aids for school lunches and nutritional improvement	GPR	A	4,218,100	4,218,100
(co)	Supplemental nutrition aid	GPR	S	2,432,000	2,432,000
(cp)	Wisconsin school day milk program	GPR	A	1,000,000	1,000,000
(cq)	High cost transportation aid	GPR	A	15,500,000	15,500,000
(cr)	Aid for pupil transportation	GPR	A	24,000,000	24,000,000
(cs)	Aid for debt service	GPR	A	133,700	133,700
(cu)	Achievement gap reduction contracts	GPR	A	109,184,500	109,184,500
(cv)	Driver education aid	GPR	A	–0–	2,900,000
(cx)	Aid for transportation; early college credit program	GPR	A	10,000	10,000
(cy)	Aid for transportation; open enrollment	GPR	A	1,099,900	1,213,600
(da)	Mental health and pupil wellness aid	GPR	A	28,500,000	30,000,000

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
(dg)	School performance improvement grants		GPR	A	–0–	–0–
(dj)	Summer school programs; grants		GPR	A	1,400,000	1,400,000
(dk)	Out–of–school–time programs; grants		GPR	C	–0–	20,000,000
(dn)	Computer science licensure; grants		GPR	A	–0–	750,000
(dp)	Four–year–old kindergarten grants		GPR	A	1,300,000	650,000
(dr)	Robotics league participation grants		GPR	A	500,000	500,000
(ds)	STEM grants		GPR	B	–0–	–0–
(dt)	School–based mental health services grants		GPR	C	10,000,000	10,000,000
(du)	Peer–to–peer suicide prevention programs; grants		GPR	A	250,000	250,000
(dv)	Energy efficiency projects; grants		GPR	B	10,000,000	10,000,000
(eb)	Grant for information technology education		GPR	A	875,000	875,000
(eh)	Head start supplement		GPR	A	–0–	–0–
(ek)	Educator effectiveness evaluation system; grants to school districts		GPR	A	5,746,000	5,746,000
(fg)	Aid for cooperative educational service agencies		GPR	A	–0–	–0–

	Statute, Agency and Purpose		Source	Type	2021-2022	2022-2023
(fk)		Grant program for peer review and mentoring	GPR	A	1,606,700	1,606,700
(fm)		Charter schools	GPR	S	84,693,500	88,555,700
(fp)		Charter schools; former office of educational opportunity	GPR	S	4,262,000	5,335,100
(fq)		Charter schools; former office of educational opportunity recovery charter schools	GPR	S	122,800	122,800
(fr)		Parental choice program for eligible school districts and other school districts	GPR	S	156,012,000	159,804,200
(fu)		Milwaukee parental choice program	GPR	S	244,606,100	250,538,500
(fv)		Milwaukee Parental Choice Program and the parental choice program for eligible school districts and other school districts; transfer pupils	GPR	S	–0–	–0–
(fy)		Grants to support gifted and talented pupils	GPR	A	237,200	237,200
(k)		Funds transferred from other state agencies; local aids	PR–S	C	16,000,000	16,000,000
(kd)		Aid for alcohol and other drug abuse programs	PR–S	A	1,284,700	1,284,700

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(kg)	Grants to replace certain race–based nicknames, logos, mascots, and team names	PR–S	A	200,000	200,000
(km)	Tribal language revitalization grants	PR–S	A	222,800	222,800
(m)	Federal aids; local aid	PR–F	C	760,633,500	760,633,500
(r)	Sparsity aid; community reinvestment fund supplement	SEG	A	–0–	34,852,800
(s)	School library aids	SEG	C	42,000,000	45,000,000
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			7,432,335,300	7,663,911,600
	PROGRAM REVENUE			778,341,000	778,341,000
	FEDERAL			(760,633,500)	(760,633,500)
	SERVICE			(17,707,500)	(17,707,500)
	SEGREGATED REVENUE			42,000,000	79,852,800
	OTHER			(42,000,000)	(79,852,800)
	TOTAL–ALL SOURCES			8,252,676,300	8,522,105,400
(3)	AIDS TO LIBRARIES, INDIVIDUALS AND ORGANIZATIONS				
(b)	Adult literacy grants	GPR	A	83,200	83,200
(bm)	General educational development test fee payments	GPR	S	400,000	900,000
(c)	Grants for national teacher certification or master educator licensure	GPR	S	2,910,000	2,910,000
(d)	Elks and Easter Seals Center for Respite and Recreation	GPR	A	73,900	73,900
(df)	Online early learning program; grant	GPR	A	500,000	500,000

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
	(dg)	Recollection Wisconsin	GPR	A	150,000	300,000
	(dn)	Project Lead the Way grants	GPR	A	–0–	–0–
	(eb)	Grants for bullying prevention	GPR	A	150,000	150,000
	(eg)	Milwaukee Public Museum	GPR	A	42,200	42,200
	(f)	Interstate compact on educational opportunity for military children	GPR	S	900	900
	(fa)	Very special arts	GPR	A	100,000	100,000
	(fc)	College Possible, Inc.	GPR	A	500,000	500,000
	(fg)	Special Olympics	GPR	A	100,000	100,000
	(fr)	Wisconsin Reading Corps	GPR	A	700,000	700,000
	(fv)	City Year Milwaukee	GPR	A	380,000	380,000
	(fz)	Precollege scholarships	GPR	A	1,931,500	1,931,500
	(ge)	Special Olympics Wisconsin	PR	C	–0–	–0–
	(mm)	Federal funds; local assistance	PR–F	C	1,300,000	1,300,000
	(ms)	Federal funds; individuals and organizations	PR–F	C	62,868,500	62,868,500
	(q)	Periodical and reference information databases; Newsline for the Blind	SEG	A	3,283,300	3,283,300
	(qm)	Aid to public library systems	SEG	A	18,513,100	20,013,100
	(r)	Library service contracts	SEG	A	1,355,300	1,367,700
		(3) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUE			8,021,700	8,671,700
		PROGRAM REVENUE			64,168,500	64,168,500
		FEDERAL			(64,168,500)	(64,168,500)
		OTHER			(–0–)	(–0–)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
SEGREGATED REVENUE			23,151,700	24,664,100
OTHER			(23,151,700)	(24,664,100)
TOTAL–ALL SOURCES			95,341,900	97,504,300
20.255 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			7,499,624,200	7,732,270,700
PROGRAM REVENUE			936,117,000	936,103,900
FEDERAL			(882,542,300)	(882,542,300)
OTHER			(22,608,600)	(22,595,500)
SERVICE			(30,966,100)	(30,966,100)
SEGREGATED REVENUE			66,151,700	105,516,900
OTHER			(66,151,700)	(105,516,900)
TOTAL–ALL SOURCES			8,501,892,900	8,773,891,500
20.285 University of Wisconsin System				
(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE				
(a) General program operations	GPR	B	1,005,708,800	1,023,508,800
(am) Electric energy derived from renewable resources	GPR	A	4,367,000	4,367,000
(ar) Freshwater collaborative	GPR	A	3,000,000	6,000,000
(b) Tommy G. Thompson Center on Public Leadership	GPR	A	1,524,300	1,524,300
(bm) Partnership program for the Lake Superior Research Institute	GPR	A	402,500	500,000
(bt) Missing–in–Action Recovery and Identification Project	GPR	C	360,000	–0–
(c) Graduate psychiatric nursing education	GPR	A	255,300	255,300
(cg) Baccalaureate degree program for prisoners	GPR	A	–0–	5,000,000

		Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(cm)		Additional student health services	GPR	A	2,500,000	7,500,000
(cr)		Foster youth support programs	GPR	A	500,000	500,000
(d)		Principal repayment and interest	GPR	S	205,856,900	212,611,900
(e)		Grants to meet emergency financial need	GPR	C	130,000	130,000
(f)		Nurse educators	GPR	C	–0–	5,000,000
(fd)		State laboratory of hygiene; general program operations	GPR	A	12,387,000	12,457,000
(fj)		Veterinary diagnostic laboratory	GPR	A	5,395,700	5,395,700
(fm)		UniverCity alliance program	GPR	A	300,000	300,000
(fv)		Tuition promise grant program	GPR	A	13,800,000	25,200,000
(gb)		General program operations	PR	C	2,752,873,200	2,752,873,200
(ge)		Gifts and nonfederal grants and contracts	PR	C	710,010,000	710,010,000
(gj)		Self–amortizing facilities principal and interest	PR	S	152,158,700	161,303,600
(h)		Extensions of credit	PR	C	–0–	–0–
(i)		State laboratory of hygiene	PR	C	20,888,100	20,888,100
(ia)		State laboratory of hygiene, drivers	PR–S	C	1,619,200	1,619,200
(je)		Veterinary diagnostic laboratory; fees	PR	C	4,445,100	4,445,100

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(k)	Funds transferred from other state agencies	PR–S	C	56,894,600	56,894,600
(kg)	Veterinary diagnostic laboratory; state agencies	PR–S	C	–0–	–0–
(Li)	General fund interest	PR	C	–0–	–0–
(m)	Federal aid	PR–F	C	1,607,844,200	1,607,844,200
(mc)	Veterinary diagnostic laboratory; federal funds	PR–F	C	193,300	193,300
(q)	Telecommunications services	SEG	A	1,054,800	1,054,800
(qe)	Rural physician residency assistance program	SEG	B	863,600	863,600
(qj)	Physician and dentist and health care provider loan assistance programs; critical access hospital assessment fund	SEG	B	310,000	310,000
(qm)	Grants for forestry programs	SEG	A	139,100	139,100
(qr)	Discovery farm grants	SEG	A	255,700	255,700
(rm)	Environmental program grants and scholarships; Wisconsin Merit scholarships	SEG	C	308,300	308,300
(sp)	Wisconsin institute for sustainable technology	SEG	A	365,000	365,000
(u)	Trust fund income	SEG	C	20,584,700	20,584,700
(w)	Trust fund operations	SEG	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			1,256,487,500	1,310,250,000
PROGRAM REVENUE			5,306,926,400	5,316,071,300
FEDERAL			(1,608,037,500)	(1,608,037,500)
OTHER			(3,640,375,100)	(3,649,520,000)
SERVICE			(58,513,800)	(58,513,800)
SEGREGATED REVENUE			23,881,200	23,881,200
OTHER			(23,881,200)	(23,881,200)
TOTAL–ALL SOURCES			6,587,295,100	6,650,202,500
20.285 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			1,256,487,500	1,310,250,000
PROGRAM REVENUE			5,306,926,400	5,316,071,300
FEDERAL			(1,608,037,500)	(1,608,037,500)
OTHER			(3,640,375,100)	(3,649,520,000)
SERVICE			(58,513,800)	(58,513,800)
SEGREGATED REVENUE			23,881,200	23,881,200
OTHER			(23,881,200)	(23,881,200)
TOTAL–ALL SOURCES			6,587,295,100	6,650,202,500
20.292 Technical College System Board				
(1) TECHNICAL COLLEGE SYSTEM				
(a) General program operations	GPR	A	3,015,500	3,015,500
(am) Fee remissions	GPR	A	14,200	14,200
(d) State aid for technical colleges; statewide guide	GPR	A	119,034,900	119,034,900
(dp) Property tax relief aid	GPR	S	406,000,000	406,000,000
(e) Grants to meet emergency financial need	GPR	C	320,000	320,000
(f) Grants to district boards	GPR	C	21,874,200	21,874,200
(g) Text materials	PR	A	115,500	115,500
(ga) Auxiliary services	PR	C	15,200	15,200
(gm) Fire schools; state operations	PR	A	475,700	475,700

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
1	(gr)	Fire schools; local assistance	PR	A	600,000	600,000
2	(h)	Gifts and grants	PR	C	20,600	20,600
3	(hm)	Truck driver training	PR–S	C	150,000	150,000
4	(i)	Conferences	PR	C	72,600	72,600
5	(j)	Personnel certification	PR	A	278,400	278,400
6	(k)	Gifts and grants	PR	C	30,200	30,200
7	(ka)	Interagency projects; local				
8		assistance	PR–S	A	2,000,000	2,000,000
9	(kb)	Interagency projects; state				
10		operations	PR–S	A	247,600	247,600
11	(kd)	Transfer of Indian gaming				
12		receipts; work–based learning				
13		programs	PR–S	A	594,000	594,000
14	(km)	Master logger apprenticeship				
15		grants	PR–S	C	–0–	–0–
16	(kx)	Interagency and intra–agency				
17		programs	PR–S	C	57,900	57,900
18	(L)	Services for district boards	PR	A	47,600	47,600
19	(m)	Federal aid, state operations	PR–F	C	3,851,800	3,851,800
20	(n)	Federal aid, local assistance	PR–F	C	28,424,300	28,424,300
21	(o)	Federal aid, aids to individuals				
22		and organizations	PR–F	C	800,000	800,000
23	(pz)	Indirect cost reimbursements	PR–F	C	196,000	196,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(q)	Agricultural education consultant	GPR	A	78,500	78,500
(r)	Veteran grant jobs pilot program	SEG	A	–0–	–0–
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			550,337,300	550,337,300
	PROGRAM REVENUE			37,977,400	37,977,400
	FEDERAL			(33,272,100)	(33,272,100)
	OTHER			(1,655,800)	(1,655,800)
	SERVICE			(3,049,500)	(3,049,500)
	SEGREGATED REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			588,314,700	588,314,700
	20.292 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			550,337,300	550,337,300
	PROGRAM REVENUE			37,977,400	37,977,400
	FEDERAL			(33,272,100)	(33,272,100)
	OTHER			(1,655,800)	(1,655,800)
	SERVICE			(3,049,500)	(3,049,500)
	SEGREGATED REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			588,314,700	588,314,700
	Education				
	FUNCTIONAL AREA TOTALS				
	GENERAL PURPOSE REVENUE			9,500,745,200	9,798,409,800
	PROGRAM REVENUE			6,304,395,700	6,315,531,800
	FEDERAL			(2,525,551,200)	(2,525,551,400)
	OTHER			(3,681,842,800)	(3,692,928,700)
	SERVICE			(97,001,700)	(97,051,700)
	SEGREGATED REVENUE			93,987,000	134,329,800
	FEDERAL			(–0–)	(–0–)
	OTHER			(93,987,000)	(134,329,800)
	SERVICE			(–0–)	(–0–)
	LOCAL			(–0–)	(–0–)
	TOTAL–ALL SOURCES			15,899,127,900	16,248,271,400

Environmental Resources

20.320 Environmental Improvement Program

(1) Clean water fund program operations

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(a)	Environmental aids – clean water fund program	GPR	A	–0–	–0–
(c)	Principal repayment and interest – clean water fund program	GPR	S	4,245,500	3,072,300
(r)	Clean water fund program repayment of revenue obligations	SEG	S	–0–	–0–
(s)	Clean water fund program financial assistance	SEG	S	–0–	–0–
(t)	Principal repayment and interest – clean water fund program bonds	SEG	A	8,000,000	7,000,000
(u)	Principal repayment and interest – clean water fund program revenue obligation repayment	SEG	C	–0–	–0–
(x)	Clean water fund program financial assistance; federal	SEG–F	C	–0–	–0–
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			4,245,500	3,072,300
	SEGREGATED REVENUE			8,000,000	7,000,000
	FEDERAL			(–0–)	(–0–)
	OTHER			(8,000,000)	(7,000,000)
	TOTAL–ALL SOURCES			12,245,500	10,072,300
(2)	SAFE DRINKING WATER LOAN PROGRAM OPERATIONS				
(a)	Lead service line replacement	GPR	C	40,000,000	–0–
(c)	Principal repayment and interest – safe drinking water loan program	GPR	S	4,400,000	3,808,300

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(q) Safe drinking water loan program revenue obligation funding	SEG–S	C	–0–	–0–
(r) Safe drinking water loan program repayment of revenue obligations	SEG	S	–0–	–0–
(s) Safe drinking water loan programs financial assistance	SEG	S	–0–	–0–
(u) Principal repayment and interest – safe drinking water loan program revenue obligation repayment	SEG	C	–0–	–0–
(x) Safe drinking water loan programs financial assistance; federal	SEG–F	C	–0–	–0–
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			44,400,000	3,808,300
SEGREGATED REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			44,400,000	3,808,300
20.320 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			48,645,500	6,880,600
SEGREGATED REVENUE			8,000,000	7,000,000
FEDERAL			(–0–)	(–0–)
OTHER			(8,000,000)	(7,000,000)
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			56,645,500	13,880,600
20.360 Lower Wisconsin State Riverway Board				
(1) CONTROL OF LAND DEVELOPMENT AND USE IN THE LOWER WISCONSIN STATE RIVERWAY				
(g) Gifts and grants	PR	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(q) General program operations – conservation fund	SEG	A	256,600	256,600
(1) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			256,600	256,600
OTHER			(256,600)	(256,600)
TOTAL–ALL SOURCES			256,600	256,600
20.360 DEPARTMENT TOTALS				
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			256,600	256,600
OTHER			(256,600)	(256,600)
TOTAL–ALL SOURCES			256,600	256,600
20.370 Natural Resources, Department of				
(1) FISH, WILDLIFE, AND PARKS				
(ea) Parks – general program operations	GPR	A	–0–	–0–
(ed) Parks – admission receipt fee waivers	GPR	S	243,600	243,600
(eq) Parks and forests – operation and maintenance	SEG	S	25,000	25,000
(er) Parks – campground reservation fees	SEG	C	1,250,000	1,250,000
(es) Parks – interpretive programs	SEG	C	–0–	–0–
(fb) Endangered resources – general program operations	GPR	A	–0–	–0–
(fc) Endangered resources – Wisconsin stewardship program	GPR	A	–0–	–0–

	Statute, Agency and Purpose		Source	Type	2021-2022	2022-2023
(fd)	Endangered resources – natural heritage inventory program		GPR	A	380,300	398,600
(fe)	Endangered resources – general fund		GPR	S	500,000	500,000
(fs)	Endangered resources – voluntary payments; sales, leases, and fees		SEG	C	966,900	966,900
(ft)	Endangered resources – application fees		SEG	C	–0–	–0–
(fu)	Endangered resources program – gifts and grants; sale of state–owned lands		SEG	C	–0–	–0–
(gb)	Education programs – program fees		PR	C	101,600	101,600
(gh)	Horicon Marsh education and visitor center – program fees		PR	C	–0–	–0–
(gt)	Habitat conservation plan fees		SEG	C	9,900	9,900
(hc)	Indemnification agreements		GPR	S	–0–	–0–
(hq)	Elk hunting fees		SEG	C	–0–	–0–
(hr)	Pheasant restoration		SEG	C	236,400	236,400
(hs)	Chronic wasting disease management		SEG	A	–0–	–0–
(ht)	Wild turkey restoration		SEG	C	776,100	776,100
(hu)	Wetlands habitat improvement		SEG	C	530,000	530,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(hv)	Aquatic and terrestrial resources inventory	SEG	A	121,600	121,600
(hw)	Pheasant stocking and propagation	SEG	C	468,400	468,400
(hx)	Bonus deer permit fees; chronic wasting disease	SEG	C	–0–	–0–
(hy)	Elk management	SEG	A	128,700	128,700
(iu)	Gravel pit reclamation	SEG	C	–0–	–0–
(jr)	Rental property and equipment – maintenance and replacement	SEG	C	271,600	271,600
(kb)	Walleye production; contracts	GPR	A	500,000	500,000
(kc)	Sea lamprey control	GPR	C	–0–	–0–
(kg)	Walleye production; revenue	PR	C	–0–	–0–
(kk)	Fishery resources for ceded territories	PR–S	A	174,700	174,700
(kq)	Taxes and assessments; conservation fund	SEG	A	297,000	297,000
(kr)	Commercial fish protection and Great Lakes resource surcharges	SEG	C	25,000	25,000
(kt)	Great Lakes vessel rental costs	SEG	C	–0–	–0–
(ku)	Great Lakes trout and salmon	SEG	C	1,626,100	1,626,100
(kv)	Trout habitat improvement	SEG	C	1,422,800	1,422,800
(kw)	Sturgeon stock and habitat	SEG	C	195,400	195,400

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(ky)	Sturgeon stock and habitat – inland waters	SEG	C	57,900	57,900
(Lq)	Trapper education program	SEG	C	48,200	48,200
(Lr)	Beaver control; fish and wildlife account	SEG	C	36,200	36,200
(Ls)	Control of wild animals	SEG	C	308,500	308,500
(Lt)	Wildlife management	SEG	A	–0–	–0–
(Lu)	Fish and wildlife habitat	SEG	S	–0–	–0–
(Lv)	Deer management assistance program	SEG	C	–0–	–0–
(Lw)	Reintroduction of whooping cranes.	SEG	A	83,000	83,000
(ma)	General program operations – state funds	GPR	A	1,315,100	1,315,100
(mi)	General program operations – private and public sources	PR	C	728,100	728,100
(mk)	General program operations – service funds	PR–S	C	192,100	192,100
(mm)	General program operations – federal funds	PR–F	C	240,000	240,000
(mq)	General program operations – state snowmobile trails and areas	SEG	A	211,000	211,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(mr)	General program operations – state utility terrain vehicle projects	SEG	A	79,400	79,400
(ms)	General program operations – state all–terrain vehicle projects	SEG	A	498,000	498,000
(mt)	Land preservation and management – endowment fund	SEG	S	–0–	–0–
(mu)	General program operations – state funds	SEG	A	–0–	–0–
	Fish, wildlife and parks program management	SEG	A	1,073,500	1,073,500
	Wildlife management	SEG	A	12,140,400	12,175,500
	Southern forests	SEG	A	5,333,000	5,333,000
	Parks and recreation	SEG	A	17,338,300	17,338,300
	Natural Heritage Conservation	SEG	A	1,264,000	1,284,800
	Fisheries management	SEG	A	16,698,800	16,698,800
	Recreation and property management	SEG	A	5,386,900	5,386,900
	NET APPROPRIATION			59,234,900	59,290,800
(my)	General program operations – federal funds	SEG–F	C	–0–	–0–
	Wildlife management	SEG–F	C	9,331,200	9,250,200
	Southern forests	SEG–F	C	192,400	192,400
	Parks and recreation	SEG–F	C	721,900	721,900

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
	Natural Heritage Conservation	SEG–F	C	2,219,100	2,219,100
	Fisheries management	SEG–F	C	6,959,500	6,959,500
	Recreation and property management	SEG–F	C	1,562,100	1,562,100
	NET APPROPRIATION			20,986,200	20,905,200
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			2,939,000	2,957,300
	PROGRAM REVENUE			1,436,500	1,436,500
	FEDERAL			(240,000)	(240,000)
	OTHER			(829,700)	(829,700)
	SERVICE			(366,800)	(366,800)
	SEGREGATED REVENUE			89,894,200	89,869,100
	FEDERAL			(20,986,200)	(20,905,200)
	OTHER			(68,908,000)	(68,963,900)
	TOTAL–ALL SOURCES			94,269,700	94,262,900
(2)	FORESTRY				
(cq)	Forestry – reforestation	SEG	C	100,500	100,500
(cr)	Forestry – recording fees	SEG	C	89,100	89,100
(cs)	Forestry – forest fire emergencies	SEG	C	–0–	–0–
(ct)	Timber sales contracts – repair and reimbursement costs	SEG	C	–0–	–0–
(cu)	Forestry – forestry education curriculum	SEG	A	350,000	350,000
(cv)	Forestry – forestry emergency reserve	SEG	C	–0–	–0–
(cw)	Forestry – Pattison communications tower	SEG	C	–0–	–0–
(cx)	Forestry – management plans	SEG	C	316,800	316,800

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(cy)	Forestry – cooperating foresters and private contractors	SEG	C	–0–	–0–
(cz)	Forestry – management of national forest land	SEG	C	112,100	149,400
(jr)	Rental property and equipment – maintenance and replacement	SEG	C	245,500	245,500
(mi)	General program operations – private and public sources	PR	C	183,000	183,000
(mk)	General program operations – service funds	PR–S	C	400,700	400,700
(mv)	General program operations – state funds; forestry	SEG	A	54,731,200	54,731,200
(mz)	Forest fire emergencies – federal funds	SEG–F	C	–0–	–0–
(nz)	General program operations – federal funds	SEG–F	C	1,505,600	1,505,600
	(2) PROGRAM TOTALS				
	PROGRAM REVENUE			583,700	583,700
	OTHER			(183,000)	(183,000)
	SERVICE			(400,700)	(400,700)
	SEGREGATED REVENUE			57,450,800	57,488,100
	FEDERAL			(1,505,600)	(1,505,600)
	OTHER			(55,945,200)	(55,982,500)
	TOTAL–ALL SOURCES			58,034,500	58,071,800
(3)	PUBLIC SAFETY				
(aq)	Law enforcement – snowmobile enforcement and safety training	SEG	A	1,404,600	1,404,600

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(ar)	Law enforcement – boat enforcement and safety training	SEG	A	3,017,800	3,017,800
(as)	Law enforcement – all–terrain vehicle and utility terrain vehicle enforcement	SEG	A	1,273,100	1,273,100
(at)	Education and safety programs	SEG	C	337,600	337,600
(ax)	Law enforcement – water resources enforcement	SEG	A	255,100	255,100
(ay)	Off–highway motorcycle safety certification program	SEG	C	–0–	–0–
(bg)	Enforcement – stationary sources	PR	A	–0–	–0–
(ca)	Law enforcement – technology; state funds	GPR	B	62,300	–0–
(cq)	Law enforcement – technology; environmental fund	SEG	B	93,400	–0–
(cr)	Law enforcement – technology; conservation fund	SEG	B	1,344,300	–0–
(ma)	General program operations – state funds	GPR	A	1,653,100	1,653,100
(mi)	General program operations – private and public sources	PR	C	4,200	4,200
(mk)	General program operations – service funds	PR–S	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(mm) General program operations – federal funds	PR-F	C	714,700	714,700
(mq) General program operations – environmental fund	SEG	A	1,923,100	1,923,100
(mu) General program operations – state funds	SEG	A	22,656,200	22,703,700
(my) General program operations – federal funds	SEG-F	C	3,523,800	3,523,800
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			1,715,400	1,653,100
PROGRAM REVENUE			718,900	718,900
FEDERAL			(714,700)	(714,700)
OTHER			(4,200)	(4,200)
SERVICE			(–0–)	(–0–)
SEGREGATED REVENUE			35,829,000	34,438,800
FEDERAL			(3,523,800)	(3,523,800)
OTHER			(32,305,200)	(30,915,000)
TOTAL–ALL SOURCES			38,263,300	36,810,800
(4) ENVIRONMENTAL MANAGEMENT				
(ac) Wisconsin River monitoring and study	GPR	A	–0–	–0–
(af) Water resources – remedial action	GPR	C	50,000	50,000
(ag) Water resources – pollution credits	PR	C	–0–	–0–
(ah) Water resources – Great Lakes protection fund	PR	C	214,900	214,900
(ai) Water resources – water use fees	PR	C	830,200	830,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(aj)	Water resources – ballast water discharge permits	PR	C	305,200	305,200
(aq)	Water resources management – lake, river, and invasive species management	SEG	A	2,558,900	2,577,500
(ar)	Water resources – groundwater management	SEG	B	91,900	91,900
(au)	Cooperative remedial action; contributions	SEG	C	–0–	–0–
(av)	Cooperative remedial action; interest on contributions	SEG	S	–0–	–0–
(bL)	Wastewater management – fees	PR	C	159,700	159,700
(bn)	Air management – emission analysis	PR	C	–0–	–0–
(bo)	Air management – permit review and enforcement	PR	A	2,292,800	2,292,800
(bp)	Air waste management – incinerator operator certification	PR	C	–0–	–0–
(bt)	Air management – mobile sources	SEG	A	1,466,700	1,466,700
(cg)	Groundwater quantity administration	PR	A	698,100	716,700
(ch)	Groundwater quantity research	PR	B	84,500	84,500
(cL)	Air management – recovery of ozone–depleting refrigerants	PR	A	135,500	135,500

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(cm)	Air management – state permit sources	PR	A	1,316,900	1,316,900
(cn)	Air management – asbestos management	PR	C	630,900	630,900
(co)	Air management – stationary sources	PR	A	6,020,400	6,020,400
(cq)	River and stream monitoring and study	SEG	A	–0–	–0–
(cr)	Hydrologic evaluation and modeling	SEG	C	–0–	–0–
(cv)	Air quality monitoring stations	SEG	B	30,000	30,000
(cw)	Air management – motor vehicle emission inspection and maintenance program, petroleum inspection fund	SEG	A	21,500	21,500
(dg)	Solid waste management – solid and hazardous waste disposal administration	PR	C	2,751,800	2,751,800
(dh)	Solid waste management – remediated property	PR	C	1,034,700	1,034,700
(dq)	Solid waste management – waste management fund	SEG	C	–0–	–0–
(dt)	Solid waste management – closure and long–term care	SEG	C	–0–	–0–

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(du)	Solid waste management – site–specific remediation	SEG	C	–0–	–0–
(dv)	Solid waste management – environmental repair; spills; abandoned containers	SEG	C	2,892,700	2,892,700
(dw)	Solid waste management – environmental repair; petroleum spills; administration	SEG	A	3,847,000	3,847,000
(dy)	Solid waste management – corrective action; proofs of financial responsibility	SEG	C	–0–	–0–
(dz)	Solid waste management – corrective action; moneys recovered from assessments and legal action	SEG	C	–0–	–0–
(eg)	Solid waste facility siting board fee	PR	C	–0–	–0–
(eh)	Solid waste management – source reduction review	PR	C	–0–	–0–
(eq)	Solid waste management – dry cleaner environmental response	SEG	A	215,300	215,300
(fq)	Indemnification agreements	SEG	S	–0–	–0–
(gr)	Solid waste management – mining programs	SEG	C	–0–	–0–
(hq)	Recycling; administration	SEG	A	1,482,900	1,482,900

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
1	(hr)	Electronic waste recycling	SEG	C	154,500	154,500
2	(kf)	Aquatic plant management	PR	C	–0–	–0–
3	(ks)	Aquatic invasive species control;				
4		voluntary contributions	SEG	C	68,300	68,300
5	(ma)	General program operations –				
6		state funds	GPR	A	–0–	–0–
7		Drinking water and groundwater	GPR	A	2,590,600	2,590,600
8		Water quality	GPR	A	6,295,900	6,295,900
9		Waste and materials				
10		management	GPR	A	522,100	522,100
11		Remediation and redevelopment	GPR	A	1,100,200	1,100,200
12		Environmental management				
13		program management	GPR	A	608,400	608,400
14		NET APPROPRIATION			11,117,200	11,117,200
15	(mi)	General program operations –				
16		private and public sources	PR	C	188,500	188,500
17	(mk)	General program operations –				
18		service funds	PR–S	C	–0–	–0–
19	(mm)	General program operations –				
20		federal funds	PR–F	C	–0–	–0–
21		Drinking water and groundwater	PR–F	C	5,686,700	5,686,700
22		Water quality	PR–F	C	9,542,200	9,218,100
23		Air management	PR–F	C	3,445,700	3,445,700

		Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
		Waste and materials management	PR–F	C	2,042,800	2,042,800
		Remediation and redevelopment	PR–F	C	3,080,900	3,080,900
		NET APPROPRIATION			23,798,300	23,474,200
	(mq)	General program operations – environmental fund	SEG	A	–0–	–0–
		Drinking water and groundwater	SEG	A	2,877,400	2,933,400
		Water quality	SEG	A	1,446,700	1,446,700
		Air management	SEG	A	231,800	269,200
		Waste and materials management	SEG	A	1,721,100	1,777,100
		Remediation and redevelopment	SEG	A	2,429,300	2,466,600
		Environmental management program management	SEG	A	715,100	715,100
		NET APPROPRIATION			9,421,400	9,608,100
	(mr)	General program operations – nonpoint source	SEG	A	421,500	421,500
	(ms)	General program operations – environmental fund; federal funds	SEG–F	C	1,294,100	1,294,100
	(mt)	General program operations – environmental improvement programs; state funds	SEG	A	537,300	537,300

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(mv)	General program operations – brownfields	SEG	A	353,200	353,200
(mx)	General program operations – clean water fund program; federal funds	SEG–F	C	801,400	801,400
(my)	General program operations – environmental fund; federal funds	SEG–F	C	–0–	–0–
(nz)	General program operations – safe drinking water loan programs; federal funds	SEG–F	C	2,789,200	2,789,200
(pr)	PFAS in public water supplies	SEG	C	750,000	–0–
(ps)	PFAS in fire fighting foam	SEG	C	1,000,000	–0–
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			11,167,200	11,167,200
	PROGRAM REVENUE			40,462,400	40,156,900
	FEDERAL			(23,798,300)	(23,474,200)
	OTHER			(16,664,100)	(16,682,700)
	SERVICE			(–0–)	(–0–)
	SEGREGATED REVENUE			30,197,800	28,653,100
	FEDERAL			(4,884,700)	(4,884,700)
	OTHER			(25,313,100)	(23,768,400)
	TOTAL–ALL SOURCES			81,827,400	79,977,200
(5)	Conservation aids				
(af)	Resource aids – walleye production; grants	GPR	B	–0–	–0–
(aq)	Resource aids – Canadian agencies migratory waterfowl aids	SEG	C	254,000	254,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(ar)	Resource aids – county conservation aids	SEG	C	148,500	148,500
(as)	Recreation aids – fish, wildlife and forestry recreation aids	SEG	C	112,200	112,200
(at)	Ice age trail area grants	SEG	A	–0–	–0–
(au)	Resource aids – Ducks Unlimited, Inc., payments	SEG	C	–0–	–0–
(av)	Resource aids – forest grants	SEG	B	1,472,900	1,472,900
(aw)	Resource aids – nonprofit conservation organizations	SEG	C	–0–	–0–
(ax)	Resource aids – forestry	SEG	A	–0–	–0–
(ay)	Resource aids – urban land conservation	SEG	A	–0–	–0–
(az)	Resource aids – urban forestry grants	SEG	B	1,019,600	1,369,600
(bq)	Resource aids – county forest loans; severance share payments	SEG	C	100,000	100,000
(br)	Resource aids – forest croplands and managed forest land aids	SEG	A	1,237,500	1,237,500
(bs)	Resource aids – county forest loans	SEG	A	616,200	616,200
(bt)	Resource aids – county forest project loans	SEG	C	396,000	396,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(bu)	Resource aids – county forest project loans; severance share payments	SEG	C	350,000	350,000
(bv)	Resource aids – county forests, forest croplands and managed forest land aids	SEG	S	2,200,300	2,200,300
(bw)	Resource aids – county sustainable forestry and county forest administration grants	SEG	B	1,613,900	1,613,900
(bx)	Resource aids – national forest income aids	SEG–F	C	782,200	782,200
(by)	Resource aids – fire suppression grants	SEG	B	448,000	448,000
(bz)	Resource aids – forestry outdoor activity grants	SEG	C	–0–	–0–
(cb)	Recreation aids – snowmobile trail and area aids; general fund	GPR	A	–0–	–0–
(cq)	Recreation aids – recreational boating and other projects	SEG	C	400,000	400,000
(cr)	Recreation aids – county snowmobile trail and area aids	SEG	C	5,675,400	5,675,400
(cs)	Recreation aids – snowmobile trail areas	SEG	C	4,909,200	4,909,200

		Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(ct)		Recreation aids – all–terrain vehicle project aids; gas tax payment	SEG	C	1,874,200	1,874,200
(cu)		Recreation aids – all–terrain vehicle project aids	SEG	C	2,045,000	2,045,000
(cv)		Recreation aids – Southeastern Wisconsin Fox River Commission	SEG	C	100,000	100,000
(cw)		Recreation aids – supplemental snowmobile trail aids	SEG	C	966,100	966,100
(cx)		Recreation aids – all–terrain vehicle and utility terrain vehicle safety enhancement program	SEG	S	297,000	297,000
(cy)		Recreation and resource aids, federal funds	SEG–F	C	3,162,100	3,162,100
(cz)		Resource aids – interpretive center	SEG	A	27,000	27,000
(da)		Aids in lieu of taxes – general fund	GPR	S	6,672,500	6,672,500
(dq)		Aids in lieu of taxes – lands acquired before a specified date	SEG	S	780,000	780,000
(dr)		Aids in lieu of taxes – lands acquired after a specified date	SEG	S	6,570,000	6,570,000
(dx)		Resource aids – payment in lieu of taxes; federal	SEG–F	C	440,000	440,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(dy)	Resource aids – distribution of closed acreage fees	SEG	A	–0–	–0–
(ea)	Enforcement aids – spearfishing enforcement	GPR	C	–0–	–0–
(eq)	Enforcement aids – boating enforcement	SEG	A	2,286,000	2,286,000
(er)	Enforcement aids – all–terrain vehicle and utility terrain vehicle enforcement	SEG	A	750,000	750,000
(es)	Enforcement aids – snowmobiling enforcement	SEG	A	396,000	396,000
(eu)	Recreation aids– utility terrain vehicle project aids	SEG	C	338,100	338,100
(ex)	Enforcement aids – federal funds	SEG–F	C	–0–	–0–
(fc)	Summer tribal youth program	GPR	A	250,000	250,000
(fq)	Wildlife damage claims and abatement	SEG	C	2,950,000	2,950,000
(fr)	Wildlife abatement and control grants	SEG	B	24,700	24,700
(fs)	Venison and wild turkey processing	SEG	B	300,000	300,000
(ft)	Venison and wild turkey processing; voluntary contributions	SEG	C	14,800	14,800

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(fu)	Deer carcass disposal sites	SEG	C	1,000,000	–0–
(fv)	Wolf depredation program	SEG	C	–0–	–0–
(fw)	Resource Aids – Natural Resources Foundation of Wisconsin payments	SEG	C	20,000	20,000
(fx)	Sheboygan River dam grant	SEG	C	1,000,000	–0–
(gr)	Recreation aids– utility terrain vehicle project aids; gas tax payment	SEG	C	534,400	534,400
(gs)	Terrestrial invasive species prevention	SEG	A	540,000	540,000
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			6,922,500	6,922,500
	SEGREGATED REVENUE			48,151,300	46,501,300
	FEDERAL			(4,384,300)	(4,384,300)
	OTHER			(43,767,000)	(42,117,000)
	TOTAL–ALL SOURCES			55,073,800	53,423,800
(6)	Environmental aids				
(aq)	Environmental aids; nonpoint source	SEG	B	100,000	100,000
(ar)	Environmental aids – lake protection	SEG	C	2,252,600	2,252,600
(as)	Environmental aids – invasive aquatic species and lake monitoring and protection	SEG	B	4,029,100	4,029,100
(au)	Environmental aids – river protection; environmental fund	SEG	A	–0–	–0–

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(av)	Environmental aids – river protection; lake monitoring and protection contracts; conservation fund	SEG	B	289,500	289,500
(aw)	Environmental aids – river protection, nonprofit organization contracts	SEG	C	–0–	–0–
(bu)	Financial assistance for responsible units	SEG	A	19,000,000	19,000,000
(bw)	Recycling consolidation grants	SEG	A	1,000,000	1,000,000
(cf)	Environmental aids – compensation for well contamination and abandonment – general fund	GPR	A	1,000,000	1,000,000
(cm)	Environmental aids – federal funds	PR–F	C	800,000	800,000
(cr)	Environmental aids – compensation for well contamination and abandonment	SEG	C	200,000	200,000
(da)	Environmental planning aids – local water quality planning	GPR	A	196,400	196,400
(dm)	Environmental planning aids – federal funds	PR–F	C	150,000	150,000
(dq)	Environmental aids – urban nonpoint source	SEG	B	1,500,000	1,500,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(ed)	Environmental aids – PFAS municipal grant program	GPR	C	10,000,000	10,000,000
(ef)	Brownfields revolving loan repayments	PR	C	–0–	–0–
(eg)	Groundwater mitigation and local assistance	PR	C	–0–	–0–
(eh)	Brownfields revolving loan funds administered for other entity	PR	C	–0–	–0–
(em)	Federal brownfields revolving loan funds	PR–F	C	1,000,000	1,000,000
(eq)	Environmental aids – dry cleaner environmental response	SEG	B	763,600	763,600
(er)	Vapor control system removal grants	SEG	B	–0–	–0–
(ev)	Reimbursement for disposal of contaminated sediment	SEG	A	–0–	–0–
(fr)	Petroleum storage environmental remedial action; awards	SEG	B	–0–	–0–
(fv)	Removal of underground petroleum storage tanks	SEG	A	100,000	100,000
	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			11,196,400	11,196,400
	PROGRAM REVENUE			1,950,000	1,950,000
	FEDERAL			(1,950,000)	(1,950,000)
	OTHER			(–0–)	(–0–)
	SEGREGATED REVENUE			29,234,800	29,234,800
	OTHER			(29,234,800)	(29,234,800)
	TOTAL–ALL SOURCES			42,381,200	42,381,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(7)	DEBT SERVICE AND DEVELOPMENT				
(aa)	Resource acquisition and development – principal repayment and interest	GPR	S	64,032,900	56,181,100
(ad)	Land sales – principal repayment	PR	C	–0–	–0–
(ag)	Land acquisition – principal repayment and interest	PR	C	–0–	–0–
(aq)	Resource acquisition and development – principal repayment and interest	SEG	S	100	100
(ar)	Dam repair and removal – principal repayment and interest	SEG	S	216,000	139,700
(at)	Recreation development – principal repayment and interest	SEG	S	–0–	–0–
(au)	State forest acquisition and development – principal repayment and interest	SEG	A	13,500,000	13,500,000
(bq)	Principal repayment and interest – remedial action	SEG	S	1,633,800	1,246,400
(br)	Principal repayment and interest – contaminated sediment	SEG	S	2,292,700	2,142,600
(cb)	Principal repayment and interest – pollution abatement bonds	GPR	S	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(cc)	Principal repayment and interest – combined sewer overflow; pollution abatement bonds	GPR	S	634,100	255,200
(cd)	Principal repayment and interest – municipal clean drinking water grants	GPR	S	5,600	2,100
(cg)	Principal repayment and interest – nonpoint repayments	PR	C	–0–	–0–
(cq)	Principal repayment and interest – nonpoint source grants	SEG	S	3,915,600	3,602,300
(cr)	Principal repayment and interest – nonpoint source	SEG	S	2,336,200	2,837,000
(cs)	Principal repayment and interest – urban nonpoint source cost–sharing	SEG	S	3,181,600	3,431,000
(ct)	Principal and interest – pollution abatement, environmental fund	SEG	S	3,044,400	1,421,500
(dr)	Petroleum inspection fund – revenue obligation repayment	SEG	S	–0–	–0–
(ea)	Administrative facilities – principal repayment and interest	GPR	S	549,500	555,100
(eq)	Administrative facilities – principal repayment and interest	SEG	S	6,396,100	6,995,800

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(er)	Administrative facilities – principal repayment and interest; environmental fund	SEG	S	1,080,800	1,044,900
(fa)	Resource maintenance and development – state funds	GPR	C	755,600	755,600
(fk)	Resource acquisition and development – service funds; transportation moneys	PR–S	C	–0–	–0–
(fr)	Resource acquisition and development – boating access to southeastern lakes	SEG	C	92,400	92,400
(fs)	Resource acquisition and development – state funds	SEG	C	889,100	889,100
(ft)	Resource acquisition and development – boating access	SEG	C	184,800	184,800
(fu)	Resource acquisition and development – nonmotorized boating improvements	SEG	C	–0–	–0–
(fw)	Resource acquisition and development – Mississippi and St. Croix rivers management	SEG	C	57,700	57,700
(fy)	Resource acquisition and development – federal funds	SEG–F	C	9,112,800	9,112,800
(gg)	Ice age trail – gifts and grants	PR	C	–0–	–0–
(gq)	State trails – gifts and grants	SEG	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
(ha)		Facilities acquisition, development and maintenance	GPR	C	144,400	144,400
(hq)		Facilities acquisition, development and maintenance – conservation fund	SEG	C	372,400	372,400
(ht)		Property development – conservation fund	SEG	C	–0–	–0–
(hu)		Parks development – conservation fund	SEG	C	–0–	–0–
(jr)		Rental property and equipment – maintenance and replacement	SEG	C	180,000	180,000
(mc)		Resource maintenance and development – state park, forest, and riverway roads; general fund	GPR	C	–0–	–0–
(mi)		General program operations – private and public sources	PR	C	–0–	–0–
(mk)		General program operations – service funds	PR–S	C	–0–	–0–
(mr)		Resource maintenance and development – state park, forest, and riverway roads; conservation fund	SEG	C	2,000,000	2,000,000
(ms)		Pierce County islands wildlife restoration	SEG	C	–0–	3,000,000
		(7) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUE			66,122,100	57,893,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
SEGREGATED REVENUE			50,486,500	52,250,500
FEDERAL			(9,112,800)	(9,112,800)
OTHER			(41,373,700)	(43,137,700)
TOTAL–ALL SOURCES			116,608,600	110,144,000
(8) INTERNAL SERVICES				
(ir) Promotional activities and publications	SEG	C	82,200	82,200
(iw) Statewide recycling administration	SEG	A	427,800	429,600
(ma) General program operations – state funds	GPR	A	3,673,700	3,649,000
(mg) General program operations – stationary sources	PR	A	–0–	–0–
(mi) General program operations – private and public sources	PR	C	–0–	–0–
(mk) General program operations – service funds	PR–S	C	4,052,300	4,052,300
(mq) General program operations – mobile sources	SEG	A	956,600	961,200
(mr) General program operations – environmental improvement fund	SEG	A	356,400	358,100
(mt) Equipment and services	SEG–S	C	–0–	–0–
(mu) General program operations – state funds	SEG	A	25,586,300	25,598,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(mv)	General program operations – environmental fund	SEG	A	2,245,600	2,250,800
(my)	Land and property management – federal funds	SEG–F	C	1,370,500	1,370,500
(mz)	Indirect cost reimbursements	SEG–F	C	8,085,900	8,093,500
(ni)	Geographic information systems, general program operations – other funds	PR	C	32,700	32,700
(nk)	Geographic information systems, general program operations – service funds	PR–S	C	1,254,300	1,254,300
(zq)	Gifts and donations	SEG	C	–0–	–0–
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			3,673,700	3,649,000
	PROGRAM REVENUE			5,339,300	5,339,300
	OTHER			(32,700)	(32,700)
	SERVICE			(5,306,600)	(5,306,600)
	SEGREGATED REVENUE			39,111,300	39,144,500
	FEDERAL			(9,456,400)	(9,464,000)
	OTHER			(29,654,900)	(29,680,500)
	SERVICE			(–0–)	(–0–)
	TOTAL–ALL SOURCES			48,124,300	48,132,800
(9)	EXTERNAL SERVICES				
(ag)	Animal feeding operations – fees	PR	C	92,600	92,600
(ap)	Animal feeding operations	SEG	A	1,218,400	1,218,400
(aq)	Water resources management – lake, river, and invasive species management	SEG	A	941,000	959,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(as)	Water resources – trading water pollution credits	SEG	C	–0–	–0–
(at)	Watershed – nonpoint source contracts	SEG	B	882,600	882,600
(aw)	Water resources–public health	SEG	A	24,700	24,700
(bg)	Water regulation and zoning – computer access fees	PR	C	–0–	–0–
(bi)	Water regulation and zoning – fees	PR	C	1,538,200	1,538,200
(bj)	Storm water management – fees	PR	C	1,828,400	1,828,400
(bm)	Wetland restoration – fees; payments	PR	C	188,300	243,000
(br)	Water regulation and zoning – dam safety and wetland mapping; conservation fund	SEG	A	727,100	727,100
(dh)	Environmental impact – power projects	PR	C	–0–	–0–
(di)	Environmental consulting costs – federal power projects	PR	A	–0–	–0–
(fj)	Environmental quality – laboratory certification	PR	A	679,300	679,300
(fL)	Operator certification – fees	PR	A	146,300	146,300
(gh)	Nonferrous metallic mining regulation and administration	PR	A	76,300	76,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(gi)	Ferrous metallic mining operations	PR	C	–0–	–0–
(hk)	Approval fees to Lac du Flambeau band – service funds	PR–S	A	84,500	84,500
(hs)	Approval fees from Lac du Flambeau band	SEG	C	–0–	–0–
(ht)	Approval fees to Lac du Flambeau band	SEG	S	–0–	–0–
(hu)	Handling and other fees	SEG	C	152,500	152,500
(hv)	Fee amounts for statewide automated issuing system	SEG	C	2,863,100	2,863,100
(hw)	Utility terrain vehicle fees	SEG	C	–0–	–0–
(iq)	Natural resources magazine	SEG	C	503,000	503,000
(is)	Statewide recycling administration	SEG	A	138,700	138,700
(jq)	Off–highway motorcycle administration	SEG	C	60,100	60,100
(ma)	General program operations – state funds	GPR	A	10,106,600	10,106,600
(mh)	General program operations – stationary sources	PR	A	–0–	–0–
(mi)	General program operations – private and public sources	PR	C	418,100	418,100

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(mk)	General program operations – service funds	PR–S	C	2,987,900	2,987,900
(mm)	General program operations – federal funds	PR–F	C	4,491,800	4,491,800
(mq)	General program operations – mobile sources	SEG	A	362,100	362,100
(mr)	General program operations – nonpoint source	SEG	A	279,600	279,600
(ms)	General program operations – pollution prevention	SEG	A	–0–	–0–
(mt)	Aids administration – environmental improvement programs; state funds	SEG	A	1,406,800	1,406,800
(mu)	General program operations – state funds	SEG	A	9,159,500	8,999,500
(mv)	General program operations – environmental fund	SEG	A	2,145,700	2,145,700
(mw)	Aids administration – snowmobile recreation	SEG	A	218,400	218,400
(mx)	Aids administration – clean water fund program; federal funds	SEG–F	C	1,680,000	1,680,000
(my)	General program operations – federal funds	SEG–F	C	496,000	496,000
(mz)	Indirect cost reimbursements	SEG–F	C	1,066,100	1,066,100

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(nq)	Aids administration – dry cleaner environmental response	SEG	A	–0–	–0–
(ny)	Aids administration – safe drinking water loan programs; federal funds	SEG–F	C	282,900	282,900
(pq)	Great Lakes erosion control revolving loan program	SEG	C	5,000,000	–0–
	(9) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			10,106,600	10,106,600
	PROGRAM REVENUE			12,531,700	12,586,400
	FEDERAL			(4,491,800)	(4,491,800)
	OTHER			(4,967,500)	(5,022,200)
	SERVICE			(3,072,400)	(3,072,400)
	SEGREGATED REVENUE			29,608,300	24,466,900
	FEDERAL			(3,525,000)	(3,525,000)
	OTHER			(26,083,300)	(20,941,900)
	TOTAL–ALL SOURCES			52,246,600	47,159,900
	20.370 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			113,842,900	105,545,600
	PROGRAM REVENUE			63,022,500	62,771,700
	FEDERAL			(31,194,800)	(30,870,700)
	OTHER			(22,681,200)	(22,754,500)
	SERVICE			(9,146,500)	(9,146,500)
	SEGREGATED REVENUE			409,964,000	402,047,100
	FEDERAL			(57,378,800)	(57,305,400)
	OTHER			(352,585,200)	(344,741,700)
	SERVICE			(–0–)	(–0–)
	TOTAL–ALL SOURCES			586,829,400	570,364,400
20.373 Fox River Navigational System Authority					
(1)	INITIAL COSTS				
(g)	Administration, operation, repair, and rehabilitation	PR	C	–0–	–0–
(r)	Establishment and operation	SEG	C	125,400	125,400
	(1) PROGRAM TOTALS				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			125,400	125,400
OTHER			(125,400)	(125,400)
TOTAL–ALL SOURCES			125,400	125,400
20.373 DEPARTMENT TOTALS				
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			125,400	125,400
OTHER			(125,400)	(125,400)
TOTAL–ALL SOURCES			125,400	125,400
20.375 Lower Fox River Remediation Authority				
(1) INITIAL COSTS				
(a) Initial costs	GPR	B	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
20.375 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
20.380 Tourism, Department of				
(1) TOURISM DEVELOPMENT AND PROMOTION				
(a) General program operations	GPR	A	3,437,200	3,451,300
(b) Tourism marketing; general purpose revenue	GPR	B	6,871,000	6,871,000
(g) Gifts, grants and proceeds	PR	C	100	100
(h) Tourism promotion; sale of surplus property receipts	PR	C	–0–	–0–
(ig) Golf promotion	PR	C	–0–	–0–

	Statute, Agency and Purpose		Source	Type	2021-2022	2022-2023
(ir)	Payments to the WPGA Junior Foundation		PR	C	–0–	–0–
(j)	Tourism promotion – private and public sources		PR	C	99,000	99,000
(k)	Sale of materials or services		PR–S	C	–0–	–0–
(ka)	Sale of materials and services – local assistance		PR–S	C	–0–	–0–
(kb)	Sale of materials and services – individuals and organizations		PR–S	C	–0–	–0–
(kc)	Marketing clearinghouse charges		PR–S	A	141,100	141,100
(kg)	Tourism marketing; gaming revenue		PR–S	B	4,267,100	4,267,100
(km)	Grants for regional tourist information centers		PR–S	A	160,000	160,000
(kp)	Moneys received from other agencies		PR–S	C	–0–	–0–
(m)	Federal aid, state operations		PR–F	C	–0–	–0–
(n)	Federal aid, local assistance		PR–F	C	–0–	–0–
(o)	Federal aid, individuals and organizations		PR–F	C	–0–	–0–
(q)	Administrative services–conservation fund		SEG	A	12,100	12,100
(w)	Tourism marketing; transportation fund		SEG	B	1,591,400	1,591,400

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
		(1) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUE			10,308,200	10,322,300
		PROGRAM REVENUE			4,667,300	4,667,300
		FEDERAL			(–0–)	(–0–)
		OTHER			(99,100)	(99,100)
		SERVICE			(4,568,200)	(4,568,200)
		SEGREGATED REVENUE			1,603,500	1,603,500
		OTHER			(1,603,500)	(1,603,500)
		TOTAL–ALL SOURCES			16,579,000	16,593,100
(3)		SUPPORT OF ARTS PROJECTS				
	(a)	General program operations	GPR	A	306,200	306,200
	(b)	State aid for the arts	GPR	A	655,900	615,900
	(c)	Portraits of governors	GPR	A	–0–	–0–
	(cm)	Mass burial monument at University of Wisconsin–Stevens Point	GPR	C	100,000	–0–
	(d)	Challenge grant program	GPR	A	–0–	–0–
	(e)	High Point fund	GPR	A	–0–	–0–
	(f)	Wisconsin regranting program	GPR	A	116,700	116,700
	(g)	Gifts and grants; state operations	PR	C	20,000	20,000
	(h)	Gifts and grants; aids to individuals and organizations	PR	C	–0–	–0–
	(j)	Support of arts programs	PR	C	–0–	–0–
	(km)	State aid for the arts; Indian gaming receipts	PR–S	A	24,900	24,900
	(m)	Federal grants; state operations	PR–F	C	253,500	253,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(o) Federal grants; aids to individuals and organizations	PR–F	C	524,500	524,500
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			1,178,800	1,038,800
PROGRAM REVENUE			822,900	822,900
FEDERAL			(778,000)	(778,000)
OTHER			(20,000)	(20,000)
SERVICE			(24,900)	(24,900)
TOTAL–ALL SOURCES			2,001,700	1,861,700
20.380 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			11,487,000	11,361,100
PROGRAM REVENUE			5,490,200	5,490,200
FEDERAL			(778,000)	(778,000)
OTHER			(119,100)	(119,100)
SERVICE			(4,593,100)	(4,593,100)
SEGREGATED REVENUE			1,603,500	1,603,500
OTHER			(1,603,500)	(1,603,500)
TOTAL–ALL SOURCES			18,580,700	18,454,800
20.385 Kickapoo Reserve Management Board				
(1) KICKAPOO VALLEY RESERVE				
(g) Kickapoo reserve management board; program services	PR	C	175,900	175,900
(h) Kickapoo reserve management board; gifts and grants	PR	C	–0–	–0–
(k) Kickapoo valley reserve; law enforcement services	PR–S	A	73,600	73,600
(m) Kickapoo reserve management board; federal aid	PR–F	C	–0–	–0–
(q) Kickapoo reserve management board; general program operations	SEG	A	505,300	505,300

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(r) Kickapoo valley reserve; aids in lieu of taxes	SEG	S	280,000	280,000
(1) PROGRAM TOTALS				
PROGRAM REVENUE			249,500	249,500
FEDERAL			(–0–)	(–0–)
OTHER			(175,900)	(175,900)
SERVICE			(73,600)	(73,600)
SEGREGATED REVENUE			785,300	785,300
OTHER			(785,300)	(785,300)
TOTAL–ALL SOURCES			1,034,800	1,034,800
20.385 DEPARTMENT TOTALS				
PROGRAM REVENUE			249,500	249,500
FEDERAL			(–0–)	(–0–)
OTHER			(175,900)	(175,900)
SERVICE			(73,600)	(73,600)
SEGREGATED REVENUE			785,300	785,300
OTHER			(785,300)	(785,300)
TOTAL–ALL SOURCES			1,034,800	1,034,800
20.395 Transportation, Department of				
(1) AIDS				
(ar) Corrections of transportation aid payments	SEG	S	–0–	–0–
(as) Transportation aids to counties, state funds	SEG	A	122,814,200	125,270,500
(at) Transportation aids to municipalities, state funds	SEG	A	387,338,300	395,085,100
(av) Supplemental transportation aids to towns, state funds	SEG	A	–0–	–0–
(bq) Intercity bus assistance, state funds	SEG	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(bs)	Transportation employment and mobility, state funds	SEG	C	4,582,600	4,582,600
(bt)	Transit capital assistance grants	SEG	C	10,000,000	10,000,000
(bv)	Transit and other transportation–related aids, local funds	SEG–L	C	110,000	110,000
(bx)	Transit and other transportation–related aids, federal funds	SEG–F	C	20,538,800	20,538,800
(cq)	Seniors and individuals with disabilities specialized transportation aids, state funds	SEG	C	935,600	959,000
(cr)	Seniors and individuals with disabilities specialized transportation county aids, state funds	SEG	A	15,977,800	15,977,800
(ct)	Tribal elderly transportation grants	SEG	A	457,400	480,300
(cv)	Seniors and individuals with disabilities specialized transportation aids, local funds	SEG–L	C	605,500	605,500
(cx)	Seniors and individuals with disabilities specialized transportation aids, federal funds	SEG–F	C	2,996,900	2,996,900

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(ex)	Highway safety, local assistance, federal funds	SEG-F	C	6,869,400	6,869,400
(fq)	Connecting highways aids, state funds	SEG	A	12,063,500	12,063,500
(fs)	Disaster damage aids, state funds	SEG	S	1,000,000	1,000,000
(ft)	Lift bridge aids, state funds	SEG	B	2,659,200	2,659,200
(fu)	County forest road aids, state funds	SEG	A	320,600	320,600
(gq)	Expressway policing aids, state funds	SEG	A	1,023,900	1,023,900
(gt)	Soo Locks improvements, state funds	SEG	A	-0-	-0-
(hq)	Paratransit aids	SEG	A	3,100,600	3,178,100
(hr)	Tier B transit operating aids, state funds	SEG	A	25,132,500	25,604,700
(hs)	Tier C transit operating aids, state funds	SEG	A	5,325,800	5,425,800
(ht)	Tier A-1 transit operating aids, state funds	SEG	A	65,887,000	67,125,000
(hu)	Tier A-2 transit operating aids, state funds	SEG	A	17,312,900	17,638,200
(hw)	Tier A-3 transit operating aids, state funds	SEG	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(ig)	Professional football stadium maintenance and operating costs, state funds	PR	C	450,000	450,000
(ih)	Child abuse and neglect prevention, state funds	PR	C	125,000	125,000
	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			575,000	575,000
	OTHER			(575,000)	(575,000)
	SEGREGATED REVENUE			707,052,500	719,514,900
	FEDERAL			(30,405,100)	(30,405,100)
	OTHER			(675,931,900)	(688,394,300)
	LOCAL			(715,500)	(715,500)
	TOTAL–ALL SOURCES			707,627,500	720,089,900
(2)	LOCAL TRANSPORTATION ASSISTANCE				
(aq)	Accelerated local bridge improvement assistance, state funds	SEG	C	–0–	–0–
(av)	Accelerated local bridge improvement assistance, local funds	SEG–L	C	–0–	–0–
(ax)	Accelerated local bridge improvement assistance, federal funds	SEG–F	C	–0–	–0–
(bq)	Rail service assistance, state funds	SEG	C	1,192,700	1,192,700
(br)	Passenger rail development, state funds.	SEG	C	–0–	–0–
(bt)	Freight rail preservation	SEG	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(bu)	Freight rail infrastructure improvements, state funds	SEG	C	–0–	–0–
(bv)	Rail service assistance, local funds	SEG–L	C	500,000	500,000
(bw)	Freight rail assistance loan repayments, local funds	SEG–L	C	4,000,000	4,000,000
(bx)	Rail service assistance, federal funds	SEG–F	C	–0–	–0–
(cq)	Harbor assistance, state funds	SEG	C	651,000	651,000
(cr)	Rail passenger service, state funds	SEG	C	6,800,000	6,800,000
(cs)	Harbor assistance, federal funds	SEG–F	C	–0–	–0–
(ct)	Passenger railroad station improvement and commuter rail transit system grants, state funds	SEG	B	–0–	–0–
(cu)	Passenger railroad station improvement and commuter rail transit system grants, local funds	SEG–L	C	–0–	–0–
(cv)	Rail passenger service, local funds	SEG–L	C	–0–	–0–
(cw)	Harbor assistance, local funds	SEG–L	C	–0–	–0–
(cx)	Rail passenger service, federal funds	SEG–F	C	–0–	–0–

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(dq)	Aeronautics assistance, state funds	SEG	C	13,876,500	13,876,500
(ds)	Aviation career education, state funds	SEG	A	178,800	178,800
(dv)	Aeronautics assistance, local funds	SEG–L	C	42,000,000	42,000,000
(dx)	Aeronautics assistance, federal funds	SEG–F	C	56,162,200	56,162,200
(eq)	Highway and local bridge improvement assistance, state funds	SEG	C	18,470,600	18,470,600
(ev)	Local bridge improvement assistance, local funds	SEG–L	C	11,157,600	11,157,600
(ex)	Local bridge improvement assistance, federal funds	SEG–F	C	24,481,000	24,481,000
(fb)	Local roads for job preservation, state funds	GPR	C	–0–	–0–
(fc)	Local supplement	SEG	C	–0–	–0–
(fq)	Local supplement	SEG	C	75,000,000	–0–
(fr)	Local roads improvement program, state funds	SEG	C	17,865,600	17,865,600
(ft)	Local roads improvement program; discretionary grants, state funds	SEG	C	15,167,400	15,167,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(fv)	Local transportation facility improvement assistance, local funds	SEG-L	C	43,898,600	43,898,600
(fx)	Local transportation facility improvement assistance, federal funds	SEG-F	C	72,288,400	72,288,400
(fz)	Local roads for job preservation, federal funds	SEG-F	C	-0-	-0-
(gj)	Railroad crossing protection installation and maintenance, state funds	SEG	C	-0-	-0-
(gq)	Railroad crossing improvement and protection maintenance, state funds	SEG	A	2,112,000	2,112,000
(gr)	Railroad crossing improvement and protection installation, state funds	SEG	C	1,595,700	1,595,700
(gs)	Railroad crossing repair assistance, state funds	SEG	C	467,300	467,300
(gv)	Railroad crossing improvement, local funds	SEG-L	C	-0-	-0-
(gx)	Railroad crossing improvement, federal funds	SEG-F	C	3,291,800	3,291,800
(hq)	Multimodal transportation studies, state funds	SEG	C	-0-	-0-

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(hx)	Multimodal transportation studies, federal funds	SEG–F	C	–0–	–0–
(iq)	Transportation facilities economic assistance and development, state funds	SEG	C	3,402,600	3,402,600
(iv)	Transportation facilities economic assistance and development, local funds	SEG–L	C	3,588,700	3,588,700
(iw)	Transportation facility improvement loans, local funds	SEG–L	C	–0–	–0–
(ix)	Transportation facilities economic assistance and development, federal funds	SEG–F	C	–0–	–0–
(js)	Transportation alternatives program, state funds	SEG	C	1,000,000	1,000,000
(jv)	Transportation alternatives program, local funds	SEG–L	C	2,012,300	2,012,300
(jx)	Transportation alternatives program, federal funds	SEG–F	C	7,049,300	7,049,300
(kv)	Congestion mitigation and air quality improvement, local funds	SEG–L	C	3,124,700	3,124,700
(kx)	Congestion mitigation and air quality improvement, federal funds	SEG–F	C	10,719,000	10,719,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(mq) Astronautics assistance, state funds	SEG	C	–0–	–0–
(mv) Astronautics assistance, local funds	SEG-L	C	–0–	–0–
(mx) Astronautics assistance, federal funds	SEG-F	C	–0–	–0–
(ph) Transportation infrastructure loans, gifts and grants	SEG	C	–0–	–0–
(pq) Transportation infrastructure loans, state funds	SEG	C	4,600	4,600
(pu) Transportation infrastructure loans, service funds	SEG-S	C	–0–	–0–
(pv) Transportation infrastructure loans, local funds	SEG-L	C	–0–	–0–
(px) Transportation infrastructure loans, federal funds	SEG-F	C	–0–	–0–
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
SEGREGATED REVENUE			442,058,400	367,058,400
FEDERAL			(173,991,700)	(173,991,700)
OTHER			(157,784,800)	(82,784,800)
SERVICE			(–0–)	(–0–)
LOCAL			(110,281,900)	(110,281,900)
TOTAL–ALL SOURCES			442,058,400	367,058,400
(3) STATE HIGHWAY FACILITIES				
(aq) Southeast Wisconsin freeway megaprojects, state funds	SEG	C	4,000,000	8,000,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(av)	Southeast Wisconsin freeway megaprojects, local funds	SEG–L	C	–0–	–0–
(ax)	Southeast Wisconsin freeway megaprojects, federal funds	SEG–F	C	16,000,000	14,000,000
(bq)	Major highway development, state funds	SEG	C	25,111,600	25,111,600
(br)	Major highway development, service funds	SEG–S	C	75,511,600	73,511,600
(bv)	Major highway development, local funds	SEG–L	C	–0–	–0–
(bx)	Major highway development, federal funds	SEG–F	C	182,176,800	184,176,800
(cq)	State highway rehabilitation, state funds	SEG	C	324,786,100	432,703,800
(cr)	Southeast Wisconsin freeway rehabilitation, state funds	SEG	C	–0–	–0–
(ct)	Owner controlled insurance program, service funds	SEG–S	C	–0–	–0–
(cv)	State highway rehabilitation, local funds	SEG–L	C	2,059,200	2,059,200
(cw)	Southeast Wisconsin freeway rehabilitation, local funds	SEG–L	C	–0–	–0–
(cx)	State highway rehabilitation, federal funds	SEG–F	C	466,997,400	483,056,100

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(cy)	Southeast Wisconsin freeway rehabilitation, federal funds	SEG-F	C	-0-	-0-
(dq)	Major interstate bridge construction, state funds	SEG	C	-0-	-0-
(dr)	High-cost state highway bridge projects, state funds	SEG	C	-0-	-0-
(dv)	Major interstate bridge construction, local funds	SEG-L	C	-0-	-0-
(dw)	High-cost state highway bridge projects, local funds	SEG-L	C	-0-	-0-
(dx)	Major interstate bridge construction, federal funds	SEG-F	C	-0-	-0-
(dy)	High-cost state highway bridge projects, federal funds	SEG-F	C	-0-	-0-
(eg)	Supplement from sponsorship agreements, state funds	PR	C	10,500	10,500
(eq)	Highway system management and operations, state funds	SEG	C	108,512,000	108,096,900
(er)	State-owned lift bridge operations and maintenance, state funds	SEG	A	2,380,100	2,380,100
(es)	Routine maintenance activities, state funds	SEG	C	188,366,500	188,366,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(et)	Intelligent transportation systems and traffic control signals, state funds	SEG	C	9,766,200	9,766,200
(eu)	Intelligent transportation systems and traffic control signals, local funds	SEG–L	C	–0–	–0–
(ev)	Highway system management and operations, local funds	SEG–L	C	2,013,200	2,030,300
(ew)	Routine maintenance activities, local funds	SEG–L	C	–0–	–0–
(ex)	Highway system management and operations, federal funds	SEG–F	C	1,188,600	1,188,600
(ey)	Routine maintenance activities, federal funds	SEG–F	C	–0–	–0–
(ez)	Intelligent transportation systems and traffic control signals, federal funds	SEG–F	C	–0–	–0–
(iq)	Administration and planning, state funds	SEG	A	13,356,000	13,356,000
(ir)	Disadvantaged business mobilization assistance, state funds	SEG	C	–0–	–0–
(iv)	Administration and planning, local funds	SEG–L	C	–0–	–0–

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(ix)	Administration and planning, federal funds	SEG–F	C	3,779,900	3,779,900
(jg)	Surveying reference station system	PR	C	590,000	590,000
(jh)	Utility facilities within highway rights–of–way, state funds	PR	C	279,700	279,700
(jj)	Damage claims	PR	C	4,087,200	4,087,200
(js)	Telecommunications services, service funds	SEG–S	C	–0–	–0–
	(3) PROGRAM TOTALS				
	PROGRAM REVENUE			4,967,400	4,967,400
	OTHER			(4,967,400)	(4,967,400)
	SEGREGATED REVENUE			1,426,005,200	1,551,583,600
	FEDERAL			(670,142,700)	(686,201,400)
	OTHER			(676,278,500)	(787,781,100)
	SERVICE			(75,511,600)	(73,511,600)
	LOCAL			(4,072,400)	(4,089,500)
	TOTAL–ALL SOURCES			1,430,972,600	1,556,551,000
(4)	General transportation operations				
(aq)	Departmental management and operations, state funds	SEG	A	70,536,200	70,696,800
(ar)	Minor construction projects, state funds	SEG	C	–0–	–0–
(as)	Transit safety oversight, state funds	SEG	C	72,700	72,700
(at)	Capital building projects, service funds	SEG–S	C	6,500,000	6,500,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(av)	Departmental management and operations, local funds	SEG–L	C	369,000	369,000
(ax)	Departmental management and operations, federal funds	SEG–F	C	15,525,100	15,525,100
(ay)	Transit safety oversight, federal funds	SEG–F	C	305,000	305,000
(ch)	Gifts and grants	SEG	C	–0–	–0–
(dq)	Demand management	SEG	A	422,000	422,000
(eq)	Data processing services, service funds	SEG–S	C	15,045,000	15,045,000
(er)	Fleet operations, service funds	SEG–S	C	12,569,000	12,569,000
(es)	Other department services, operations, service funds	SEG–S	C	5,139,000	5,139,000
(et)	Equipment acquisition	SEG	A	–0–	–0–
(ew)	Operating budget supplements, state funds	SEG	C	–0–	–0–
(fa)	Airport sound mitigation grant program; state funds	GPR	C	250,000	250,000
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			250,000	250,000
	SEGREGATED REVENUE			126,483,000	126,643,600
	FEDERAL			(15,830,100)	(15,830,100)
	OTHER			(71,030,900)	(71,191,500)
	SERVICE			(39,253,000)	(39,253,000)
	LOCAL			(369,000)	(369,000)
	TOTAL–ALL SOURCES			126,733,000	126,893,600
	(5) MOTOR VEHICLE SERVICES AND ENFORCEMENT				

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(cg)	Convenience fees, state funds	PR	C	118,400	118,400
(ch)	Repaired salvage vehicle examinations, state funds	PR	C	145,900	145,900
(ci)	Breath screening instruments, state funds	PR–S	C	419,400	419,400
(cj)	Vehicle registration, special group plates, state funds	PR	C	–0–	–0–
(cL)	Football plate licensing fees, state funds	PR	C	–0–	–0–
(cq)	Vehicle registration, inspection and maintenance, driver licensing and aircraft registration, state funds	SEG	A	80,714,500	81,926,700
(cx)	Vehicle registration and driver licensing, federal funds	SEG–F	C	1,289,400	1,289,400
(da)	State traffic patrol equipment, general fund	GPR	A	–0–	–0–
(dg)	Escort, security and traffic enforcement services, state funds	PR	C	656,500	656,500
(dh)	Traffic academy tuition payments, state funds	PR	C	655,400	655,400
(di)	Chemical testing training and services, state funds	PR–S	A	1,762,700	1,762,700

		Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(dk)		Public safety radio management, service funds	PR–S	C	1,009,400	1,009,400
(dL)		Public safety radio management, state funds	PR	C	160,900	160,900
(dq)		Vehicle inspection, traffic enforcement and radio management, state funds	SEG	A	71,766,000	73,526,800
(dr)		Transportation safety, state funds	SEG	A	2,096,300	2,096,300
(dx)		Vehicle inspection and traffic enforcement, federal funds	SEG–F	C	5,058,400	5,058,400
(dy)		Transportation safety, federal funds	SEG–F	C	5,158,100	5,158,100
(eg)		Payments to the Wisconsin Lions Foundation	PR	C	7,000	7,000
(eh)		Motorcycle safety program supplement, state funds	PR	C	38,300	38,300
(ei)		Payments to Wisconsin Trout Unlimited	PR	C	–0–	–0–
(ej)		Baseball plate licensing fees, state funds	PR	C	5,000	5,000
(ek)		Safe–ride grant program; state funds	PR–S	C	161,400	161,400
(eL)		Payments resulting from the issuance of certain special plates	PR	C	5,000	5,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(fg)	Payments to the Boy Scouts of America National Foundation	PR	C	5,000	5,000
(fh)	Payments to Whitetails Unlimited	PR	C	5,000	5,000
(fi)	Payments to the Wisconsin Rocky Mountain Elk Foundation	PR	C	5,000	5,000
(fj)	Payments to Wisconsin Organization of Nurse Executives	PR	C	5,000	5,000
(gg)	Basketball plate payments to the Milwaukee Bucks Foundation	PR	C	5,000	5,000
(gh)	Payment to Midwest Athletes Against Childhood Cancer	PR	C	5,000	5,000
(gi)	Payments to the Wisconsin Women's Health Foundation	PR	C	–0–	–0–
(gj)	Payments to Donate Life Wisconsin	PR	C	–0–	–0–
(hi)	Payments to Wisconsin Law Enforcement Memorial, Inc.	PR	C	–0–	–0–
(hj)	Payments to the National Law Enforcement Officers Memorial Fund	PR	C	–0–	–0–
(hq)	Motor vehicle emission inspection and maintenance program; contractor costs and equipment grants; state funds	SEG	A	3,193,300	3,193,300

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(hx) Motor vehicle emission inspection and maintenance programs, federal funds	SEG-F	C	–0–	–0–
(ij) Baseball plate deposits to district maintenance and capital improvements fund	PR	C	–0–	–0–
(iv) Municipal and county registration fee, local funds	SEG-L	C	–0–	–0–
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
PROGRAM REVENUE			5,175,300	5,175,300
OTHER			(1,822,400)	(1,822,400)
SERVICE			(3,352,900)	(3,352,900)
SEGREGATED REVENUE			169,276,000	172,249,000
FEDERAL			(11,505,900)	(11,505,900)
OTHER			(157,770,100)	(160,743,100)
LOCAL			(–0–)	(–0–)
TOTAL-ALL SOURCES			174,451,300	177,424,300
(6) DEBT SERVICES				
(ad) Principal repayment and interest, contingent funding of southeast Wisconsin freeway megaprojects, state funds	GPR	S	16,382,700	17,482,800
(ae) Principal repayment and interest, contingent funding of major highway and rehabilitation projects, state funds	GPR	S	13,944,000	14,034,100

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(af) Principal repayment and interest, local roads for job preservation program, major highway and rehabilitation projects, southeast megaprojects, state funds	GPR	S	78,078,500	64,080,500
(aq) Principal repayment and interest, transportation facilities, state highway rehabilitation, major highway projects, electric vehicle infrastructure projects, local infrastructure grants, state funds	SEG	S	49,944,400	60,634,700
(ar) Principal repayment and interest, buildings, state funds	SEG	S	21,900	27,900
(au) Principal repayment and interest, southeast rehabilitation projects, southeast megaprojects, and high–cost bridge projects, state funds	SEG	S	89,840,300	95,229,800
(av) Principal repayment and interest, contingent funding of major highway and rehabilitation projects, state funds	SEG	S	12,376,600	12,245,200
(6) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			108,405,200	95,597,400
SEGREGATED REVENUE			152,183,200	168,137,600
OTHER			(152,183,200)	(168,137,600)
TOTAL–ALL SOURCES			260,588,400	263,735,000

(9) GENERAL PROVISIONS

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(qd)	Freeway land disposal reimbursement clearing account	SEG	C	–0–	–0–
(qh)	Highways, bridges and local transportation assistance clearing account	SEG	C	–0–	–0–
(qj)	Highways, bridges and local transportation assistance clearing account, federally funded positions	SEG–F	C	–0–	–0–
(qn)	Motor vehicle financial responsibility	SEG	C	–0–	–0–
(th)	Temporary funding of projects financed by revenue bonds	SEG	S	–0–	–0–
	(9) PROGRAM TOTALS				
	SEGREGATED REVENUE			–0–	–0–
	FEDERAL			(–0–)	(–0–)
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			–0–	–0–
	20.395 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			108,655,200	95,847,400
	PROGRAM REVENUE			10,717,700	10,717,700
	OTHER			(7,364,800)	(7,364,800)
	SERVICE			(3,352,900)	(3,352,900)
	SEGREGATED REVENUE			3,023,058,300	3,105,187,100
	FEDERAL			(901,875,500)	(917,934,200)
	OTHER			(1,890,979,400)	(1,959,032,400)
	SERVICE			(114,764,600)	(112,764,600)
	LOCAL			(115,438,800)	(115,455,900)
	TOTAL–ALL SOURCES			3,142,431,200	3,211,752,200
	Environmental Resources FUNCTIONAL AREA TOTALS				
	GENERAL PURPOSE REVENUE			282,630,600	219,634,700
	PROGRAM REVENUE			79,479,900	79,229,100
	FEDERAL			(31,972,800)	(31,648,700)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
OTHER			(30,341,000)	(30,414,300)
SERVICE			(17,166,100)	(17,166,100)
SEGREGATED REVENUE			3,443,793,100	3,517,005,000
FEDERAL			(959,254,300)	(975,239,600)
OTHER			(2,254,335,400)	(2,313,544,900)
SERVICE			(114,764,600)	(112,764,600)
LOCAL			(115,438,800)	(115,455,900)
TOTAL–ALL SOURCES			3,805,903,600	3,815,868,800

Human Resources

20.410 Corrections, Department of

(1)	ADULT CORRECTIONAL SERVICES					
(a)	General program operations	GPR	A	952,900,400	964,980,900
(aa)	Institutional repair and maintenance	GPR	A	5,133,500	5,340,100
(ab)	Corrections contracts and agreements	GPR	A	19,376,300	19,500,400
(b)	Services for community corrections	GPR	A	169,831,900	172,934,100
(bd)	Services for drunken driving offenders	GPR	A	4,978,100	4,978,100
(bm)	Pharmacological treatment for certain child sex offenders	GPR	A	58,900	58,900
(bn)	Reimbursing counties for probation, extended supervision and parole holds	GPR	A	4,885,700	4,885,700

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
(c)	Reimbursement claims of counties or municipalities containing state prisons		GPR	S	183,000	183,000
(cw)	Mother–young child care program		GPR	A	198,000	198,000
(d)	Purchased services for offenders		GPR	A	32,229,200	33,268,300
(ds)	Becky Young community corrections; recidivism reduction community services		GPR	A	15,508,400	16,259,800
(e)	Principal repayment and interest		GPR	S	48,026,500	34,770,200
(ec)	Prison industries principal, interest and rebates		GPR	S	–0–	–0–
(ed)	Correctional facilities rental		GPR	A	–0–	–0–
(ef)	Lease rental payments		GPR	S	–0–	–0–
(f)	Energy costs; energy–related assessments		GPR	A	26,332,000	26,401,300
(fm)	Electric energy derived from renewable resources		GPR	A	560,800	560,800
(gb)	Drug testing		PR	C	–0–	–0–
(gc)	Sex offender honesty testing		PR	C	340,800	340,800
(gd)	Sex offender management		PR	A	1,509,100	1,509,100
(gf)	Probation, parole, and extended supervision		PR	A	9,298,800	9,298,800
(gh)	Supervision of persons on lifetime supervision		PR	A	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(gi)	General operations	PR	A	7,262,900	7,262,900
(gk)	Global positioning system tracking devices for certain sex offenders	PR	C	399,800	420,500
(gL)	Global positioning system tracking devices for certain violators of restraining orders	PR	C	139,400	139,400
(gm)	Sale of fuel and utility service	PR	A	–0–	–0–
(gn)	Interstate compact for adult offender supervision	PR	A	375,900	375,900
(gr)	Home detention services; supervision	PR	A	137,300	137,300
(gt)	Telephone company commissions	PR	A	3,404,600	3,404,600
(h)	Administration of restitution	PR	A	940,500	940,500
(hm)	Private business employment of inmates and residents	PR	A	–0–	–0–
(i)	Gifts and grants	PR	C	33,400	33,400
(jz)	Operations and maintenance	PR	C	–0–	–0–
(kc)	Correctional institution enterprises; inmate activities and employment	PR–S	C	2,796,900	2,796,900
(kd)	Victim notification	PR–S	A	682,300	682,300
(ke)	American Indian reintegration program	PR–S	A	50,000	50,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(kf)	Correctional farms	PR–S	A	8,008,500	8,008,900
(kh)	Victim services and programs	PR–S	A	301,100	301,100
(ki)	Training programs for inmates, recidivism reduction services, and community supervision	PR–S	C	–0–	–0–
(kk)	Institutional operations and charges	PR–S	A	14,541,400	14,560,900
(km)	Prison industries	PR–S	A	21,172,600	21,176,200
(ko)	Prison industries principal repayment, interest and rebates	PR–S	S	51,600	49,000
(kp)	Correctional officer training	PR–S	A	2,927,000	2,927,000
(kx)	Interagency and intra–agency programs	PR–S	C	2,251,600	2,251,600
(ky)	Interagency and intra–agency aids	PR–S	C	1,427,700	1,427,700
(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
(m)	Federal project operations	PR–F	C	2,473,100	2,473,100
(n)	Federal program operations	PR–F	C	86,800	86,800
(qm)	Computer recycling	SEG	A	–0–	–0–
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,280,202,700	1,284,319,600
	PROGRAM REVENUE			80,613,100	80,654,700
	FEDERAL			(2,559,900)	(2,559,900)
	OTHER			(23,842,500)	(23,863,200)
	SERVICE			(54,210,700)	(54,231,600)
	SEGREGATED REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
	TOTAL–ALL SOURCES			1,360,815,800	1,364,974,300
(2)	PAROLE COMMISSION				
(a)	General program operations	GPR	A	637,800	637,800
(kx)	Interagency and intra–agency programs	PR–S	C	–0–	–0–
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			637,800	637,800
	PROGRAM REVENUE			–0–	–0–
	SERVICE			(–0–)	(–0–)
	TOTAL–ALL SOURCES			637,800	637,800
(3)	JUVENILE CORRECTIONAL SERVICES				
(a)	General program operations	GPR	A	4,190,600	4,190,800
(ba)	Mendota juvenile treatment center	GPR	A	1,365,500	1,365,500
(c)	Reimbursement claims of counties or municipalities containing juvenile correctional facilities	GPR	S	81,000	81,000
(cg)	Serious juvenile offenders	GPR	B	13,231,500	7,335,000
(dm)	Interstate compact for juveniles assessments	GPR	A	–0–	–0–
(e)	Principal repayment and interest	GPR	S	2,605,800	2,261,900
(f)	Operating loss reimbursement program	GPR	S	–0–	–0–
(fm)	Secured residential care centers for children and youth	GPR	S	256,300	2,025,700

	Statute, Agency and Purpose		Source	Type	2021-2022	2022-2023
(fz)	Juvenile correction services; deficit relief		GPR	A	11,341,600	–0–
(g)	Legal services collections		PR	C	–0–	–0–
(gg)	Collection remittances to local units of government		PR	C	–0–	–0–
(hm)	Juvenile correctional services		PR	A	35,579,000	35,743,600
(ho)	Juvenile alternate care services		PR	A	2,643,500	2,752,800
(hr)	Juvenile community supervision		PR	A	5,576,200	5,581,400
(i)	Gifts and grants		PR	C	7,700	7,700
(jr)	Institutional operations and charges		PR	A	180,100	180,100
(jv)	Secure detention services		PR	C	200,000	200,000
(kx)	Interagency and intra–agency programs		PR–S	C	769,200	769,200
(ky)	Interagency and intra–agency aids		PR–S	C	–0–	–0–
(kz)	Interagency and intra–agency local assistance		PR–S	C	–0–	–0–
(m)	Federal project operations		PR–F	C	74,900	74,900
(n)	Federal program operations		PR–F	C	30,000	30,000
(q)	Girls school benevolent trust fund		SEG	C	–0–	–0–
		(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE				33,072,300	17,259,900
	PROGRAM REVENUE				45,060,600	45,339,700
	FEDERAL				(104,900)	(104,900)
	OTHER				(44,186,500)	(44,465,600)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
SERVICE			(769,200)	(769,200)
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			78,132,900	62,599,600
20.410 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			1,313,912,800	1,302,217,300
PROGRAM REVENUE			125,673,700	125,994,400
FEDERAL			(2,664,800)	(2,664,800)
OTHER			(68,029,000)	(68,328,800)
SERVICE			(54,979,900)	(55,000,800)
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			1,439,586,500	1,428,211,700
20.425 Employment Relations Commission				
(1) LABOR RELATIONS				
(a) General program operations	GPR	A	1,266,300	1,369,200
(i) Fees, collective bargaining training, publications, and appeals	PR	A	145,600	145,600
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			1,266,300	1,369,200
PROGRAM REVENUE			145,600	145,600
OTHER			(145,600)	(145,600)
TOTAL–ALL SOURCES			1,411,900	1,514,800
20.425 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			1,266,300	1,369,200
PROGRAM REVENUE			145,600	145,600
OTHER			(145,600)	(145,600)
TOTAL–ALL SOURCES			1,411,900	1,514,800
20.427 Labor and Industry Review Commission				
(1) REVIEW COMMISSION				
(a) General program operations, review commission	GPR	A	149,500	149,500

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(k)	Unemployment administration	PR–S	C	1,773,900	1,773,900
(km)	Equal rights; other moneys	PR–S	C	207,500	207,500
(m)	Federal moneys	PR–F	C	–0–	–0–
(ra)	Worker's compensation operations fund; worker's compensation activities	SEG	A	665,900	665,900
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			149,500	149,500
	PROGRAM REVENUE			1,981,400	1,981,400
	FEDERAL			(–0–)	(–0–)
	SERVICE			(1,981,400)	(1,981,400)
	SEGREGATED REVENUE			665,900	665,900
	OTHER			(665,900)	(665,900)
	TOTAL–ALL SOURCES			2,796,800	2,796,800
	20.427 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			149,500	149,500
	PROGRAM REVENUE			1,981,400	1,981,400
	FEDERAL			(–0–)	(–0–)
	SERVICE			(1,981,400)	(1,981,400)
	SEGREGATED REVENUE			665,900	665,900
	OTHER			(665,900)	(665,900)
	TOTAL–ALL SOURCES			2,796,800	2,796,800
20.432 Board on Aging and Long-Term Care					
(1)	Identification of the needs of the aged and disabled				
(a)	General program operations	GPR	A	1,727,100	1,748,600
(i)	Gifts and grants	PR	C	–0–	–0–
(k)	Contracts with other state agencies	PR–S	C	1,561,900	1,573,900
(kb)	Insurance and other information, counseling and assistance	PR–S	A	524,900	525,400

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(m)	Federal aid	PR–F	C	–0–	–0–
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,727,100	1,748,600
	PROGRAM REVENUE			2,086,800	2,099,300
	FEDERAL			(–0–)	(–0–)
	OTHER			(–0–)	(–0–)
	SERVICE			(2,086,800)	(2,099,300)
	TOTAL–ALL SOURCES			3,813,900	3,847,900
	20.432 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			1,727,100	1,748,600
	PROGRAM REVENUE			2,086,800	2,099,300
	FEDERAL			(–0–)	(–0–)
	OTHER			(–0–)	(–0–)
	SERVICE			(2,086,800)	(2,099,300)
	TOTAL–ALL SOURCES			3,813,900	3,847,900
20.433 Child Abuse and Neglect Prevention Board					
(1)	PREVENTION OF CHILD ABUSE AND NEGLECT				
(b)	Grants to organizations	GPR	A	995,000	995,000
(g)	General program operations	PR	A	784,400	784,400
(h)	Grants to organizations	PR	C	750,600	750,600
(i)	Gifts and grants	PR	C	–0–	–0–
(jb)	Fees for administrative services	PR	C	15,000	15,000
(k)	Interagency programs	PR–S	C	–0–	–0–
(m)	Federal project operations	PR–F	C	211,200	211,200
(ma)	Federal project aids	PR–F	C	450,000	450,000
(q)	Children's trust fund; gifts and grants	SEG	C	15,000	15,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			995,000	995,000
	PROGRAM REVENUE			2,211,200	2,211,200
	FEDERAL			(661,200)	(661,200)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
OTHER			(1,550,000)	(1,550,000)
SERVICE			(–0–)	(–0–)
SEGREGATED REVENUE			15,000	15,000
OTHER			(15,000)	(15,000)
TOTAL–ALL SOURCES			3,221,200	3,221,200
20.433 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			995,000	995,000
PROGRAM REVENUE			2,211,200	2,211,200
FEDERAL			(661,200)	(661,200)
OTHER			(1,550,000)	(1,550,000)
SERVICE			(–0–)	(–0–)
SEGREGATED REVENUE			15,000	15,000
OTHER			(15,000)	(15,000)
TOTAL–ALL SOURCES			3,221,200	3,221,200
20.435 Health Services, Department of				
(1) PUBLIC HEALTH SERVICES PLANNING, REGULATION AND DELIVERY				
(a) General program operations	GPR	A	11,613,700	12,287,400
(am) Services, reimbursement, and payment related to human immunodeficiency virus	GPR	A	6,220,900	6,220,900
(b) General aids and local assistance	GPR	A	2,033,600	1,698,600
(be) treatment program grants	GPR	A	500,000	500,000
(bg) Alzheimer's disease; training and information grants	GPR	A	131,400	131,400
(bm) Purchased services for clients	GPR	A	93,900	93,900
(bn) Workplace wellness program grants	GPR	S	–0–	–0–
(br) Respite care	GPR	A	350,000	350,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(c)	Public health emergency quarantine costs	GPR	S	–0–	–0–
(cb)	Well–woman program	GPR	A	2,428,200	2,428,200
(cc)	Cancer control and prevention	GPR	A	333,900	333,900
(cd)	Spinal cord injury research	GPR	S	1,500,000	1,500,000
(ce)	Primary health for homeless individuals	GPR	C	–0–	–0–
(cf)	Communicable disease control and prevention	GPR	C	5,500,000	5,500,000
(cg)	Guardianship grant program	GPR	A	225,000	225,000
(ch)	Emergency medical services; aids	GPR	A	2,200,000	2,200,000
(cj)	Emergency dispatcher cardiopulmonary resuscitation training	GPR	B	75,900	75,900
(cm)	Immunization	GPR	S	–0–	–0–
(cr)	Minority health grants	GPR	A	3,883,600	3,883,600
(cv)	Health equity grants	GPR	A	10,000,000	–0–
(cx)	Independent living centers	GPR	A	1,017,700	1,017,700
(da)	Interpreter services and telecommunication aid for the hearing impaired	GPR	A	500,000	500,000
(de)	Dental services	GPR	A	3,424,300	3,424,300
(dg)	Clinic aids	GPR	B	66,800	66,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(dh)	Programs for senior citizens; elder abuse services; benefit specialist program	GPR	A	15,707,800	15,707,800
(dk)	Low–income dental clinics	GPR	A	1,700,000	1,700,000
(dm)	Rural health dental clinics	GPR	A	895,500	895,500
(dn)	Food distribution grants	GPR	A	288,000	288,000
(ds)	Statewide poison control program	GPR	A	382,500	382,500
(e)	Public health dispensaries and drugs	GPR	B	661,000	661,000
(ed)	Radon aids	GPR	A	26,700	26,700
(ef)	Lead–poisoning or lead–exposure services	GPR	A	1,906,500	1,999,500
(eg)	Pregnancy counseling	GPR	A	69,100	69,100
(em)	Supplemental food program for women, infants and children benefits	GPR	C	161,400	161,400
(eu)	Reducing fetal and infant mortality and morbidity	GPR	B	222,700	222,700
(ev)	Pregnancy outreach and infant health	GPR	A	188,200	188,200
(f)	Women's health block grant	GPR	A	1,935,600	1,935,600
(fe)	Referral system for community–based services	GPR	A	210,000	210,000
(fh)	Community health services	GPR	A	9,990,000	9,990,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(fi)	Allied health professional education and training grants	GPR	B	500,000	500,000
(fk)	Grants to establish advanced practice clinician training programs	GPR	B	500,000	500,000
(fm)	Tobacco use control	GPR	C	7,315,000	5,315,000
(fn)	Health care information organization	GPR	A	–0–	–0–
(gm)	Licensing, review and certifying activities; fees; supplies and services	PR	A	13,683,200	13,683,200
(gp)	Cancer information	PR	C	18,000	18,000
(gr)	Supplemental food program for women, infants and children administration	PR	C	48,200	48,200
(hg)	General program operations; health care information	PR	A	1,334,000	1,334,000
(hi)	Compilations and special reports; health care information	PR	C	–0–	–0–
(hs)	Interpreter services for the hearing impaired	PR	A	39,900	39,900
(i)	Gifts and grants	PR	C	18,168,400	18,168,400
(ja)	Congenital disorders; diagnosis, special dietary treatment and counseling	PR	A	5,350,000	5,350,000

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
	(jb)	Congenital disorders; operations	PR	A	616,600	616,600
	(jd)	Fees for administrative services	PR	C	112,500	112,500
	(kc)	Independent living center grants	PR–S	A	660,000	660,000
	(ke)	American Indian health projects	PR–S	A	106,900	106,900
	(kf)	American Indian diabetes prevention and control	PR–S	A	22,500	22,500
	(kn)	Elderly nutrition; home–delivered and congregate meals	PR–S	A	500,000	500,000
	(kx)	Interagency and intra–agency programs	PR–S	C	5,356,100	5,356,100
	(ky)	Interagency and intra–agency aids	PR–S	C	1,829,700	1,829,700
	(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
	(m)	Federal project operations	PR–F	C	43,599,300	43,562,800
	(ma)	Federal project aids	PR–F	C	60,675,000	60,675,000
	(mc)	Federal block grant operations	PR–F	C	8,206,100	8,206,100
	(md)	Federal block grant aids	PR–F	C	7,907,200	7,907,200
	(n)	Federal program operations	PR–F	C	10,229,300	10,229,300
	(na)	Federal program aids	PR–F	C	122,670,200	122,670,200
	(q)	Groundwater and air quality standards	SEG	A	344,100	344,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(r)	Health equity grants; community reinvestment fund	SEG	A	–0–	20,000,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			94,758,900	83,190,600
	PROGRAM REVENUE			301,133,100	301,096,600
	FEDERAL			(253,287,100)	(253,250,600)
	OTHER			(39,370,800)	(39,370,800)
	SERVICE			(8,475,200)	(8,475,200)
	SEGREGATED REVENUE			344,100	20,344,100
	OTHER			(344,100)	(20,344,100)
	TOTAL–ALL SOURCES			396,236,100	404,631,300
(2)	MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES SERVICES; FACILITIES				
(a)	General program operations	GPR	A	117,066,400	118,863,000
(aa)	Institutional repair and maintenance	GPR	A	715,200	715,200
(bj)	Competency examinations and treatment, and conditional release, supervised release, and community supervision services	GPR	B	21,638,000	22,834,600
(bm)	Secure mental health units or facilities	GPR	A	126,983,100	128,222,000
(cm)	Grant program; mental health beds	GPR	A	130,000	80,000
(ee)	Principal repayment and interest	GPR	S	17,557,900	17,890,100
(ef)	Lease rental payments	GPR	S	–0–	–0–
(f)	Energy costs; energy–related assessments	GPR	A	5,563,600	5,707,000

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
	(fm)	Electric energy derived from renewable resources	GPR	A	241,400	241,400
	(g)	Alternative services of institutes and centers	PR	C	11,808,800	11,840,100
	(gk)	Institutional operations and charges	PR	A	215,451,200	218,488,400
	(gL)	Extended intensive treatment surcharge	PR	C	100,000	100,000
	(gs)	Sex offender honesty testing	PR	C	–0–	–0–
	(gz)	Costs of housing persons on supervised release	PR	C	–0–	–0–
	(i)	Gifts and grants	PR	C	93,800	93,800
	(km)	Indian mental health placement	PR–S	A	250,000	250,000
	(kx)	Interagency and intra–agency programs	PR–S	C	12,517,000	12,517,000
	(ky)	Interagency and intra–agency aids	PR–S	C	–0–	–0–
	(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
	(m)	Federal project operations	PR–F	C	–0–	–0–
			(2) PROGRAM TOTALS			
		GENERAL PURPOSE REVENUE			289,895,600	294,553,300
		PROGRAM REVENUE			240,220,800	243,289,300
		FEDERAL			(–0–)	(–0–)
		OTHER			(227,453,800)	(230,522,300)
		SERVICE			(12,767,000)	(12,767,000)
		TOTAL–ALL SOURCES			530,116,400	537,842,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(4)	MEDICAID SERVICES				
(a)	General program operations	GPR	A	43,294,900	43,294,900
(b)	Medical Assistance program benefits	GPR	B	3,394,313,800	3,819,184,400
(bd)	Long–term care programs	GPR	A	11,200,000	11,200,000
(bf)	Graduate medical training support grants	GPR	C	3,313,000	3,313,000
(bh)	Behavioral health technology grants	GPR	A	–0–	2,000,000
(bk)	Mental health pilot projects	GPR	C	266,700	266,700
(bm)	Medical Assistance, food stamps, and Badger Care administration; contract costs, insurer reports, and resource centers	GPR	B	80,775,600	82,233,300
(bn)	Income maintenance	GPR	B	16,884,500	17,556,200
(bp)	Food stamp employment and training program administration	GPR	C	14,623,800	14,810,300
(br)	Cemetery, funeral, and burial expenses program	GPR	B	7,993,100	8,476,700
(bt)	Healthy eating incentives	GPR	C	612,500	612,500
(bv)	Prescription drug assistance for elderly; aids	GPR	B	16,133,900	17,456,800
(e)	Disease aids	GPR	B	3,452,800	3,700,800

	Statute, Agency and Purpose		Source	Type	2021-2022	2022-2023
(ed)	State supplement to federal supplemental security income program		GPR	S	158,405,400	158,405,400
(g)	Family care benefit; cost sharing		PR	C	–0–	–0–
(gm)	Medical assistance; provider refunds and collections		PR	C	1,181,084,600	1,221,075,400
(gr)	Income maintenance; county payments		PR	C	–0–	–0–
(h)	County contributions		PR	C	54,668,500	52,675,700
(hp)	Disabled children's long–term support waivers		PR	C	1,567,300	1,567,300
(i)	Gifts, grants, and payments; health care financing		PR	C	3,385,900	3,385,900
(iL)	Medical assistance provider assessments; health services regulation		PR	C	183,900	183,900
(im)	Medical assistance; correct payment recovery; collections; community services; other recoveries		PR	C	54,426,600	54,426,600
(in)	Community options program; family care; recovery of costs administration		PR	A	273,900	273,900
(j)	Prescription drug assistance for elderly; manufacturer rebates		PR	C	88,140,500	93,626,700

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(jb)	Prescription drug assistance for elderly; enrollment fees	PR	C	3,152,000	3,152,000
(jc)	Fees for administrative services	PR	C	30,000	30,000
(jd)	Electronic benefit transfer card replacement costs	PR	C	455,000	455,000
(je)	Disease aids; drug manufacturer rebates	PR	C	863,200	925,200
(jt)	Care management organization, insolvency assistance	PR	C	–0–	–0–
(jw)	BadgerCare Plus and hospital assessment	PR	C	2,030,200	2,030,200
(jz)	Medical Assistance and Badger Care cost sharing, and employer penalty assessments	PR	C	12,546,500	12,546,500
(kb)	Relief block grants to tribal governing bodies	PR–S	A	712,800	712,800
(kt)	Medical assistance outreach and reimbursements for tribes	PR–S	B	961,700	961,700
(kv)	Care management organization; oversight	PR–S	C	–0–	–0–
(kx)	Interagency and intra–agency programs	PR–S	C	8,470,700	8,470,700
(ky)	Interagency and intra–agency aids	PR–S	C	40,390,600	40,747,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(kz)	Interagency and intra–agency local assistance	PR–S	C	1,000,000	1,000,000
(L)	Fraud and error reduction	PR	C	806,600	806,600
(m)	Federal project operations	PR–F	C	6,055,400	6,055,400
(ma)	Federal project aids	PR–F	C	2,700,000	2,700,000
(md)	Federal block grant aids	PR–F	C	–0–	–0–
(n)	Federal program operations	PR–F	C	77,063,400	77,063,400
(na)	Federal program aids	PR–F	C	12,485,000	12,485,000
(nn)	Federal aid; income maintenance	PR–F	C	63,454,900	64,462,400
(np)	Federal aid; food stamp employment and training program	PR–F	C	21,957,100	24,601,900
(o)	Federal aid; medical assistance	PR–F	C	7,956,634,300	7,745,540,800
(p)	Federal aid; Badger Care health care program	PR–F	C	–0–	–0–
(pa)	Federal aid; Medical Assistance and food stamps contracts administration	PR–F	C	230,721,300	204,603,600
(pg)	Federal aid; prescription drug assistance for elderly	PR–F	C	16,427,700	17,036,500
(w)	Medical Assistance trust fund	SEG	B	382,623,400	312,701,500
(wm)	Medical assistance trust fund; nursing homes	SEG	S	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(wp) Medical Assistance trust fund; county reimbursement	SEG	S	–0–	–0–
(x) Medical Assistance trust fund; Badger Care health care program	SEG	C	–0–	–0–
(xc) Hospital assessment fund; hospital payments	SEG	C	248,229,900	255,174,900
(xe) Critical access hospital assessment fund; hospital payments	SEG	C	3,597,200	3,334,200
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			3,751,270,000	4,182,511,000
PROGRAM REVENUE			9,842,649,600	9,653,602,100
FEDERAL			(8,387,499,100)	(8,154,549,000)
OTHER			(1,403,614,700)	(1,447,160,900)
SERVICE			(51,535,800)	(51,892,200)
SEGREGATED REVENUE			634,450,500	571,210,600
OTHER			(634,450,500)	(571,210,600)
TOTAL–ALL SOURCES			14,228,370,100	14,407,323,700
(5) CARE AND TREATMENT SERVICES				
(a) General program operations	GPR	A	3,965,200	4,265,200
(bc) Grants for community programs	GPR	A	11,194,900	13,630,900
(bd) Nonnarcotic drug treatment grants	GPR	B	750,000	750,000
(be) Mental health treatment services	GPR	A	1,551,500	1,551,500
(bf) Grants for youth services	GPR	A	865,000	865,000
(bh) Training for methamphetamine addiction treatment	GPR	A	150,000	300,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(bw)	Child psychiatry and addiction medicine consultation programs	GPR	B	2,500,000	2,500,000
(by)	School–based mental health consultation pilot program	GPR	C	175,000	175,000
(cd)	Crisis intervention training grants	GPR	B	500,000	500,000
(cf)	Crisis program enhancement grants	GPR	B	2,225,000	2,225,000
(ch)	Crisis response grants	GPR	A	130,500	17,465,600
(cj)	County crisis call center support grants	GPR	A	923,600	923,600
(co)	Initiatives for coordinated services	GPR	A	2,599,100	2,599,100
(ct)	Mental health consultation program	GPR	A	–0–	–0–
(da)	Reimbursements to local units of government	GPR	S	300,000	300,000
(fr)	Mental health for homeless individuals	GPR	A	41,900	41,900
(gb)	Alcohol and drug abuse initiatives	PR	C	489,600	489,600
(gg)	Collection remittances to local units of government	PR	C	4,400	4,400
(hx)	Services related to drivers, receipts	PR	A	–0–	–0–

	Statute, Agency and Purpose		Source	Type	2021-2022	2022-2023
(hy)	Services for drivers, local assistance		PR	A	1,000,000	1,000,000
(i)	Gifts and grants		PR	C	92,000	92,000
(jb)	Fees for administrative services		PR	C	23,900	23,900
(kc)	Severely emotionally disturbed children		PR–S	C	724,500	724,500
(kg)	Compulsive gambling awareness campaigns		PR–S	A	396,000	396,000
(kL)	Indian aids		PR–S	A	242,000	242,000
(km)	Indian drug abuse prevention and education		PR–S	A	445,500	445,500
(kp)	Center		PR–S	C	1,695,500	1,695,500
(kx)	Interagency and intra–agency programs		PR–S	C	5,207,500	5,207,500
(ky)	Interagency and intra–agency aids		PR–S	C	–0–	–0–
(kz)	Interagency and intra–agency local assistance		PR–S	C	–0–	–0–
(m)	Federal project operations		PR–F	C	1,313,100	1,313,100
(ma)	Federal project aids		PR–F	C	15,886,400	15,886,400
(mb)	Federal project local assistance		PR–F	C	–0–	–0–
(mc)	Federal block grant operations		PR–F	C	4,103,600	4,103,600
(md)	Federal block grant aids		PR–F	C	11,679,300	11,679,300

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(me)	Federal block grant local assistance	PR–F	C	16,942,000	16,942,000
(n)	Federal program operations	PR–F	C	1,198,000	1,198,000
(na)	Federal program aids	PR–F	C	835,100	835,100
(nL)	Federal program local assistance	PR–F	C	–0–	–0–
(o)	Federal aid; community aids	PR–F	C	12,249,100	12,249,100
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			27,871,700	48,092,800
	PROGRAM REVENUE			74,527,500	74,527,500
	FEDERAL			(64,206,600)	(64,206,600)
	OTHER			(1,609,900)	(1,609,900)
	SERVICE			(8,711,000)	(8,711,000)
	TOTAL–ALL SOURCES			102,399,200	122,620,300
(6)	QUALITY ASSURANCE SERVICES PLANNING, REGULATION AND DELIVERY				
(a)	General program operations	GPR	A	6,076,200	6,076,200
(dm)	Nursing home monitoring and receivership supplement	GPR	S	–0–	–0–
(g)	Nursing facility resident protection	PR	C	2,768,100	2,783,700
(ga)	Community–based residential facility monitoring and receivership operations	PR	C	–0–	–0–
(i)	Gifts and grants	PR	C	–0–	–0–
(jb)	Fees for administrative services	PR	C	222,300	222,300
(jm)	Licensing and support services	PR	A	6,640,000	6,655,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(k)	Nursing home monitoring and receivership operations	PR	C	–0–	–0–
(kx)	Interagency and intra–agency programs	PR–S	C	–0–	–0–
(ky)	Interagency and intra–agency aids	PR–S	C	–0–	–0–
(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
(m)	Federal project operations	PR–F	C	–0–	–0–
(mc)	Federal block grant operations	PR–F	C	–0–	–0–
(n)	Federal program operations	PR–F	C	18,243,300	18,253,100
(na)	Federal program aids	PR–F	C	–0–	–0–
(nL)	Federal program local assistance	PR–F	C	–0–	–0–
	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			6,076,200	6,076,200
	PROGRAM REVENUE			27,873,700	27,914,600
	FEDERAL			(18,243,300)	(18,253,100)
	OTHER			(9,630,400)	(9,661,500)
	SERVICE			(–0–)	(–0–)
	TOTAL–ALL SOURCES			33,949,900	33,990,800
(7)	DISABILITY AND ELDER SERVICES				
(b)	Community aids and Medical Assistance payments	GPR	A	210,337,500	213,515,500
(bc)	Grants for community programs	GPR	A	131,200	131,200
(bt)	Early intervention services for infants and toddlers with disabilities	GPR	C	10,214,000	13,514,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(ky)	Interagency and intra–agency aids	PR–S	C	–0–	–0–
(kz)	Interagency and intra–agency local assistance	PR–S	C	1,257,800	1,257,800
(ma)	Federal project aids	PR–F	C	10,500,000	10,500,000
(mb)	Federal project local assistance	PR–F	C	–0–	–0–
(md)	Federal block grant aids	PR–F	C	–0–	–0–
(me)	Federal block grant local assistance	PR–F	C	–0–	–0–
(na)	Federal program aids	PR–F	C	1,000,000	1,000,000
(nL)	Federal program local assistance	PR–F	C	9,500,000	9,500,000
(o)	Federal aid; community aids	PR–F	C	42,699,300	42,689,100
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			220,682,700	227,160,700
	PROGRAM REVENUE			64,957,100	64,946,900
	FEDERAL			(63,699,300)	(63,689,100)
	SERVICE			(1,257,800)	(1,257,800)
	TOTAL–ALL SOURCES			285,639,800	292,107,600
(8)	GENERAL ADMINISTRATION				
(a)	General program operations	GPR	A	17,028,300	17,046,200
(b)	Inspector general; general operations	GPR	A	5,010,400	5,010,400
(c)	Inspector general; local assistance	GPR	A	1,000,000	1,000,000
(i)	Gifts and grants	PR	C	10,000	10,000
(k)	Administrative and support services	PR–S	A	30,599,300	30,599,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(kw)	Inspector general; interagency and intra–agency programs	PR–S	C	1,102,900	1,102,900
(kx)	Interagency and intra–agency programs	PR–S	C	41,800	41,800
(ky)	Interagency and intra–agency aids	PR–S	C	2,000,000	2,000,000
(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
(m)	Federal project operations	PR–F	C	–0–	–0–
(ma)	Federal project aids	PR–F	C	–0–	–0–
(mb)	Income augmentation services receipts	PR–F	C	376,100	376,100
(mc)	Federal block grant operations	PR–F	C	1,474,800	1,474,800
(mm)	Reimbursements from federal government	PR–F	C	–0–	–0–
(n)	Federal program operations	PR–F	C	2,172,800	2,172,800
(o)	Inspector general; federal program local assistance	PR–F	C	1,350,000	1,350,000
(p)	Inspector general; federal program operations	PR–F	C	9,002,500	9,002,500
(pz)	Indirect cost reimbursements	PR–F	C	4,867,000	4,606,700
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			23,038,700	23,056,600
	PROGRAM REVENUE			52,997,200	52,736,900
	FEDERAL			(19,243,200)	(18,982,900)
	OTHER			(10,000)	(10,000)
	SERVICE			(33,744,000)	(33,744,000)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
TOTAL–ALL SOURCES			76,035,900	75,793,500
20.435 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			4,413,593,800	4,864,641,200
PROGRAM REVENUE			10,604,359,000	10,418,113,900
FEDERAL			(8,806,178,600)	(8,572,931,300)
OTHER			(1,681,689,600)	(1,728,335,400)
SERVICE			(116,490,800)	(116,847,200)
SEGREGATED REVENUE			634,794,600	591,554,700
OTHER			(634,794,600)	(591,554,700)
TOTAL–ALL SOURCES			15,652,747,400	15,874,309,800
20.437 Children and Families, Department of				
(1) CHILDREN AND FAMILY SERVICES				
(a) General program operations	GPR	A	12,777,200	13,418,500
(ab) Child abuse and neglect prevention grants	GPR	A	1,985,700	1,985,700
(ac) Child abuse and neglect prevention technical assistance	GPR	A	–0–	–0–
(b) Children and family aids payments	GPR	A	50,842,700	56,160,000
(bc) Grants for youth services	GPR	A	5,133,100	5,383,500
(bf) Family and juvenile treatment court grants	GPR	A	250,000	250,000
(bg) Grants to support foster parents and children	GPR	A	475,000	475,000
(bm) Safety promotion and placement prevention services	GPR	A	8,483,400	8,483,400
(cd) Domestic abuse grants	GPR	A	12,434,600	12,434,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(cf)	Foster parent insurance and liability	GPR	A	59,400	59,400
(cj)	Community youth and family aids	GPR	A	94,616,100	102,818,300
(ck)	Community youth and family aids; bonus for county facilities	GPR	A	–0–	–0–
(cL)	Seventeen–year–old juvenile justice aids	GPR	S	10,000,000	10,000,000
(cm)	Youth justice system improvements program	GPR	A	3,245,300	13,853,200
(cn)	Youth justice system improvements program; state operations	GPR	A	187,000	249,300
(cw)	Milwaukee child welfare services; general program operations	GPR	A	20,384,900	20,440,500
(cx)	Child welfare services; aids	GPR	A	69,800,700	72,254,000
(dd)	State out–of–home care and adoption services	GPR	A	52,480,400	53,994,700
(dg)	State adoption information exchange and state adoption center	GPR	A	169,600	169,600
(f)	Second–chance homes	GPR	A	–0–	–0–
(gg)	Collection remittances to local units of government	PR	C	–0–	–0–

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(gx)	Milwaukee child welfare services; collections	PR	C	3,500,000	3,500,000
(hh)	Domestic abuse surcharge grants	PR	C	600,000	600,000
(i)	Gifts and grants	PR	C	5,000	5,000
(j)	Statewide automated child welfare information system receipts	PR	C	581,300	581,300
(jb)	Fees for administrative services	PR	C	78,000	78,000
(jj)	Searches for birth parents and adoption record information; foreign adoptions	PR	A	109,600	109,600
(jm)	Licensing activities	PR	C	109,200	109,200
(js)	Tribal family services grants	PR–S	A	1,867,500	1,867,500
(kb)	Interagency aids; grants for youth services	PR–S	C	865,000	865,000
(km)	Interagency and intra–agency aids; children and family aids; local assistance	PR–S	C	7,256,100	7,256,100
(kp)	Youth aids funding for the youth justice system improvements program	PR–S	C	–0–	–0–
(kw)	Interagency and intra–agency aids; Milwaukee child welfare services	PR–S	A	20,101,300	20,101,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(kx)	Interagency and intra–agency programs	PR–S	C	3,249,100	3,249,100
(ky)	Interagency and intra–agency aids	PR–S	C	3,290,100	3,290,100
(kz)	Interagency and intra–agency aids; tribal placements and guardianships	PR–S	A	717,500	717,500
(m)	Federal project operations	PR–F	C	1,223,800	1,223,800
(ma)	Federal project aids	PR–F	C	3,843,300	3,843,300
(mb)	Federal project local assistance	PR–F	C	–0–	–0–
(mc)	Federal block grant operations	PR–F	C	–0–	–0–
(md)	Federal block grant aids	PR–F	C	–0–	–0–
(mw)	Federal aid; Milwaukee child welfare services general program operations	PR–F	C	4,317,000	4,321,900
(mx)	Federal aid; Milwaukee child welfare services aids	PR–F	C	17,119,600	17,124,900
(n)	Federal program operations	PR–F	C	12,383,300	12,383,300
(na)	Federal program aids	PR–F	C	12,264,400	12,264,400
(nL)	Federal program local assistance	PR–F	C	21,566,900	21,126,900
(o)	Federal aid; children, youth, and family aids	PR–F	C	50,466,600	50,628,600
(pd)	Federal aid; state out–of–home care and adoption services	PR–F	C	50,603,100	51,817,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(pm)	Federal aid; adoption incentive payments	PR-F	C	400,000	400,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			343,325,100	372,429,700
	PROGRAM REVENUE			216,517,700	217,464,100
	FEDERAL			(174,188,000)	(175,134,400)
	OTHER			(4,983,100)	(4,983,100)
	SERVICE			(37,346,600)	(37,346,600)
	TOTAL–ALL SOURCES			559,842,800	589,893,800
(2)	ECONOMIC SUPPORT				
(a)	General program operations	GPR	A	4,419,200	4,419,200
(bc)	Child support local assistance	GPR	C	13,010,000	13,010,000
(c)	Child care quality improvement program	GPR	A	53,016,400	53,016,400
(cm)	Wisconsin works child care	GPR	A	28,849,400	28,849,400
(dz)	Temporary Assistance for Needy Families programs; maintenance of effort	GPR	A	131,077,000	131,077,000
(e)	Incentive payments for identifying children with health insurance	GPR	A	300,000	300,000
(eg)	Internet assistance program	GPR	A	9,968,800	9,958,400
(eh)	Head start supplement	GPR	A	6,264,100	6,264,100
(em)	Drug testing and treatment costs	GPR	A	250,000	250,000
(f)	Emergency Shelter of the Fox Valley	GPR	A	50,000	50,000
(fr)	Skills enhancement grants	GPR	A	500,000	500,000

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
1	(i)	Gifts and grants	PR	C	2,500	2,500
2	(ja)	Child support state operations – fees, reimbursements, and collections	PR	C	19,405,900	19,405,900
5	(jb)	Fees for administrative services	PR	C	725,000	725,000
6	(jL)	Job access loan repayments	PR	C	610,200	610,200
7	(jm)	Child care worker background check	PR	C	–0–	–0–
9	(jn)	Child care licensing and certification activities	PR	C	1,500,000	1,500,000
11	(k)	Child support transfers	PR–S	C	7,141,000	7,141,000
12	(kx)	Interagency and intra–agency programs	PR–S	C	4,569,000	4,569,000
14	(L)	Public assistance overpayment recovery, fraud investigation, and error reduction	PR	C	160,600	160,600
17	(ma)	Federal project activities and administration	PR–F	C	1,323,700	1,323,700
19	(mc)	Federal block grant operations	PR–F	A	58,096,200	57,662,700
20	(md)	Federal block grant aids	PR–F	A	487,037,000	455,088,900
21	(me)	Child care and temporary assistance overpayment recovery	PR–F	C	4,287,600	4,287,600
23	(mg)	Community services block grant; federal funds	PR–F	C	8,674,000	8,674,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(mm)	Reimbursements from federal government	PR–F	C	–0–	–0–
(n)	Child support state operations; federal funds	PR–F	C	18,708,500	18,708,500
(nL)	Child support local assistance; federal funds	PR–F	C	79,095,300	79,095,300
(om)	Refugee assistance; federal funds	PR–F	C	7,356,900	7,356,900
(q)	Centralized support receipt and disbursement; interest	SEG	S	35,000	35,000
(qm)	Child support state operations and reimbursement for claims and expenses; unclaimed payments	SEG	S	100,000	100,000
(s)	Economic support – public benefits	SEG	A	9,139,700	9,139,700
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			247,704,900	247,694,500
	PROGRAM REVENUE			698,693,400	666,311,800
	FEDERAL			(664,579,200)	(632,197,600)
	OTHER			(22,404,200)	(22,404,200)
	SERVICE			(11,710,000)	(11,710,000)
	SEGREGATED REVENUE			9,274,700	9,274,700
	OTHER			(9,274,700)	(9,274,700)
	TOTAL–ALL SOURCES			955,673,000	923,281,000
(3)	General administration				
(a)	General program operations	GPR	A	2,018,900	2,018,900
(f)	Diversity, equity, and inclusion grants	GPR	A	5,000,000	–0–

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
1	(i)	Gifts and grants	PR	C	5,000	5,000
2	(jb)	Fees for administrative services	PR	C	–0–	–0–
3 4	(k)	Administrative and support services	PR–S	A	25,555,200	25,555,200
5 6 7	(kp)	Interagency and intra–agency aids; income augmentation services receipts	PR–S	C	–0–	–0–
8 9	(kx)	Interagency and intra–agency programs	PR–S	C	17,986,400	17,986,400
10 11	(ky)	Interagency and intra–agency aids	PR–S	C	–0–	–0–
12 13	(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
14	(mc)	Federal block grant operations	PR–F	C	–0–	–0–
15	(md)	Federal block grant aids	PR–F	C	–0–	–0–
16	(mf)	Federal economic stimulus funds	PR–F	C	–0–	–0–
17 18	(mm)	Reimbursements from federal government	PR–F	C	–0–	–0–
19	(n)	Federal project activities	PR–F	C	–0–	–0–
20	(pz)	Indirect cost reimbursements	PR–F	C	–0–	–0–
21 22 23	(r)	Diversity, equity, and inclusion grants; community reinvestment fund supplement	SEG	A	–0–	5,000,000
24			(3) PROGRAM TOTALS			
		GENERAL PURPOSE REVENUE			7,018,900	2,018,900

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
PROGRAM REVENUE			43,546,600	43,546,600
FEDERAL			(–0–)	(–0–)
OTHER			(5,000)	(5,000)
SERVICE			(43,541,600)	(43,541,600)
SEGREGATED REVENUE			–0–	5,000,000
OTHER			(–0–)	(5,000,000)
TOTAL–ALL SOURCES			50,565,500	50,565,500
20.437 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			598,048,900	622,143,100
PROGRAM REVENUE			958,757,700	927,322,500
FEDERAL			(838,767,200)	(807,332,000)
OTHER			(27,392,300)	(27,392,300)
SERVICE			(92,598,200)	(92,598,200)
SEGREGATED REVENUE			9,274,700	14,274,700
OTHER			(9,274,700)	(14,274,700)
TOTAL–ALL SOURCES			1,566,081,300	1,563,740,300
20.438 Board for People with Developmental Disabilities				
(1) DEVELOPMENTAL DISABILITIES				
(a) General program operations	GPR	A	129,000	129,000
(h) Program services	PR	C	–0–	–0–
(i) Gifts and grants	PR	C	–0–	–0–
(mc) Federal project operations	PR–F	C	1,098,700	1,024,800
(md) Federal project aids	PR–F	C	543,600	543,600
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			129,000	129,000
PROGRAM REVENUE			1,642,300	1,568,400
FEDERAL			(1,642,300)	(1,568,400)
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			1,771,300	1,697,400
20.438 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			129,000	129,000
PROGRAM REVENUE			1,642,300	1,568,400
FEDERAL			(1,642,300)	(1,568,400)
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			1,771,300	1,697,400

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
20.440 Health and Educational Facilities Authority				
(1) CONSTRUCTION OF HEALTH AND EDUCATIONAL FACILITIES				
(a) General program operations	GPR	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
(2) RURAL HOSPITAL LOAN GUARANTEE				
(a) Rural assistance loan fund	GPR	C	–0–	–0–
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
20.440 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
20.445 Workforce Development, Department of				
(1) WORKFORCE DEVELOPMENT				
(a) General program operations	GPR	A	10,240,000	9,323,300
(aa) Special death benefit	GPR	S	525,000	525,000
(am) Unemployment insurance; general administration	GPR	C	250,000	15,250,000
(ar) Unemployment insurance; information technology systems; general purpose revenue	GPR	C	79,486,000	–0–
(b) Workforce training; programs, grants	GPR	A	6,000,000	6,000,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(bg)	Worker training and employment program	GPR	C	–0–	–0–
(bm)	Workforce training; administration	GPR	B	3,652,800	3,652,800
(bp)	Green jobs training program; grants	GPR	C	500,000	500,000
(bq)	Pandemic workforce training program; grants	GPR	C	10,000,000	–0–
(bt)	Workforce development; grants for teacher training and recruitment	GPR	B	500,000	500,000
(bv)	Health care recruitment initiative	GPR	B	200,000	–0–
(bw)	Pandemic recovery grants	GPR	C	8,000,000	–0–
(bz)	Career and technical education incentive grants	GPR	A	6,500,000	6,500,000
(c)	Career and technical education completion awards	GPR	S	51,500	51,500
(cg)	Technical education equipment grants	GPR	A	1,000,000	1,000,000
(cm)	Worker connection program	GPR	C	2,226,700	7,483,000
(cr)	State supplement to employment opportunity demonstration projects	GPR	A	200,600	200,600

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(d)	Reimbursement for tuition payments	GPR	A	1,478,500	1,478,500
(dg)	Teacher development program grants	GPR	A	–0–	–0–
(dr)	Apprenticeship programs	GPR	A	500,000	500,000
(e)	Local youth apprenticeship grants	GPR	A	5,250,000	5,250,000
(f)	Death and disability benefit payments; public insurrections	GPR	S	–0–	–0–
(fg)	Employment transit assistance grants	GPR	A	464,800	464,800
(fm)	Youth summer jobs program	GPR	A	422,400	422,400
(g)	Gifts and grants	PR	C	–0–	–0–
(ga)	Auxiliary services	PR	C	377,100	377,100
(gb)	Local agreements	PR	C	264,500	264,500
(gc)	Unemployment administration	PR	C	–0–	–0–
(gd)	Unemployment interest and penalty payments	PR	C	1,916,200	1,916,200
(gg)	Unemployment information technology systems; interest and penalties	PR	C	–0–	–0–
(gh)	Unemployment information technology systems; assessments	PR	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(gk)	Permit system for employment of minors; fees	PR	A	344,400	344,400
(gm)	Unemployment insurance handbook	PR	C	–0–	–0–
(gr)	Agricultural education and workforce development council, gifts and grants	PR	C	–0–	–0–
(h)	Substance abuse prevention on public works and public utility projects	PR	C	58,100	77,500
(ka)	Interagency and intra–agency agreements	PR–S	C	36,900,900	36,900,900
(kc)	Administrative services	PR–S	A	37,464,300	37,464,300
(km)	Nursing workforce survey and grants	PR–S	C	155,600	155,600
(m)	Workforce investment and assistance; federal moneys	PR–F	C	67,965,300	67,620,900
(n)	Employment assistance and unemployment insurance administration; federal moneys	PR–F	C	71,157,500	63,210,000
(na)	Employment security buildings and equipment	PR–F	C	–0–	–0–
(nb)	Unemployment administration; information technology systems; other federal moneys	PR–F	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(nc)	Unemployment administration; information technology systems; other moneys	PR–F	C	–0–	–0–
(nd)	Unemployment administration; apprenticeship and other employment services	PR–F	A	523,000	523,000
(ne)	Unemployment insurance administration and bank service costs	PR–F	C	–0–	–0–
(o)	Equal rights; federal moneys	PR–F	C	1,011,700	1,011,700
(p)	Worker's compensation; federal moneys	PR–F	C	–0–	–0–
(pz)	Indirect cost reimbursements	PR–F	C	25,300	25,300
(ra)	Worker's compensation operations fund; administration	SEG	A	13,498,200	13,498,200
(rb)	Worker's compensation operations fund; contracts	SEG	C	93,900	93,900
(rp)	Worker's compensation operations fund; uninsured employers program; administration	SEG	A	1,199,400	1,199,400
(rr)	Worker's compensation operations fund; special assessment insurer reimbursements	SEG	A	5,000,000	5,000,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(s)	Self–insured employers liability fund	SEG	C	–0–	–0–
(sm)	Uninsured employers fund; payments	SEG	C	5,500,000	5,500,000
(t)	Work injury supplemental benefit fund	SEG	C	5,360,000	5,360,000
(u)	Unemployment interest payments and transfers	SEG	C	–0–	–0–
(v)	Unemployment program integrity	SEG	C	515,000	515,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			137,448,300	59,101,900
	PROGRAM REVENUE			218,163,900	209,891,400
	FEDERAL			(140,682,800)	(132,390,900)
	OTHER			(2,960,300)	(2,979,700)
	SERVICE			(74,520,800)	(74,520,800)
	SEGREGATED REVENUE			31,166,500	31,166,500
	OTHER			(31,166,500)	(31,166,500)
	TOTAL–ALL SOURCES			386,778,700	300,159,800
(5)	VOCATIONAL REHABILITATION SERVICES				
(a)	General program operations; purchased services for clients	GPR	C	18,433,100	19,329,600
(b)	Project SEARCH	GPR	C	250,000	250,000
(gg)	Contractual services	PR	C	–0–	–0–
(gp)	Contractual aids	PR	C	–0–	–0–
(h)	Enterprises and services for blind and visually impaired	PR	C	149,100	149,100
(he)	Supervised business enterprise	PR	C	125,000	125,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(i)	Gifts and grants	PR	C	1,000	1,000
(kg)	Vocational rehabilitation services for tribes	PR–S	A	314,900	314,900
(kx)	Interagency and intra–agency programs	PR–S	C	–0–	–0–
(ky)	Interagency and intra–agency aids	PR–S	C	–0–	–0–
(kz)	Interagency and intra–agency local assistance	PR–S	C	–0–	–0–
(m)	Federal project operations	PR–F	C	50,000	50,000
(ma)	Federal project aids	PR–F	C	–0–	–0–
(n)	Federal program aids and operations	PR–F	C	72,100,200	75,411,600
(nL)	Federal program local assistance	PR–F	C	–0–	–0–
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			18,683,100	19,579,600
	PROGRAM REVENUE			72,740,200	76,051,600
	FEDERAL			(72,150,200)	(75,461,600)
	OTHER			(275,100)	(275,100)
	SERVICE			(314,900)	(314,900)
	TOTAL–ALL SOURCES			91,423,300	95,631,200
	20.445 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			156,131,400	78,681,500
	PROGRAM REVENUE			290,904,100	285,943,000
	FEDERAL			(212,833,000)	(207,852,500)
	OTHER			(3,235,400)	(3,254,800)
	SERVICE			(74,835,700)	(74,835,700)
	SEGREGATED REVENUE			31,166,500	31,166,500
	OTHER			(31,166,500)	(31,166,500)
	TOTAL–ALL SOURCES			478,202,000	395,791,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
20.455 Justice, Department of					
(1)	LEGAL SERVICES				
(a)	General program operations	GPR	A	16,150,900	16,456,300
(d)	Legal expenses	GPR	B	734,400	734,400
(gh)	Investigation and prosecution	PR	C	200,000	200,000
(gs)	Delinquent obligation collection	PR	A	10,000	10,000
(hm)	Restitution	PR	C	–0–	–0–
(hn)	Payments to relators	PR	C	–0–	–0–
(k)	Environment litigation project	PR–S	C	614,500	627,800
(km)	Interagency and intra–agency assistance	PR–S	C	2,029,600	2,077,900
(m)	Federal aid	PR–F	C	1,295,800	1,228,800
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			16,885,300	17,190,700
	PROGRAM REVENUE			4,149,900	4,144,500
	FEDERAL			(1,295,800)	(1,228,800)
	OTHER			(210,000)	(210,000)
	SERVICE			(2,644,100)	(2,705,700)
	TOTAL–ALL SOURCES			21,035,200	21,335,200
(2)	LAW ENFORCEMENT SERVICES				
(a)	General program operations	GPR	A	31,591,500	32,040,300
(am)	Officer training reimbursement	GPR	S	150,000	150,000
(b)	Investigations and operations	GPR	A	–0–	–0–
(bm)	Law enforcement officer supplement grants – state funds	GPR	A	1,000,000	1,000,000
(c)	Crime laboratory equipment	GPR	B	–0–	–0–

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(cm)	Law enforcement agency drug trafficking response grants	GPR	B	1,000,000	1,000,000
(cv)	Shot Spotter Program	GPR	A	175,000	175,000
(dg)	Weed and seed and law enforcement technology	GPR	A	–0–	–0–
(dm)	Alternative emergency response and 911 diversion grants	GPR	A	280,000	280,000
(eg)	Drug courts	GPR	A	500,000	500,000
(ek)	Alternatives to incarceration grant program	GPR	A	500,000	500,000
(em)	Grants for alternatives to prosecution and incarceration	GPR	A	5,150,000	19,797,600
(en)	Diversion pilot program	GPR	A	261,000	261,000
(ep)	Youth diversion program; supplemental funding	GPR	A	672,400	672,400
(eq)	Violence interruption grant program; ongoing funding	GPR	A	–0–	1,000,000
(f)	School safety	GPR	C	–0–	–0–
(g)	Gaming law enforcement; racing revenues	PR	A	–0–	–0–
(gb)	Gifts and grants	PR	C	5,000	5,000
(gc)	Gaming law enforcement; Indian gaming	PR	A	200,300	200,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(gm)	Criminal history searches; fingerprint identification	PR	C	4,300,400	4,301,200
(gp)	Crime information alerts	PR	C	–0–	–0–
(gr)	Firearm purchaser record check; checks for licenses or certifications to carry concealed weapons	PR	C	2,886,300	2,889,700
(gu)	Sobriety programs	PR	A	–0–	–0–
(h)	Terminal charges	PR	A	2,676,900	2,676,900
(hd)	Internet crimes against children	PR	C	750,000	750,000
(i)	Penalty surcharge, receipts	PR	A	–0–	–0–
(im)	Training to school staff	PR	C	–0–	–0–
(j)	Law enforcement training fund, local assistance	PR–S	A	4,425,000	4,425,000
(ja)	Law enforcement training fund, state operations	PR–S	A	3,410,900	3,414,700
(jb)	Crime laboratory equipment and supplies	PR–S	A	1,309,100	879,100
(jc)	Law enforcement overtime grants	PR	A	–0–	–0–
(jd)	Alternatives to incarceration grant program	PR	A	–0–	–0–
(k)	Interagency and intra–agency assistance	PR–S	C	1,815,900	1,815,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(kb)	Law enforcement officer supplement grants	PR–S	A	224,900	224,900
(kc)	Transaction information management of enforcement system	PR–S	A	742,300	742,300
(kd)	Drug law enforcement, crime laboratories, and genetic evidence activities	PR–S	A	9,593,000	9,662,500
(ke)	Drug enforcement intelligence operations	PR–S	A	2,270,000	2,270,000
(kg)	Interagency and intra–agency assistance; fingerprint identification	PR–S	A	–0–	–0–
(kj)	Youth diversion program	PR–S	A	–0–	–0–
(km)	Lottery background investigations	PR–S	A	–0–	–0–
(kn)	Alternatives to prosecution and incarceration for persons who use alcohol or other drugs; justice information fee	PR–S	A	1,218,900	1,218,900
(ko)	Wisconsin justice information sharing program	PR–S	A	892,200	892,400
(kp)	Drug crimes enforcement; local grants	PR–S	A	717,900	717,900
(kq)	County law enforcement services	PR–S	A	490,000	490,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(kr)	Alternatives to prosecution and incarceration for persons who use alcohol and other drugs; grants	PR	C	–0–	–0–
(ks)	Violence interruption grant program; initial funding	PR–S	C	1,000,000	–0–
(kt)	County–tribal programs, local assistance	PR–S	A	631,200	631,200
(ku)	County–tribal programs, state operations	PR–S	A	123,900	123,900
(kv)	Grants for substance abuse treatment programs for criminal offenders	PR	C	7,500	7,500
(kw)	Tribal law enforcement assistance	PR–S	A	695,000	695,000
(ky)	Law enforcement programs and youth diversion – administration	PR–S	A	143,500	143,500
(Lm)	Crime laboratories; deoxyribonucleic acid analysis	PR–S	C	5,368,400	5,368,400
(Lp)	Crime laboratories; deoxyribonucleic acid analysis surcharges	PR	C	–0–	–0–
(m)	Federal aid, state operations	PR–F	C	3,853,000	3,203,600
(n)	Federal aid, local assistance	PR–F	C	5,755,000	5,755,000
(r)	Gaming law enforcement; lottery revenues	SEG	A	457,000	457,200
	(2) PROGRAM TOTALS				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
GENERAL PURPOSE REVENUE			41,279,900	57,376,300
PROGRAM REVENUE			55,506,500	53,504,800
FEDERAL			(9,608,000)	(8,958,600)
OTHER			(10,826,400)	(10,830,600)
SERVICE			(35,072,100)	(33,715,600)
SEGREGATED REVENUE			457,000	457,200
OTHER			(457,000)	(457,200)
TOTAL–ALL SOURCES			97,243,400	111,338,300
(3) ADMINISTRATIVE SERVICES				
(a) General program operations	GPR	A	7,478,500	7,503,500
(g) Gifts, grants and proceeds	PR	C	260,000	260,000
(m) Federal aid, state operations	PR–F	C	–0–	–0–
(pz) Indirect cost reimbursements	PR–F	C	601,200	557,700
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			7,478,500	7,503,500
PROGRAM REVENUE			861,200	817,700
FEDERAL			(601,200)	(557,700)
OTHER			(260,000)	(260,000)
TOTAL–ALL SOURCES			8,339,700	8,321,200
(5) VICTIMS AND WITNESSES				
(a) General program operations	GPR	A	1,585,800	1,586,000
(b) Awards for victims of crimes	GPR	A	2,388,100	2,388,100
(br) Global positioning system tracking	GPR	A	–0–	–0–
(d) Reimbursement for forensic examinations	GPR	S	1,275,000	1,275,000
(e) Sexual assault victim services	GPR	A	2,235,400	2,235,400
(es) Court appointed special advocates	GPR	A	250,000	250,000

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
(f)	Reimbursement to counties for victim–witness services		GPR	A	4,748,900	4,748,900
(g)	Crime victim and witness assistance surcharge, general services		PR	A	5,000,000	4,870,000
(gj)	General operations; child pornography surcharge		PR	C	254,300	254,300
(h)	Crime victim compensation services		PR	A	84,500	84,500
(hh)	Crime victim restitution		PR	C	267,300	267,300
(i)	Victim compensation, inmate payments		PR	C	–0–	–0–
(k)	Interagency and intra–agency assistance; reimbursement to counties		PR–S	A	623,000	623,000
(ke)	Child advocacy centers		PR–S	A	238,000	238,000
(kp)	Reimbursement to counties for victim–witness services		PR–S	A	–0–	–0–
(m)	Federal aid; victim compensation		PR–F	C	1,823,900	1,823,900
(ma)	Federal aid; state operations relating to crime victim services		PR–F	C	1,404,400	1,377,700
(mh)	Federal aid; victim assistance		PR–F	C	9,750,000	9,573,100
		(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE				12,483,200	12,483,400
	PROGRAM REVENUE				19,445,400	19,111,800
	FEDERAL				(12,978,300)	(12,774,700)
	OTHER				(5,606,100)	(5,476,100)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
SERVICE			(861,000)	(861,000)
TOTAL–ALL SOURCES			31,928,600	31,595,200
20.455 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			78,126,900	94,553,900
PROGRAM REVENUE			79,963,000	77,578,800
FEDERAL			(24,483,300)	(23,519,800)
OTHER			(16,902,500)	(16,776,700)
SERVICE			(38,577,200)	(37,282,300)
SEGREGATED REVENUE			457,000	457,200
OTHER			(457,000)	(457,200)
TOTAL–ALL SOURCES			158,546,900	172,589,900
20.465 Military Affairs, Department of				
(1) NATIONAL GUARD OPERATIONS				
(a) General program operations	GPR	A	9,106,600	9,146,700
(b) Repair and maintenance	GPR	A	923,900	1,283,900
(c) Public emergencies	GPR	S	300,000	300,000
(d) Principal repayment and interest	GPR	S	6,459,000	6,303,400
(dm) Death gratuity	GPR	S	–0–	–0–
(e) State flags	GPR	A	400	400
(f) Energy costs; energy–related assessments	GPR	A	2,016,600	2,003,200
(g) Military property	PR	A	997,900	997,900
(h) Intergovernmental services	PR	C	–0–	–0–
(i) Distance learning centers	PR	C	–0–	–0–
(km) Agency services	PR–S	A	60,800	60,800
(Li) Gifts and grants	PR	C	156,800	156,800
(m) Federal aid	PR–F	C	38,628,300	38,630,200

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(pz)	Indirect cost reimbursements	PR–F	C	1,100,500	1,100,500
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			18,806,500	19,037,600
	PROGRAM REVENUE			40,944,300	40,946,200
	FEDERAL			(39,728,800)	(39,730,700)
	OTHER			(1,154,700)	(1,154,700)
	SERVICE			(60,800)	(60,800)
	TOTAL–ALL SOURCES			59,750,800	59,983,800
(2)	GUARD MEMBERS' BENEFITS				
(a)	Tuition grants	GPR	S	6,200,000	6,200,000
(r)	Military family relief	SEG	C	–0–	–0–
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			6,200,000	6,200,000
	SEGREGATED REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			6,200,000	6,200,000
(3)	EMERGENCY MANAGEMENT SERVICES				
(a)	General program operations	GPR	A	2,509,800	9,009,800
(am)	Worker's compensation for local unit of government volunteers	GPR	S	21,000	21,000
(b)	State disaster assistance	GPR	A	–0–	–0–
(dd)	Regional emergency response teams	GPR	A	1,247,400	1,247,400
(df)	Regional emergency response grants	GPR	C	–0–	–0–
(dm)	Mobile field force grants	GPR	C	–0–	–0–
(dp)	Emergency response equipment	GPR	A	417,000	417,000
(dr)	Emergency response supplement	GPR	C	–0–	–0–

	Statute, Agency and Purpose		Source	Type	2021-2022	2022-2023
(dt)	Emergency response training		GPR	B	57,900	57,900
(dv)	Urban search and rescue task force		GPR	A	500,000	500,000
(e)	Disaster recovery aid; public health emergency quarantine costs		GPR	S	3,000,000	3,000,000
(f)	Civil air patrol aids		GPR	A	16,900	16,900
(g)	Program services		PR	C	2,779,300	2,779,300
(h)	Interstate emergency assistance		PR	C	–0–	–0–
(hm)	Urban search and rescue task force supplement		PR	C	–0–	–0–
(i)	Emergency planning and reporting; administration		PR	A	1,360,800	1,360,800
(j)	Division of emergency management; gifts and grants		PR	C	–0–	–0–
(jm)	Division of emergency management; emergency planning grants		PR	C	1,043,800	1,043,800
(jt)	Regional emergency response reimbursement		PR	C	–0–	–0–
(ke)	Interagency and intra–agency assistance		PR–S	C	–0–	–0–
(km)	Interoperable communications system		PR–S	A	1,246,900	1,246,900

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(ks)	Public safety interoperable communication system; state fees	PR–S	A	–0–	–0–
(L)	Public safety interoperable communication system; general usage fees	PR	A	–0–	–0–
(m)	Federal aid, state operations	PR–F	C	5,247,100	5,247,100
(mb)	Federal aid, homeland security	PR–F	C	16,960,000	16,960,000
(n)	Federal aid, local assistance	PR–F	C	12,800,000	12,800,000
(o)	Federal aid, individuals and organizations	PR–F	C	1,926,400	1,926,400
(q)	Interoperability council	SEG	A	314,300	314,300
(qm)	Next Generation 911	SEG	B	3,447,500	21,731,400
(r)	Division of emergency management; petroleum inspection fund	SEG	A	462,100	462,100
(s)	State disaster assistance; petroleum inspection fund	SEG	C	3,211,200	3,211,200
(t)	Emergency response training – environmental fund	SEG	B	7,600	7,600
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			7,770,000	14,270,000
	PROGRAM REVENUE			43,364,300	43,364,300
	FEDERAL			(36,933,500)	(36,933,500)
	OTHER			(5,183,900)	(5,183,900)
	SERVICE			(1,246,900)	(1,246,900)
	SEGREGATED REVENUE			7,442,700	25,726,600
	OTHER			(7,442,700)	(25,726,600)
	TOTAL–ALL SOURCES			58,577,000	83,360,900

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(4)	NATIONAL GUARD YOUTH PROGRAMS				
(h)	Gifts and grants	PR	C	–0–	–0–
(ka)	Challenge Academy program; public instruction funds	PR–S	C	1,217,600	1,217,600
(m)	Federal aid	PR–F	C	3,653,600	3,653,600
	(4) PROGRAM TOTALS				
	PROGRAM REVENUE			4,871,200	4,871,200
	FEDERAL			(3,653,600)	(3,653,600)
	OTHER			(–0–)	(–0–)
	SERVICE			(1,217,600)	(1,217,600)
	TOTAL–ALL SOURCES			4,871,200	4,871,200
	20.465 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			32,776,500	39,507,600
	PROGRAM REVENUE			89,179,800	89,181,700
	FEDERAL			(80,315,900)	(80,317,800)
	OTHER			(6,338,600)	(6,338,600)
	SERVICE			(2,525,300)	(2,525,300)
	SEGREGATED REVENUE			7,442,700	25,726,600
	OTHER			(7,442,700)	(25,726,600)
	TOTAL–ALL SOURCES			129,399,000	154,415,900
20.475	**District Attorneys**				
(1)	DISTRICT ATTORNEYS				
(d)	Salaries and fringe benefits	GPR	A	53,894,500	53,999,000
(em)	Salary adjustments	GPR	A	1,923,800	3,790,000
(h)	Gifts and grants	PR	C	3,771,600	3,731,500
(i)	Other employees	PR	A	305,000	305,000
(k)	Interagency and intra–agency assistance	PR–S	C	–0–	–0–
(km)	Deoxyribonucleic acid evidence activities	PR–S	A	104,600	104,600

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(m)	Federal aid	PR–F	C	–0–	–0–
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			55,818,300	57,789,000
	PROGRAM REVENUE			4,181,200	4,141,100
	FEDERAL			(–0–)	(–0–)
	OTHER			(4,076,600)	(4,036,500)
	SERVICE			(104,600)	(104,600)
	TOTAL–ALL SOURCES			59,999,500	61,930,100
	20.475 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			55,818,300	57,789,000
	PROGRAM REVENUE			4,181,200	4,141,100
	FEDERAL			(–0–)	(–0–)
	OTHER			(4,076,600)	(4,036,500)
	SERVICE			(104,600)	(104,600)
	TOTAL–ALL SOURCES			59,999,500	61,930,100
20.485 Veterans Affairs, Department of					
(1)	VETERANS HOMES				
(a)	Aids to indigent veterans	GPR	A	178,200	178,200
(e)	Lease rental payments	GPR	S	–0–	–0–
(f)	Principal repayment and interest	GPR	S	2,255,100	1,431,100
(g)	Home exchange	PR	C	266,800	266,800
(gd)	Veterans home cemetery operations	PR	C	5,000	5,000
(gf)	Veterans home member care	PR	C	–0–	–0–
(gk)	Institutional operations	PR	A	109,145,900	109,145,900
(go)	Self–amortizing facilities; principal repayment and interest	PR	S	3,686,400	4,273,100
(h)	Gifts and bequests	PR	C	238,400	238,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(i)	State–owned housing maintenance	PR	C	59,700	59,700
(kc)	Electric energy derived from renewable resources	PR–S	A	54,000	54,000
(kj)	Grants to local governments	PR–S	B	150,000	150,000
(m)	Federal aid; care at veterans homes	PR–F	C	–0–	–0–
(mn)	Federal projects	PR–F	C	12,500	12,500
(t)	Veterans homes member accounts	SEG	C	–0–	–0–
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			2,433,300	1,609,300
	PROGRAM REVENUE			113,618,700	114,205,400
	FEDERAL			(12,500)	(12,500)
	OTHER			(113,402,200)	(113,988,900)
	SERVICE			(204,000)	(204,000)
	SEGREGATED REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			116,052,000	115,814,700
(2)	LOANS AND AIDS TO VETERANS				
(g)	Consumer reporting agency fees	PR	C	–0–	–0–
(h)	Public and private receipts	PR	C	18,200	18,200
(kg)	American Indian services coordinator	PR–S	A	100,800	100,800
(km)	American Indian grants	PR–S	A	61,200	61,200
(m)	Federal payments; veterans assistance	PR–F	C	425,800	425,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(qm)	Veterans employment and entrepreneurship grants	SEG	A	500,000	500,000
(qs)	Veterans outreach and recovery program	SEG	B	1,481,800	1,598,400
(rm)	Veterans assistance programs	SEG	B	815,800	815,800
(rn)	Fish and game vouchers	SEG	B	15,000	15,000
(rp)	Veterans assistance program receipts	SEG	C	115,500	115,500
(s)	Transportation payment	SEG	A	300,000	300,000
(sm)	Military funeral honors	SEG	S	304,500	304,500
(tf)	Veterans tuition reimbursement program	SEG	B	603,400	486,800
(th)	Grants to nonprofit organizations	SEG	B	250,000	250,000
(tj)	Retraining assistance program	SEG	A	210,000	210,000
(tm)	Facilities	SEG	C	–0–	–0–
(u)	Administration of loans and aids to veterans	SEG	A	9,020,600	9,038,200
(vm)	Assistance to needy veterans	SEG	A	820,000	820,000
(vs)	Grants to Camp American Legion	SEG	A	75,000	75,000
(vu)	Grants to American Indian tribes and bands	SEG	A	48,800	48,800
(vw)	Payments to veterans organizations for claims service	SEG	A	348,000	348,000

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(vx)	County grants	SEG	A	799,100	799,100
(x)	Federal per diem payments	SEG–F	C	1,343,600	1,343,600
(yn)	Veterans trust fund loans and expenses	SEG	B	50,000	50,000
(yo)	Debt payment	SEG	S	–0–	–0–
(z)	Gifts	SEG	C	–0–	–0–
	(2) PROGRAM TOTALS				
	PROGRAM REVENUE			606,000	606,000
	FEDERAL			(425,800)	(425,800)
	OTHER			(18,200)	(18,200)
	SERVICE			(162,000)	(162,000)
	SEGREGATED REVENUE			17,101,100	17,118,700
	FEDERAL			(1,343,600)	(1,343,600)
	OTHER			(15,757,500)	(15,775,100)
	TOTAL–ALL SOURCES			17,707,100	17,724,700
(4)	VETERANS MEMORIAL CEMETERIES				
(a)	Cemetery maintenance and beautification	GPR	A	22,200	22,200
(g)	Cemetery operations	PR	C	309,300	309,300
(h)	Gifts, grants and bequests	PR	C	–0–	–0–
(m)	Federal aid; cemetery operations and burials	PR–F	C	1,198,100	1,198,100
(q)	Cemetery administration and maintenance	SEG	A	936,500	936,500
(qm)	Repayment of principal and interest	SEG	S	800	200

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(r)	Cemetery energy costs;				
	energy–related assessments	SEG	A	106,300	106,300
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			22,200	22,200
	PROGRAM REVENUE			1,507,400	1,507,400
	FEDERAL			(1,198,100)	(1,198,100)
	OTHER			(309,300)	(309,300)
	SEGREGATED REVENUE			1,043,600	1,043,000
	OTHER			(1,043,600)	(1,043,000)
	TOTAL–ALL SOURCES			2,573,200	2,572,600
(5)	Wisconsin Veterans Museum				
(c)	Operation of Wisconsin veterans				
	museum	GPR	A	248,500	248,500
(mn)	Federal projects; museum				
	acquisitions and operations	PR–F	C	–0–	–0–
(tm)	Museum facilities	SEG	C	52,800	52,800
(v)	Museum sales receipts	SEG	C	170,900	170,900
(vo)	Veterans of World War I	SEG	A	2,500	2,500
(wd)	Operation of Wisconsin Veterans				
	Museum	SEG	A	3,419,900	3,419,900
(zm)	Museum gifts and bequests	SEG	C	–0–	–0–
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			248,500	248,500
	PROGRAM REVENUE			–0–	–0–
	FEDERAL			(–0–)	(–0–)
	SEGREGATED REVENUE			3,646,100	3,646,100
	OTHER			(3,646,100)	(3,646,100)
	TOTAL–ALL SOURCES			3,894,600	3,894,600
(6)	Administration				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(k) Funds received from other state agencies	PR-S	C	–0–	–0–
(6) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.485 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			2,704,000	1,880,000
PROGRAM REVENUE			115,732,100	116,318,800
FEDERAL			(1,636,400)	(1,636,400)
OTHER			(113,729,700)	(114,316,400)
SERVICE			(366,000)	(366,000)
SEGREGATED REVENUE			21,790,800	21,807,800
FEDERAL			(1,343,600)	(1,343,600)
OTHER			(20,447,200)	(20,464,200)
TOTAL–ALL SOURCES			140,226,900	140,006,600
20.490 Wisconsin Housing and Economic Development Authority				
(1) FACILITATION OF CONSTRUCTION				
(a) Capital reserve fund deficiency	GPR	C	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
(2) HOUSING REHABILITATION LOAN PROGRAM				
(a) General program operations	GPR	C	–0–	–0–
(q) Loan loss reserve fund	SEG	C	–0–	–0–
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
(3) HOMEOWNERSHIP MORTGAGE ASSISTANCE				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(a) Homeowner eviction lien protection program	GPR	C	–0–	–0–
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
(4) DISADVANTAGED BUSINESS MOBILIZATION ASSISTANCE				
(g) Disadvantaged business mobilization loan guarantee	PR	C	–0–	–0–
(4) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
(5) WISCONSIN DEVELOPMENT LOAN GUARANTEES				
(a) Wisconsin development reserve fund	GPR	C	–0–	–0–
(q) Environmental fund transfer to Wisconsin development reserve fund	SEG	C	–0–	–0–
(r) Agrichemical management fund transfer to Wisconsin development reserve fund	SEG	C	–0–	–0–
(s) Petroleum inspection fund transfer to Wisconsin development reserve fund	SEG	A	–0–	–0–
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
20.490 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
Human Resources FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUE			6,655,379,500	7,065,804,900
PROGRAM REVENUE			12,276,817,900	12,052,600,100
FEDERAL			(9,969,182,700)	(9,698,484,200)
OTHER			(1,923,089,300)	(1,970,475,100)
SERVICE			(384,545,900)	(383,640,800)
SEGREGATED REVENUE			705,607,200	685,668,400
FEDERAL			(1,343,600)	(1,343,600)
OTHER			(704,263,600)	(684,324,800)
SERVICE			(–0–)	(–0–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			19,637,804,600	19,804,073,400

General Executive Functions

20.505 Administration, Department of

(1)	SUPERVISION AND MANAGEMENT					
(a)	General program operations	GPR	A	8,654,700	7,155,600
(b)	Midwest interstate low–level radioactive waste compact; loan from general fund	GPR	C	–0–	–0–
(bm)	Climate risk assessment and resiliency plan technical assistance grants	GPR	B	250,000	–0–
(bq)	Appropriation obligations repayment; tobacco settlement revenues	GPR	A	99,758,700	111,418,900

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(br)	Appropriation obligations repayment; unfunded liabilities under the Wisconsin Retirement System	GPR	A	181,429,800	199,760,900
(cm)	Comprehensive planning grants; general purpose revenue	GPR	A	–0–	–0–
(cn)	Comprehensive planning; administrative support	GPR	A	–0–	–0–
(d)	Special counsel	GPR	S	611,900	611,900
(e)	Indigent civil legal services	GPR	A	2,000,000	2,000,000
(fm)	Fund of funds investment program	GPR	A	–0–	–0–
(fo)	Federal resource acquisition support grants	GPR	A	–0–	–0–
(fr)	Grants for local government expenditures	GPR	C	–0–	–0–
(ft)	Equity grant program and diversity, equity, and inclusion activities	GPR	A	5,235,600	262,700
(gc)	Processing services	PR	A	180,700	180,700
(gm)	Federal resource acquisition	PR	A	267,300	267,300
(h)	Procurement and risk management services and technical assistance	PR	C	2,000	2,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(ic)	Services to nonstate governmental units	PR	A	157,300	157,400
(id)	Justice information fee receipts	PR	C	–0–	–0–
(im)	Services to nonstate governmental units; entity contract	PR	A	1,437,100	1,437,200
(ip)	Information technology and communication services; self–funded portal	PR	A	8,034,000	8,034,000
(is)	Information technology and communications services; nonstate entities	PR	A	12,511,100	12,511,100
(it)	Appropriation obligations; agreements and ancillary arrangements	PR	C	–0–	–0–
(iu)	Plat and proposed incorporation and annexation review	PR	C	336,900	336,900
(iv)	Enterprise resource planning system; nonstate entities	PR	C	–0–	–0–
(j)	Gifts, grants, and bequests	PR	C	–0–	–0–
(jc)	Employee development and training services	PR	A	263,800	263,900
(ka)	Materials and services to state agencies and certain districts	PR–S	A	6,665,800	6,733,000
(kb)	Transportation and records	PR–S	A	19,395,500	19,398,200

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(kc)	Capital planning and building construction services	PR–S	A	14,363,600	14,364,400
(kd)	Enterprise resource planning system	PR–S	C	10,465,900	10,466,500
(kf)	Procurement services	PR–S	C	4,691,000	4,691,400
(kg)	Federal resource acquisition	PR–S	C	–0–	–0–
(kh)	Justice information systems	PR–S	A	4,160,900	4,161,100
(ki)	Postage costs	PR–S	C	15,710,100	15,710,100
(kj)	Financial services	PR–S	A	9,854,000	9,854,400
(kk)	Tribal grants	PR–S	A	–0–	11,000,000
(kL)	Printing, mail, communication, document sales, and information technology services; state agencies; veterans services	PR–S	A	104,086,900	103,118,200
(km)	University of Wisconsin–Green Bay programming	PR–S	A	356,800	356,800
(kn)	Publications	PR	A	102,100	102,100
(ko)	Pay for success contracts	PR–S	C	–0–	–0–
(kp)	Youth wellness center	PR–S	A	350,000	350,000
(kq)	Justice information systems development, operation and maintenance	PR–S	A	–0–	–0–
(kr)	Legal services; relocation assistance	PR–S	A	1,217,300	1,217,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(ks)	Collective bargaining grievance arbitrations	PR–S	A	30,000	30,000
(kt)	Office of environmental justice; climate risk assessments and resiliency plans	PR–S	A	396,000	506,600
(ku)	Management assistance grants to counties	PR–S	A	563,200	563,200
(kv)	American Indian tourism marketing	PR–S	A	400,000	400,000
(kw)	Tribal relations	PR–S	A	125,600	160,100
(kx)	American Indian economic development; technical assistance	PR–S	A	189,500	189,500
(kz)	General program operations	PR–S	A	39,129,900	39,132,800
(mb)	Federal aid	PR–F	C	6,526,300	6,526,300
(n)	Federal aid; local assistance	PR–F	C	90,000,000	90,000,000
(ng)	Sale of forest products; funds for public schools and public roads	PR	C	–0–	–0–
(pz)	Indirect cost reimbursements	PR–F	C	51,900	14,100
(s)	Diesel truck idling reduction grant administration	SEG	A	42,800	–0–
(sa)	Diesel truck idling reduction grants	SEG	A	–0–	–0–
(t)	Equity grants; community reinvestment fund	SEG	A	–0–	5,000,000

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
(ub)	Land information program, state operations; reviews of municipal incorporations and annexations; planning grants		SEG	A	783,000	783,000
(uc)	Land information program; local aids		SEG	C	6,945,300	6,945,300
(ud)	Comprehensive planning grants; land information fund		SEG	A	–0–	–0–
(v)	General program operations – environmental improvement programs; state funds		SEG	A	829,000	829,000
(x)	General program operations – clean water fund program; federal funds		SEG–F	C	–0–	–0–
(y)	General program operations – safe drinking water loan program; federal funds		SEG–F	C	–0–	–0–
(z)	Transportation planning grants to local governmental units		SEG–S	B	–0–	–0–
		(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE				297,940,700	321,210,000
	PROGRAM REVENUE				352,022,500	362,236,700
		FEDERAL			(96,578,200)	(96,540,400)
		OTHER			(23,292,300)	(23,292,600)
		SERVICE			(232,152,000)	(242,403,700)
	SEGREGATED REVENUE				8,600,100	13,557,300
		FEDERAL			(–0–)	(–0–)
		OTHER			(8,600,100)	(13,557,300)
		SERVICE			(–0–)	(–0–)
	TOTAL–ALL SOURCES				658,563,300	697,004,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(2)	RISK MANAGEMENT				
(a)	General fund supplement – risk management claims	GPR	S	–0–	–0–
(am)	Costs and judgments	GPR	S	–0–	–0–
(k)	Risk management costs	PR–S	C	35,406,200	35,406,200
(ki)	Risk management administration	PR–S	A	3,655,000	3,655,200
(kj)	Insurance contract premiums	PR–S	C	7,301,900	7,301,900
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			–0–	–0–
	PROGRAM REVENUE			46,363,100	46,363,300
	SERVICE			(46,363,100)	(46,363,300)
	TOTAL–ALL SOURCES			46,363,100	46,363,300
(3)	UTILITY PUBLIC BENEFITS AND AIR QUALITY IMPROVEMENT				
(q)	General program operations; utility public benefits	SEG	A	11,372,200	11,372,200
(r)	Low–income assistance grants	SEG	S	19,447,300	19,447,300
(rr)	Air quality improvement grants	SEG	S	–0–	–0–
(s)	Transfer to air quality improvement fund	SEG	S	–0–	–0–
	(3) PROGRAM TOTALS				
	SEGREGATED REVENUE			30,819,500	30,819,500
	OTHER			(30,819,500)	(30,819,500)
	TOTAL–ALL SOURCES			30,819,500	30,819,500
(4)	ATTACHED DIVISIONS AND OTHER BODIES				
(a)	Adjudication of tax appeals	GPR	A	564,600	564,700
(b)	Adjudication of equalization appeals	GPR	S	–0–	–0–

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
1	(d)	Claims awards	GPR	S	25,000	25,000
2	(ea)	Women's council operations	GPR	A	170,600	170,600
3 4	(ec)	Service award program; general program operations	GPR	A	17,200	17,200
5 6	(er)	Service award program; state awards	GPR	S	2,900,000	2,900,000
7 8	(es)	Principal, interest, and rebates; general purpose revenue – schools	GPR	S	734,000	307,300
9 10 11	(et)	Principal, interest, and rebates; general purpose revenue – public library boards	GPR	S	6,600	3,400
12 13	(f)	Interagency council on homelessness operations	GPR	A	108,800	108,800
14	(h)	Program services	PR	A	27,200	27,200
15 16	(ha)	Principal, interest, and rebates; program revenue – schools	PR	C	–0–	–0–
17 18 19	(hb)	Principal, interest, and rebates; program revenue – public library boards	PR	C	–0–	–0–
20 21	(j)	National and community service board; gifts and grants	PR	C	–0–	–0–
22 23 24 25	(js)	Educational technology block grants; Wisconsin Advanced Telecommunications Foundation assessments	PR	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(k)	Waste facility siting board; general program operations	PR–S	A	45,500	45,500
(ka)	State use board – general program operations	PR–S	A	154,000	154,000
(kb)	National and community service board; administrative support	PR–S	A	333,400	333,500
(kp)	Hearings and appeals fees	PR–S	A	11,317,600	11,319,200
(L)	Equipment purchases and leases	PR	C	–0–	–0–
(Lm)	Educational telecommunications; additional services	PR	C	–0–	–0–
(mp)	Federal e–rate aid	PR–F	C	5,711,900	5,711,900
(o)	National and community service board; federal aid for administration	PR–F	C	724,200	679,800
(p)	National and community service board; federal aid for grants	PR–F	C	3,354,300	3,354,300
(q)	Clean energy grants	SEG	B	4,000,000	–0–
(r)	State capitol and executive residence board; gifts and grants	SEG	C	–0–	–0–
(s)	Telecommunications access for educational agencies; infrastructure grants	SEG	B	15,984,200	15,984,200
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			4,526,800	4,097,000
	PROGRAM REVENUE			21,668,100	21,625,400
	FEDERAL			(9,790,400)	(9,746,000)
	OTHER			(27,200)	(27,200)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
SERVICE			(11,850,500)	(11,852,200)
SEGREGATED REVENUE			19,984,200	15,984,200
OTHER			(19,984,200)	(15,984,200)
TOTAL–ALL SOURCES			46,179,100	41,706,600
(5) FACILITIES MANAGEMENT				
(c) Principal repayment and interest;				
Black Point Estate	GPR	S	229,100	193,200
(g) Principal repayment, interest and				
rebates; parking	PR–S	S	3,044,200	2,217,300
(ka) Facility operations and				
maintenance; police and				
protection functions	PR–S	A	45,905,500	45,907,700
(kb) Parking	PR	A	1,783,900	1,783,900
(kc) Principal repayment, interest and				
rebates	PR–S	C	29,224,700	23,804,900
(ke) Additional energy conservation				
construction projects	PR–S	C	–0–	–0–
(kg) Electric energy derived from				
renewable resources	PR–S	A	325,400	325,400
(ks) Security services	PR–S	A	175,000	175,000
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			229,100	193,200
PROGRAM REVENUE			80,458,700	74,214,200
OTHER			(1,783,900)	(1,783,900)
SERVICE			(78,674,800)	(72,430,300)
TOTAL–ALL SOURCES			80,687,800	74,407,400
(7) HOUSING AND COMMUNITY DEVELOPMENT				
(a) General program operations	GPR	A	1,068,300	1,068,400

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
(b)	Housing grants and loans; general purpose revenue		GPR	B	4,597,800	4,597,800
(bp)	Housing quality standards grants		GPR	A	2,000,000	2,000,000
(bq)	Rental assistance for homeless veterans		GPR	A	1,000,000	1,000,000
(c)	Payments to designated agents		GPR	A	–0–	–0–
(d)	Water utility assistance for low–income households; administration		GPR	A	1,071,200	1,428,200
(e)	Water utility assistance for low–income households; payments		GPR	C	9,099,000	12,132,000
(fm)	Shelter for homeless and housing grants		GPR	B	8,213,600	8,213,600
(fq)	Affordable workforce housing grants		GPR	A	50,000,000	–0–
(gg)	Housing program services; other entities		PR	C	168,900	168,900
(h)	Funding for the homeless		PR	C	422,400	422,400
(k)	Sale of materials or services		PR–S	C	–0–	–0–
(kg)	Housing program services		PR–S	C	1,481,000	1,500,400
(m)	Federal aid; state operations		PR–F	C	1,510,900	1,472,100
(n)	Federal aid; local assistance		PR–F	C	10,000,000	10,000,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(o) Federal aid; individuals and organizations	PR–F	C	22,164,000	22,164,000
(7) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			77,049,900	30,440,000
PROGRAM REVENUE			35,747,200	35,727,800
FEDERAL			(33,674,900)	(33,636,100)
OTHER			(591,300)	(591,300)
SERVICE			(1,481,000)	(1,500,400)
TOTAL–ALL SOURCES			112,797,100	66,167,800
(8) DIVISION OF GAMING				
(am) Interest on racing and bingo moneys	GPR	S	100	100
(g) General program operations; racing	PR	A	–0–	–0–
(h) General program operations; Indian gaming	PR	A	2,079,100	2,079,300
(hm) Indian gaming receipts	PR	C	–0–	–0–
(jn) General program operations; raffles and bingo	PR	A	571,000	571,100
(8) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			100	100
PROGRAM REVENUE			2,650,100	2,650,400
OTHER			(2,650,100)	(2,650,400)
TOTAL–ALL SOURCES			2,650,200	2,650,500
20.505 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			379,746,600	355,940,300
PROGRAM REVENUE			538,909,700	542,817,800
FEDERAL			(140,043,500)	(139,922,500)
OTHER			(28,344,800)	(28,345,400)
SERVICE			(370,521,400)	(374,549,900)
SEGREGATED REVENUE			59,403,800	60,361,000
FEDERAL			(–0–)	(–0–)
OTHER			(59,403,800)	(60,361,000)
SERVICE			(–0–)	(–0–)

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
TOTAL–ALL SOURCES					978,060,100	959,119,100
20.507 Board of Commissioners of Public Lands						
(1)	TRUST LANDS AND INVESTMENTS					
	(a)	General program operations	GPR	A	1,756,400	1,756,400
	(g)	Payments in lieu of taxes	PR	S	15,000	25,000
	(h)	Trust lands and investments – general program operations	PR–S	A	–0–	–0–
	(i)	Gifts and grants	PR	C	–0–	–0–
	(j)	Payments to American Indian tribes or bands for raised sunken logs	PR	C	–0–	–0–
	(k)	Trust lands and investments – interagency and intra–agency assistance	PR–S	A	–0–	–0–
	(mg)	Federal aid – flood control	PR–F	C	52,700	52,700
(1) PROGRAM TOTALS						
GENERAL PURPOSE REVENUE					1,756,400	1,756,400
PROGRAM REVENUE					67,700	77,700
FEDERAL					(52,700)	(52,700)
OTHER					(15,000)	(25,000)
SERVICE					(–0–)	(–0–)
TOTAL–ALL SOURCES					1,824,100	1,834,100
20.507 DEPARTMENT TOTALS						
GENERAL PURPOSE REVENUE					1,756,400	1,756,400
PROGRAM REVENUE					67,700	77,700
FEDERAL					(52,700)	(52,700)
OTHER					(15,000)	(25,000)
SERVICE					(–0–)	(–0–)
TOTAL–ALL SOURCES					1,824,100	1,834,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
	20.510 Elections Commission				
	(1) ADMINISTRATION OF ELECTIONS				
(a)	General program operations; general purpose revenue	GPR	B	4,833,000	4,697,100
(be)	Investigations	GPR	A	25,000	25,000
(bm)	Training of chief inspectors	GPR	B	–0–	–0–
(br)	Special counsel	GPR	A	–0–	–0–
(c)	Voter identification training	GPR	A	82,600	82,600
(d)	Election administration transfer	GPR	A	–0–	–0–
(e)	Elections administration	GPR	A	–0–	–0–
(f)	Local aids for special elections	GPR	S	–0–	–0–
(g)	Recount fees	PR	C	–0–	–0–
(h)	Materials and services	PR	A	1,000	1,000
(jm)	Gifts and grants	PR	A	–0–	–0–
(jn)	Election security and maintenance	PR	C	149,200	349,500
(m)	Federal aid	PR–F	A	–0–	–0–
(t)	Election administration	SEG	A	100	100
(x)	Federal aid; election administration fund	SEG–F	C	1,043,000	843,700
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			4,940,600	4,804,700
	PROGRAM REVENUE			150,200	350,500
	FEDERAL			(–0–)	(–0–)
	OTHER			(150,200)	(350,500)
	SEGREGATED REVENUE			1,043,100	843,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
FEDERAL			(1,043,000)	(843,700)
OTHER			(100)	(100)
TOTAL–ALL SOURCES			6,133,900	5,999,000
20.510 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			4,940,600	4,804,700
PROGRAM REVENUE			150,200	350,500
FEDERAL			(–0–)	(–0–)
OTHER			(150,200)	(350,500)
SEGREGATED REVENUE			1,043,100	843,800
FEDERAL			(1,043,000)	(843,700)
OTHER			(100)	(100)
TOTAL–ALL SOURCES			6,133,900	5,999,000
20.515 Employee Trust Funds, Department of				
(1) EMPLOYEE BENEFIT PLANS				
(a) Annuity supplements and payments	GPR	S	42,000	33,100
(c) Contingencies	GPR	S	–0–	–0–
(gm) Gifts and grants	PR	C	–0–	–0–
(t) Automated operating system	SEG	C	8,393,600	8,393,600
(tm) Health savings account plan	SEG	C	–0–	–0–
(u) Employee–funded reimbursement account plan	SEG	C	–0–	–0–
(w) Administration	SEG	A	42,585,700	42,692,600
(x) Study of mandatory participation by school districts	SEG	B	500,000	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			42,000	33,100
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			51,479,300	51,086,200
OTHER			(51,479,300)	(51,086,200)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
TOTAL–ALL SOURCES			51,521,300	51,119,300
20.515 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			42,000	33,100
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			51,479,300	51,086,200
OTHER			(51,479,300)	(51,086,200)
TOTAL–ALL SOURCES			51,521,300	51,119,300
20.521 Ethics Commission				
(1) ETHICS, CAMPAIGN FINANCE AND LOBBYING REGULATION				
(a) General program operations;				
general purpose revenue	GPR	A	731,200	731,200
(be) Investigations	GPR	A	225,000	225,000
(br) Special counsel	GPR	A	–0–	–0–
(g) General program operations;				
program revenue	PR	A	31,700	31,700
(h) Gifts and grants	PR	A	–0–	–0–
(i) Materials and services	PR	A	4,500	4,500
(im) Lobbying administration;				
program revenue	PR	A	574,600	607,000
(j) Electronic filing software	PR	A	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			956,200	956,200
PROGRAM REVENUE			610,800	643,200
OTHER			(610,800)	(643,200)
TOTAL–ALL SOURCES			1,567,000	1,599,400
20.521 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			956,200	956,200
PROGRAM REVENUE			610,800	643,200
OTHER			(610,800)	(643,200)

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
TOTAL–ALL SOURCES					1,567,000	1,599,400
20.525 Governor, Office of the						
(1)	EXECUTIVE ADMINISTRATION					
(a)		General program operations	GPR	S	3,771,900	3,771,900
(b)		Contingent fund	GPR	S	20,400	20,400
(c)		Membership in national associations	GPR	S	140,700	140,700
(d)		Disability board	GPR	S	–0–	–0–
(i)		Gifts and grants	PR	C	–0–	–0–
(m)		Federal aid	PR–F	C	–0–	–0–
		(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE				3,933,000	3,933,000
	PROGRAM REVENUE				–0–	–0–
	FEDERAL				(–0–)	(–0–)
	OTHER				(–0–)	(–0–)
	TOTAL–ALL SOURCES				3,933,000	3,933,000
(2)	EXECUTIVE RESIDENCE					
(a)		General program operations	GPR	S	304,300	304,300
		(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE				304,300	304,300
	TOTAL–ALL SOURCES				304,300	304,300
		20.525 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE				4,237,300	4,237,300
	PROGRAM REVENUE				–0–	–0–
	FEDERAL				(–0–)	(–0–)
	OTHER				(–0–)	(–0–)
	TOTAL–ALL SOURCES				4,237,300	4,237,300
20.536 Investment Board						
(1)	INVESTMENT OF FUNDS					

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(k)	General program operations	PR	C	67,664,700	67,664,700
(ka)	General program operations; environmental improvement fund	PR–S	C	–0–	–0–
	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			67,664,700	67,664,700
	OTHER			(67,664,700)	(67,664,700)
	SERVICE			(–0–)	(–0–)
	TOTAL–ALL SOURCES			67,664,700	67,664,700
	20.536 DEPARTMENT TOTALS				
	PROGRAM REVENUE			67,664,700	67,664,700
	OTHER			(67,664,700)	(67,664,700)
	SERVICE			(–0–)	(–0–)
	TOTAL–ALL SOURCES			67,664,700	67,664,700
20.540 Lieutenant Governor, Office of the					
(1)	EXECUTIVE COORDINATION				
(a)	General program operations	GPR	A	660,500	690,500
(g)	Gifts, grants and proceeds	PR	C	–0–	–0–
(k)	Grants from state agencies	PR–S	C	–0–	–0–
(m)	Federal aid	PR–F	C	–0–	–0–
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			660,500	690,500
	PROGRAM REVENUE			–0–	–0–
	FEDERAL			(–0–)	(–0–)
	OTHER			(–0–)	(–0–)
	SERVICE			(–0–)	(–0–)
	TOTAL–ALL SOURCES			660,500	690,500
	20.540 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			660,500	690,500
	PROGRAM REVENUE			–0–	–0–
	FEDERAL			(–0–)	(–0–)
	OTHER			(–0–)	(–0–)
	SERVICE			(–0–)	(–0–)
	TOTAL–ALL SOURCES			660,500	690,500

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
20.550 Public Defender Board						
(1)	LEGAL ASSISTANCE					
	(a)	Program operation	GPR	B	113,010,200	112,967,700
	(fb)	Payments from clients; administrative costs	PR	A	358,100	358,900
	(g)	Gifts, grants, and proceeds	PR	C	–0–	–0–
	(h)	Contractual agreements	PR–S	A	–0–	–0–
	(i)	Tuition payments	PR	C	–0–	–0–
	(kj)	Conferences and training	PR–S	A	218,800	219,800
	(L)	Private bar and investigator reimbursement; payments for legal representation	PR	C	913,000	913,000
	(m)	Federal aid	PR–F	C	–0–	–0–
		(1) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUE			113,010,200	112,967,700
		PROGRAM REVENUE			1,489,900	1,491,700
		FEDERAL			(–0–)	(–0–)
		OTHER			(1,271,100)	(1,271,900)
		SERVICE			(218,800)	(219,800)
		TOTAL–ALL SOURCES			114,500,100	114,459,400
		20.550 DEPARTMENT TOTALS				
		GENERAL PURPOSE REVENUE			113,010,200	112,967,700
		PROGRAM REVENUE			1,489,900	1,491,700
		FEDERAL			(–0–)	(–0–)
		OTHER			(1,271,100)	(1,271,900)
		SERVICE			(218,800)	(219,800)
		TOTAL–ALL SOURCES			114,500,100	114,459,400
20.566 Revenue, Department of						
(1)	COLLECTION OF TAXES					

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
1	(a)	General program operations	GPR	A	70,801,200	70,801,200
2	(bn)	Administration and enforcement				
3		of marijuana tax and regulation	GPR	A	3,236,600	2,010,100
4	(g)	Administration of county and				
5		municipal sales and use taxes	PR	A	3,309,100	3,327,100
6	(ga)	Cigarette tax stamps	PR	A	249,300	249,300
7	(gb)	Business tax registration	PR	A	1,875,300	1,886,000
8	(gd)	Administration of special district				
9		taxes	PR–S	A	414,800	414,800
10	(ge)	Administration of local				
11		professional football stadium				
12		district taxes	PR–S	A	124,300	124,300
13	(gf)	Administration of resort tax	PR–S	A	80,900	80,900
14	(gg)	Administration of local taxes	PR	A	154,200	154,200
15	(h)	Debt collection	PR	A	3,174,000	3,195,600
16	(ha)	Administration of liquor tax and				
17		alcohol beverages enforcement	PR	A	1,379,100	1,381,200
18	(hb)	Collections by the department	PR	A	1,302,800	1,323,100
19	(hc)	Collections from the financial				
20		record matching program	PR	A	546,500	546,500
21	(hd)	Administration of liquor tax and				
22		alcohol beverages enforcement;				
23		wholesaler fees funding special				
24		agent position	PR	C	122,100	122,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(hm)	Collections under contracts	PR	S	357,300	357,300
(hn)	Collections under the multistate tax commission audit program	PR	S	58,300	58,300
(ho)	Collections under multistate streamlined sales tax project	PR	S	40,000	40,000
(hp)	Administration of income tax checkoff voluntary payments	PR	A	27,300	27,300
(i)	Gifts and grants	PR	C	–0–	–0–
(m)	Federal funds; state operations	PR–F	C	–0–	–0–
(q)	Economic development surcharge administration	SEG	A	271,800	271,800
(qm)	Administration of rental vehicle fee	SEG	A	76,200	78,500
(r)	Administration of dry cleaner fees	SEG	A	18,900	18,900
(s)	Petroleum inspection fee collection	SEG	A	96,800	100,300
(t)	Farmland preservation credit, 2010 and beyond	SEG	A	–0–	–0–
(u)	Motor fuel tax administration	SEG	A	1,788,400	1,799,900
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			74,037,800	72,811,300
	PROGRAM REVENUE			13,215,300	13,288,000
	FEDERAL			(–0–)	(–0–)
	OTHER			(12,595,300)	(12,668,000)
	SERVICE			(620,000)	(620,000)
	SEGREGATED REVENUE			2,252,100	2,269,400
	OTHER			(2,252,100)	(2,269,400)
	TOTAL–ALL SOURCES			89,505,200	88,368,700

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
(2)	STATE AND LOCAL FINANCE					
(a)		General program operations	GPR	A	8,395,900	8,379,600
(b)		Valuation error loans	GPR	S	–0–	–0–
(bm)		Integrated property assessment system technology	GPR	A	2,489,500	2,489,500
(g)		County assessment studies	PR	C	–0–	–0–
(ga)		Commercial property assessment	PR	C	–0–	–0–
(gb)		Manufacturing property assessment	PR	A	1,227,200	1,227,200
(gi)		Municipal finance report compliance	PR	A	32,800	32,800
(h)		Reassessments	PR	A	273,500	273,500
(hm)		Administration of tax incremental, and environmental remediation tax incremental, financing programs	PR	C	203,800	203,800
(i)		Gifts and grants	PR	C	–0–	–0–
(m)		Federal funds; state operations	PR–F	C	–0–	–0–
(q)		Railroad and air carrier tax administration	SEG	A	270,800	270,800
(r)		Lottery and gaming credit administration	SEG	A	316,900	316,900
			(2) PROGRAM TOTALS			
		GENERAL PURPOSE REVENUE			10,885,400	10,869,100
		PROGRAM REVENUE			1,737,300	1,737,300
		FEDERAL			(–0–)	(–0–)

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
		OTHER			(1,737,300)	(1,737,300)
		SEGREGATED REVENUE			587,700	587,700
		OTHER			(587,700)	(587,700)
		TOTAL–ALL SOURCES			13,210,400	13,194,100
(3)		ADMINISTRATIVE SERVICES AND SPACE RENTAL				
	(a)	General program operations	GPR	A	32,920,500	32,943,400
	(b)	Integrated tax system technology	GPR	A	4,087,100	4,087,100
	(c)	Expert professional services	GPR	B	63,300	63,300
	(g)	Services	PR	A	81,300	81,300
	(gm)	Reciprocity agreement and publications	PR	A	36,000	36,000
	(go)	Reciprocity agreement, Illinois	PR	A	–0–	–0–
	(i)	Gifts and grants	PR	C	–0–	–0–
	(k)	Internal services	PR–S	A	2,887,300	2,887,300
	(m)	Federal funds; state operations	PR–F	C	–0–	–0–
		(3) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUE			37,070,900	37,093,800
		PROGRAM REVENUE			3,004,600	3,004,600
		FEDERAL			(–0–)	(–0–)
		OTHER			(117,300)	(117,300)
		SERVICE			(2,887,300)	(2,887,300)
		TOTAL–ALL SOURCES			40,075,500	40,098,400
(4)		UNCLAIMED PROPERTY PROGRAM				
	(a)	Unclaimed property; contingency appropriation	GPR	S	–0–	–0–
	(j)	Unclaimed property; claims	PR	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(k)	Unclaimed property;				
	administrative expenses	PR–S	A	3,879,400	3,879,400
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			–0–	–0–
	PROGRAM REVENUE			3,879,400	3,879,400
	OTHER			(–0–)	(–0–)
	SERVICE			(3,879,400)	(3,879,400)
	TOTAL–ALL SOURCES			3,879,400	3,879,400
(7)	INVESTMENT AND LOCAL IMPACT FUND				
(e)	Investment and local impact fund				
	supplement	GPR	A	–0–	–0–
(g)	Investment and local impact fund				
	administrative expenses	PR	A	–0–	–0–
(n)	Federal mining revenue	PR–F	C	–0–	–0–
(v)	Investment and local impact fund	SEG	C	–0–	–0–
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			–0–	–0–
	PROGRAM REVENUE			–0–	–0–
	FEDERAL			(–0–)	(–0–)
	OTHER			(–0–)	(–0–)
	SEGREGATED REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			–0–	–0–
(8)	LOTTERY				
(a)	General program operations;				
	general purpose revenue	GPR	A	1,761,000	1,594,800
(b)	Retailer compensation	GPR	A	50,285,700	50,404,800
(c)	Vendor fees; general purpose				
	revenue	GPR	A	20,828,300	20,875,400

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(q)	General program operations	SEG	A	19,389,400	19,574,000
(r)	Retailer compensation	SEG	S	–0–	–0–
(s)	Prizes	SEG	S	–0–	–0–
(v)	Vendor fees	SEG	S	–0–	–0–
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			72,875,000	72,875,000
	SEGREGATED REVENUE			19,389,400	19,574,000
	OTHER			(19,389,400)	(19,574,000)
	TOTAL–ALL SOURCES			92,264,400	92,449,000
	20.566 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			194,869,100	193,649,200
	PROGRAM REVENUE			21,836,600	21,909,300
	FEDERAL			(–0–)	(–0–)
	OTHER			(14,449,900)	(14,522,600)
	SERVICE			(7,386,700)	(7,386,700)
	SEGREGATED REVENUE			22,229,200	22,431,100
	OTHER			(22,229,200)	(22,431,100)
	TOTAL–ALL SOURCES			238,934,900	237,989,600
	20.575 Secretary of State				
(1)	MANAGING AND OPERATING PROGRAM RESPONSIBILITIES				
(g)	Program fees	PR	A	432,900	440,800
(ka)	Agency collections	PR–S	A	3,400	3,400
	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			436,300	444,200
	OTHER			(432,900)	(440,800)
	SERVICE			(3,400)	(3,400)
	TOTAL–ALL SOURCES			436,300	444,200
	20.575 DEPARTMENT TOTALS				
	PROGRAM REVENUE			436,300	444,200
	OTHER			(432,900)	(440,800)
	SERVICE			(3,400)	(3,400)
	TOTAL–ALL SOURCES			436,300	444,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
20.585 Treasurer, State				
(1) CUSTODIAN OF STATE FUNDS				
(b) Insurance	GPR	A	–0–	–0–
(c) General program operations; general purpose revenue	GPR	A	212,300	225,600
(h) Training conferences	PR	C	–0–	–0–
(i) Gifts and grants	PR	C	–0–	–0–
(k) Administrative expenses	PR–S	A	212,200	225,700
(kb) General program operations	PR–S	A	–0–	–0–
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			212,300	225,600
PROGRAM REVENUE			212,200	225,700
OTHER			(–0–)	(–0–)
SERVICE			(212,200)	(225,700)
TOTAL–ALL SOURCES			424,500	451,300
20.585 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			212,300	225,600
PROGRAM REVENUE			212,200	225,700
OTHER			(–0–)	(–0–)
SERVICE			(212,200)	(225,700)
TOTAL–ALL SOURCES			424,500	451,300
General Executive Functions				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUE			700,431,200	675,261,000
PROGRAM REVENUE			631,378,100	635,624,800
FEDERAL			(140,096,200)	(139,975,200)
OTHER			(112,939,400)	(113,264,100)
SERVICE			(378,342,500)	(382,385,500)
SEGREGATED REVENUE			134,155,400	134,722,100
FEDERAL			(1,043,000)	(843,700)
OTHER			(133,112,400)	(133,878,400)
SERVICE			(–0–)	(–0–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			1,465,964,700	1,445,607,900

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
Judicial						
20.625 Circuit Courts						
(1)	COURT OPERATIONS					
	(a)	Circuit courts	GPR	S	78,329,600	79,433,000
	(b)	Permanent reserve judges	GPR	A	–0–	–0–
	(cg)	Circuit court costs	GPR	B	27,076,800	27,076,800
	(g)	Sale of materials and services	PR	C	–0–	–0–
	(h)	Certificates of qualification for employment	PR	C	–0–	–0–
	(k)	Court interpreters	PR–S	A	232,700	232,700
	(m)	Federal aid	PR–F	C	–0–	–0–
		(1) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUE			105,406,400	106,509,800
		PROGRAM REVENUE			232,700	232,700
		FEDERAL			(–0–)	(–0–)
		OTHER			(–0–)	(–0–)
		SERVICE			(232,700)	(232,700)
		TOTAL–ALL SOURCES			105,639,100	106,742,500
		20.625 DEPARTMENT TOTALS				
		GENERAL PURPOSE REVENUE			105,406,400	106,509,800
		PROGRAM REVENUE			232,700	232,700
		FEDERAL			(–0–)	(–0–)
		OTHER			(–0–)	(–0–)
		SERVICE			(232,700)	(232,700)
		TOTAL–ALL SOURCES			105,639,100	106,742,500
20.660 Court of Appeals						
(1)	APPELLATE PROCEEDINGS					
	(a)	General program operations	GPR	S	11,321,800	11,341,100
	(m)	Federal aid	PR–F	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
		(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE					11,321,800	11,341,100
PROGRAM REVENUE					–0–	–0–
FEDERAL					(–0–)	(–0–)
TOTAL–ALL SOURCES					11,321,800	11,341,100
		20.660 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE					11,321,800	11,341,100
PROGRAM REVENUE					–0–	–0–
FEDERAL					(–0–)	(–0–)
TOTAL–ALL SOURCES					11,321,800	11,341,100
20.665 Judicial Commission						
(1)	JUDICIAL CONDUCT					
(a)	General program operations		GPR	A	328,800	329,400
(cm)	Contractual agreements		GPR	B	16,200	16,200
(mm)	Federal aid		PR–F	C	–0–	–0–
		(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE					345,000	345,600
PROGRAM REVENUE					–0–	–0–
FEDERAL					(–0–)	(–0–)
TOTAL–ALL SOURCES					345,000	345,600
		20.665 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE					345,000	345,600
PROGRAM REVENUE					–0–	–0–
FEDERAL					(–0–)	(–0–)
TOTAL–ALL SOURCES					345,000	345,600
20.670 Judicial Council						
(1)	ADVISORY SERVICES TO THE COURTS AND THE LEGISLATURE					
(a)	General program operations		GPR	A	–0–	–0–
(k)	Director of state courts and law library transfer		PR–S	C	–0–	–0–
(m)	Federal aid		PR–F	C	–0–	–0–

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
		(1) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUE			–0–	–0–
		PROGRAM REVENUE			–0–	–0–
		FEDERAL			(–0–)	(–0–)
		SERVICE			(–0–)	(–0–)
		TOTAL–ALL SOURCES			–0–	–0–
		20.670 DEPARTMENT TOTALS				
		GENERAL PURPOSE REVENUE			–0–	–0–
		PROGRAM REVENUE			–0–	–0–
		FEDERAL			(–0–)	(–0–)
		SERVICE			(–0–)	(–0–)
		TOTAL–ALL SOURCES			–0–	–0–
20.680 Supreme Court						
(1)		SUPREME COURT PROCEEDINGS				
(a)		General program operations	GPR	S	5,669,300	5,669,300
(m)		Federal aid	PR–F	C	–0–	–0–
		(1) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUE			5,669,300	5,669,300
		PROGRAM REVENUE			–0–	–0–
		FEDERAL			(–0–)	(–0–)
		TOTAL–ALL SOURCES			5,669,300	5,669,300
(2)		DIRECTOR OF STATE COURTS AND LAW LIBRARY				
(a)		General program operations	GPR	B	11,701,800	11,707,400
(g)		Gifts and grants	PR	C	613,400	613,400
(ga)		Court commissioner training	PR	C	60,000	60,000
(gc)		Court interpreter training and certification	PR	C	45,100	45,100
(h)		Materials and services	PR	C	60,300	60,300
(i)		Municipal judge training	PR	C	186,900	187,000
(j)		Court information systems	PR	C	9,218,400	8,672,600

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(kc)	Central services	PR–S	A	248,800	248,900
(ke)	Interagency and intra–agency automation assistance	PR–S	C	–0–	–0–
(kf)	Interagency and intra–agency assistance	PR–S	C	–0–	–0–
(L)	Library collections and services	PR	C	79,400	79,400
(m)	Federal aid	PR–F	C	992,300	992,300
(qm)	Mediation fund	SEG	C	596,500	596,600
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			11,701,800	11,707,400
	PROGRAM REVENUE			11,504,600	10,959,000
	FEDERAL			(992,300)	(992,300)
	OTHER			(10,263,500)	(9,717,800)
	SERVICE			(248,800)	(248,900)
	SEGREGATED REVENUE			596,500	596,600
	OTHER			(596,500)	(596,600)
	TOTAL–ALL SOURCES			23,802,900	23,263,000
(3)	BAR EXAMINERS AND RESPONSIBILITY				
(g)	Board of bar examiners	PR	C	716,200	716,600
(h)	Office of lawyer regulation	PR	C	3,115,900	3,117,800
	(3) PROGRAM TOTALS				
	PROGRAM REVENUE			3,832,100	3,834,400
	OTHER			(3,832,100)	(3,834,400)
	TOTAL–ALL SOURCES			3,832,100	3,834,400
	20.680 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			17,371,100	17,376,700
	PROGRAM REVENUE			15,336,700	14,793,400
	FEDERAL			(992,300)	(992,300)
	OTHER			(14,095,600)	(13,552,200)
	SERVICE			(248,800)	(248,900)
	SEGREGATED REVENUE			596,500	596,600
	OTHER			(596,500)	(596,600)
	TOTAL–ALL SOURCES			33,304,300	32,766,700

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
Judicial				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUE			134,444,300	135,573,200
PROGRAM REVENUE			15,569,400	15,026,100
FEDERAL			(992,300)	(992,300)
OTHER			(14,095,600)	(13,552,200)
SERVICE			(481,500)	(481,600)
SEGREGATED REVENUE			596,500	596,600
FEDERAL			(–0–)	(–0–)
OTHER			(596,500)	(596,600)
SERVICE			(–0–)	(–0–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			150,610,200	151,195,900

Legislative

20.765 Legislature

(1)	ENACTMENT OF STATE LAWS					
(a)	General program operations–assembly	GPR	S		28,256,500	28,256,500
(b)	General program operations–senate	GPR	S		19,930,300	19,930,300
(d)	Legislative documents	GPR	S		3,919,100	3,919,100
(e)	Gifts, grants, and bequests	PR	C		–0–	–0–
	(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUE				52,105,900	52,105,900
	PROGRAM REVENUE				–0–	–0–
	OTHER				(–0–)	(–0–)
	TOTAL–ALL SOURCES				52,105,900	52,105,900
(3)	SERVICE AGENCIES AND NATIONAL ASSOCIATIONS					
(b)	Legislative reference bureau	GPR	B		6,391,800	6,391,800
(c)	Legislative audit bureau	GPR	B		7,042,100	7,042,100
(d)	Legislative fiscal bureau	GPR	B		4,245,200	4,245,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(e)	Joint legislative council; execution of functions, conduct of research, development of studies, and the provision of assistance to committees	GPR	B	4,220,100	4,220,100
(ec)	Joint legislative council; contractual studies	GPR	B	15,000	–0–
(em)	Legislative technology services bureau	GPR	B	4,987,700	4,995,900
(f)	Joint committee on legislative organization	GPR	B	–0–	–0–
(fa)	Membership in national associations	GPR	S	287,800	294,500
(g)	Gifts and grants to service agencies	PR	C	20,000	20,000
(ka)	Audit bureau reimbursable audits	PR–S	A	2,418,200	2,407,500
(m)	Federal aid	PR–F	C	–0–	–0–
		(3) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			27,189,700	27,189,600
	PROGRAM REVENUE			2,438,200	2,427,500
	FEDERAL			(–0–)	(–0–)
	OTHER			(20,000)	(20,000)
	SERVICE			(2,418,200)	(2,407,500)
	TOTAL–ALL SOURCES			29,627,900	29,617,100
(4)	CAPITOL OFFICES RELOCATION				
(a)	Capitol offices relocation costs	GPR	B	–0–	–0–
		(4) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
TOTAL–ALL SOURCES			–0–	–0–
20.765 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			79,295,600	79,295,500
PROGRAM REVENUE			2,438,200	2,427,500
FEDERAL			(–0–)	(–0–)
OTHER			(20,000)	(20,000)
SERVICE			(2,418,200)	(2,407,500)
TOTAL–ALL SOURCES			81,733,800	81,723,000
Legislative FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUE			79,295,600	79,295,500
PROGRAM REVENUE			2,438,200	2,427,500
FEDERAL			(–0–)	(–0–)
OTHER			(20,000)	(20,000)
SERVICE			(2,418,200)	(2,407,500)
SEGREGATED REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			81,733,800	81,723,000

General Appropriations

20.835 Shared Revenue and Tax Relief

(1)	SHARED REVENUE PAYMENTS					
(c)	Expenditure restraint program account	GPR	S	59,311,700	59,311,700
(db)	County and municipal aid account	GPR	S	709,251,400	742,898,100
(dm)	Public utility distribution account	GPR	S	82,297,500	87,458,400
(e)	State aid; tax exempt property	GPR	S	98,047,100	98,047,100
(f)	State aid; personal property tax exemption	GPR	S	74,206,800	74,206,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(fa)	State aid; video service provider fee	GPR	S	10,008,200	10,008,200
(r)	County and municipal aid account; police and fire protection fund	SEG	C	49,885,900	31,602,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,033,122,700	1,071,930,300
	SEGREGATED REVENUE			49,885,900	31,602,000
	OTHER			(49,885,900)	(31,602,000)
	TOTAL–ALL SOURCES			1,083,008,600	1,103,532,300
	(2) TAX RELIEF				
(b)	Claim of right credit	GPR	S	132,000	132,000
(bb)	Jobs tax credit	GPR	S	1,700,000	975,000
(bc)	Woody biomass harvesting and processing credit	GPR	S	–0–	–0–
(bg)	Business development credit	GPR	S	18,200,000	16,800,000
(br)	Interest payments on overassessments of manufacturing property	GPR	S	10,000	10,000
(c)	Homestead tax credit	GPR	S	101,200,000	98,100,000
(cc)	Qualified child sales and use tax rebate for 2018	GPR	S	–0–	–0–
(co)	Enterprise zone jobs credit	GPR	S	68,700,000	64,700,000
(cp)	Electronics and information technology manufacturing zone credit	GPR	S	–0–	–0–

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(d)	Research credit	GPR	S	19,600,000	19,600,000
(dm)	Farmland preservation credit	GPR	S	330,000	290,000
(dn)	Farmland tax relief credit	GPR	S	–0–	–0–
(do)	Farmland preservation credit, 2010 and beyond	GPR	S	16,030,000	16,030,000
(em)	Veterans and surviving spouses property tax credit	GPR	S	45,700,000	47,200,000
(ep)	Cigarette and tobacco product tax refunds	GPR	S	31,027,000	30,703,000
(eq)	Marijuana tax refunds	GPR	S	–0–	6,700,000
(f)	Earned income tax credit	GPR	S	75,683,600	117,600,000
(ff)	Earned income tax credit; periodic payments	GPR	S	–0–	–0–
(ka)	Farmland tax relief credit; Indian gaming receipts	PR–S	C	–0–	–0–
(kf)	Earned income tax credit; temporary assistance for needy families	PR–S	A	116,716,400	69,700,000
(q)	Farmland tax relief credit	SEG	S	–0–	–0–

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	378,312,600	418,840,000
PROGRAM REVENUE	116,716,400	69,700,000
SERVICE	(116,716,400)	(69,700,000)
SEGREGATED REVENUE	–0–	–0–
OTHER	(–0–)	(–0–)
TOTAL–ALL SOURCES	495,029,000	488,540,000

(3) STATE PROPERTY TAX RELIEF

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(b)	School levy tax credit and first dollar credit	GPR	S	1,088,137,900	1,088,500,000
(ef)	Transfer to conservation fund; forestry	GPR	S	109,691,500	114,052,900
(q)	Lottery and gaming credit	SEG	S	265,682,200	247,280,100
(s)	Lottery and gaming credit; late applications	SEG	S	665,600	665,600
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,197,829,400	1,202,552,900
	SEGREGATED REVENUE			266,347,800	247,945,700
	OTHER			(266,347,800)	(247,945,700)
	TOTAL–ALL SOURCES			1,464,177,200	1,450,498,600
(4)	COUNTY AND LOCAL TAXES				
(g)	County and municipal taxes	PR	C	–0–	–0–
(gb)	Special district taxes	PR	C	–0–	–0–
(gd)	Premier resort area tax	PR	C	–0–	–0–
(ge)	Local professional football stadium district taxes	PR	C	–0–	–0–
(gg)	Local taxes	PR	C	–0–	–0–
	(4) PROGRAM TOTALS				
	PROGRAM REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			–0–	–0–
(5)	PAYMENTS IN LIEU OF TAXES				
(a)	Payments for municipal services	GPR	A	20,649,200	20,649,200
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			20,649,200	20,649,200
	TOTAL–ALL SOURCES			20,649,200	20,649,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
20.835 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			2,629,913,900	2,713,972,400
PROGRAM REVENUE			116,716,400	69,700,000
OTHER			(–0–)	(–0–)
SERVICE			(116,716,400)	(69,700,000)
SEGREGATED REVENUE			316,233,700	279,547,700
OTHER			(316,233,700)	(279,547,700)
TOTAL–ALL SOURCES			3,062,864,000	3,063,220,100
20.855 Miscellaneous Appropriations				
(1) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT				
(a) Obligation on operating notes	GPR	S	–0–	–0–
(b) Operating note expenses	GPR	S	–0–	–0–
(bm) Payment of canceled drafts	GPR	S	2,000,000	2,000,000
(c) Interest payments to program revenue accounts	GPR	S	–0–	–0–
(d) Interest payments to segregated funds	GPR	S	–0–	–0–
(dm) Interest reimbursements to federal government	GPR	S	–0–	–0–
(e) Interest on prorated local government payments	GPR	S	–0–	–0–
(f) Payment of fees to financial institutions	GPR	S	–0–	–0–
(gm) Payment of canceled drafts; program revenues	PR	S	–0–	–0–
(q) Redemption of operating notes	SEG	S	–0–	–0–
(r) Interest payments to general fund	SEG	S	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(rm) Payment of canceled drafts; segregated revenues	SEG	S	450,000	450,000
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			2,000,000	2,000,000
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
SEGREGATED REVENUE			450,000	450,000
OTHER			(450,000)	(450,000)
TOTAL–ALL SOURCES			2,450,000	2,450,000
(3) CAPITOL RENOVATION EXPENSES				
(b) Capitol restoration and relocation planning	GPR	B	–0–	–0–
(c) Historically significant furnishings	GPR	B	–0–	–0–
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
(4) TAX, ASSISTANCE AND TRANSFER PAYMENTS				
(a) Interest on overpayment of taxes	GPR	S	1,000,000	1,000,000
(am) Great Lakes protection fund contribution	GPR	C	–0–	–0–
(be) Study of engineering	GPR	A	–0–	–0–
(bm) Oil pipeline terminal tax distribution	GPR	S	6,574,600	6,766,100
(bv) General fund supplement to veterans trust fund	GPR	S	15,100,000	15,800,000
(c) Minnesota income tax reciprocity	GPR	S	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(ca)	Minnesota income tax reciprocity bench mark	GPR	A	–0–	–0–
(cm)	Illinois income tax reciprocity	GPR	S	114,500,000	119,700,000
(cn)	Illinois income tax reciprocity bench mark	GPR	A	–0–	–0–
(cr)	Transfer to local exposition district	GPR	A	4,000,000	4,000,000
(dr)	Transfer to local exposition district	GPR	A	4,000,000	4,000,000
(e)	Transfer to conservation fund; land acquisition reimbursement	GPR	S	100	100
(em)	Transfer to the conservation fund; off–highway motorcycle fees	GPR	S	75,000	75,000
(f)	Transfer to environmental fund; nonpoint sources	GPR	A	7,991,100	7,991,100
(fc)	Aids for certain local purchases and projects	GPR	A	–0–	–0–
(fm)	Transfer to transportation fund; hub facility exemptions	GPR	S	–0–	–0–
(fr)	Transfer to transportation fund; disaster damage aids	GPR	S	1,000,000	1,000,000
(gd)	American Red Cross, Badger Chapter	PR	C	–0–	–0–

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(ge)	Feeding America; Second Harvest food banks	PR	C	–0–	–0–
(h)	Volkswagen settlement funds	PR	C	10,700,000	–0–
(q)	Terminal tax distribution	SEG	S	1,906,000	1,906,000
(r)	Petroleum allowance	SEG	S	300,000	300,000
(s)	Transfer to conservation fund; motorboat formula	SEG	S	13,214,000	13,499,400
(t)	Transfer to conservation fund; snowmobile formula	SEG	S	5,227,400	5,331,900
(u)	Transfer to conservation fund; all–terrain vehicle formula	SEG	S	1,893,300	1,909,700
(v)	Transfer to conservation fund; utility terrain vehicle formula	SEG	S	777,200	932,700
(w)	Transfer to transportation fund; petroleum inspection fund	SEG	A	6,258,500	6,258,500
(wc)	Petroleum inspection fund supplement to environmental fund; environmental management	SEG	A	1,704,800	1,704,800
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			154,240,800	160,332,300
	PROGRAM REVENUE			10,700,000	–0–
	OTHER			(10,700,000)	(–0–)
	SEGREGATED REVENUE			31,281,200	31,843,000
	OTHER			(31,281,200)	(31,843,000)
	TOTAL–ALL SOURCES			196,222,000	192,175,300

(5) STATE HOUSING AUTHORITY RESERVE FUND

Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(a) Enhancement of credit of authority debt	GPR	A	–0–	–0–
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
(6) Miscellaneous receipts				
(g) Gifts and grants	PR	C	–0–	–0–
(h) Vehicle and aircraft receipts	PR	A	–0–	–0–
(i) Miscellaneous program revenue	PR	A	–0–	–0–
(j) Custody accounts	PR	C	–0–	–0–
(k) Aids to individuals and organizations	PR–S	C	–0–	–0–
(ka) Local assistance	PR–S	C	–0–	–0–
(m) Federal aid	PR–F	C	–0–	–0–
(pz) Indirect cost reimbursements	PR–F	C	–0–	–0–
(6) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
(8) Marquette University				
(a) Dental clinic and education facility; principal repayment, interest and rebates	GPR	S	1,975,600	882,400
(8) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			1,975,600	882,400
TOTAL–ALL SOURCES			1,975,600	882,400

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(9) STATE CAPITOL RENOVATION AND RESTORATION				
(a) South wing renovation and restoration	GPR	C	–0–	–0–
(9) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
TOTAL–ALL SOURCES			–0–	–0–
20.855 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			158,216,400	163,214,700
PROGRAM REVENUE			10,700,000	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(10,700,000)	(–0–)
SERVICE			(–0–)	(–0–)
SEGREGATED REVENUE			31,731,200	32,293,000
OTHER			(31,731,200)	(32,293,000)
TOTAL–ALL SOURCES			200,647,600	195,507,700
20.865 Program Supplements				
(1) EMPLOYEE COMPENSATION AND SUPPORT				
(a) Judgments and legal expenses	GPR	S	–0–	–0–
(c) Compensation and related adjustments	GPR	S	–0–	–0–
(ci) University pay adjustments	GPR	S	–0–	–0–
(cj) Pay adjustments for certain university employees	GPR	A	–0–	–0–
(d) Employer fringe benefit costs	GPR	S	–0–	–0–
(dm) Discretionary merit compensation program	GPR	A	6,000,000	6,000,000
(e) Additional biweekly payroll	GPR	A	–0–	–0–

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(em)	Financial and procurement services	GPR	A	–0–	–0–
(fm)	Risk management	GPR	A	–0–	–0–
(fn)	Physically handicapped supplements	GPR	A	5,800	5,800
(g)	Judgments and legal expenses; program revenues	PR	S	–0–	–0–
(i)	Compensation and related adjustments; program revenues	PR	S	–0–	–0–
(ic)	University pay adjustments	PR	S	–0–	–0–
(j)	Employer fringe benefit costs; program revenues	PR	S	–0–	–0–
(jm)	Additional biweekly payroll; nonfederal program revenues	PR	S	–0–	–0–
(js)	Financial and procurement services; program revenues	PR	S	–0–	–0–
(kr)	Risk management; program revenues	PR	S	–0–	–0–
(Ln)	Physically handicapped supplements; program revenues	PR	S	–0–	–0–
(m)	Additional biweekly payroll; federal program revenues	PR-F	S	–0–	–0–
(q)	Judgments and legal expenses; segregated revenues	SEG	S	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(s)	Compensation and related adjustments; segregated revenues	SEG	S	–0–	–0–
(si)	University pay adjustments	SEG	S	–0–	–0–
(t)	Employer fringe benefit costs; segregated revenues	SEG	S	–0–	–0–
(tm)	Additional biweekly payroll; nonfederal segregated revenues	SEG	S	–0–	–0–
(ts)	Financial and procurement services; segregated revenues	SEG	S	–0–	–0–
(ur)	Risk management; segregated revenues	SEG	S	–0–	–0–
(vn)	Physically handicapped supplements; segregated revenues	SEG	S	–0–	–0–
(x)	Additional biweekly payroll; federal segregated revenues	SEG–F	S	–0–	–0–
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			6,005,800	6,005,800
	PROGRAM REVENUE			–0–	–0–
	FEDERAL			(–0–)	(–0–)
	OTHER			(–0–)	(–0–)
	SEGREGATED REVENUE			–0–	–0–
	FEDERAL			(–0–)	(–0–)
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			6,005,800	6,005,800
(2)	STATE PROGRAMS AND FACILITIES				
(a)	Private facility rental increases	GPR	A	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(ag)	State–owned office rent supplement	GPR	A	–0–	–0–
(am)	Space management	GPR	A	–0–	–0–
(d)	State deposit fund	GPR	S	–0–	–0–
(e)	Maintenance of capitol and executive residence	GPR	A	4,508,900	4,508,900
(eb)	Executive residence furnishings replacement	GPR	C	10,200	10,200
(em)	Groundwater survey and analysis	GPR	A	182,500	182,500
(g)	Private facility rental increases; program revenues	PR	S	–0–	–0–
(gg)	State–owned office rent supplement; program revenues	PR	S	–0–	–0–
(gm)	Space management; program revenues	PR	S	–0–	–0–
(i)	Enterprise resource planning system; program revenues	PR	S	–0–	–0–
(j)	State deposit fund; program revenues	PR	S	–0–	–0–
(L)	Data processing and telecommunications study; program revenues	PR	S	–0–	–0–
(q)	Private facility rental increases; segregated revenues	SEG	S	–0–	–0–

	Statute, Agency and Purpose	Source	Type	2021-2022	2022-2023
(qg)	State–owned office rent supplement; segregated revenues	SEG	S	–0–	–0–
(qm)	Space management; segregated revenues	SEG	S	–0–	–0–
(r)	Enterprise resource planning system; segregated revenues	SEG	S	–0–	–0–
(t)	State deposit fund; segregated revenues	SEG	S	–0–	–0–
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			4,701,600	4,701,600
	PROGRAM REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	SEGREGATED REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			4,701,600	4,701,600
(3)	TAXES AND SPECIAL CHARGES				
(a)	Property taxes	GPR	S	–0–	–0–
(g)	Property taxes; program revenues	PR	S	–0–	–0–
(i)	Payments for municipal services; program revenues	PR	S	–0–	–0–
(q)	Property taxes; segregated revenues	SEG	S	–0–	–0–
(s)	Payments for municipal services; segregated revenues	SEG	S	–0–	–0–
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			–0–	–0–
	PROGRAM REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	SEGREGATED REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
TOTAL–ALL SOURCES			–0–	–0–
(4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS				
(a) General purpose revenue funds				
general program supplementation	GPR	B	133,600	133,600
(g) Program revenue funds general				
program supplementation	PR	S	–0–	–0–
(k) Public assistance programs				
supplementation	PR–S	C	–0–	–0–
(m) Federal funds general program				
supplementation	PR–F	C	–0–	–0–
(u) Segregated funds general				
program supplementation	SEG	S	–0–	–0–
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			133,600	133,600
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			133,600	133,600
(8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REVENUE - SERVICE APPROPRIATIONS				
(g) Supplementation of program				
revenue and program revenue –				
service appropriations	PR	S	–0–	–0–
(8) PROGRAM TOTALS				
PROGRAM REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.865 DEPARTMENT TOTALS				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
GENERAL PURPOSE REVENUE			10,841,000	10,841,000
PROGRAM REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
SERVICE			(–0–)	(–0–)
SEGREGATED REVENUE			–0–	–0–
FEDERAL			(–0–)	(–0–)
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			10,841,000	10,841,000
20.866 Public Debt				
(1) BOND SECURITY AND REDEMPTION FUND				
(u) Principal repayment and interest	SEG	S	–0–	–0–
(1) PROGRAM TOTALS				
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.866 DEPARTMENT TOTALS				
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.867 Building Commission				
(1) STATE OFFICE BUILDINGS				
(a) Principal repayment and interest;				
housing of state agencies	GPR	S	–0–	–0–
(b) Principal repayment and interest;				
capitol and executive residence	GPR	S	4,058,500	2,374,500
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			4,058,500	2,374,500
TOTAL–ALL SOURCES			4,058,500	2,374,500
(2) ALL STATE-OWNED FACILITIES				
(b) Asbestos removal	GPR	A	–0–	–0–

	STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2021-2022	2022-2023
(c)	Hazardous materials removal		GPR	A	–0–	–0–
(f)	Facilities preventive maintenance		GPR	A	–0–	–0–
(q)	Building trust fund		SEG	C	–0–	–0–
(r)	Planning and design		SEG	C	–0–	–0–
(u)	Aids for buildings		SEG	C	–0–	–0–
(v)	Building program funding contingency		SEG	C	–0–	–0–
(w)	Building program funding		SEG	C	–0–	–0–
		(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE				–0–	–0–
	SEGREGATED REVENUE				–0–	–0–
	OTHER				(–0–)	(–0–)
	TOTAL–ALL SOURCES				–0–	–0–
(3)	STATE BUILDING PROGRAM					
(a)	Principal repayment and interest		GPR	S	31,988,500	44,705,700
(b)	Principal repayment and interest		GPR	S	1,544,800	2,067,200
(bb)	Principal repayment, interest and rebates; AIDS Network, Inc.		GPR	S	25,100	23,900
(bc)	Principal repayment, interest and rebates; Grand Opera House in Oshkosh		GPR	S	52,300	43,300
(bd)	Principal repayment, interest and rebates; Aldo Leopold climate change classroom and interactive laboratory		GPR	S	36,900	36,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(be)	Principal repayment, interest and rebates; Bradley Center Sports and Entertainment Corporation	GPR	S	686,400	636,200
(bf)	Principal repayment, interest and rebates; AIDS Resource Center of Wisconsin, Inc.	GPR	S	66,800	63,600
(bg)	Principal repayment, interest, and rebates; Madison Children's Museum	GPR	S	20,900	19,900
(bh)	Principal repayment, interest, and rebates; Myrick Hixon EcoPark, Inc.	GPR	S	36,700	42,300
(bj)	Principal repayment, interest and rebates; Lac du Flambeau Indian Tribal Cultural Center	GPR	S	16,000	16,000
(bL)	Principal repayment, interest and rebates; family justice center	GPR	S	725,500	725,900
(bm)	Principal repayment, interest, and rebates; HR Academy, Inc.	GPR	S	121,500	98,700
(bn)	Principal repayment, interest and rebates; Hmong cultural center	GPR	S	22,100	19,900
(bq)	Principal repayment, interest and rebates; children's research institute	GPR	S	915,900	856,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(br)	Principal repayment, interest and rebates	GPR	S	67,700	13,000
(bt)	Principal repayment, interest, and rebates; Wisconsin Agriculture Education Center, Inc.	GPR	S	327,500	324,600
(bu)	Principal repayment, interest, and rebates; Civil War exhibit at the Kenosha Public Museums	GPR	S	34,400	33,900
(bv)	Principal repayment, interest, and rebates; Bond Health Center	GPR	S	42,200	56,500
(bw)	Principal repayment, interest, and rebates; Eau Claire Confluence Arts, Inc.	GPR	S	999,800	991,400
(bx)	Principal repayment, interest, and rebates; Carroll University	GPR	S	185,700	184,200
(cb)	Principal repayment, interest and rebates; Domestic Abuse Intervention Services, Inc.	GPR	S	36,500	36,500
(cd)	Principal repayment, interest, and rebates; K I Convention Center	GPR	S	134,100	133,400
(cf)	Principal repayment, interest, and rebates; Dane County; livestock facilities	GPR	S	573,600	575,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(ch)	Principal repayment, interest, and rebates; Wisconsin Maritime Center of Excellence	GPR	S	346,300	344,600
(cj)	Principal repayment, interest, and rebates; Norskedalen Nature and Heritage Center	GPR	S	8,800	56,100
(cq)	Principal repayment, interest, and rebates; La Crosse Center	GPR	S	130,300	401,300
(cr)	Principal repayment, interest, and rebates; St. Ann Center for Intergenerational Care, Inc.; Bucyrus Campus	GPR	S	342,700	338,100
(cs)	Principal repayment, interest, and rebates; Brown County innovation center	GPR	S	404,100	399,500
(cw)	Principal repayment, interest, and rebates; projects	GPR	S	–0–	–0–
(cx)	Principal repayment, interest, and rebates; center	GPR	S	–0–	–0–
(d)	Interest rebates on obligation proceeds; general fund	GPR	S	–0–	–0–
(e)	Principal repayment, interest and rebates; parking ramp	GPR	S	–0–	–0–
(g)	Principal repayment, interest and rebates; program revenues	PR	S	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
(h)	Principal repayment, interest, and rebates	PR	S	–0–	–0–
(i)	Principal repayment, interest and rebates; capital equipment	PR	S	–0–	–0–
(k)	Interest rebates on obligation proceeds; program revenues	PR–S	C	–0–	–0–
(kd)	Energy conservation construction projects; principal repayment, interest and rebates	PR–S	C	1,427,800	2,693,000
(km)	Aquaculture demonstration facility; principal repayment and interest	PR–S	A	256,500	196,700
(q)	Principal repayment and interest; segregated revenues	SEG	S	–0–	–0–
(r)	Interest rebates on obligation proceeds; conservation fund	SEG	S	–0–	–0–
(s)	Interest rebates on obligation proceeds; transportation fund	SEG	S	–0–	–0–
(t)	Interest rebates on obligation proceeds; veterans trust fund	SEG	S	–0–	–0–
(w)	Bonding services	SEG	S	1,024,200	1,024,200
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			39,893,100	53,243,400
	PROGRAM REVENUE			1,684,300	2,889,700
	OTHER			(–0–)	(–0–)
	SERVICE			(1,684,300)	(2,889,700)
	SEGREGATED REVENUE			1,024,200	1,024,200
	OTHER			(1,024,200)	(1,024,200)

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2021-2022	2022-2023
		TOTAL–ALL SOURCES			42,601,600	57,157,300
	(4)	CAPITAL IMPROVEMENT FUND INTEREST EARNINGS				
	(q)	Funding in lieu of borrowing	SEG	C	–0–	–0–
	(r)	Interest on veterans obligations	SEG	C	–0–	–0–
		(4) PROGRAM TOTALS				
		SEGREGATED REVENUE			–0–	–0–
		OTHER			(–0–)	(–0–)
		TOTAL–ALL SOURCES			–0–	–0–
	(5)	SERVICES TO NONSTATE GOVERNMENTAL UNITS				
	(g)	Financial consulting services	PR	C	–0–	–0–
		(5) PROGRAM TOTALS				
		PROGRAM REVENUE			–0–	–0–
		OTHER			(–0–)	(–0–)
		TOTAL–ALL SOURCES			–0–	–0–
		20.867 DEPARTMENT TOTALS				
		GENERAL PURPOSE REVENUE			43,951,600	55,617,900
		PROGRAM REVENUE			1,684,300	2,889,700
		OTHER			(–0–)	(–0–)
		SERVICE			(1,684,300)	(2,889,700)
		SEGREGATED REVENUE			1,024,200	1,024,200
		OTHER			(1,024,200)	(1,024,200)
		TOTAL–ALL SOURCES			46,660,100	59,531,800
20.875		**Budget Stabilization Fund**				
	(1)	TRANSFERS TO FUND				
	(a)	General fund transfer	GPR	S	–0–	–0–
		(1) PROGRAM TOTALS				
		GENERAL PURPOSE REVENUE			–0–	–0–
		TOTAL–ALL SOURCES			–0–	–0–
	(2)	TRANSFERS FROM FUND				
	(q)	Budget stabilization fund transfer	SEG	A	–0–	–0–
		(2) PROGRAM TOTALS				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2021-2022	2022-2023
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
20.875 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			–0–	–0–
SEGREGATED REVENUE			–0–	–0–
OTHER			(–0–)	(–0–)
TOTAL–ALL SOURCES			–0–	–0–
General Appropriations				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUE			2,842,922,900	2,943,646,000
PROGRAM REVENUE			129,100,700	72,589,700
FEDERAL			(–0–)	(–0–)
OTHER			(10,700,000)	(–0–)
SERVICE			(118,400,700)	(72,589,700)
SEGREGATED REVENUE			348,989,100	312,864,900
FEDERAL			(–0–)	(–0–)
OTHER			(348,989,100)	(312,864,900)
SERVICE			(–0–)	(–0–)
LOCAL			(–0–)	(–0–)
TOTAL–ALL SOURCES			3,321,012,700	3,329,100,600
STATE TOTALS			45,373,911,200	45,574,592,800
GENERAL PURPOSE REVENUE			20,715,493,400	21,121,522,000
PROGRAM REVENUE			19,776,527,800	19,513,009,900
FEDERAL			(12,824,916,200)	(12,553,598,300)
OTHER			(5,940,915,100)	(5,991,245,400)
SERVICE			(1,010,696,500)	(968,166,200)
SEGREGATED REVENUE			4,881,890,000	4,940,060,900
FEDERAL			(961,640,900)	(977,426,900)
OTHER			(3,688,045,700)	(3,732,413,500)
SERVICE			(116,764,600)	(114,764,600)
LOCAL			(115,438,800)	(115,455,900)

SECTION 251. 20.115 (2) (j) of the statutes is amended to read:

20.115 **(2)** (j) *Dog licenses, rabies control, and related services.* All moneys received under ss. 95.21 (9) (c), 173.27, 173.41, and 174.09 (1) and (3) and all moneys transferred under 2021 Wisconsin Act .... (this act), section 9202 (1), to provide dog license tags and forms under s. 174.07 (2), to perform other program responsibilities under ch. 174, to administer the rabies control program under s. 95.21, to help

administer the rabies control media campaign, and to carry out activities under s. 93.07 (11) and ch. 173.

SECTION 252. 20.115 (3) (at) of the statutes is amended to read:

20.115 **(3)** (at) *Farm to school program administration.* The amounts in the schedule for promotion of farm to school programs under s. ~~93.49~~ 93.61.

SECTION 253. 20.115 (3) (d) of the statutes is created to read:

20.115 **(3)** (d) *Wisconsin initiative for agricultural exports.* Biennially, the amounts in the schedule for establishing and administering the Wisconsin initiative for agricultural exports under s. 93.425.

SECTION 254. 20.115 (3) (e) of the statutes is created to read:

20.115 **(3)** (e) *Food waste reduction grants.* The amounts in the schedule for providing food waste reduction grants under s. 93.53.

SECTION 255. 20.115 (3) (f) of the statutes is created to read:

20.115 **(3)** (f) *Meat processing tuition grants.* The amounts in the schedule for providing meat processing tuition grants under s. 93.525.

SECTION 256. 20.115 (3) (h) of the statutes is amended to read:

20.115 **(3)** (h) *Loans and grants for rural development.* All moneys received as origination fees, repayment of principal, and payment of interest on loans under s. 93.06 (1qm), to be used for loans and grants for the development of rural business enterprises or rural economic development under s. 93.06 (1qm).

SECTION 257. 20.115 (4) (am) of the statutes is repealed.

SECTION 258. 20.115 (4) (as) of the statutes is repealed.

SECTION 259. 20.115 (4) (cm) of the statutes is created to read:

20.115 **(4)** (cm) *Water stewardship certification grants.* As a continuing appropriation, the amounts in the schedule for water certification grants under s. 93.485.

SECTION 260. 20.115 (4) (d) of the statutes is repealed.

SECTION 261. 20.115 (4) (dm) of the statutes is repealed.

SECTION 262. 20.115 (4) (f) of the statutes is created to read:

20.115 **(4)** (f) *Agricultural assistance programs.* Biennially, the amounts in the schedule to provide grants under ss. 93.40 (1) (g) and 93.60 to 93.68.

SECTION 263. 20.115 (7) (cm) of the statutes is created to read:

20.115 **(7)** (cm) *Nitrogen optimization pilot program.* As a continuing appropriation, the amounts in the schedule for the nitrogen optimization pilot program under s. 93.77.

SECTION 264. 20.115 (7) (f) of the statutes is created to read:

20.115 **(7)** (f) *Soil and water management; climate change personnel.* The amounts in the schedule for support of county land conservation personnel under the soil and water resource management program for the purpose described under s. 92.14 (3) (a) 4m.

SECTION 265. 20.115 (7) (gc) of the statutes is amended to read:

20.115 **(7)** (gc) *Industrial hemp and marijuana.* All moneys received under s. 94.55 for regulation of activities relating to industrial hemp under s. 94.55 and to marijuana under s. 94.56.

SECTION 266. 20.115 (7) (ge) of the statutes is created to read:

20.115 **(7)** (ge) *Marijuana producers and processors; official logotype.* All moneys received under s. 94.56 for regulation of activities relating to marijuana

under s. 94.56, for conducting public awareness campaigns under s. 94.56, and for the creation of a logotype under s. 100.145.

SECTION 267. 20.115 (7) (qf) of the statutes is amended to read:

20.115 **(7)** (qf) *Soil and water management; aids.* From the environmental fund, the amounts in the schedule for cost–sharing grants and contracts under the soil and water resource management program under s. 92.14, but not for the support of local land conservation personnel~~, and~~; for producer–led watershed protection grants under s. 93.59; for regenerative agriculture grants under s. 93.75; and for conservation grants under 93.76. The department shall allocate funds, in an amount that does not exceed ~~$750,000~~ $1,000,000 in each fiscal year, for the producer–led watershed protection grants; shall allocate funds, in an amount that does not exceed $370,000 in each fiscal year, for the regenerative agriculture grants; and shall allocate funds, in an amount that does not exceed $320,000 in each fiscal year, for the conservation grants.

SECTION 268. 20.115 (7) (tm) of the statutes is amended to read:

20.115 **(7)** (tm) *Farmland preservation planning grants, working lands fund.* From the working lands fund, the amounts in the schedule for farmland preservation planning grants under s. 91.10 (6) and for farmland preservation implementation grants under s. 91.10 (7).

SECTION 269. 20.115 (7) (u) of the statutes is created to read:

20.115 **(7)** (u) *Planning grants for regional biodigesters.* From the environmental fund, the amounts in the schedule for providing planning grants for establishing regional biodigesters.

SECTION 270. 20.144 (1) (g) of the statutes is amended to read:

20.144 **(1)** (g) *General program operations.* The amounts in the schedule for the general program operations of the department of financial institutions. Except as provided in pars. (a), (h), (i), (j), and (u) and ~~sub.~~ subs. (3) and (4), all moneys received by the department, other than by the office of credit unions and the division of banking, and 88 percent of all moneys received by the office of credit unions and the department's division of banking shall be credited to this appropriation, but any balance at the close of a fiscal year under this appropriation shall lapse to the general fund. Annually, ~~$150,000~~ $190,000 of the amounts received under this appropriation account shall be transferred to the appropriation account under s. 20.575 (1) (g).

SECTION 271. 20.144 (1) (k) of the statutes is created to read:

20.144 **(1)** (k) *Interagency and intra-agency programs.* All moneys received from other state agencies and all moneys received by the department from the department for the administration of programs or projects for which received.

SECTION 272. 20.144 (1) (n) of the statutes is created to read:

20.144 **(1)** (n) *Federal funds.* All moneys received from the federal government as authorized by the governor under s. 16.54 for the purposes for which made and received, except moneys credited to par. (m).

SECTION 273. 20.144 (4) (title) of the statutes is created to read:

20.144 **(4)** (title) SMALL BUSINESS RETIREMENT SAVINGS PROGRAM.

SECTION 274. 20.144 (4) (a) of the statutes is created to read:

20.144 **(4)** (a) *General program operations.* The amounts in the schedule for the small business retirement savings program under s. 224.56.

SECTION 275. 20.144 (4) (g) of the statutes is created to read:

20.144 **(4)** (g) *Program operations; other funds.* All moneys received for the small business retirement savings program under s. 224.56, for the purposes for which received.

SECTION 276. 20.145 (1) (a) of the statutes is created to read:

20.145 **(1)** (a) *State operations.* The amounts in the schedule for general program operations.

SECTION 277. 20.145 (1) (g) (intro.) of the statutes is amended to read:

20.145 **(1)** (g) *General program operations.* (intro.) The amounts in the schedule for general program operations, including organizational support services and oversight of care management organizations, development of a public option health insurance plan, and operation of a state–based exchange under s. 601.59, and for transferring to the appropriation account under s. 20.435 (4) (kv) the amount allocated by the commissioner of insurance. Notwithstanding s. 20.001 (3) (a), at the end of each fiscal year, the unencumbered balance in this appropriation account that exceeds 10 percent of that fiscal year's expenditure under this appropriation shall lapse to the general fund. All of the following shall be credited to this appropriation account:

SECTION 278. 20.145 (1) (g) 4. of the statutes is created to read:

20.145 **(1)** (g) 4. All moneys received from the regulation of pharmacy benefit managers, pharmacy benefit management brokers, pharmacy benefit management consultants, pharmacy services administration organizations, and pharmaceutical sales representatives.

SECTION 279. 20.145 (1) (g) 5. of the statutes is created to read:

20.145 **(1)** (g) 5. All moneys received under s. 601.59.

SECTION 280. 20.155 (1) (c) of the statutes is created to read:

20.155 **(1)** (c) *State broadband office and planning and line extension grants; general purpose revenue.* The amounts in the schedule for the operations of the state broadband office within the public service commission, for broadband planning grants under s. 196.504 (2g), and for financial assistance grants for broadband line extension under s. 196.504 (2r).

SECTION 281. 20.155 (3) (a) of the statutes is created to read:

20.155 **(3)** (a) *Broadband expansion grants; general purpose revenue.* The amounts in the schedule for broadband expansion grants under s. 196.504 (2).

SECTION 282. 20.155 (3) (r) of the statutes is amended to read:

20.155 **(3)** (r) *Broadband expansion grants; transfers.* From the universal service fund, all moneys transferred under s. 196.218 (3) (a) 2s. a., 2015 Wisconsin Act 55, section 9236 (1v), 2017 Wisconsin Act 59, section 9237 (1) and (2) (a), and 2019 Wisconsin Act 9, section 9201 (1), for broadband expansion grants under s. 196.504 (2).

SECTION 283. 20.155 (3) (rm) of the statutes is amended to read:

20.155 **(3)** (rm) *Broadband grants; other funding.* From the universal service fund, as a continuing appropriation, all moneys transferred under s. 196.218 (3) (a) 2s. b., for broadband expansion grants under s. 196.504 (2).

SECTION 284. 20.165 (1) (kf) of the statutes is created to read:

20.165 **(1)** (kf) *Interagency and intra–agency programs.* All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under pars. (k) to (ke) for the administration of programs or projects for which received.

SECTION 285. 20.165 (2) (j) of the statutes, as affected by 2017 Wisconsin Act 331, section 2, is amended to read:

20.165 **(2)** (j) *Safety and building operations.* The amounts in the schedule for the purposes of chs. 101 and 145 and ss. 167.35, 236.12 (2) (ap), 236.13 (1) (d) and (2m), and 236.335 and for the purpose of transferring the amounts in the schedule under par. (kf) to the appropriation account under par. (kf). All moneys received under ch. 145 and ss. 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4), 101.955 (2), 167.35 (2) (f), and 236.12 (7) shall be credited to this appropriation account.

SECTION 286. 20.165 (2) (kf) of the statutes is created to read:

20.165 **(2)** (kf) *Private on–site wastewater treatment system replacement and rehabilitation.* As a continuing appropriation, the amounts in the schedule for financial assistance under the private on–site wastewater treatment system replacement and rehabilitation program under s. 145.246. All moneys transferred from par. (j) shall be credited to this appropriation account.

SECTION 287. 20.192 (1) (a) of the statutes is amended to read:

20.192 **(1)** (a) *Operations and programs.* A sum sufficient in each fiscal year equal to the amount obtained by subtracting from $56,550,700 in fiscal year 2021–22, $51,550,700 in fiscal year 2022–23, and $41,550,700 in each fiscal year thereafter an amount equal to the sum of the amounts expended in that fiscal year from the appropriations under pars. (r) and (s), for the operations of the Wisconsin Economic Development Corporation and for funding economic development programs developed and implemented under s. 238.03. No more than $16,512,500 may be expended from this appropriation in any fiscal year, except that no more than $25,012,500 may be expended from this appropriation in fiscal year 2021–22 and no more than $20,012,500 may be expended from this appropriation in fiscal year

2022–23, and moneys may be expended from this appropriation only if there are no unencumbered moneys available in the appropriation account under par. (r).

SECTION 288. 20.192 (1) (ar) of the statutes is created to read:

20.192 **(1)** (ar) *Small business pandemic recovery programs.* Biennially, the amounts in the schedule for programs under s. 238.137 to assist small businesses in recovery from the COVID–19 global pandemic.

SECTION 289. 20.192 (1) (c) of the statutes is created to read:

20.192 **(1)** (c) *Venture capital fund of funds program.* As a continuing appropriation, the amounts in the schedule to meet the financial needs of the venture capital fund of funds program established under s. 238.145 (2), including management fees and the amounts necessary to make investments through the program.

SECTION 290. 20.192 (1) (km) of the statutes is created to read:

20.192 **(1)** (km) *Tribal economic development.* The amounts in the schedule for the purpose of promoting small business economic development benefiting American Indian tribes or bands in this state under s. 238.29. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 28. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 291. 20.192 (1) (r) of the statutes is amended to read:

20.192 **(1)** (r) *Economic development fund; operations and programs.* From the economic development fund, ~~after deducting the amounts appropriated from that fund~~ as a continuing appropriation, all moneys not expended under s. 20.566 (1) (q), ~~all moneys received from the deposits made under s. 77.97,~~ for the operations of the

Wisconsin Economic Development Corporation and for funding the economic development programs it administers.

SECTION 292. 20.192 (1) (t) of the statutes is created to read:

20.192 **(1)** (t) *Underserved community grants.* From the community reinvestment fund, the amounts in the schedule for the purpose of providing underserved community grants under s. 238.139.

SECTION 293. 20.235 (1) (e) (title) of the statutes is amended to read:

20.235 **(1)** (e) (title) *Minnesota–Wisconsin public vocational school student reciprocity agreement.*

SECTION 294. 20.235 (2) (k) of the statutes is created to read:

20.235 **(2)** (k) *General program operations — service funds.* All moneys received from other state agencies to carry out the purposes for which received.

SECTION 295. 20.255 (1) (hg) of the statutes is amended to read:

20.255 **(1)** (hg) *Personnel licensure, teacher supply, information and analysis and teacher improvement.* ~~The amounts in the schedule~~ All moneys received from the licensure of school and public library personnel under s. 115.28 (7) (d) and all moneys received under s. 115.41, to fund licensure administrative costs under ~~s.~~ ss. 115.28 (7) (d) and 118.19 (10), teacher supply, information and analysis costs under s. 115.29 (5), and teacher improvement under s. 115.41. ~~Ninety percent of all moneys received from the licensure of school and public library personnel under s. 115.28 (7) (d), and all moneys received under s. 115.41, shall be credited to this appropriation.~~

SECTION 296. 20.255 (2) (ac) of the statutes is amended to read:

20.255 **(2)** (ac) *General equalization aids.* ~~The amounts in the schedule~~ A sum sufficient equal to, in the 2022–23 fiscal year and biennially thereafter, the amount determined by the joint committee on finance under s. 121.075 (3) and, in the

2021–22 fiscal year and biennially thereafter, the amount determined by law for the payment of educational aids under ss. 121.08, 121.09, 121.095, and 121.105, ~~121.137~~ and subch. VI of ch. 121.

SECTION 297. 20.255 (2) (ap) of the statutes is repealed.

SECTION 298. 20.255 (2) (az) of the statutes is amended to read:

20.255 **(2)** (az) *Special Needs Scholarship Program.* A sum sufficient to make the payments under s. 115.7915 (4m) (a)~~, (cm),~~ and (e) and (4p).

SECTION 299. 20.255 (2) (b) of the statutes is amended to read:

20.255 **(2)** (b) *Aids for special education and school age parents programs.* ~~The amounts in the schedule~~ A sum sufficient for the payment of the full cost of special education for children in hospitals and convalescent homes under s. 115.88 (4) and for the payment of aids for special education and school age parents programs ~~under ss. 115.88, 115.93 and 118.255~~ as provided under s. 115.882.

SECTION 300. 20.255 (2) (cc) of the statutes is amended to read:

20.255 **(2)** (cc) ~~*Bilingual–bicultural education aids*~~ *English learner categorical aid.* The amounts in the schedule for ~~bilingual–bicultural education programs~~ aid under ~~subch. VII of ch. 115~~ s. 115.995.

SECTION 301. 20.255 (2) (cg) of the statutes is amended to read:

20.255 **(2)** (cg) *Tuition payments; full–time open enrollment transfer payments.* The amounts in the schedule for payment of tuition under subch. V of ch. 121 and full–time open enrollment transfer payments under s. 118.51 (16) (b) 2. and (17) (c) 2. ~~and (cm) 2.~~

SECTION 302. 20.255 (2) (ch) of the statutes is created to read:

20.255 **(2)** (ch) *Capacity–building grants for licensed educators.* The amounts in the schedule for grants to increase licensure of bilingual teachers and teachers of English as a 2nd language under s. 115.958.

SECTION 303. 20.255 (2) (co) of the statutes is created to read:

20.255 **(2)** (co) *Supplemental nutrition aid.* A sum sufficient for payments under s. 115.342.

SECTION 304. 20.255 (2) (cv) of the statutes is created to read:

20.255 **(2)** (cv) *Driver education aid.* A sum sufficient for driver education aid for qualified driver education providers under s. 121.42.

SECTION 305. 20.255 (2) (cx) of the statutes is created to read:

20.255 **(2)** (cx) *Aid for transportation; early college credit program.* The amounts in the schedule to reimburse parents and guardians under s. 118.55 (7g) for the transportation of pupils attending a course at an institution of higher education and taking the course for high school credit.

SECTION 306. 20.255 (2) (cy) of the statutes is amended to read:

20.255 **(2)** (cy) *Aid for transportation; open enrollment ~~and early college credit program~~.* The amounts in the schedule to reimburse parents for the costs of transportation of open enrollment pupils under ss. 118.51 (14) (b) and 118.52 (11) (b) ~~and for the payment of state aid under s. 118.55 (7g) for the transportation of pupils attending a course at an institution of higher education and receiving credit for the course under s. 118.55 (3) (b)~~.

SECTION 307. 20.255 (2) (da) of the statutes is amended to read:

20.255 **(2)** (da) ~~*Aid for school mental*~~ *Mental health ~~programs~~ and pupil wellness aid.* The amounts in the schedule for aid to ~~school districts and independent charter schools~~ employ, hire, and retain pupil services professionals under s. 115.364.

SECTION 308. 20.255 (2) (dk) of the statutes is created to read:

20.255 **(2)** (dk) *Out–of–school time programs; grants.* As a continuing appropriation, the amounts in the schedule for out–of–school time program grants under s. 115.449.

SECTION 309. 20.255 (2) (dn) of the statutes is created to read:

20.255 **(2)** (dn) *Computer science licensure; grants.* The amounts in the schedule for grants under s. 115.435 to assist school district employees in obtaining licenses or permits to teach computer science.

SECTION 310. 20.255 (2) (dv) of the statutes is created to read:

20.255 **(2)** (dv) *Energy efficiency projects; grants.* Biennially, the amounts in the schedule for grants to school districts under s. 115.457.

SECTION 311. 20.255 (2) (eh) of the statutes is renumbered 20.437 (2) (eh) and amended to read:

20.437 **(2)** (eh) *Head start supplement.* The amounts in the schedule for the head start supplement under s. ~~115.3615~~ 49.39.

SECTION 312. 20.255 (2) (fm) of the statutes is amended to read:

20.255 **(2)** (fm) *Charter schools.* A sum sufficient to make the payments to charter schools under s. 118.40 (2r) (e)~~, (f),~~ and (fm).

SECTION 313. 20.255 (2) (fp) of the statutes is amended to read:

20.255 **(2)** (fp) *Charter schools; former office of educational opportunity.* A sum sufficient to make the payments to charter schools under s. 118.40 (2x) (e) 1. and (em). No moneys may be encumbered from this appropriation after the chancellor of the University of Wisconsin–Madison has provided the notice under s. 36.09 (3) (d) 3.

SECTION 314. 20.255 (2) (fq) of the statutes is amended to read:

20.255 **(2)** (fq) *Charter schools; former office of educational opportunity recovery charter schools.* A sum sufficient to make the payments to charter schools under s. 118.40 (2x) (e) 1m. No moneys may be encumbered from this appropriation after the chancellor of the University of Wisconsin–Madison has provided the notice under s. 36.09 (3) (d) 3.

SECTION 315. 20.255 (2) (fs) of the statutes is repealed.

SECTION 316. 20.255 (2) (kg) of the statutes is created to read:

20.255 **(2)** (kg) *Grants to replace certain race-based nicknames, logos, mascots, and team names.* The amounts in the schedule for grants to school boards under s. 118.134 (6). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 29. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 317. 20.255 (2) (r) of the statutes is created to read:

20.255 **(2)** (r) *Sparsity aid; community reinvestment fund supplement.* From the community reinvestment fund, the amounts in the schedule for sparsity aid to school districts under s. 115.436.

SECTION 318. 20.255 (3) (bm) of the statutes is created to read:

20.255 **(3)** (bm) *General educational development test fee payments.* A sum sufficient for payments to GED Testing Service LLC under s. 115.28 (66) (a).

SECTION 319. 20.255 (3) (dg) of the statutes is created to read:

20.255 **(3)** (dg) *Recollection Wisconsin.* The amounts in the schedule for payments to the Wisconsin Library Services, Inc., under s. 115.28 (28).

SECTION 320. 20.255 (3) (fv) of the statutes is created to read:

20.255 **(3)** (fv) *City Year Milwaukee.* The amounts in the schedule for payments under s. 115.28 (68) to support City Year Milwaukee.

SECTION 321. 20.285 (1) (ar) of the statutes is created to read:

20.285 **(1)** (ar) *Freshwater collaborative.* As a continuing appropriation, the amounts in the schedule to provide funding for a freshwater collaborative under s. 36.25 (16).

SECTION 322. 20.285 (1) (bm) of the statutes is created to read:

20.285 **(1)** (bm) *Partnership program for the Lake Superior Research Institute.* The amounts in the schedule for the partnership program under s. 36.25 (40).

SECTION 323. 20.285 (1) (bt) of the statutes is created to read:

20.285 **(1)** (bt) *Missing-in-Action Recovery and Identification Project.* As a continuing appropriation, the amounts in the schedule for the purposes specified in 2021 Wisconsin Act .... (this act), section 9147 (2).

SECTION 324. 20.285 (1) (cg) of the statutes is created to read:

20.285 **(1)** (cg) *Baccalaureate degree program for prisoners.* The amounts in the schedule for the baccalaureate degree program for prisoners under s. 36.25 (17).

SECTION 325. 20.285 (1) (cm) of the statutes is created to read:

20.285 **(1)** (cm) *Additional student health services.* The amounts in the schedule to provide additional or improved student health services related to mental and behavioral health, including additional or improved staffing, training, operations, assessment, and prevention.

SECTION 326. 20.285 (1) (cr) of the statutes is created to read:

20.285 **(1)** (cr) *Foster youth support programs.* The amounts in the schedule to provide funding for former foster youth support programs under s. 36.25 (43).

SECTION 327. 20.285 (1) (f) of the statutes is created to read:

20.285 **(1)** (f) *Nurse educators.* As a continuing appropriation, the amounts in the schedule to fund the costs of the program established under s. 36.615 (1).

SECTION 328. 20.285 (1) (fm) of the statutes is created to read:

20.285 **(1)** (fm) *UniverCity Alliance program.* The amounts in the schedule for the purposes specified in s. 36.25 (56).

SECTION 329. 20.285 (1) (fv) of the statutes is created to read:

20.285 **(1)** (fv) *Tuition promise grant program.* The amounts in the schedule for the tuition grants as specified in s. 36.50.

SECTION 330. 20.285 (1) (gb) of the statutes is amended to read:

20.285 **(1)** (gb) *General program operations.* All moneys received from the operation of educational programs and related programs and as earnings from investments under s. 36.11 (11m) to carry out the purposes for which received, including the transfer of funds to par. (gj), and for payment of any reimbursement obligation under s. 36.27 (2r) (e). In each fiscal year, the Board of Regents shall transfer no more than $30,338,500 from this appropriation account to the medical assistance trust fund.

SECTION 331. 20.285 (1) (h) of the statutes is created to read:

20.285 **(1)** (h) *Extensions of credit.* All moneys received as proceeds of extensions of credit under s. 36.11 (59) or transferred under s. 36.11 (59) (g) to carry out the purposes specified in s. 36.11 (59) (b) and for the repayment of any obligation arising under s. 36.11 (59).

SECTION 332. 20.320 (1) (sm) of the statutes is repealed.

SECTION 333. 20.320 (2) (a) of the statutes is created to read:

20.320 **(2)** (a) *Lead service line replacement.* As a continuing appropriation, the amounts in the schedule for lead service line replacement loans under s. 281.61 (8) (b).

SECTION 334. 20.370 (1) (ed) of the statutes is created to read:

20.370 **(1)** (ed) *Parks – admission receipt fee waivers.* From the general fund, a sum sufficient equal to the amount of the annual vehicle admission receipt fees waived under s. 27.01 (9) (bg), for the operation of state parks.

SECTION 335. 20.370 (1) (gb) of the statutes is amended to read:

20.370 **(1)** (gb) *Education programs — program fees.* ~~Biennially, from~~ From the general fund, ~~the amounts in the schedule~~ all moneys received from fees collected under s. 23.425 for department educational activities at the MacKenzie environmental center. ~~All moneys received from fees collected under s. 23.425 for the use of the center shall be credited to this appropriation.~~

SECTION 336. 20.370 (1) (hk) of the statutes is repealed.

SECTION 337. 20.370 (1) (hy) of the statutes is created to read:

20.370 **(1)** (hy) *Elk management.* The amounts in the schedule for the costs associated with the management of the elk population in this state and for the costs associated with the transportation of elk brought into the state.

SECTION 338. 20.370 (1) (Lk) of the statutes is repealed.

SECTION 339. 20.370 (1) (Lw) of the statutes is created to read:

20.370 **(1)** (Lw) *Reintroduction of whooping cranes.* The amounts in the schedule for the costs associated with reintroducing whooping cranes into the state.

SECTION 340. 20.370 (3) (ak) of the statutes is repealed.

SECTION 341. 20.370 (3) (ca) of the statutes is amended to read:

20.370 **(3)** (ca) *Law enforcement — ~~radios~~ technology; state funds.* Biennially, from the general fund, the amounts in the schedule for acquiring law enforcement ~~radios~~ technology.

SECTION 342. 20.370 (3) (cq) of the statutes is amended to read:

20.370 **(3)** (cq) *Law enforcement — ~~radios~~ technology; environmental fund.* Biennially, from the environmental fund, the amounts in the schedule for acquiring law enforcement ~~radios~~ technology.

SECTION 343. 20.370 (3) (cr) of the statutes is amended to read:

20.370 **(3)** (cr) *Law enforcement — ~~radios~~ technology; conservation fund.* Biennially, the amounts in the schedule for acquiring law enforcement ~~radios~~ technology.

SECTION 344. 20.370 (4) (kf) of the statutes is created to read:

20.370 **(4)** (kf) *Aquatic plant management.* From the general fund, all moneys received from aquatic plant management permit fees under s. 23.24 (3) (c) for the aquatic plant management permit program under s. 23.24 (3).

SECTION 345. 20.370 (4) (mt) of the statutes is amended to read:

20.370 **(4)** (mt) *General program operations — environmental improvement programs; state funds.* From the environmental improvement fund, the amounts in the schedule for general program operations under s. 281.58, 281.59, ~~281.60,~~ 281.61, 281.62, or 283.31 or s. 281.60, 2019 stats.

SECTION 346. 20.370 (4) (mx) of the statutes is amended to read:

20.370 **(4)** (mx) *General program operations — clean water fund program; federal funds.* ~~As a continuing appropriation,~~ All monies received from the clean water fund program federal revolving loan fund account in the environmental

improvement fund~~, the amounts in the schedule~~ for general program operations of the clean water fund program under s. 281.58 or 281.59.

SECTION 347. 20.370 (4) (pr) of the statutes is created to read:

20.370 **(4)** (pr) *PFAS in public water supplies.* From the environmental fund, as a continuing appropriation, the amounts in the schedule for sampling and testing public water supplies for PFAS contamination.

SECTION 348. 20.370 (4) (ps) of the statutes is created to read:

20.370 **(4)** (ps) *PFAS in fire fighting foam.* From the environmental fund, as a continuing appropriation, the amounts in the schedule for the collection and disposal of PFAS–containing fire fighting foam.

SECTION 349. 20.370 (5) (fu) of the statutes is created to read:

20.370 **(5)** (fu) *Deer carcass disposal sites.* As a continuing appropriation, the amounts in the schedule to provide financial assistance under s. 29.063 (7).

SECTION 350. 20.370 (5) (fx) of the statutes is created to read:

20.370 **(5)** (fx) *Sheboygan River dam grant.* As a continuing appropriation, the amounts in the schedule for the Sheboygan River dam grant under s. 30.303.

SECTION 351. 20.370 (5) (gs) of the statutes is created to read:

20.370 **(5)** (gs) *Terrestrial invasive species prevention.* The amounts in the schedule for grants to cooperative invasive species management areas for surveying, monitoring, and controlling terrestrial invasive species.

SECTION 352. 20.370 (6) (cf) of the statutes is created to read:

20.370 **(6)** (cf) *Environmental aids – compensation for well contamination and abandonment – general fund.* The amounts in the schedule to pay compensation under s. 281.75.

SECTION 353. 20.370 (6) (dq) of the statutes is amended to read:

20.370 **(6)** (dq) *Environmental aids — urban nonpoint source.* Biennially, from the environmental fund, the amounts in the schedule to provide financial assistance for urban nonpoint source water pollution abatement and storm water management under s. 281.66 and for municipal flood control and riparian restoration under s. 281.665, for the flood risk reduction pilot project under 2019 Wisconsin Act 157, section 2 (1), and to make the grants under 2009 Wisconsin Act 28, section 9137 (5q) and (6i) ~~and,~~ 2017 Wisconsin Act 59, section 9133 (8t), and 2021 Wisconsin Act.... (this act), section 9132 (8).

SECTION 354. 20.370 (6) (ed) of the statutes is created to read:

20.370 **(6)** (ed) *Environmental aids — PFAS municipal grant program.* As a continuing appropriation, the amounts in the schedule for the municipal grant program under s. 292.66.

SECTION 355. 20.370 (7) (ms) of the statutes is created to read:

20.370 **(7)** (ms) *Pierce County islands wildlife restoration.* From the conservation fund, as a continuing appropriation, the amounts in the schedule for restoration projects in the Pierce County islands wildlife area.

SECTION 356. 20.370 (9) (bj) of the statutes is amended to read:

20.370 **(9)** (bj) *Storm water management — fees.* From the general fund, ~~the amounts in the schedule~~ all moneys received under s. 283.33 (9) and under 2009 Wisconsin Act 28, section 9110 (11f), for the administration, including enforcement, of the storm water discharge permit program under s. 283.33. ~~All moneys received under s. 283.33 (9) and under 2009 Wisconsin Act 28, section 9110 (11f) shall be credited to this appropriation account.~~

SECTION 357. 20.370 (9) (hu) of the statutes is amended to read:

20.370 **(9)** (hu) *Handling and other fees.* All moneys received by the department as provided under ss. 23.33 (2) (i), (ig), and (o) and (2j) (f) 4., 23.335 (4) (hm) and (5) (h), 29.2297, 29.556, 30.52 (1m) (a), (ag), and (e) and (3) (k), 30.537 (4) (g), and 350.12 (3) (f), (3h) (a), (ag), and (g), and (3j) (e) 4. for the issuing of department and federal approvals under ch. 29 and for the issuing and renewing of certificates and registrations by the department ~~under ss. 23.33 (2) (i) and (ig), 30.52 (1m) (a) and (ag), and 350.12 (3h) (a) and (ag)~~.

SECTION 358. 20.370 (9) (jq) of the statutes is amended to read:

20.370 **(9)** (jq) *Off–highway motorcycle administration.* As a continuing appropriation, an amount equal to the amount determined under s. 23.335 (20) (a) in that fiscal year for the purposes specified under s. 23.335 (20) (b) and (d), for issuing and renewing off–highway motorcycle registration under s. 23.335 (3), (4), and (5), for grants under the safety grant program under s. 23.335 (15), and for state and local law enforcement operations related to off–highway motorcycles. All moneys received under s. 23.335 (6) shall be credited to this appropriation account.

SECTION 359. 20.370 (9) (mt) of the statutes is amended to read:

20.370 **(9)** (mt) *Aids administration — environmental improvement programs; state funds.* From the environmental improvement fund, the amounts in the schedule for the administration of ss. 281.58, ~~281.60,~~ 281.61, 281.62, and 283.31 and s. 281.60, 2019 stats.

SECTION 360. 20.370 (9) (pq) of the statutes is created to read:

20.370 **(9)** (pq) *Great Lakes erosion control revolving loan program.* As a continuing appropriation, from the environmental fund, the amounts in the schedule for the Great Lakes erosion control revolving loan program under s. 23.199. All

moneys received as loan origination fees and repayments of loan principal and interest under s. 23.199 shall be credited to this appropriation account.

SECTION 361. 20.380 (1) (kp) of the statutes is created to read:

20.380 **(1)** (kp) *Moneys received from other agencies.* All moneys received from other state agencies to carry out the purposes for which received.

SECTION 362. 20.380 (3) (b) of the statutes is amended to read:

20.380 **(3)** (b) *State aid for the arts.* The amounts in the schedule for grants–in–aid or contract payments to groups, individuals, organizations and institutions by the arts board under s. 41.53 (1) (f) and (2) (a) ~~and;~~ for grants and loans related to arts incubators under s. 41.60; and for creative economy development initiative grants awarded under 2021 Wisconsin Act .... (this act), section 9143 (2).

SECTION 363. 20.380 (3) (cm) of the statutes is created to read:

20.380 **(3)** (cm) *Mass burial monument at University of Wisconsin–Stevens Point.* As a continuing appropriation, the amounts in the schedule to provide the grant under s. 41.53 (1) (k).

SECTION 364. 20.395 (1) (bt) of the statutes is created to read:

20.395 **(1)** (bt) *Transit capital assistance grants.* As a continuing appropriation, the amounts in the schedule for transit capital assistance grants under s. 85.203.

SECTION 365. 20.395 (1) (ck) of the statutes is renumbered 20.395 (1) (ct) and amended to read:

20.395 **(1)** (ct) *Tribal elderly transportation grants.* ~~From the general fund, the~~ The amounts in the schedule for grants under s. 85.215 to American Indian tribes and bands for transportation assistance for the elderly. ~~All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 22. shall be credited to this~~

~~appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).~~

SECTION 366. 20.395 (2) (eq) of the statutes is amended to read:

20.395 **(2)** (eq) *Highway and local bridge improvement assistance, state funds.* As a continuing appropriation, the amounts in the schedule for bridge development, construction, and rehabilitation under s. 84.18, for the development and construction of bridges under ss. 84.12 and 84.17, for payments to local units of government for jurisdictional transfers under s. 84.16, for the improvement of the state trunk highway system under 1985 Wisconsin Act 341, section 6 (1), to provide for the payments specified under 2001 Wisconsin Act 16, section 9152 (3d), ~~and~~ for the payment required under 2015 Wisconsin Act 55, section 9145 (3f), and for the improvement specified under 2021 Wisconsin Act.... (this act), section 9144 (1).

SECTION 367. 20.395 (2) (fc) of the statutes is renumbered 20.395 (2) (fq) and amended to read:

20.395 **(2)** (fq) *Local ~~roads improvement discretionary~~ supplement.* ~~From the general fund, as~~ As a continuing appropriation, the amounts in the schedule for the local ~~roads improvement discretionary supplemental~~ supplement grant program under s. ~~86.31 (3s)~~ 85.0215.

SECTION 368. 20.395 (2) (ft) of the statutes is amended to read:

20.395 **(2)** (ft) *Local roads improvement program; discretionary grants, state funds.* As a continuing appropriation, the amounts in the schedule for the local roads improvement program under s. 86.31 (3g) to (3r), for the payments required under 2007 Wisconsin Act 20, section 9148 (3) and (14qq), and for the ~~grant~~ grants under

2007 Wisconsin Act 20, section 9148 (9z) and 2021 Wisconsin Act .... (this act), section 9144 (2).

SECTION 369. 20.395 (3) (cq) of the statutes is amended to read:

20.395 **(3)** (cq) *State highway rehabilitation, state funds.* As a continuing appropriation, the amounts in the schedule for improvement of existing state trunk and connecting highways; for improvement of bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, for necessary approach work for such bridges and for replacement of such bridges with at–grade crossing improvements; for the construction and rehabilitation of the national system of interstate and defense highways and bridges and related appurtenances; for activities under s. 84.04 on roadside improvements; for bridges under s. 84.10; for the bridge project under s. 84.115; for payment to a local unit of government for a jurisdictional transfer under s. 84.02 (8); for the disadvantaged business demonstration and training program under s. 84.076; for the purpose specified in s. 84.017 (3); for the transfers required under 1999 Wisconsin Act 9, section 9250 (1) and 2003 Wisconsin Act 33, section 9153 (4q); and for the purposes described under 1999 Wisconsin Act 9, section 9150 (8g), 2001 Wisconsin Act 16, section 9152 (4e), ~~and~~ 2007 Wisconsin Act 20, section 9148 (9i) (b) and (9x), and 2021 Wisconsin Act .... (this act), section 9144 (3). This paragraph does not apply to any southeast Wisconsin freeway megaprojects under s. 84.0145, to any southeast Wisconsin freeway rehabilitation projects under s. 84.014 that also qualify as major highway projects under s. 84.013, or to the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, or intelligent transportation systems, unless incidental to the improvement of existing state trunk and connecting highways.

SECTION 370. 20.395 (4) (fa) of the statutes is created to read:

20.395 **(4)** (fa) *Airport sound mitigation grant program; state funds.* As a continuing appropriation, from the general fund, the amounts in the schedule for the airport sound mitigation grant program under s. 114.138.

SECTION 371. 20.395 (6) (aq) of the statutes is amended to read:

20.395 **(6)** (aq) *Principal repayment and interest, transportation facilities, state highway rehabilitation, major highway projects, electric vehicle infrastructure projects, local infrastructure grants, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of transportation facilities under ss. 84.51, 84.52, 84.53, 85.08 (2) (L) and (4m) (c) and (d), 85.09, and 85.095 (2), state highway rehabilitation projects, as provided under ss. 20.866 (2) (uut) and (uuv) and 84.57, major highway projects, as provided under ss. 20.866 (2) (uus) and (uuv) and 84.56, ~~and~~ major interstate bridge projects, as provided under ss. 20.866 (2) (ugm) and 84.016, funding electric vehicle infrastructure projects under ss. 20.866 (2) (usd) and 85.53, local road aids for critical infrastructure grants, as provided under ss. 20.866 (2) (usb) and 86. 35, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 372. 20.395 (6) (au) of the statutes is amended to read:

20.395 **(6)** (au) *Principal repayment and interest, southeast rehabilitation projects, southeast megaprojects, and high–cost bridge projects, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the Marquette interchange reconstruction project, the reconstruction of the I 94 north–south corridor and the zoo interchange, southeast

Wisconsin freeway megaprojects, and high–cost state highway bridge projects, as provided under ss. 20.866 (2) (uup) and (uuv) and 84.555, and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a).

SECTION 373. 20.410 (1) (a) of the statutes is amended to read:

20.410 **(1)** (a) *General program operations.* The amounts in the schedule to operate institutions and provide field services and administrative services. No payments may be made under this paragraph for payments in accordance with other states party to the interstate corrections compact under s. 302.25. Annually, there is transferred from this appropriation account to the appropriation account under par. (ki) the amount of cost savings attributable to this account reported under ss. 301.03 (6s) (a) and 302.05 (4) (b) 4., and the amount of cost savings attributable to this account from reduced days of incarceration that resulted from the earned compliance credit under s. 973.156, as reported by the department under s. 301.03 (6s) (b).

SECTION 374. 20.410 (1) (ab) of the statutes is amended to read:

20.410 **(1)** (ab) *Corrections contracts and agreements.* The amounts in the schedule for payments made in accordance with contracts entered into under ss. 301.21, 302.25, and 302.27 (1), contracts entered into with the federal government under 18 USC 5003, and intra–agency agreements relating to the placement of prisoners. Annually, there is transferred from this appropriation account to the appropriation account under par. (ki) the amount of cost savings attributable to this account reported under ss. 301.03 (6s) (a) and 302.05 (4) (b) 4., and the amount of cost savings attributable to this account from reduced days of incarceration that resulted from the earned compliance credit under s. 973.156, as reported by the department under s. 301.03 (6s) (b).

SECTION 375. 20.410 (1) (b) of the statutes is amended to read:

20.410 **(1)** (b) *Services for community corrections.* The amounts in the schedule to provide services related to probation, extended supervision and parole, the intensive sanctions program under s. 301.048, the community residential confinement program under s. 301.046, programs of intensive supervision of adult offenders and minimum security correctional institutions established under s. 301.13. No payments may be made under this paragraph for payments in accordance with other states party to the interstate corrections compact under s. 302.25. Annually, there is transferred from this appropriation account to the appropriation account under par. (ki) the amount of cost savings from reduced days of community supervision that resulted from the earned compliance credit under s. 973.156 and early discharge from extended supervision under s. 973.01 (5m), as reported by the department under s. 301.03 (6s) (b).

SECTION 376. 20.410 (1) (c) of the statutes is amended to read:

20.410 **(1)** (c) *Reimbursement claims of counties or municipalities containing state prisons.* A sum sufficient to pay all valid claims made by ~~county~~ clerks of counties, cities, villages, and towns containing state prisons as provided in s. 16.51 (7).

SECTION 377. 20.410 (1) (ki) of the statutes is created to read:

20.410 **(1)** (ki) *Training programs for inmates, recidivism reduction services, and community supervision.* All moneys transferred from the appropriation accounts under pars. (a), (ab), and (b) to provide vocational readiness training programs that qualify for the earned release program under s. 302.05, to provide services to persons who are on probation, or who are soon to be or are currently on

parole or extended supervision, following a felony conviction, in an effort to reduce recidivism, and to reduce caseloads for community supervision officers.

SECTION 378. 20.410 (3) (c) of the statutes is amended to read:

20.410 **(3)** (c) *Reimbursement claims of counties or municipalities containing juvenile correctional facilities.* A sum sufficient to pay all valid claims made by ~~county~~ clerks of counties, cities, villages, or towns containing state juvenile correctional facilities as provided in s. 16.51 (7).

SECTION 379. 20.410 (3) (fz) of the statutes is created to read:

20.410 **(3)** (fz) *Juvenile correction services; deficit relief.* The amounts in the schedule for juvenile correctional services specified in ss. 49.45 (25) (bj) and 301.26 (4) (c) and (d) if the amount in the appropriation account under s. 20.410 (3) (hm) is insufficient for this purpose.

SECTION 380. 20.425 (1) (i) of the statutes is amended to read:

20.425 **(1)** (i) *Fees, collective bargaining training, publications, and appeals.* The amounts in the schedule for the performance of fact–finding, mediation, certification, and arbitration functions, for the provision of copies of transcripts, for the cost of operating training programs under ss. 111.09 (3), 111.71 (5m), and 111.94 (3), for the preparation of publications, transcripts, reports, and other copied material, and for costs related to conducting appeals under s. 230.45. All moneys received under ss. 111.09 (1) and (2), ~~111.70 (4) (d) 3. b.,~~ 111.71 (1) and (2), ~~111.83 (3) (b),~~ 111.94 (1) and (2), and 230.45 (3), all moneys received from arbitrators and arbitration panel members, and individuals who are interested in serving in such positions, and from individuals and organizations who participate in other collective bargaining training programs conducted by the commission, and all moneys received

from the sale of publications, transcripts, reports, and other copied material shall be credited to this appropriation account.

SECTION 381. 20.435 (1) (cd) of the statutes is created to read:

20.435 **(1)** (cd) *Spinal cord injury research.* A sum sufficient not to exceed $3,000,000 for grants and symposia under s. 255.45 (2) and (3).

SECTION 382. 20.435 (1) (cr) of the statutes is amended to read:

20.435 **(1)** (cr) *Minority health grants.* The amounts in the schedule for the minority health program under s. 250.20 (3) and (4), for the Black women's health grants under s. 250.20 (7), and for the infant and maternal mortality grants under s. 250.20 (8).

SECTION 383. 20.435 (1) (cv) of the statutes is created to read:

20.435 **(1)** (cv) *Health equity grants*. The amounts in the schedule for health equity grants under s. 250.22.

SECTION 384. 20.435 (1) (r) of the statutes is created to read:

20.435 **(1)** (r) *Health equity grants; community reinvestment fund*. From the community reinvestment fund, the amounts in the schedule for health equity grants under s. 250.22.

SECTION 385. 20.435 (2) (cm) (title) of the statutes is amended to read:

20.435 **(2)** (cm) (title) *Grant program; ~~inpatient psychiatric~~ mental health beds*.

SECTION 386. 20.435 (4) (b) of the statutes is amended to read:

20.435 **(4)** (b) *Medical Assistance program benefits.* Biennially, the amounts in the schedule to provide a portion of the state share of Medical Assistance program benefits administered under subch. IV of ch. 49, for a portion of the Badger Care health care program under s. 49.665, to provide a portion of the Medical Assistance program benefits administered under subch. IV of ch. 49 that are not also provided

under par. (o), to provide payments to federally recognized American Indian tribes or bands in this state under and for the administration of s. 49.45 (5g), to provide a portion of the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers under s. 46.283, for services under the family care benefit under s. 46.284 (5), for the community options program under s. 46.27, 2017 stats., for assisting victims of diseases, as provided in ss. 49.68, 49.683, and 49.685, and for reduction of any operating deficits as specified in 2005 Wisconsin Act 15, section 3. Notwithstanding s. 20.002 (1), the department may transfer from this appropriation account to the appropriation account under sub. (5) (kc) funds in the amount of and for the purposes specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this appropriation account and may transfer between fiscal years funds that it transfers from the appropriation account under sub. (5) (kc) for the purposes specified in s. 46.485 (3r).

SECTION 387. 20.435 (4) (bh) of the statutes is created to read:

20.435 **(4)** (bh) *Behavioral health technology grants.* The amounts in the schedule to provide grants to behavioral health providers to implement electronic health records systems and connect to health information exchanges.

SECTION 388. 20.435 (4) (bq) of the statutes is repealed.

SECTION 389. 20.435 (4) (bt) of the statutes is amended to read:

20.435 **(4)** (bt) *Healthy eating ~~incentive pilot program~~ incentives.* As a continuing appropriation, the amounts in the schedule to contract with an entity to administer the healthy eating incentive program under s. 49.79 (7r). ~~No moneys may be expended under this paragraph after December 31, 2019, except for moneys encumbered on or before that date~~ and to provide electronic benefit transfer

processing equipment and services to farmer's markets and farmers who sell directly to consumers.

SECTION 390. 20.435 (4) (jw) of the statutes is amended to read:

20.435 **(4)** (jw) *BadgerCare Plus and hospital assessment.* All ~~moneys received from payment of enrollment fees under the program under s. 49.45 (23), all~~ moneys transferred under s. 50.38 (9), all moneys transferred from the appropriation account under par. (jz), and 10 percent of all moneys received from penalty assessments under s. 49.471 (9) (c), ~~for administration of the program under s. 49.45 (23),~~ to provide a portion of the state share of administrative costs for the BadgerCare Plus Medical Assistance program under s. 49.471~~,~~ and for administration of the hospital assessment under s. 50.38.

SECTION 391. 20.435 (5) (bf) of the statutes is amended to read:

20.435 **(5)** (bf) ~~*Brighter futures initiative*~~ *Grants for youth services.* The amounts in the schedule to be transferred to the appropriation account under s. 20.437 (1) (kb) for ~~the brighter futures initiative under s. 48.545~~ grants for youth services under s. 48.481.

SECTION 392. 20.435 (5) (bh) of the statutes is created to read:

20.435 **(5)** (bh) *Training for methamphetamine addiction treatment.* The amounts in the schedule for grants to provide trainings to substance use disorder treatment providers on treatment models for methamphetamine addiction.

SECTION 393. 20.435 (5) (ch) of the statutes is created to read:

20.435 **(5)** (ch) *Crisis response grants.* The amounts in the schedule for grants for crisis response under s. 51.035.

SECTION 394. 20.435 (5) (cj) of the statutes is created to read:

20.435 **(5)** (cj) *County crisis call center support grants.* The amounts in the schedule for awarding grants for county crisis call center support under s. 46.537.

SECTION 395. 20.437 (1) (bc) of the statutes is amended to read:

20.437 **(1)** (bc) *Grants for ~~children's community programs~~ youth services.* The amounts in the schedule for grants for ~~children's community programs~~ youth services under s. 48.481. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All moneys under this appropriation account that are distributed under s. 48.481 but are not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless carried forward to the next calendar year by the joint committee on finance.

SECTION 396. 20.437 (1) (bg) of the statutes is amended to read:

20.437 **(1)** (bg) *Grants to support foster parents and children.* The amounts in the schedule for grants by the department of children and families under ~~2017 Wisconsin Act 260, section 3~~ s. 48.53.

SECTION 397. 20.437 (1) (bm) of the statutes is created to read:

20.437 **(1)** (bm) *Safety promotion and placement prevention services.* The amounts in the schedule to provide services that are determined by the department or a county department, as defined in s. 48.02 (2g), to be necessary for a child to remain safely at home.

SECTION 398. 20.437 (1) (cj) of the statutes is amended to read:

20.437 **(1)** (cj) *Community youth and family aids.* The amounts in the schedule for the improvement and provision of community–based juvenile delinquency–related services under s. 48.526 and juvenile correctional services under s. 301.26 and for reimbursement to counties having a population of less than

750,000 for the cost of court attached intake services as provided in s. 938.06 (4). Disbursements may be made from this appropriation account under s. 49.32 (2). Refunds received relating to payments made under s. 49.32 (2) shall be returned to this appropriation account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of children and families may transfer moneys under this paragraph between fiscal years. Except for moneys authorized to be carried forward under s. 48.526 (3) (dm) or for transfer under s. 48.526 (3) (e), all moneys from this paragraph allocated under s. 48.526 (3) and not spent or encumbered by counties by December 31 of each year shall lapse into the general fund on the succeeding January 1. The joint committee on finance may transfer additional moneys to the next calendar year.

SECTION 399. 20.437 (1) (cL) of the statutes is created to read:

20.437 **(1)** (cL) *Seventeen-year-old juvenile justice aids.* A sum sufficient for the purposes under s. 48.5275.

SECTION 400. 20.437 (1) (cm) of the statutes is amended to read:

20.437 **(1)** (cm) ~~*Community intervention*~~ *Youth justice system improvements program.* The amounts in the schedule for the ~~community intervention~~ youth justice system improvements program under s. 48.528.

SECTION 401. 20.437 (1) (cn) of the statutes is created to read:

20.437 **(1)** (cn) *Youth justice system improvements program; state operations.* The amounts in the schedule for program operations relating to the youth justice system improvements program under s. 48.528.

SECTION 402. 20.437 (1) (e) of the statutes is repealed.

SECTION 403. 20.437 (1) (eg) of the statutes is repealed.

SECTION 404. 20.437 (1) (er) of the statutes is repealed.

SECTION 405. 20.437 (1) (kb) of the statutes is amended to read:

20.437 **(1)** (kb) *Interagency aids; ~~brighter futures initiative~~ grants for youth services*. All moneys transferred from the appropriation account under s. 20.435 (5) (bf) for ~~the brighter futures initiative under s. 48.545~~ grants for youth services under s. 48.481.

SECTION 406. 20.437 (1) (kp) of the statutes is created to read:

20.437 **(1)** (kp) *Youth aids funding for the youth justice system improvements program*. All moneys transferred from the appropriation account under s. 20.437 (1) (cj), as provided under s. 48.526 (3) (e), for the youth justice system improvements program under s. 48.528.

SECTION 407. 20.437 (2) (c) of the statutes is created to read:

20.437 **(2)** (c) *Child care quality improvement program*. The amounts in the schedule for the program under s. 49.133.

SECTION 408. 20.437 (2) (dz) of the statutes is amended to read:

20.437 **(2)** (dz) *Temporary Assistance for Needy Families programs; maintenance of effort*. The amounts in the schedule for administration and benefit payments under Wisconsin Works under ss. 49.141 to 49.161, the learnfare program under s. 49.26, and the work experience program for noncustodial parents under s. 49.36; for payments to local governments, organizations, tribal governing bodies, and Wisconsin Works agencies; for kinship care and long–term kinship care assistance as specified under s. 49.175 (1) (s); for aid payments and local administration with respect to any services or program specified under s. 49.175 (1); and for emergency assistance for needy families ~~with needy children~~ under s. 49.138. Payments may be made from this appropriation account for any contracts under s. 49.845 (4) and for any fraud investigation and error reduction activities under s. 49.197 (1m). Moneys appropriated under this paragraph may be used to match

federal funds received under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. Notwithstanding ss. 20.001 (3) and 20.002 (1), the department of health services shall credit to this appropriation account funds for the purposes of this appropriation that the department transfers from the appropriation account under s. 20.435 (5) (bc). All funds allocated by the department but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

SECTION 409. 20.437 (2) (eg) of the statutes is created to read:

20.437 **(2)** (eg) *Internet assistance program.* The amounts in the schedule for the Internet assistance program under s. 49.168.

SECTION 410. 20.437 (3) (f) of the statutes is created to read:

20.437 **(3)** (f) *Diversity, equity, and inclusion grants.* The amounts in the schedule for awarding grants under s. 48.47 (30).

SECTION 411. 20.437 (3) (r) of the statutes is created to read:

20.437 **(3)** (r) *Diversity, equity, and inclusion grants; community reinvestment fund supplement.* From the community reinvestment fund, the amounts in the schedule for diversity, equity, and inclusion grants under s. 48.47 (20).

SECTION 412. 20.445 (1) (aL) of the statutes is repealed.

SECTION 413. 20.445 (1) (am) of the statutes is created to read:

20.445 **(1)** (am) *Unemployment insurance; general administration.* As a continuing appropriation, the amounts in the schedule for administration of ch. 108.

SECTION 414. 20.445 (1) (ar) of the statutes is created to read:

20.445 **(1)** (ar) *Unemployment insurance; information technology systems; general purpose revenue.* As a continuing appropriation, the amounts in the schedule for the purpose specified in s. 108.19 (1e) (d).

SECTION 415. 20.445 (1) (b) of the statutes is amended to read:

20.445 **(1)** (b) *Workforce training; programs, grants, and services~~, and contracts~~.* The amounts in the schedule for the workforce training programs, grants, and services under s. 106.27 (1), (1g), (1j), (1r), and (1u) ~~and for the costs associated with contracts entered into under s. 47.07~~.

SECTION 416. 20.445 (1) (bm) of the statutes is amended to read:

20.445 **(1)** (bm) *Workforce training; administration.* Biennially, the amounts in the schedule for the administration of the local youth apprenticeship grant program under s. 106.13 (3m), the youth summer jobs program under s. 106.18, the employment transit assistance grant program under s. 106.26, the workforce training ~~program~~ programs under s. 106.27, the teacher development program grants under s. 106.272, the career and technical education incentive grant program under s. 106.273, the technical education equipment grant program under s. 106.275, and the apprentice programs under subch. I of ch. 106.

SECTION 417. 20.445 (1) (bp) of the statutes is created to read:

20.445 **(1)** (bp) *Green jobs training program; grants.* As a continuing appropriation, the amounts in the schedule for green jobs training program grants under s. 106.27 (1p).

SECTION 418. 20.445 (1) (bq) of the statutes is created to read:

20.445 **(1)** (bq) *Pandemic workforce training program; grants.* As a continuing appropriation, the amounts in the schedule for pandemic workforce training program grants under s. 106.27 (1q).

SECTION 419. 20.445 (1) (bv) of the statutes is created to read:

20.445 **(1)** (bv) *Health care recruitment initiative.* Biennially, the amounts in the schedule for the health care recruitment initiative under s. 106.28.

SECTION 420. 20.445 (1) (bw) of the statutes is created to read:

20.445 **(1)** (bw) *Pandemic recovery grants.* As a continuing appropriation, the amounts in the schedule for pandemic recovery grants under s. 106.29.

SECTION 421. 20.445 (1) (cm) of the statutes is created to read:

20.445 (1) (cm) *Worker connection program.* As a continuing appropriation, the amounts in the schedule for worker connection program administration, grants, and contracts under s. 106.274.

SECTION 422. 20.445 (1) (d) of the statutes is amended to read:

20.445 **(1)** (d) *Reimbursement for tuition payments.* The amounts in the schedule to reimburse school districts, charter schools under s. 118.40 (2r) or (2x), and private schools for payments under s. 118.55 (5) (e) 2.

SECTION 423. 20.445 (1) (e) of the statutes is amended to read:

20.445 **(1)** (e) *Local youth apprenticeship grants.* ~~The~~ As a continuing appropriation, the amounts in the schedule for local youth apprenticeship grants under s. 106.13 (3m).

SECTION 424. 20.445 (1) (h) of the statutes is created to read:

20.445 **(1)** (h) *Substance abuse prevention on public works and public utility projects.* All moneys received from fees collected under s. 103.503 (2m) (b) for costs associated with the administration and enforcement of s. 103.503.

SECTION 425. 20.445 (1) (n) of the statutes is amended to read:

20.445 **(1)** (n) *Employment assistance and unemployment insurance administration; federal moneys.* All federal moneys received, as authorized by the

governor under s. 16.54, for the administration of employment assistance and unemployment insurance programs of the department, for the performance of the department's other functions under subch. I of ch. 106 and ch. 108, and to pay the compensation and expenses of appeal tribunals and of employment councils appointed under s. 108.14, to be used for such purposes, except as provided in s. 108.161 (3e), and, from the moneys received by this state under section 903 (d) of the federal Social Security Act, as amended, to transfer to the appropriation account under par. (nb) an amount determined by the treasurer of the unemployment reserve fund not exceeding the lesser of the amount specified in s. 108.161 (4) (d) or the amounts in the schedule under par. (nb), to transfer to the appropriation account under par. (nd) an amount determined by the treasurer of the unemployment reserve fund not exceeding the lesser of the amount specified in s. 108.161 (4) (d) or the amounts in the schedule under par. (nd), to transfer to the appropriation account under par. (ne) an amount not exceeding the lesser of the amount specified in s. 108.161 (4) (d) or the sum of the amounts in the schedule under par. (ne) and the amount determined by the treasurer of the unemployment reserve fund that is required to pay for the cost of banking services incurred by the unemployment reserve fund, and, from any other federal moneys received by this state for the purpose specified in s. 108.19 (1e) (d), to transfer to the appropriation account under par. (nc) an amount determined by the treasurer of the unemployment reserve fund, and to transfer to the appropriation account under s. 20.427 (1) (k) an amount determined by the treasurer of the unemployment reserve fund.

SECTION 426. 20.445 (1) (nb) (title) of the statutes is amended to read:

20.445 **(1)** (nb) (title) *Unemployment administration; information technology systems; other federal moneys*.

SECTION 427. 20.445 (1) (nc) of the statutes is created to read:

20.445 **(1)** (nc) *Unemployment administration; information technology systems; federal moneys.* All moneys transferred from par. (n), for the purpose specified in s. 108.19 (1e) (d).

SECTION 428. 20.445 (1) (ra) of the statutes is amended to read:

20.445 **(1)** (ra) *Worker's compensation operations fund; administration.* From the worker's compensation operations fund, the amounts in the schedule for the administration of the worker's compensation program by the department, for assistance to the department of justice in investigating and prosecuting fraudulent activity related to worker's compensation, for transfer to the uninsured employers fund under s. 102.81 (1) (c), and for transfer to the appropriation accounts under par. (rp) and s. 20.427 (1) (ra). All moneys received under ss. 102.28 (2) (b) and 102.75 (1) shall be credited to this appropriation account. From this appropriation, an amount not to exceed $5,000 may be expended each fiscal year for payment of expenses for travel and research by the council on worker's compensation, an amount not to exceed $500,000 may be transferred in each fiscal year to the uninsured employers fund under s. 102.81 (1) (c), the amount in the schedule under par. (rp) shall be transferred to the appropriation account under par. (rp), and the amount in the schedule under s. 20.427 (1) (ra) shall be transferred to the appropriation account under s. 20.427 (1) (ra).

SECTION 429. 20.445 (1) (rr) of the statutes is created to read:

20.445 **(1)** (rr) *Worker's Compensation operations fund; special assessment insurer reimbursements.* From the worker's compensation operations fund, the amounts in the schedule for providing reimbursement to insurance carriers paying

supplemental benefits under s. 102.44 (1) (c). All moneys received under s. 102.75 (1g) shall be credited to this appropriation account.

SECTION 430. 20.445 (1) (sm) of the statutes is amended to read:

20.445 **(1)** (sm) *Uninsured employers fund; payments.* From the uninsured employers fund, ~~a sum sufficient to make~~ all moneys received from sources identified under s. 102.80 (1m) for the purpose of making the payments under s. 102.81 (1) and to obtain reinsurance under s. 102.81 (2). No moneys may be expended or encumbered under this paragraph until the first day of the first July beginning after the day that the secretary of workforce development files the certificate under s. 102.80 (3) (a).

SECTION 431. 20.445 (5) (b) of the statutes is created to read:

20.445 **(5)** (b) *Project SEARCH program.* As a continuing appropriation, the amounts in the schedule for the administration and general operations related to the project SEARCH program under s. 47.07, including field services to clients, administrative services, the purchase of goods and services, and vocational rehabilitation services for persons with disabilities.

SECTION 432. 20.455 (1) (hn) of the statutes is created to read:

20.455 **(1)** (hn) *Payments to relators.* All moneys received by the department that are owed to a relator, to provide payments owed to a relator.

SECTION 433. 20.455 (2) (dm) of the statutes is created to read:

20.455 **(2)** (dm) *Alternative emergency response and 911 diversion grants.* The amounts in the schedule to provide grants under s. 165.895 (2).

SECTION 434. 20.455 (2) (em) (title) of the statutes is amended to read:

20.455 **(2)** (em) (title) ~~*Alternatives*~~ *Grants for alternatives to prosecution and incarceration* ~~*for persons who use alcohol or other drugs; presentencing assessments*~~.

SECTION 435. 20.455 (2) (ep) of the statutes is created to read:

20.455 **(2)** (ep) *Youth diversion program; supplemental funding.* The amounts in the schedule for youth diversion services under s. 165.987 (1) and (3).

SECTION 436. 20.455 (2) (eq) of the statutes is created to read:

20.455 **(2)** (eq) *Violence interruption grant program; ongoing funding.* The amounts in the schedule for the violence interruption grant program under s. 165.988.

SECTION 437. 20.455 (2) (f) of the statutes is amended to read:

20.455 **(2)** (f) *School safety.* As a continuing appropriation, the amounts in the schedule to provide grants under s. 165.88 (2), and to make the transfer required under 2021 Wisconsin Act .... (this act), section 9227 (1).

SECTION 438. 20.455 (2) (gb) of the statutes is amended to read:

20.455 **(2)** (gb) *Gifts and grants.* ~~The amounts in the schedule to carry out the purposes for which gifts and grants are made and received.~~ All moneys received from gifts and grants, other than moneys received for and credited to another appropriation account under this subsection, ~~shall be credited to this appropriation account~~ to carry out the purposes for which made and received.

SECTION 439. 20.455 (2) (gr) of the statutes is amended to read:

20.455 **(2)** (gr) ~~*Handgun*~~ *Firearm purchaser record check; checks for licenses or certifications to carry concealed weapons.* All moneys received as fee payments under ss. 175.35 (2i) (a), 175.49 (5m), and 175.60 (7) (c) and (d), (13), and (15) (b) 4. a. and b. to provide services under ss. 175.35, 175.49, and 175.60.

SECTION 440. 20.455 (2) (hd) of the statutes is amended to read:

20.455 **(2)** (hd) *Internet crimes against children.* All moneys transferred under s. 20.455 (2) (Lp), 2017 Wisconsin Act 59, section 9228 (1p), and ~~under~~ 2019

Wisconsin Act 9, section 9227 (1), shall be credited to this appropriation account for criminal investigative operations and law enforcement relating to Internet crimes against children, prosecution of Internet crimes against children, and activities of state and local Internet crimes against children task forces.

SECTION 441. 20.455 (2) (ks) of the statutes is created to read:

20.455 **(2)** (ks) *Violence interruption grant program; initial funding.* All moneys transferred under 2021 Wisconsin Act .... (this act), section 9227 (1), for the violence interruption grant program under s. 165.988.

SECTION 442. 20.455 (2) (Lp) of the statutes is amended to read:

20.455 **(2)** (Lp) *Crime laboratories; deoxyribonucleic acid analysis surcharges.* All moneys received from the crime laboratories and drug law enforcement surcharges under s. 165.755 and deoxyribonucleic acid analysis surcharges under s. 973.046 (1r) to transfer to the appropriation account under par. (hd) the amounts in the schedule under par. (hd), to transfer to the appropriation account under par. (jb) the amounts in the schedule under par. (jb), to transfer to the appropriation account under par. (kd) the amounts in the schedule under par. (kd), to transfer to the appropriation account under s. 20.475 (1) (km) the amounts in the schedule under s. 20.475 (1) (km), and to transfer to the appropriation account under par. (Lm) the amount determined under s. 165.25 (18).

SECTION 443. 20.455 (3) (g) of the statutes is amended to read:

20.455 **(3)** (g) *Gifts, grants and proceeds.* ~~The amounts in the schedule to carry out the purposes for which gifts and grants are made and collected.~~ All moneys received from gifts and grants and all proceeds from services, conferences, and sales of publications and promotional materials to carry out the purposes for which made or collected, except as provided in sub. (2) (gm) and (gp) and to transfer to s. 20.505

(1) (kg), at the discretion of the attorney general, an amount not to exceed $98,300 annually~~, shall be credited to this appropriation account~~.

SECTION 444. 20.455 (5) (f) of the statutes is created to read:

20.455 **(5)** (f) *Reimbursement to counties for victim–witness services.* The amounts in the schedule for the purpose of reimbursing counties under s. 950.06 (2) for costs incurred in providing services to victims and witnesses of crime.

SECTION 445. 20.465 (1) (h) of the statutes is amended to read:

20.465 **(1)** (h) *Intergovernmental services.* ~~The amounts in the schedule to provide services to local units of government for fire, crash and rescue emergencies and to provide assistance under s. 323.80.~~ All moneys received from local units of government for services provided for fire, crash, and rescue emergencies and as reimbursement from other states and territories for any losses, damages, or expenses incurred when units or members of the Wisconsin national guard are activated in state status to provide assistance under s. 323.80 ~~shall be credited to this appropriation~~, to provide services to local units of government for fire, crash, and rescue emergencies and to provide assistance under s. 323.80.

SECTION 446. 20.465 (3) (dv) of the statutes is created to read:

20.465 **(3)** (dv) *Urban search and rescue task force.* The amounts in the schedule for training, equipment, and administrative costs for an urban search and rescue task force under s. 323.72.

SECTION 447. 20.465 (3) (h) of the statutes is amended to read:

20.465 **(3)** (h) *Interstate emergency assistance.* ~~The amounts in the schedule to provide assistance under s. 323.80.~~ All moneys received under s. 323.80 (9) as reimbursement from other states and territories for any losses, damages, or expenses incurred when the division of emergency management provides assistance

under s. 323.80 ~~shall be credited to this appropriation account~~, to provide assistance under s. 323.80.

SECTION 448. 20.465 (3) (hm) of the statutes is created to read:

20.465 **(3)** (hm) *Urban search and rescue task force supplement.* All moneys received under s. 323.72 (3) as reimbursement for expenses incurred for an urban search and rescue task force response to be used for response costs of a local agency for an urban search and rescue task force deployment under s. 323.72 (1) and for reimbursement to a local agency for any increase in contributions for duty disability premiums under s. 40.05 (2) (aw) for employees who receive duty disability benefits under s. 40.65 because of an injury incurred while performing duties as a member of an urban search and rescue task force under a contract under s. 323.72 (1).

SECTION 449. 20.465 (3) (qm) of the statutes is amended to read:

20.465 **(3)** (qm) *Next Generation 911.* Biennially, from the police and fire protection fund, the amounts in the schedule for the department to make and administer contracts under s. 256.35 (3s) (b), provide grants under s. 256.35 (3s) (bm) and (br), and for the 911 subcommittee to administer its duties under s. 256.35 (3s) (d).

SECTION 450. 20.465 (3) (qm) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

20.465 **(3)** (qm) *Next Generation 911.* Biennially, from the police and fire protection fund, the amounts in the schedule for the department to make and administer contracts under s. 256.35 (3s) (b), provide grants under s. 256.35 (3s) (bm) ~~and (br)~~, and for the 911 subcommittee to administer its duties under s. 256.35 (3s) (d).

SECTION 451. 20.505 (1) (bm) of the statutes is created to read:

20.505 **(1)** (bm) *Climate risk assessment and resiliency plan technical assistance grants.* Biennially, the amounts in the schedule to administer the climate risk assessment and resiliency plan technical assistance grants under s. 16.035 (3).

SECTION 452. 20.505 (1) (e) of the statutes is created to read:

20.505 **(1)** (e) *Indigent civil legal services.* The amounts in the schedule to provide grants for the provision of civil legal services to indigent persons under s. 16.19.

SECTION 453. 20.505 (1) (ft) of the statutes is created to read:

20.505 **(1)** (ft) *Equity grant program and diversity, equity, and inclusion activities.* The amounts in the schedule for the equity grant program administered by the department of administration under s. 16.281 and diversity, equity, and inclusion activities overseen by the department of administration, as determined by the secretary of administration.

SECTION 454. 20.505 (1) (ge) of the statutes is renumbered 20.155 (1) (gg) and amended to read:

20.155 **(1)** (gg) *High–voltage transmission line annual impact fee distributions.* All moneys received from the payment of fees under the rules promulgated under s. ~~16.969~~ 196.492 (2) (a) for distributions to towns, villages and cities under s. ~~16.969~~ 196.492 (3) (a).

SECTION 455. 20.505 (1) (gr) of the statutes is repealed.

SECTION 456. 20.505 (1) (gs) of the statutes is renumbered 20.155 (1) (gr) and amended to read:

20.155 **(1)** (gr) *High–voltage transmission line environmental impact fee distributions.* All moneys received from the payment of fees under the rules

promulgated under s. ~~16.969~~ 196.492 (2) (b) for distributions to counties, towns, villages and cities under s. ~~16.969~~ 196.492 (3) (b).

SECTION 457. 20.505 (1) (h) of the statutes is created to read:

20.505 **(1)** (h) *Procurement and risk management services and technical assistance.* All moneys received under s. 16.004 (25) from local governmental units and private organizations for services relating to procurement and risk management, for the purposes for which received, and all moneys received under s. 16.954 (5) (a) from local governmental units and private organizations for technical assistance services provided by the office of sustainability and clean energy.

SECTION 458. 20.505 (1) (ip) of the statutes is amended to read:

20.505 **(1)** (ip) *Information technology and communication services; self–funded portal.* From the sources specified in ss. 16.972 (2) (b) and (c), 16.974 (2), (2m), and (3), and 16.997 (2) (d) ~~and (2g) (a) 3.~~, to receive services through a self–funded portal, the amounts in the schedule to be used for the purpose of providing services to state agencies, state authorities, units of the federal government, local governmental units, tribal schools, individuals, and entities in the private sector through the self–funded portal.

SECTION 459. 20.505 (1) (is) of the statutes is amended to read:

20.505 **(1)** (is) *Information technology and communications services; nonstate entities.* From the sources specified in ss. 16.972 (2) (b) and (c), 16.974 (2) and (3), and 16.997 (2) (d) ~~and (2g) (a) 3.~~, to provide computer, telecommunications, electronic communications, and supercomputer services, but not enterprise resource planning system services under s. 16.971 (2) (cf), to state authorities, units of the federal government, local governmental units, tribal schools, and entities in the private sector, the amounts in the schedule.

SECTION 460. 20.505 (1) (kk) of the statutes is created to read:

20.505 **(1)** (kk) *Tribal grants.* The amounts in the schedule for the grants to American Indian tribes or bands in this state under s. 16.07. All moneys transferred from the appropriation account under sub. (8) (hm) 26. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under sub. (8) (hm).

SECTION 461. 20.505 (1) (kp) of the statutes is amended to read:

20.505 **(1)** (kp) *Youth wellness center.* The amounts in the schedule to provide funding to American Indian tribes ~~to create architectural plans~~ for a youth wellness center. All moneys transferred from the appropriation account under sub. (8) (hm) 14. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under sub. (8) (hm).

SECTION 462. 20.505 (1) (ks) of the statutes is amended to read:

20.505 **(1)** (ks) *Collective bargaining grievance arbitrations.* The amounts in the schedule for the payment of the state's share of costs related to collective bargaining grievance arbitrations under s. 111.86. All moneys received from state agencies or authorities for the purpose of reimbursing the state's share of the costs related to grievance arbitrations under s. 111.86 and to reimburse the state's share of costs for training related to grievance arbitrations shall be credited to this appropriation account.

SECTION 463. 20.505 (1) (kt) of the statutes is created to read:

20.505 **(1)** (kt) *Office of environmental justice; climate risk assessments and resiliency plans.* All amounts in the schedule for the administration of the office of

environmental justice under s.15.105 (34) and the chief resiliency officer. All moneys received from assessments under s. 16.035 (5) shall be credited to this appropriation account.

SECTION 464. 20.505 (1) (kv) of the statutes is created to read:

20.505 **(1)** (kv) *American Indian tourism marketing.* The amounts in the schedule for grants under s. 16.29 (4). All moneys transferred from the appropriation account under sub. (8) (hm) 19n. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under sub. (8) (hm).

SECTION 465. 20.505 (1) (kw) of the statutes is created to read:

20.505 **(1)** (kw) *Tribal relations.* The amounts in the schedule for the administration of relations between the state and American Indian tribes or bands in this state under s. 16.004 (26). All moneys transferred from the appropriation account under sub. (8) (hm) 27. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under sub. (8) (hm).

SECTION 466. 20.505 (1) (kz) of the statutes is amended to read:

20.505 **(1)** (kz) *General program operations.* The amounts in the schedule to administer state employment relations functions and the civil service system under subch. V of ch. 111 and ch. 230, to pay awards under s. 230.48, to pay the stipend under s. 16.09 (2) (b), and to defray the expenses of the state employees suggestion board. All moneys received from state agencies for materials and services provided by the division of personnel management in the department of administration shall be credited to this appropriation.

SECTION 467. 20.505 (1) (t) of the statutes is created to read:

20.505 **(1)** (t) *Equity grants; community reinvestment fund.* From the community reinvestment fund, the amounts in the schedule for the purpose of providing grants to promote diversity and advance equity and inclusion under s. 16.282.

SECTION 468. 20.505 (1) (v) of the statutes is amended to read:

20.505 **(1)** (v) *General program operations — environmental improvement programs; state funds.* From the environmental improvement fund, the amounts in the schedule for general program operations under s. 281.58, 281.59, ~~281.60~~ or 281.61 or s. 281.60, 2019 stats.

SECTION 469. 20.505 (2) (kj) of the statutes is created to read:

20.505 **(2)** (kj) *Insurance contract premiums.* All moneys collected from agencies under s. 16.865 (8m) for the payment of premiums for insurance contracts authorized under s. 16.865 (5).

SECTION 470. 20.505 (4) (q) of the statutes is created to read:

20.505 **(4)** (q) *Clean energy grants.* Biennially, from the environmental fund, the amounts in the schedule for grants under s. 16.954 (4).

SECTION 471. 20.505 (7) (bp) of the statutes is created to read:

20.505 **(7)** (bp) *Housing quality standards grants.* The amounts in the schedule for housing quality standards grants under s. 16.3077.

SECTION 472. 20.505 (7) (bq) of the statutes is created to read:

20.505 **(7)** (bq) *Rental assistance for homeless veterans.* The amounts in the schedule for the rental assistance grants awarded under s. 16.3078.

SECTION 473. 20.505 (7) (d) of the statutes is created to read:

20.505 **(7)** (d) *Water utility assistance for low–income households; administration.* The amounts in the schedule to pay program operations costs for the water utility assistance program for low–income households under s. 16.293.

SECTION 474. 20.505 (7) (e) of the statutes is created to read:

20.505 **(7)** (e) *Water utility assistance for low–income households; payments.* As a continuing appropriation, the amounts in the schedule to make assistance payments to eligible households under the water utility assistance program for low–income households under s. 16.293.

SECTION 475. 20.505 (7) (fq) of the statutes is created to read:

20.505 **(7)** (fq) *Affordable workforce housing grants.* The amounts in the schedule for the grants to municipalities under s. 16.3065.

SECTION 476. 20.505 (7) (ft) of the statutes is repealed.

SECTION 477. 20.505 (8) (am) of the statutes is amended to read:

20.505 **(8)** (am) *Interest on racing and bingo moneys.* A sum sufficient equal to the amount earned by the investment fund on revenues received under pars. (g) and ~~(jm)~~ (jn) and s. 20.455 (2) (g) for the purpose of transferring this amount to the lottery fund.

SECTION 478. 20.505 (8) (hm) (intro.) of the statutes is amended to read:

20.505 **(8)** (hm) *Indian gaming receipts.* (intro.) All moneys required to be credited to this appropriation under s. 569.06, all moneys transferred under 2001 Wisconsin Act 16, sections 9201 (5mk), 9205 (1mk), 9210 (3mk), 9223 (5mk), 9224 (1mk), 9225 (1mk), 9231 (1mk), 9237 (4mk), 9240 (1mk), 9251 (1mk), 9256 (1mk), 9257 (2mk), and 9258 (2mk), and all moneys that revert to this appropriation account from the appropriation accounts specified in subds. 1c. to 19., ~~22., and~~ 23., and 26.

to 28., less the amounts appropriated under par. (h) and s. 20.455 (2) (gc), for the purpose of annually transferring the following amounts:

SECTION 479. 20.505 (8) (hm) 8g. of the statutes is repealed.

SECTION 480. 20.505 (8) (hm) 8i. of the statutes is repealed.

SECTION 481. 20.505 (8) (hm) 8k. of the statutes is repealed.

SECTION 482. 20.505 (8) (hm) 19n. of the statutes is created to read:

20.505 **(8)** (hm) 19n. The amount transferred to sub. (1) (kv) shall be the amount in the schedule under sub. (1) (kv).

SECTION 483. 20.505 (8) (hm) 22. of the statutes is repealed.

SECTION 484. 20.505 (8) (hm) 26. of the statutes is created to read:

20.505 **(8)** (hm) 26. The amount transferred to sub. (1) (kk) shall be the amount in the schedule under sub. (1) (kk).

SECTION 485. 20.505 (8) (hm) 27. of the statutes is created to read:

20.505 **(8)** (hm) 27. The amount transferred to sub. (1) (kw) shall be the amount in the schedule under sub. (1) (kw).

SECTION 486. 20.505 (8) (hm) 28. of the statutes is created to read:

20.505 **(8)** (hm) 28. The amount transferred to s. 20.192 (1) (km) shall be the amount in the schedule under s. 20.192 (1) (km).

SECTION 487. 20.505 (8) (hm) 29. of the statutes is created to read:

20.505 **(8)** (hm) 29. The amount transferred to s. 20.255 (2) (kg) shall be the amount in the schedule under s. 20.255 (2) (kg).

SECTION 488. 20.505 (8) (j) and (jm) of the statutes are consolidated, renumbered 20.505 (8) (jn) and amended to read:

20.505 **(8)** (jn) *General program operations; raffles and bingo.* The amounts in the schedule for general program operations relating to raffles under subchs. II and

VIII of ch. 563 and bingo under subchs. II to VII of ch. 563. All moneys received by the department of administration ~~under ss. 563.92 (2) and 563.98 (1g) shall be credited to this appropriation account. (jm) *General program operations; bingo.* The amounts in the schedule for general program operations relating to bingo under subchs. II to VII of ch. 563. All moneys received by the department of administration~~ under ss. 563.055, 563.13 (4), 563.135, 563.16, 563.22 (2) ~~and~~, 563.80, 563.92 (2), and 563.98 (1g) shall be credited to this appropriation account. ~~Notwithstanding s. 20.001 (3) (a), the unencumbered balance of this appropriation account at the end of each fiscal year shall be transferred to the lottery fund.~~

SECTION 489. 20.507 (1) (g) of the statutes is created to read:

20.507 **(1)** (g) *Payments in lieu of taxes.* The amounts in the schedule for payments in lieu of property taxes under s. 24.62 (3). All amounts deducted from the proceeds from the sale of timber or from incomes of trust funds under s. 24.62 (3) shall be credited to this appropriation account.

SECTION 490. 20.507 (1) (h) of the statutes is amended to read:

20.507 **(1)** (h) *Trust lands and investments — general program operations.* The amounts in the schedule for the general program operations of the board ~~, 24.61 (2) (c),~~. All amounts deducted from the gross receipts of the appropriate funds as provided under ss. 24.04, 24.09 (1) (bm), 24.53, and 24.62 (1), less amounts paid in lieu of property taxes under s. 24.62 (3), shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance at the end of each fiscal year shall be transferred to the trust funds, as defined under s. 24.60 (5). The amount transferred to each trust fund, as defined under s. 24.60 (5), shall bear the same proportion to the total amount transferred to the trust funds that the gross

receipts of that trust fund bears to the total gross receipts credited to this appropriation account during that fiscal year.

SECTION 491. 20.507 (1) (i) of the statutes is created to read:

20.507 **(1)** (i) *Gifts and grants.* All moneys received from gifts and grants to carry out the purposes for which made.

SECTION 492. 20.510 (1) (f) of the statutes is created to read:

20.510 **(1)** (f) *Local aids for special elections.* A sum sufficient to reimburse counties and municipalities for certain special primary or election costs under s. 5.05 (11m).

SECTION 493. 20.510 (1) (g) of the statutes is amended to read:

20.510 **(1)** (g) *Recount fees.* ~~The amounts in the schedule~~ All moneys received on account of recount petitions filed with the commission, to be apportioned to the commission and the county clerks or county board of election commissioners as prescribed in s. 9.01 (1) (ag). ~~All moneys received on account of recount petitions filed with the commission shall be credited to this appropriation account.~~

SECTION 494. 20.510 (1) (jn) of the statutes is created to read:

20.510 **(1)** (jn) *Election security and maintenance.* All moneys received from requesters from the sales of copies of the official registration list for the purpose of election security and maintenance of the statewide voter registration system.

SECTION 495. 20.515 (1) (gm) of the statutes is created to read:

20.515 **(1)** (gm) *Gifts and grants.* All moneys received from gifts, grants, and bequests to carry out the purposes for which made or received. A gift, grant, or bequest under this paragraph is not subject to approval by the joint committee on finance under s. 20.907 (1).

SECTION 496. 20.515 (1) (x) of the statutes is created to read:

20.515 **(1)** (x) *Study of mandatory participation by school districts.* From moneys credited to the public employee trust fund administrative account under s. 40.04 (2), biennially, the amounts in the schedule for a study of mandatory participation by school districts in a group health insurance plan offered by the group insurance board under 2021 Wisconsin Act .... (this act), section 9113 (5).

SECTION 497. 20.536 (1) (ka) of the statutes is amended to read:

20.536 **(1)** (ka) *General program operations; environmental improvement fund.* All moneys received for providing services to the department of administration or the department of natural resources in administering ss. 25.43, 281.58, 281.59, ~~281.60,~~ 281.61, and 281.62 and s. 281.60, 2019 stats., for general program operations.

SECTION 498. 20.566 (1) (bn) of the statutes is created to read:

20.566 **(1)** (bn) *Administration and enforcement of marijuana tax and regulation.* The amounts in the schedule for the purposes of administering the marijuana tax imposed under subch. IV of ch. 139 and for the costs incurred in enforcing the taxing and regulation of marijuana producers, marijuana processors, and marijuana retailers under subch. IV of ch. 139.

SECTION 499. 20.566 (1) (g) of the statutes is amended to read:

20.566 **(1)** (g) *Administration of county and municipal sales and use taxes.* From moneys received from the appropriation under s. 20.835 (4) (g), the amounts in the schedule for the purpose of administering the county and municipal taxes under subch. V of ch. 77. The balance of all taxes collected under subch. V of ch. 77, after the distribution under s. 77.76 (3), shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), at the end of the fiscal year the unencumbered balance of this appropriation account lapses to the general fund.

SECTION 500. 20.585 (1) (c) of the statutes is created to read:

20.585 **(1)** (c) *General program operations; general purpose revenue.* The amounts in the schedule for the general program operations of the office of the state treasurer.

SECTION 501. 20.835 (1) (fa) of the statutes is amended to read:

20.835 **(1)** (fa) *State aid; video service provider fee.* ~~The amounts in the schedule~~ A sum sufficient to make the state aid payments under s. 79.097.

SECTION 502. 20.835 (2) (eq) of the statutes is created to read:

20.835 **(2)** (eq) *Marijuana tax refunds*. A sum sufficient to pay refunds under subchapter IV of chapter 139.

SECTION 503. 20.835 (4) (g) of the statutes is amended to read:

20.835 **(4)** (g) *County and municipal taxes.* All moneys received from the taxes imposed under s. 77.70 for distribution to the counties and municipalities ~~that enact an ordinance~~ imposing taxes under that section and for interest payments on refunds under s. 77.76 (3), except that 1.75 percent of those tax revenues collected under that section shall be credited to the appropriation account under s. 20.566 (1) (g).

SECTION 504. 20.855 (4) (h) of the statutes is amended to read:

20.855 **(4)** (h) *Volkswagen settlement funds.* All moneys received from the trustee of the settlement funds, as defined in s. 16.047 (1) (a), for the replacement of vehicles in the state fleet under s. 16.047 (2) and for the grants under s. 16.047 (4m) ~~and (4s)~~. No moneys may be expended from this appropriation after June 30, 2027.

SECTION 505. 20.866 (2) (ta) of the statutes is amended to read:

20.866 **(2)** (ta) *Natural resources; Warren Knowles–Gaylord Nelson stewardship 2000 program.* From the capital improvement fund a sum sufficient for the Warren Knowles–Gaylord Nelson stewardship 2000 program under s. 23.0917. The state may contract public debt in an amount not to exceed ~~$1,046,250,000~~

$1,746,250,000 for this program. The state may contract additional public debt in an amount up to $42,600,000 for this program. Except as provided in s. 23.0917 (4g) (b), (4m) (k), (5), (5g), and (5m), the amounts obligated, as defined in s. 23.0917 (1) (e), under this paragraph may not exceed $46,000,000 in fiscal year 2000–01, may not exceed $46,000,000 in fiscal year 2001–02, may not exceed $60,000,000 in each fiscal year beginning with fiscal year 2002–03 and ending with fiscal year 2009–10, may not exceed $86,000,000 in fiscal year 2010–11, may not exceed $60,000,000 in fiscal year 2011–12, may not exceed $60,000,000 in fiscal year 2012–13, may not exceed $47,500,000 in fiscal year 2013–14, may not exceed $54,500,000 in fiscal year 2014–15, ~~and~~ may not exceed $33,250,000 in each fiscal year beginning with 2015–16 and ending with fiscal year 2021–22, and may not exceed $70,000,000 in each fiscal year beginning with 2022–23 and ending with 2031–32.

SECTION 506. 20.866 (2) (tf) of the statutes is amended to read:

20.866 **(2)** (tf) *Natural resources; nonpoint source.* From the capital improvement fund, a sum sufficient for the department of natural resources to fund nonpoint source water pollution abatement projects under s. 281.65 (4c) and (4e). The state may contract public debt in an amount not to exceed ~~$44,050,000~~ $57,050,000 for this purpose. ~~The state may contract additional public debt in an amount up to $6,500,000 for this purpose.~~

SECTION 507. 20.866 (2) (th) of the statutes is amended to read:

20.866 **(2)** (th) *Natural resources; urban nonpoint source cost–sharing.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide cost–sharing grants for urban nonpoint source water pollution abatement and storm water management projects under s. 281.66, to provide municipal flood control and riparian restoration cost–sharing grants under s.

281.665, and to make the grant under 2007 Wisconsin Act 20, section 9135 (1i). The state may contract public debt in an amount not to exceed ~~$53,600,000~~ $69,600,000 for this purpose. ~~The state may contract additional public debt in an amount up to $4,000,000 for this purpose.~~ Of those amounts, $500,000 is allocated in fiscal biennium 2001–03 for dam rehabilitation grants under s. 31.387 and $8,000,000 is allocated in fiscal biennium 2021–23 for municipal flood control and riparian restoration cost–sharing grants under s. 281.665.

SECTION 508. 20.866 (2) (ti) of the statutes is amended to read:

20.866 **(2)** (ti) *Natural resources; contaminated sediment removal.* From the capital improvement fund, a sum sufficient for the department of natural resources to fund removal of contaminated sediment under s. 281.87. The state may contract public debt in an amount not to exceed ~~$32,000,000~~ $61,000,000 for this purpose. ~~The state may contract additional public debt in an amount up to $4,000,000 for this purpose.~~

SECTION 509. 20.866 (2) (tx) of the statutes is amended to read:

20.866 **(2)** (tx) *Natural resources; dam safety projects.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide financial assistance to counties, cities, villages, towns, and public inland lake protection and rehabilitation districts for dam safety projects under s. 31.385. The state may contract public debt in an amount not to exceed ~~$25,500,000~~ $35,500,000 for this purpose. ~~The state may contract additional public debt in an amount up to $4,000,000 for this purpose.~~

SECTION 510. 20.866 (2) (usb) of the statutes is created to read:

20.866 **(2)** (usb) *Transportation, local road aids for critical infrastructure.* From the capital improvement fund, a sum sufficient for the department of

transportation to provide grants for local road aids for critical infrastructure. The state may contract public debt in an amount not to exceed $15,000,000 for this purpose.

SECTION 511. 20.866 (2) (usd) of the statutes is created to read:

20.866 **(2)** (usd) *Transportation, electric vehicle infrastructure.* From the capital improvement fund, a sum sufficient for the department of transportation to fund projects under the electric vehicle infrastructure program under s. 85.53. The state may contract public debt in an amount not to exceed $5,000,000 for this purpose.

SECTION 512. 20.866 (2) (uup) 1. of the statutes is amended to read:

20.866 **(2)** (uup) 1. From the capital improvement fund, a sum sufficient for the department of transportation to fund the Marquette interchange reconstruction project under s. 84.014, as provided under s. 84.555, the reconstruction of the I 94 north–south corridor and the zoo interchange, as provided under s. 84.555 (1m), the reconstruction of the I 94 east–west corridor, as provided under s. 84.555 (1m), southeast Wisconsin freeway megaprojects under s. 84.0145, as provided under s. 84.555 (1m), and high–cost state highway bridge projects under s. 84.017, as provided under s. 84.555 (1m). The state may contract public debt in an amount not to exceed $704,750,000 for these purposes. In addition, the state may contract public debt in an amount not to exceed $107,000,000 for the reconstruction of the Zoo interchange and I 94 north–south corridor, as provided under s. 84.555 (1m), as southeast Wisconsin freeway megaprojects under s. 84.0145, in an amount not to exceed $216,800,000 for high–cost state highway bridge projects under s. 84.017, as provided under s. 84.555 (1m), ~~and~~ in an amount not to exceed $300,000,000 for southeast Wisconsin freeway megaprojects under s. 84.0145, as provided under s.

84.555 (1m), ~~and~~ in an amount not to exceed $95,000,000 for the reconstruction of the Zoo interchange, as provided under s. 84.555 (1m), as a southeast Wisconsin freeway megaproject under s. 84.0145, and in an amount not to exceed $40,000,000 for the reconstruction of the I 94 east–west corridor, as provided under s. 84.555 (1m), as a southeast Wisconsin freeway megaproject under s. 84.0145.

SECTION 513. 20.866 (2) (uut) of the statutes is amended to read:

20.866 **(2)** (uut) *Transportation; state highway rehabilitation, certain projects.* From the capital improvement fund, a sum sufficient for the department of transportation to fund state highway rehabilitation projects, as provided under s. 84.57. The state may contract public debt in an amount not to exceed ~~$141,000,000~~ $419,500,000 for this purpose.

SECTION 514. 20.866 (2) (uuv) of the statutes is created to read:

20.866 **(2)** (uuv) *Transportation; design–build projects.* From the capital improvement fund, a sum sufficient for the department of transportation to fund design–build projects under s. 84.062 that are state highway rehabilitation projects, major highway projects, or southeast Wisconsin freeway megaprojects. The state may contract public debt in an amount not to exceed $20,000,000 for this purpose.

SECTION 515. 20.866 (2) (uv) of the statutes is amended to read:

20.866 **(2)** (uv) *Transportation, harbor improvements.* From the capital improvement fund, a sum sufficient for the department of transportation to provide grants for harbor improvements. The state may contract public debt in an amount not to exceed ~~$120,000,000~~ $167,300,000 for this purpose. ~~The state may contract additional public debt in an amount up to $32,000,000 for this purpose.~~

SECTION 516. 20.866 (2) (uw) of the statutes is amended to read:

20.866 **(2)** (uw) *Transportation; rail acquisitions and improvements and intermodal freight facilities.* From the capital improvement fund, a sum sufficient for the department of transportation to acquire railroad property under ss. 85.08 (2) (L) and 85.09; to provide grants and loans for rail property acquisitions and improvements under s. 85.08 (4m) (c) and (d); and to provide intermodal freight facilities grants under s. 85.093. The state may contract public debt in an amount not to exceed ~~$250,300,000~~ $300,300,000 for these purposes. ~~The state may contract additional public debt in an amount up to $30,000,000 for these purposes.~~

SECTION 517. 20.866 (2) (we) of the statutes is amended to read:

20.866 **(2)** (we) *Agriculture; soil and water.* From the capital improvement fund, a sum sufficient for the department of agriculture, trade and consumer protection to provide for soil and water resource management under s. 92.14. The state may contract public debt in an amount not to exceed ~~$68,075,000~~ $82,075,000 for this purpose. ~~The state may contract additional public debt in an amount up to $7,000,000 for this purpose.~~

SECTION 518. 20.866 (2) (xm) of the statutes is amended to read:

20.866 **(2)** (xm) *Building commission; refunding tax-supported and self-amortizing general obligation debt.* From the capital improvement fund, a sum sufficient to refund the whole or any part of any unpaid indebtedness used to finance tax–supported or self–amortizing facilities. In addition to the amount that may be contracted under par. (xe), the state may contract public debt in an amount not to exceed ~~$7,510,000,000~~ $9,510,000,000 for this purpose. Such indebtedness shall be construed to include any premium and interest payable with respect thereto. Debt incurred by this paragraph shall be repaid under the appropriations providing for the retirement of public debt incurred for tax–supported and self–amortizing

facilities in proportional amounts to the purposes for which the debt was refinanced. No moneys may be expended under this paragraph unless the true interest costs to the state can be reduced by the expenditure.

SECTION 519. 20.921 (1) (a) 2. of the statutes is amended to read:

20.921 **(1)** (a) 2. If the state employee is a public safety employee under s. 111.81 (15r) or is in a collective bargaining unit containing a frontline worker under s. 111.81 (9b), payment of dues to employee organizations.

SECTION 520. 20.923 (4) (c) 1s. of the statutes is created to read:

20.923 **(4)** (c) 1s. Administration, department of: chief resiliency officer.

SECTION 521. 20.923 (4) (c) 1t. of the statutes is created to read:

20.923 **(4)** (c) 1t. Administration, department of: director of the office of environmental justice.

SECTION 522. 20.923 (4) (c) 7. of the statutes is created to read:

20.923 **(4)** (c) 7. Administration, department of: director of Native American affairs.

SECTION 523. 20.923 (4) (d) 3. of the statutes is created to read:

20.923 **(4)** (d) 3. Administration, department of; office of digital transformation: director.

SECTION 524. 20.923 (4) (e) 5m. of the statutes is renumbered 20.923 (4) (f) 6n.

SECTION 525. 20.923 (6) (as) of the statutes is amended to read:

20.923 **(6)** (as) Each elective executive officer other than the state treasurer, ~~secretary of state,~~ attorney general, and superintendent of public instruction: a deputy or assistant.

SECTION 526. 20.923 (8) of the statutes is amended to read:

20.923 **(8)** DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3) (b), 15.04 (2), and 551.601 (1) shall be set by the appointing authority. The salary, other than the salary of the deputy secretary of the department of employee trust funds, shall not exceed the maximum of the salary range one range below the salary range of the executive salary group to which the department or agency head is assigned. The assistant secretary of state and associate director of the historical society shall be treated as ~~an~~ unclassified ~~deputy~~ deputies for pay purposes under this subsection. The salary of the deputy director of the office of business development in the department of administration is assigned to executive salary group 2.

SECTION 527. 20.9275 (2) (intro.) of the statutes is amended to read:

20.9275 **(2)** (intro.) No state agency or local governmental unit may authorize payment of funds of this state, of any local governmental unit or, subject to sub. (3m), of federal funds passing through the state treasury as a grant, subsidy or other funding that wholly or partially or directly or indirectly involves pregnancy programs, projects or services, that is a grant, subsidy or other funding under s. 48.481, 48.487, ~~48.545,~~ 253.05, 253.07, 253.08, or 253.085 or 42 USC 701 to 710, if any of the following applies:

SECTION 528. 20.9315 of the statutes is created to read:

20.9315 False claims; actions by or on behalf of state. (1) In this section:

(b) "Claim" means any request or demand, whether under a contract or otherwise, for money or property and whether the state has title to the money or property, that is presented to an officer, employee, agent, or other representative of the state or to a contractor, grantee, or other person if the money or property is to be spent or used on the state's behalf or to advance a state program or interest, and if

the state provides any portion of the money or property which is requested or demanded, or if the state will reimburse directly or indirectly such contractor, grantee, or other person for any portion of the money or property which is requested or demanded. "Claim" includes a request or demand for services from a state agency or as part of a state program. "Claim" does not include requests or demands for money or property that the state has paid to an individual as compensation for state employment or as an income subsidy with no restriction on that individual's use of the money or property.

(d) "Knowingly" means, with respect to information, having actual knowledge of the information, acting in deliberate ignorance of the truth or falsity of the information, or acting in reckless disregard of the truth or falsity of the information. "Knowingly" does not mean specifically intending to defraud.

(de) "Material" means having a natural tendency to influence, or be capable of influencing, the payment or receipt of money or property or the receipt of services.

(dm) "Medical assistance" has the meaning given under s. 49.43 (8).

(dr) "Obligation" has the meaning given in 31 USC 3729 (b) (3).

(dt) "Original source" has the meaning given in 31 USC 3730 (e) (4) (B).

(e) "Proceeds" includes damages, civil penalties, surcharges, payments for costs of compliance, and any other economic benefit realized by this state as a result of an action or settlement of a claim.

(2) Except as provided in sub. (3), any person who does any of the following is liable to this state for 3 times the amount of the damages that were sustained by the state or would have been sustained by the state,whichever is greater, because of the actions of the person, and shall forfeit, for each violation, an amount within the range specified under 31 USC 3729 (a):

(a) Knowingly presents or causes to be presented a false or fraudulent claim to a state agency, including a false or fraudulent claim for medical assistance.

(b) Knowingly makes, uses, or causes to be made or used, a false record or statement material to a false or fraudulent claim to a state agency, including a false or fraudulent claim for medical assistance.

(dg) Knowingly makes, uses, or causes to be made or used, a false record or statement material to an obligation to pay or transmit money or property to the Medical Assistance program, or knowingly conceals or knowingly and improperly avoids or decreases an obligation to pay or transmit money or property to the Medical Assistance program.

(dm) Knowingly makes, uses, or causes to be made or used a false record or statement material to an obligation to pay or transmit money or property to a state agency, or knowingly conceals or knowingly and improperly avoids or decreases an obligation to pay or transmit money or property to a state agency.

(dr) Conspires to commit a violation under par. (a), (b), (dg), or (dm).

(3) The court may assess against a person who violates sub. (2) not less than 2 nor more than 3 times the amount of the damages sustained by the state because of the acts of the person, and shall not assess any forfeiture, if the court finds all of the following:

(a) The person who commits the acts furnished the attorney general with all information known to the person about the acts within 30 days after the date on which the person obtained the information.

(b) The person fully cooperated with any investigation of the acts by this state.

(c) At the time that the person furnished the attorney general with information concerning the acts, no criminal prosecution or civil or administrative enforcement

action had been commenced with respect to any such act, and the person did not have actual knowledge of the existence of any investigation into any such act.

(5) (a) Except as provided in subs. (10) and (12), any person may bring a civil action as a qui tam plaintiff against a person who commits an act in violation of sub. (2) for the person and the state in the name of the state.

(b) The plaintiff shall serve upon the attorney general a copy of the complaint and documents disclosing substantially all material evidence and information that the person possesses. The plaintiff shall file a copy of the complaint with the court for inspection in camera. Except as provided in par. (c), the complaint shall remain under seal for a period of 60 days from the date of filing, and shall not be served upon the defendant until the court so orders. Within 60 days from the date of service upon the attorney general of the complaint, evidence, and information under this paragraph, the attorney general may intervene in the action.

(bm) Any complaint filed by the state in intervention, whether filed separately or as an amendment to the qui tam plaintiff's complaint, shall relate back to the filing date of the qui tam plaintiff's complaint, to the extent that the state's claim arises out of the conduct, transactions, or occurrences set forth, or attempted to be set forth, in the qui tam plaintiff's complaint.

(c) The attorney general may, for good cause shown, move the court for one or more extensions of the period during which a complaint in an action under this subsection remains under seal.

(d) Before the expiration of the period during which the complaint remains under seal, the attorney general shall do one of the following:

1. Proceed with the action or an alternate remedy under sub. (10), in which case the action or proceeding under sub. (10) shall be prosecuted by the state.

2. Notify the court that he or she declines to proceed with the action, in which case the person bringing the action may proceed with the action.

(e) If a person brings a valid action under this subsection, no person other than the state may intervene or bring a related action while the original action is pending based upon the same facts underlying the pending action.

(f) In any action or other proceeding under sub. (10) brought under this subsection, the plaintiff is required to prove all essential elements of the cause of action or complaint, including damages, by a preponderance of the evidence.

(6) If the state proceeds with an action under sub. (5) or an alternate remedy under sub. (10), the state has primary responsibility for prosecuting the action or proceeding under sub. (10). The state is not bound by any act of the person bringing the action, but that person has the right to continue as a party to the action.

(7) (b) With the approval of the governor, the attorney general may compromise and settle an action under sub. (5) or an administrative proceeding under sub. (10) to which the state is a party, notwithstanding objection of the person bringing the action, if the court determines, after affording to the person bringing the action the right to a hearing at which the person is afforded the opportunity to present evidence in opposition to the proposed settlement, that the proposed settlement is fair, adequate, and reasonable considering the relevant circumstances pertaining to the violation.

(c) Upon a showing by the state that unrestricted participation in the prosecution of an action under sub. (5) or an alternate proceeding to which the state is a party by the person bringing the action would interfere with or unduly delay the prosecution of the action or proceeding, or would result in consideration of

repetitious or irrelevant evidence or evidence presented for purposes of harassment, the court may limit the person's participation in the prosecution, such as:

1. Limiting the number of witnesses that the person may call.

2. Limiting the length of the testimony of the witnesses.

3. Limiting the cross–examination of witnesses by the person.

4. Otherwise limiting the participation by the person in the prosecution of the action or proceeding.

(d) Upon showing by a defendant that unrestricted participation in the prosecution of an action under sub. (5) or alternate proceeding under sub. (10) to which the state is a party by the person bringing the action would result in harassment or would cause the defendant undue burden or unnecessary expense, the court may limit the person's participation in the prosecution.

(8) Except as provided in sub. (7), if the state elects not to participate in an action filed under sub. (5), the person bringing the action may prosecute the action. If the attorney general so requests, the attorney general shall, at the state's expense, be served with copies of all pleadings and deposition transcripts in the action. If the person bringing the action initiates prosecution of the action, the court, without limiting the status and rights of that person, may permit the state to intervene at a later date upon showing by the state of good cause for the proposed intervention.

(9) Whether or not the state participates in an action under sub. (5), upon showing in camera by the attorney general that discovery by the person bringing the action would interfere with the state's ongoing investigation or prosecution of a criminal or civil matter arising out of the same facts as the facts upon which the action is based, the court may stay such discovery in whole or in part for a period of not more than 60 days. The court may extend the period of any such stay upon

further showing in camera by the attorney general that the state has pursued the criminal or civil investigation of the matter with reasonable diligence and the proposed discovery in the action brought under sub. (5) will interfere with the ongoing criminal or civil investigation or prosecution.

(10) The attorney general may pursue a claim relating to an alleged violation of sub. (2) through an alternate remedy available to the state or any state agency, including an administrative proceeding to assess a civil forfeiture. If the attorney general elects any such alternate remedy, the attorney general shall serve timely notice of his or her election upon the person bringing the action under sub. (5), and that person has the same rights in the alternate venue as the person would have had if the action had continued under sub. (5). Any finding of fact or conclusion of law made by a court or by a state agency in the alternate venue that has become final is conclusive upon all parties named in an action under sub. (5). For purposes of this subsection, a finding or conclusion is final if it has been finally determined on appeal, if all time for filing an appeal or petition for review with respect to the finding or conclusion has expired, or if the finding or conclusion is not subject to judicial review.

(11) (a) Except as provided in pars. (b) and (e), if the state proceeds with an action brought by a person under sub. (5) or the state pursues an alternate remedy relating to the same acts under sub. (10), the person who brings the action shall receive at least 15 percent but not more than 25 percent of the proceeds of the action or settlement of the claim, depending upon the extent to which the person contributed to the prosecution of the action or claim.

(b) Except as provided in par. (e), if an action or claim is one in which the court or other adjudicator finds to be based primarily upon disclosures of specific information not provided by the person who brings an action under sub. (5) relating

to allegations or transactions specifically in a criminal, civil, or administrative hearing, or in a legislative or administrative report, hearing, audit, or investigation, or report made by the news media, the court or other adjudicator may award such amount as it considers appropriate, but not more than 10 percent of the proceeds of the action or settlement of the claim, depending upon the significance of the information and the role of the person bringing the action in advancing the prosecution of the action or claim.

(c) Except as provided in par. (e), in addition to any amount received under par. (a) or (b), a person bringing an action under sub. (5) shall be awarded his or her reasonable expenses necessarily incurred in bringing the action together with the person's costs and reasonable actual attorney fees. The court or other adjudicator shall assess any award under this paragraph against the defendant.

(d) Except as provided in par. (e), if the state does not proceed with an action or an alternate proceeding under sub. (10), the person bringing the action shall receive an amount that the court decides is reasonable for collection of the civil penalty and damages. The amount shall be not less than 25 percent and not more than 30 percent of the proceeds of the action and shall be paid from the proceeds. In addition, the person shall be paid his or her expenses, costs, and fees under par. (c).

(e) Whether or not the state proceeds with the action or an alternate proceeding under sub. (10), if the court or other adjudicator finds that an action under sub. (5) was brought by a person who planned or initiated the violation upon which the action or proceeding is based, then the court may, to the extent that the court considers appropriate, reduce the share of the proceeds of the action that the person would otherwise receive under par. (a), (b), or (d), taking into account the role of that person in advancing the prosecution of the action or claim and any other relevant

circumstance pertaining to the violation, except that if the person bringing the action is convicted of criminal conduct arising from his or her role in a violation of sub. (2), the court or other adjudicator shall dismiss the person as a party and the person shall not receive any share of the proceeds of the action or claim or any expenses, costs, and fees under par. (c).

(12) Except if the action is brought by the attorney general or the person bringing the action is an original source of the information, the court shall dismiss an action or claim under this section, unless opposed by the state, if substantially the same allegations or transactions as alleged in the action or claim were publicly disclosed in any of the following ways:

(a) In a federal criminal, civil, or administrative hearing in which the state or its agent is a party.

(b) In a congressional, government accountability office, or other federal report, hearing, audit, or investigation.

(c) From the news media.

(13) The state is not liable for any expenses incurred by a private person in bringing an action under sub. (5).

(14) Any employee, contractor, or agent who is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment because of lawful actions taken by the employee, contractor, agent, or by others in furtherance of an action or claim filed under this section or on behalf of the employee, contractor, or agent, including investigation for, initiation of, testimony for, or assistance in an action or claim filed or to be filed under sub. (5) is entitled to all necessary relief to make the employee, contractor, or agent whole. Such relief shall in each case include reinstatement with

the same seniority status that the employee, contractor, or agent would have had but for the discrimination, 2 times the amount of back pay, interest on the back pay at the legal rate, and compensation for any special damages sustained as a result of the discrimination, including costs and reasonable attorney fees. An employee, contractor, or agent may bring an action to obtain the relief to which the employee, contractor, or agent is entitled under this subsection within 3 years after the date the retaliation occurred.

(15) A civil action may be brought based upon acts occurring prior to the effective date of this subsection .... [LRB inserts date], if the action is brought within the period specified in s. 893.9815.

(16) A judgment of guilty entered against a defendant in a criminal action in which the defendant is charged with fraud or making false statements estops the defendant from denying the essential elements of the offense in any action under sub. (5) that involves the same elements as in the criminal action.

(17) The remedies provided for under this section are in addition to any other remedies provided for under any other law or available under the common law.

(18) This section shall be liberally construed and applied to promote the public interest and to effect the congressional intent in enacting 31 USC 3729 to 3733, as reflected in the act and the legislative history of the act.

SECTION 529. 20.940 of the statutes is repealed.

SECTION 530. 23.09 (2) (d) (intro.) of the statutes is amended to read:

23.09 **(2)** (d) *Lands, acquisition.* (intro.) Acquire by purchase, lease or agreement, and receive by gifts or devise, lands or waters suitable for the purposes enumerated in this paragraph, and maintain such lands and waters for such purposes; and~~, except for the purpose specified under subd. 12.,~~ may condemn lands

or waters suitable for such purposes after obtaining approval of the appropriate standing committees of each house of the legislature as determined by the presiding officer thereof:

SECTION 531. 23.0915 (2c) (d) of the statutes is amended to read:

23.0915 **(2c)** (d) No moneys may be committed for expenditure from the appropriation under s. 20.866 (2) (tz) after June 30, ~~2022~~ 2032.

SECTION 532. 23.0916 (2) (am) of the statutes is amended to read:

23.0916 **(2)** (am) *Later acquisitions.* Except as provided in par. (b) ~~or (c)~~ and sub. (4), any person receiving a stewardship grant on or after July 1, 2011, that will be used to acquire land in fee simple or to acquire an easement on former managed forest land shall permit public access to the land for nature–based outdoor activities.

SECTION 533. 23.0916 (2) (b) (intro.) of the statutes is amended to read:

23.0916 **(2)** (b) *Authority to prohibit access; ~~earlier acquisitions; trails~~.* (intro.) ~~Except as provided in par. (c), the~~ The person receiving a stewardship grant subject to par. (a) or (am) may prohibit public access for one or more nature–based outdoor activities only if the natural resources board determines that it is necessary to do so in order to do any of the following:

SECTION 534. 23.0916 (2) (c) of the statutes is repealed.

SECTION 535. 23.0916 (3m) (a) of the statutes is amended to read:

23.0916 **(3m)** (a) Except as provided in par. (b), a determination by the natural resources board under sub. (2) (b) ~~or (c)~~ or (3) (b) or (c) with regard to public access on land or an easement requires 4 or more members of the natural resources board to concur in that determination if the land or easement was acquired on or after April 17, 2012.

SECTION 536. 23.0916 (5) (b) of the statutes is amended to read:

23.0916 **(5)** (b) A process for the review of determinations made under subs. (2) (b) ~~or (c)~~ and (3) (b) or (c).

SECTION 537. 23.09165 (2) (title) and (ac) of the statutes are consolidated and renumbered 23.09165 (2).

SECTION 538. 23.09165 (2) (bc) of the statutes is repealed.

SECTION 539. 23.0917 (3) (a) of the statutes is amended to read:

23.0917 **(3)** (a) Beginning with fiscal year 2000–01 and ending with fiscal year ~~2021–22~~ 2031–32, the department may obligate moneys under the subprogram for land acquisition to acquire land for the purposes specified in s. 23.09 (2) (d) and grants for these purposes under ~~s.~~ ss. 23.0953 and 23.096, except as provided under ~~ss.~~ par. (b) and ss. 23.0953 (2) (a), 23.197 (2m), (3m) (b), (7m), and (8), and 23.198 (1) (a).

SECTION 540. 23.0917 (3) (b) of the statutes is amended to read:

23.0917 **(3)** (b) In obligating moneys under the subprogram for land acquisition, the department shall set aside in each fiscal year $1,000,000 that may be obligated only for the department to acquire, develop, or maintain land for the ice age trail. ~~The~~ or for grants under s. 23.0961. Except as provided under sub. (5g) (ag), the period of time during which the moneys shall be set aside in each fiscal year shall begin on the July 1 of the fiscal year and end on the June 30 of the same fiscal year.

SECTION 541. 23.0917 (3) (bm) of the statutes is amended to read:

23.0917 **(3)** (bm) During the period beginning with fiscal year 2001–02 and ending with fiscal year ~~2021–22~~ 2031–32, in obligating money under the subprogram for land acquisition, the department shall set aside not less than a total of $2,000,000 that may be obligated only to provide matching funds for grants awarded to the department for the purchase of land or easements under 16 USC 2103c.

SECTION 542. 23.0917 (3) (br) 3. of the statutes is created to read:

23.0917 **(3)** (br) 3. For each fiscal year beginning with 2022–23 and ending with 2031–32, $10,000,000.

SECTION 543. 23.0917 (3) (bt) 3. of the statutes is created to read:

23.0917 **(3)** (bt) 3. For each fiscal year beginning with 2022–23 and ending with fiscal year 2031–32, $10,000,000.

SECTION 544. 23.0917 (3) (bw) of the statutes is amended to read:

23.0917 **(3)** (bw) In obligating moneys under the subprogram for land acquisition, the department shall set aside $5,000,000 for each fiscal year beginning with 2015–16 and ending with ~~2021–22~~ 2031–32 to be obligated only to provide grants to counties under s. 23.0953.

SECTION 545. 23.0917 (3) (bx) of the statutes is created to read:

23.0917 **(3)** (bx) Beginning with fiscal year 2022–23 and ending with fiscal year 2025–26, in obligating money under the subprogram for land acquisition, the department shall set aside $1,000,000 in each fiscal year that may be obligated only to acquire land from the board of commissioners of public lands under s. 24.59 (1) and for grants under s. 23.0953.

SECTION 546. 23.0917 (3) (dm) 8. of the statutes is created to read:

23.0917 **(3)** (dm) 8. For each fiscal year beginning with 2022–23 and ending with fiscal year 2025–26, $26,000,000.

SECTION 547. 23.0917 (3) (dm) 9. of the statutes is created to read:

23.0917 **(3)** (dm) 9. For each fiscal year beginning with 2026–27 and ending with fiscal year 2031–32, $25,000,000.

SECTION 548. 23.0917 (4) (a) of the statutes is amended to read:

23.0917 **(4)** (a) Beginning with fiscal year 2000–01 and ending with fiscal year ~~2021–22~~ 2031–32, the department may obligate moneys under the subprogram for property development and local assistance. Moneys obligated under this subprogram may be only used for nature–based outdoor recreation, except as provided under par. (cm).

SECTION 549. 23.0917 (4) (c) 5. of the statutes is repealed.

SECTION 550. 23.0917 (4) (d) 1m. f. of the statutes is created to read:

23.0917 **(4)** (d) 1m. f. For each fiscal year beginning with 2022–23 and ending with fiscal year 2025–26, $41,000,000.

SECTION 551. 23.0917 (4) (d) 1m. g. of the statutes is created to read:

23.0917 **(4)** (d) 1m. g. For each fiscal year beginning with 2026–27 and ending with fiscal year 2031–32, $42,000,000.

SECTION 552. 23.0917 (4) (d) 2. of the statutes is renumbered 23.0917 (4) (d) 2. (intro.) and amended to read:

23.0917 **(4)** (d) 2. (intro.) ~~Beginning with fiscal year 2000–01 and ending with fiscal year 2009–10, the~~ The department may obligate not more than ~~$8,000,000 in each fiscal year~~ the following amounts for local assistance~~.~~:

SECTION 553. 23.0917 (4) (d) 2. a. of the statutes is created to read:

23.0917 **(4)** (d) 2. a. Beginning with fiscal year 2000–01 and ending with fiscal year 2009–10, $8,000,000.

SECTION 554. 23.0917 (4) (d) 2n. of the statutes is renumbered 23.0917 (4) (d) 2. b. and amended to read:

23.0917 **(4)** (d) 2. b. For fiscal year 2010–11, ~~the department may obligate not more than~~ $11,500,000 ~~for local assistance~~.

SECTION 555. 23.0917 (4) (d) 2p. of the statutes is renumbered 23.0917 (4) (d) 2. c. and amended to read:

23.0917 **(4)** (d) 2. c. In fiscal years 2011–2012 and 2012–13, ~~the department may obligate not more than~~ $8,000,000 ~~in each fiscal year for local assistance~~.

SECTION 556. 23.0917 (4) (d) 2r. of the statutes is renumbered 23.0917 (4) (d) 2r. (intro.) and amended to read:

23.0917 **(4)** (d) 2r. (intro.) ~~Beginning with fiscal year 2013–14 and ending with fiscal year 2021–22, the~~ The department shall obligate ~~$6,000,000 in each fiscal year~~ the following amounts for local assistance~~.~~:

SECTION 557. 23.0917 (4) (d) 2r. a. of the statutes is created to read:

23.0917 **(4)** (d) 2r. a. Beginning with fiscal year 2013–14 and ending with fiscal year 2021–22, $6,000,000.

SECTION 558. 23.0917 (4) (d) 2r. b. of the statutes is created to read:

23.0917 **(4)** (d) 2r. b. Beginning with fiscal year 2022–23 and ending with fiscal year 2031–32, $18,000,000.

SECTION 559. 23.0917 (4) (d) 3. c. of the statutes is created to read:

23.0917 **(4)** (d) 3. c. Beginning with fiscal year 2022–23 and ending with fiscal year 2025–26, $22,000,000.

SECTION 560. 23.0917 (4) (d) 3. d. of the statutes is created to read:

23.0917 **(4)** (d) 3. d. Beginning with fiscal year 2026–27 and ending with fiscal year 2031–32, $23,000,000.

SECTION 561. 23.0917 (4) (e) of the statutes is created to read:

23.0917 **(4)** (e) During the period beginning with fiscal year 2022–23 and ending with fiscal year 2031–32, in obligating money under the subprogram for property development and local assistance, the department shall set aside not less

than a total of $1,000,000 in each fiscal year that may be obligated only for grants under s. 23.098.

SECTION 562. 23.0917 (4j) (b) of the statutes is renumbered 23.0917 (4j) (b) (intro.) and amended to read:

23.0917 **(4j)** (b) (intro.) ~~For fiscal year 2007–08, the~~ The department may not obligate more than ~~$1,500,000~~ the following amounts for cost–sharing with local governmental units for recreational boating projects under s. 30.92~~. For each fiscal year beginning with fiscal year 2008–09 and ending with fiscal year 2021–22, the department may not obligate more than $2,500,000 for cost–sharing with local governmental units for recreational boating projects under s. 30.92.~~:

SECTION 563. 23.0917 (4j) (b) 1., 2. and 3. of the statutes are created to read:

23.0917 **(4j)** (b) 1. For fiscal year 2007–08, $1,500,000.

2. For each fiscal year beginning with fiscal year 2008–09 and ending with fiscal year 2021–22, $2,500,000.

3. For each fiscal year beginning with fiscal year 2022–23 and ending with fiscal year 2031–32, $3,000,000.

SECTION 564. 23.0917 (5g) (ag) of the statutes is created to read:

23.0917 **(5g)** (ag) 1. Except as provided in par. (b), if for each of the fiscal years 2022–23, 2024–25, 2026–27, 2028–29, and 2030–31 the department obligates an amount from the moneys appropriated under s. 20.866 (2) (ta) for a subprogram under sub. (3), (4), or (4j) that is less than the annual bonding authority under that subprogram for that fiscal year, the department may obligate the unobligated amount in the next fiscal year but only for the purpose for which it was authorized under that subprogram.

2. Except as provided in par. (b), if for each of the fiscal years 2023–24, 2025–26, 2027–28, 2029–30, and 2031–32 the department obligates an amount from the moneys appropriated under s. 20.866 (2) (ta) for a subprogram under sub. (3), (4), or (4j) that is less than the annual bonding authority under that subprogram for that fiscal year plus any unobligated amount from the prior fiscal year under subd. 1., the department may obligate those unobligated amounts in any subsequent fiscal year ending with fiscal year 2031–32, but only for the purposes authorized in sub. (4) (c) 1. and 2.

SECTION 565. 23.0917 (5g) (b) of the statutes is renumbered 23.0917 (5g) (b) 1. and amended to read:

23.0917 **(5g)** (b) 1. If in a given fiscal year beginning with fiscal year 2013–14 and ending with fiscal year 2021–22 the amount that the department obligates from the moneys appropriated under s. 20.866 (2) (ta) to provide grants to nonprofit conservation organizations under s. 23.096 is less than the amount set aside for that purpose under sub. (3) (br) in that fiscal year, the department may obligate the unobligated amount in the next fiscal year but only for the purpose of awarding a grant under s. 23.0953 to a county for the acquisition of land for a county forest under s. 28.11.

SECTION 566. 23.0917 (5g) (b) 2. and 3. of the statutes are created to read:

23.0917 **(5g)** (b) 2. If for any of the fiscal years 2022–23, 2024–25, 2026–27, 2028–29, and 2030–31 the amount that the department obligates from the moneys appropriated under s. 20.866 (2) (ta) to provide grants to nonprofit conservation organizations under s. 23.096 is less than the amount set aside for that purpose under sub. (3) (br) in that fiscal year, the department may obligate the unobligated amount in the next fiscal year but only for local assistance under sub. (4).

3. If in fiscal years 2023–24, 2025–26, 2027–28, 2029–30, and 2031–32 the department does not obligate the full unobligated amount from the prior fiscal year under subd. 2., the department may obligate that unobligated amount in any subsequent fiscal year ending with fiscal year 2031–32, but only for the purposes authorized in sub. (4) (c) 1. and 2.

SECTION 567. 23.0917 (6m) (c) of the statutes is amended to read:

23.0917 **(6m)** (c) The procedures under par. (a) apply only to an amount for a project or activity that exceeds ~~$250,000~~ $500,000, except as provided in pars. (d)~~,~~ and (dg)~~, (dm), and (dr)~~.

SECTION 568. 23.0917 (6m) (dm) (intro.) and 1. of the statutes are amended to read:

23.0917 **(6m)** (dm) (intro.) The procedures under par. (a) apply to an amount for a project or activity that is less than or equal to ~~$250,000~~ $500,000 if all of the following apply:

1. The project or activity is so closely related to one or more other department projects or activities for which the department has proposed to obligate or has obligated moneys under s. 20.866 (2) (ta) that the projects or activities, if combined, would constitute a larger project or activity that exceeds ~~$250,000~~ $500,000.

SECTION 569. 23.0917 (6m) (dr) of the statutes is repealed.

SECTION 570. 23.0917 (8) (f) 2. of the statutes is amended to read:

23.0917 **(8)** (f) 2. Beginning with fiscal year 2013–14 and ending with fiscal year 2021–22, of the amount set aside for a given fiscal year under sub. (3) (bt), not more than one–third of that amount may be obligated for the purpose of the acquisition of land by the department.

SECTION 571. 23.0917 (12) of the statutes is amended to read:

23.0917 **(12)** EXPENDITURES AFTER 2022. No moneys may be obligated from the appropriation under s. 20.866 (2) (ta) after June 30, ~~2022~~ 2032.

SECTION 572. 23.0953 (2) (a) (intro.) of the statutes is amended to read:

23.0953 **(2)** (a) (intro.) Beginning with fiscal year 2010–11 and ending with fiscal year ~~2021–22~~ 2031–32, the department shall establish a grant program under which the department may award a grant to a county for any of the following:

SECTION 573. 23.0953 (2) (a) 1. of the statutes is amended to read:

23.0953 **(2)** (a) 1. ~~Acquisition of land for~~ Land acquisition or for property development or maintenance of a county forest under s. 28.11.

SECTION 574. 23.0953 (2) (a) 2. of the statutes is amended to read:

23.0953 **(2)** (a) 2. ~~Acquisition of land~~ Land acquisition, property development, or maintenance for a project that promotes nature–based outdoor recreation or conservation and for which the department is requesting the county's assistance.

SECTION 575. 23.0961 of the statutes is created to read:

23.0961 Ice age trail grants. (1) In this section, "nonprofit conservation organization" has the meaning given in s. 23.0955 (1).

(2) The department may award grants from the appropriation under s. 20.866 (2) (ta) to nonprofit conservation organizations, counties, cities, villages, or towns to acquire, develop, or maintain land for the ice age trail.

(3) Each nonprofit conservation organization receiving a grant under this section shall provide matching funds that are equal to at least 50 percent of the cost of the project for which a grant is being provided.

(4) For purposes of s. 23.0917, grants under this section shall be treated as moneys obligated from the subprogram under s. 23.0917 (3).

SECTION 576. 23.0964 of the statutes is created to read:

23.0964 Grants to acquire public lands. The department may award grants from the appropriation under s. 20.866 (2) (ta) to counties to acquire land from the board of commissioners of public lands. Each county receiving a grant under this section shall provide matching funds that are equal to at least 50 percent of the cost of the project for which a grant is being provided. For purposes of s. 23.0917, grants under this section shall be treated as moneys obligated from the subprogram under s. 23.0917 (3).

SECTION 577. 23.097 (2) of the statutes is amended to read:

23.097 **(2)** The department shall promulgate rules establishing criteria for awarding grants under this section. Using the procedure under s. 227.24, the department may promulgate emergency rules to incorporate new priorities and categories of grants and recipients under this section, and to increase the minimum amount of a grant awarded under this section. Notwithstanding s. 227.24 (1) (a) and (3), the department is not required to provide evidence that promulgating such an emergency rule is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for such an emergency rule.

SECTION 578. 23.098 (2) of the statutes is amended to read:

23.098 **(2)** The department shall establish a program to make grants from the appropriations under s. 20.866 (2) (ta) and (tz) to friends groups and nonprofit conservation organizations for projects for property development activities on department properties. The department may not encumber more than ~~$250,000~~ $1,000,000 in each fiscal year for these grants.

SECTION 579. 23.098 (4) (b) of the statutes is amended to read:

23.098 **(4)** (b) The department may not encumber more than ~~$20,000~~ $80,000 for grants under this section for a department property in each fiscal year.

SECTION 580. 23.199 of the statutes is created to read:

23.199 Great Lakes erosion control revolving loan program. (1) The department shall administer a revolving loan program to assist municipalities and owners of homes located on the shore of Lake Michigan or Lake Superior where the structural integrity of municipal buildings or homes is threatened by erosion of the shoreline.

(2) The department shall make loans under this section from the appropriation under s. 20.370 (9) (pq).

(3) The department shall promulgate rules to administer this section, including rules establishing eligibility criteria and income limitations for loans under this section.

SECTION 581. 23.33 (2) (dm) 2. of the statutes is amended to read:

23.33 **(2)** (dm) 2. The fee for the issuance or renewal of a commercial all–terrain vehicle and utility terrain vehicle certificate is $90. Upon receipt of the application through an online application system or on a form required by the department and the fee required under this subdivision, the department shall issue to the applicant a commercial all–terrain vehicle and utility terrain vehicle certificate and 3 registration decals. The fee for additional registration decals is $30 per decal.

SECTION 582. 23.33 (2) (ig) 3. of the statutes is created to read:

23.33 **(2)** (ig) 3. Under either procedure under subd. 1., an agent may accept an application by facilitating an online application for registration documents.

SECTION 583. 23.33 (2) (ir) of the statutes is amended to read:

23.33 **(2)** (ir) *Registration; supplemental fee.* In addition to the applicable fee under par. (c), (d), or (e), ~~each~~ when an agent appointed under par. (i) 3. ~~who~~ accepts an application to renew registration documents ~~in person~~, or the department accepts an application to renew registration documents through a statewide automated system, the agent or the department shall collect an issuing fee of 50 cents and a transaction fee of 50 cents each time the agent or the department issues renewal registration documents under par. (ig) 1. a. or b. The agent or the department shall retain the entire amount of each issuing fee and transaction fee the agent or the department collects.

SECTION 584. 23.33 (2) (o) of the statutes is amended to read:

23.33 **(2)** (o) *Receipt of all–terrain vehicle fees.* All fees remitted to or collected by the department under par. (c) 1., (e), or (ir) for services provided regarding all–terrain vehicles shall be credited to the appropriation account under s. 20.370 (9) (hu).

SECTION 585. 23.33 (2j) (f) 4. of the statutes is created to read:

23.33 **(2j)** (f) 4. All fees remitted to or collected by the department under subd. 2. shall be credited to the appropriation account under s. 20.370 (9) (hu).

SECTION 586. 23.33 (9) (bd) of the statutes is repealed.

SECTION 587. 23.335 (3) (b) of the statutes is amended to read:

23.335 **(3)** (b) *Registration; sales by dealers.* If the seller of an off–highway motorcycle is an off–highway motorcycle dealer, the dealer shall require each buyer to whom he or she sells an off–highway motorcycle to complete an application, which may be online, for registration for public or private use and collect the applicable fee required under sub. (4) (d) at the time of the sale if the off–highway motorcycle will be operated off the highways and is not exempt from registration under sub. (2) (b).

The department shall provide application and temporary operating receipt forms to off–highway motorcycle dealers. Each off–highway motorcycle dealer shall provide the buyer a temporary operating receipt showing that the application has been submitted and the accompanying fee ~~have~~ has been obtained by the off–highway motorcycle dealer. The off–highway motorcycle dealer shall ensure an application and fee is submitted online on the day of sale or shall mail or deliver ~~the~~ a paper application and fee to the department no later than 7 days after the date of sale.

SECTION 588. 23.335 (3) (d) of the statutes is amended to read:

23.335 **(3)** (d) *Registration; action by department.* Upon receipt of an application for registration of an off–highway motorcycle through an online application system or on a form provided by the department, and the payment of any applicable fees under sub. (4) (d) and of any sales or use taxes that may be due, the department shall issue a registration certificate to the applicant.

SECTION 589. 23.335 (3) (e) of the statutes is amended to read:

23.335 **(3)** (e) *Transfers of registered motorcycles.* Upon transfer of ownership of an off–highway motorcycle that is registered for public or private use, the transferor shall deliver the registration certificate to the transferee at the time of the transfer. The transferee shall complete an application for transfer through an online application system or on a form provided by the department and shall submit the online application or mail or deliver the paper form to the department within 10 days after the date of the transfer if the transferee intends to operate the off–highway motorcycle off the highways.

SECTION 590. 23.335 (4) (e) 1. of the statutes is amended to read:

23.335 **(4)** (e) 1. If a registration certificate issued under sub. (3) or accompanying decal is lost or destroyed, the holder of the certificate or decal may

apply for a duplicate through an online application system or on a form provided by the department. Upon receipt of the application and the fee required under subd. 2., the department shall issue a duplicate certificate or decal to the applicant.

SECTION 591. 23.335 (4) (h) of the statutes is amended to read:

23.335 **(4)** (h) *Registration; supplemental fee.* In addition to the applicable fee under par. (d) 1., 2., or 3. or (e) 2., ~~each~~ when an agent appointed under par. (f) 2. ~~who~~ accepts an application to renew registration documents ~~in person~~, or the department accepts an application to renew registration documents through a statewide automated system, the agent or the department shall collect an issuing fee of 50 cents and a transaction fee of 50 cents each time the agent or the department issues renewal registration documents under par. (g) 1. or 2. The agent or the department shall retain the entire amount of each issuing fee and transaction fee the agent or the department collects.

SECTION 592. 23.335 (4) (hm) of the statutes is created to read:

23.335 **(4)** (hm) *Receipt of fees.* All fees remitted to or collected by the department under par. (d) 1., 2., or 3. or (h) shall be credited to the appropriation account under s. 20.370 (9) (hu).

SECTION 593. 23.335 (5) (a) of the statutes is amended to read:

23.335 **(5)** (a) A person who is an off–highway motorcycle dealer shall register with the department and obtain from the department a commercial off–highway motorcycle certificate. Upon receipt of the required fee under par. (e) and an application through an online application system or on a form provided by the department, the department shall issue the applicant a commercial off–highway motorcycle certificate and 3 accompanying decals.

SECTION 594. 23.335 (5) (d) of the statutes is amended to read:

23.335 **(5)** (d) If a certificate or decal that was issued under par. (a) is lost or destroyed, the holder of the certificate or decal may apply for a duplicate through an online application system or on a form provided by the department. Upon receipt of the application and the required fee under par. (e), the department shall issue a duplicate certificate or decal to the applicant.

SECTION 595. 23.335 (5) (h) of the statutes is created to read:

23.335 **(5)** (h) All fees remitted to or collected by the department under par. (e) shall be credited to the appropriation account under s. 20.370 (9) (hu).

SECTION 596. 23.41 (6) (b) of the statutes is amended to read:

23.41 **(6)** (b) The department shall attempt to ensure that at least 1 percent of the total amount expended under this section in each fiscal year is paid to disabled veteran–owned businesses, as defined in s. 16.75 (3m) (a) ~~1.~~ 1j.

SECTION 597. 23.41 (6) (c) of the statutes is created to read:

23.41 **(6)** (c) The department shall attempt to ensure that at least 1 percent of the total amount expended under this section in each fiscal year is paid to lesbian, gay, bisexual, or transgender–owned businesses certified by the department of administration under s. 16.288 (3).

SECTION 598. 23.41 (6) (d) of the statutes is created to read:

23.41 **(6)** (d) The department shall attempt to ensure that at least 1 percent of the total amount expended under this section in each fiscal year is paid to disability–owned businesses certified by the department of administration under s. 16.289 (3).

SECTION 599. 25.17 (2) (h) of the statutes is created to read:

25.17 **(2)** (h) Notwithstanding any other provision of this chapter, invest moneys designated by the Board of Regents of the University of Wisconsin System

under s. 36.11 (11m) (am) as directed by the Board of Regents under the Board of Regents' investment policies. The investment board shall make and manage investments under this paragraph in accordance with the investment directives and policies of the Board of Regents except that the investment board may decline to follow any investment directive or policy that the investment board considers to involve unreasonable risk or to be in violation of the investment board's standard of responsibility under s. 25.15 (2).

SECTION 600. 25.17 (9m) of the statutes is amended to read:

25.17 **(9m)** If contracted to do so by the Board of Regents of the University of Wisconsin System, invest the moneys specified in s. 36.11 (11m) (a) in accordance with the terms of the contract and the board's standard of responsibility specified in s. 25.15 (2).

SECTION 601. 25.185 (title) of the statutes is amended to read:

25.185 (title) **Minority ~~financial advisers and investment firms; disabled veteran-owned~~; lesbian, gay, bisexual, or transgender-owned; and disability-owned financial advisers and investment firms.**

SECTION 602. 25.185 (1) (a) of the statutes is renumbered 25.185 (1) (ah).

SECTION 603. 25.185 (1) (ae) of the statutes is created to read:

25.185 **(1)** (ae) "Disability–owned financial adviser" means a financial adviser certified by the department of administration under s. 16.289 (3).

SECTION 604. 25.185 (1) (af) of the statutes is created to read:

25.185 **(1)** (af) "Disability–owned investment firm" means an investment firm certified by the department of administration under s. 16.289 (3).

SECTION 605. 25.185 (1) (br) of the statutes is created to read:

25.185 **(1)** (br) "Lesbian, gay, bisexual, or transgender–owned financial adviser" means a financial adviser certified by the department of administration under s. 16.288 (3).

SECTION 606. 25.185 (1) (bs) of the statutes is created to read:

25.185 **(1)** (bs) "Lesbian, gay, bisexual, or transgender–owned investment firm" means an investment firm certified by the department of administration under s. 16.288 (3).

SECTION 607. 25.185 (2) (c) of the statutes is created to read:

25.185 **(2)** (c) The board shall attempt to ensure that at least 1 percent of the total funds expended for financial and investment analysis and for common stock and convertible bond brokerage commissions in each fiscal year is expended for the services of lesbian, gay, bisexual, or transgender–owned financial advisers or lesbian, gay, bisexual, or transgender–owned investment firms.

SECTION 608. 25.185 (2) (d) of the statutes is created to read:

25.185 **(2)** (d) The board shall attempt to ensure that at least 1 percent of the total funds expended for financial and investment analysis and for common stock and convertible bond brokerage commissions in each fiscal year is expended for the services of disability–owned financial advisers or disability–owned investment firms.

SECTION 609. 25.185 (3) of the statutes is amended to read:

25.185 **(3)** The board shall annually report to the department of administration the total amount of moneys expended under sub. (2) for common stock and convertible bond brokerage commissions, the services of minority ~~and,~~ disabled veteran–owned, lesbian, gay, bisexual, or transgender–owned, and disability–owned financial advisers, and the services of minority ~~and,~~ disabled veteran–owned,

lesbian, gay, bisexual, or transgender–owned, and disability–owned investment firms during the preceding fiscal year.

SECTION 610. 25.316 of the statutes is created to read:

25.316 Community reinvestment fund. There is established a separate nonlapsible trust fund, designated the community reinvestment fund consisting of 60 percent of all moneys received from the taxes imposed under s. 139.971, including interest and penalties.

SECTION 611. 25.425 of the statutes is amended to read:

25.425 Election administration fund. There is established a separate nonlapsible trust fund, designated the election administration fund, consisting of all moneys received from the federal government under P.L. 107–252~~, all moneys received from requesters from sales of copies of the official registration list,~~ and all moneys transferred to the fund from other funds.

SECTION 612. 25.43 (2s) (a) 2. of the statutes is amended to read:

25.43 **(2s)** (a) 2. The difference between $20,000,000 and the amount that has been expended under s. 20.320 (1) (sm), 2019 stats., when the agreement is entered into.

SECTION 613. 25.43 (3) of the statutes is amended to read:

25.43 **(3)** Except for the purpose of investment as provided in s. 25.17 (2) (d), the environmental improvement fund may be used only for the purposes authorized under ss. 20.320 (1) (r), (s), ~~(sm),~~ (t), and (x) and (2) (r), (s), and (x), 20.370 (4) (mt), (mx) and (nz), (8) (mr) and (9) (mt), (mx) and (ny), 20.505 (1) (v), (x) and (y), 281.58, 281.59, ~~281.60,~~ 281.61, 281.62, and 283.31 and s. 281.60, 2019 stats.

SECTION 614. 25.75 (2) of the statutes is amended to read:

25.75 **(2)** CREATION. There is created a separate nonlapsible trust fund known as the lottery fund, to consist of gross lottery revenues received by the department of revenue and moneys transferred to the lottery fund under ss. 20.435 (5) (kg), 20.455 (2) (g), and 20.505 (8) (am)~~,~~ and (g)~~, and (jm)~~.

SECTION 615. 27.01 (2) (a) of the statutes is amended to read:

27.01 **(2)** (a) Acquire by purchase, lease or agreement lands or waters suitable for state park purposes and may acquire such lands and waters by condemnation after obtaining approval of the senate and assembly committees on natural resources. ~~The power of condemnation may not be used for the purpose of establishing or extending a recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).~~

SECTION 616. 27.01 (6m) of the statutes is created to read:

27.01 **(6m)** VISITOR ACTIVITY GUIDES FOR SCHOOLS. The department shall provide on the department's Internet site a visitor activity guide for state parks, forests, recreation areas, and trails.

SECTION 617. 27.01 (9) (bg) of the statutes is created to read:

27.01 **(9)** (bg) *Annual 4th grade pass.* 1. In this paragraph:

a. "4th grade pupil" means a child receiving a 4th grade level of instruction in a school or a home–based private educational program, as defined in s. 115.001 (3g).

b. "Guardian" has the meaning given in s. 48.02 (8).

c. "Parent" has the meaning given in s. 48.02 (13).

2. The parent or guardian of a child may apply for an annual vehicle admission receipt fee waiver by submitting an application to the department. An application may not be submitted to a regional office of the department or to a person who is

subject to an appointment or a contract as authorized under s. 29.024 (6) (a) 2. to 4. but must be submitted directly to the main office of the department. An application shall be submitted on a form provided by the department and shall include all of the following information:

a. The child's name.

b. The child's date of birth.

c. The name of the school the child is or will be attending or a certification that the child is in a home–based private educational program, as defined in s. 115.001 (3g).

d. A certification that the child is, was, or will be a 4th grade pupil on the 1st day of January of the calendar year for which the waiver is issued. This certification may be satisfied with dated report cards, dated and signed enrollment forms, a dated letter from the child's school on official letterhead, or any other proof deemed acceptable by the department.

3. Subject to subd. 4., the department shall provide to an individual whose application submitted under subd. 2. is approved an annual vehicle admission receipt fee waiver that is valid for the calendar year in which the waiver is issued.

4. A parent or guardian may receive only one fee waiver under this paragraph in his or her lifetime. If a parent or guardian receives a fee waiver under this paragraph, the department may not issue a fee waiver under this paragraph for any other member of the parent's or guardian's household.

5. The department shall waive the fee, including the issuing fee, imposed under sub. (7) for an annual vehicle admission receipt for a single vehicle, except a motor bus, that has Wisconsin registration plates and that is operated by a person who holds a valid fee waiver issued under this paragraph.

SECTION 618. 27.019 (10) of the statutes is amended to read:

27.019 **(10)** ACQUISITION OF LAND. Any county in which there does not exist a county park commission acting through its rural planning committee may acquire by gift, grant, devise, donation, purchase, condemnation or otherwise, with the consent of the county board, a sufficient tract or tracts of land for the reservation for public use of river fronts, lake shores, picnic groves, outlook points from hilltops, places of special historic interest, memorial grounds, parks, playgrounds, sites for public buildings, and reservations in and about and along and leading to any or all of the same, and to develop and maintain the same for public use. ~~The power of condemnation may not be used for the purpose of establishing or extending a recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).~~

SECTION 619. 27.05 (3) of the statutes is amended to read:

27.05 **(3)** Acquire, in the name of the county, by purchase, land contract, lease, condemnation, or otherwise, with the approval and consent of the county board, such tracts of land or public ways as it deems suitable for park purposes; including lands in any other county not more than three–fourths of a mile from the county line; but no land so acquired shall be disposed of by the county without the consent of said commission, and all moneys received for any such lands, or any materials, so disposed of, shall be paid into the county park fund hereinafter established. ~~The power of condemnation may not be used for the purpose of establishing or extending a recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).~~

SECTION 620. 27.065 (1) (a) of the statutes is amended to read:

27.065 **(1)** (a) The county board of any county which shall have adopted a county system of parks or a county system of streets and parkways, pursuant to s. 27.04, may acquire the lands necessary for carrying out all or part of such plan by gift, purchase, condemnation or otherwise; provided, however, that no lands shall be acquired by condemnation unless and until the common council of the city or the board of trustees of the village or the board of supervisors of the town wherein such land is situated shall consent thereto. ~~The power of condemnation may not be used for the purpose of establishing or extending a recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).~~ The cost of acquiring such lands by purchase or condemnation may be paid in whole or in part by the county or by the property to be benefited thereby, as the county board shall direct but in no case shall the amount assessed to any parcel of real estate exceed the benefits accruing thereto; provided, that no assessment for paying the cost of acquiring lands may be levied or collected against the property to be benefited until the governing body of the city, village or town where such lands are located has by resolution determined that the public welfare will be promoted thereby. Title to all lands acquired hereunder shall be an estate in fee simple.

SECTION 621. 27.08 (2) (b) of the statutes is amended to read:

27.08 **(2)** (b) To acquire in the name of the city for park, parkway, boulevard or pleasure drive purposes by gift, devise, bequest or condemnation, either absolutely or in trust, money, real or personal property, or any incorporeal right or privilege~~;~~ ~~except that no lands may be acquired by condemnation for the purpose of establishing or extending a recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s.~~

~~346.02 (8) (a)~~. Gifts to any city of money or other property, real or personal, either absolutely or in trust, for park, parkway, boulevard or pleasure drive purposes shall be accepted only after they shall have been recommended by the board to the common council and approved by said council by resolution. Subject to the approval of the common council the board may execute every trust imposed upon the use of property or property rights by the deed, testament or other conveyance transferring the title of such property to the city for park, parkway, boulevard or pleasure drive purposes.

SECTION 622. 27.08 (2) (c) of the statutes is amended to read:

27.08 **(2)** (c) Subject to the approval of the common council to buy or lease lands in the name of the city for park, parkway, boulevard or pleasure drive purposes within or without the city and, with the approval of the common council, to sell or exchange property no longer required for its purposes. Every city is authorized, upon recommendation of its officers, board or body having the control and management of its public parks, to acquire by condemnation in the name of the city such lands within or without its corporate boundaries as it may need for public parks, parkways, boulevards and pleasure drives. ~~The power of condemnation may not be used for the purpose of establishing or extending a recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5c); or a pedestrian way, as defined in s. 346.02 (8) (a).~~

SECTION 623. 28.11 (11) (a) 2. of the statutes is amended to read:

28.11 **(11)** (a) 2. Upon the filing of an application to withdraw lands under subd. 1., the department shall investigate the application. During the course of its investigation the department shall make an examination of the character of the land, the volume of timber, improvements, and any other special values. In the case of withdrawal for the purpose of sale to any purchaser other than the state ~~or,~~ a local

unit of government, or a federally recognized American Indian tribe or band, the department shall establish a minimum value on the lands to be withdrawn. In making its investigation the department shall give full weight and consideration to the purposes and principles set forth in sub. (1), and it shall also weigh and consider the benefits to the people of the state as a whole, as well as to the county, from the proposed use against the benefits accruing to the people of the state as a whole and to the county under the continued entry of the lands to be withdrawn. The department may conduct a public hearing on the application, if it considers it advisable, at a time and place that it determines, except that if the county requests a public hearing in writing, the department shall hold a public hearing.

SECTION 624. 29.001 (69) of the statutes is amended to read:

29.001 **(69)** "Resident" means a person who has maintained his or her place of permanent abode in this state for a period of 30 days immediately preceding his or her application for an approval. Domiciliary intent is required to establish that a person is maintaining his or her place of permanent abode in this state. Mere ownership of property is not sufficient to establish domiciliary intent. Evidence of domiciliary intent includes, without limitation, the location where the person votes, pays personal income taxes, or obtains a driver's license or an identification card issued under s. 343.50.

SECTION 625. 29.063 (7) of the statutes is created to read:

29.063 **(7)** The department shall provide financial assistance to city, village, town, and county governments, individuals, businesses, and nonprofit conservation organizations for the purchase of large metal containers in which hunters may dispose of deer carcasses.

SECTION 626. 29.191 (1) (b) 1. of the statutes is amended to read:

29.191 **(1)** (b) 1. 'Habitat.' The department shall expend 67 percent of the money received from fees for waterfowl hunting stamps for developing, managing, preserving, restoring and maintaining wetland habitat and for producing waterfowl and ecologically related species of wildlife. The department may provide money under this subdivision to nonprofit conservation organizations and local units of government for developing and restoring wetland habitat.

SECTION 627. 29.219 (4) of the statutes is amended to read:

29.219 **(4)** ~~HUSBAND AND WIFE~~ SPOUSES RESIDENT LICENSES. A combined ~~husband and wife~~ spouses resident fishing license shall be issued subject to s. 29.024 by the department to residents applying for this license. This license confers upon both ~~husband and wife~~ spouses the privileges of resident fishing licenses.

SECTION 628. 29.228 (5) of the statutes is amended to read:

29.228 **(5)** ANNUAL FAMILY FISHING LICENSE. The department shall issue a nonresident annual family fishing license, subject to s. 29.024, to any nonresident who applies for this license. This license entitles the ~~husband, wife~~ spouses and any minor children to fish under this license.

SECTION 629. 29.228 (6) of the statutes is amended to read:

29.228 **(6)** FIFTEEN-DAY FAMILY FISHING LICENSE. The department shall issue a nonresident 15–day family fishing license, subject to s. 29.024, to any nonresident who applies for this license. This license entitles the ~~husband, wife~~ spouses and any minor children to fish under this license.

SECTION 630. 29.229 (2) (i) of the statutes is amended to read:

29.229 **(2)** (i) ~~Husband and wife~~ Spouses fishing licenses.

SECTION 631. 29.2295 (2) (i) of the statutes is amended to read:

29.2295 **(2)** (i) ~~Husband and wife~~ Spouses fishing licenses.

SECTION 632. 29.563 (2) (e) 3. of the statutes is amended to read:

29.563 **(2)** (e) 3. Waterfowl: ~~$6.75~~ $11.75.

SECTION 633. 29.563 (3) (a) 3. of the statutes is amended to read:

29.563 **(3)** (a) 3. ~~Husband and wife~~ Spouses: $30.25.

SECTION 634. 29.607 (3) of the statutes is amended to read:

29.607 **(3)** LICENSE REQUIRED; EXCEPTIONS; WILD RICE IDENTIFICATION CARD. Every person over the age of 16 and under the age of 65 shall obtain the appropriate wild rice license to harvest or deal in wild rice but no license to harvest is required of the members of the immediate family of a licensee or of a recipient of old–age assistance or members of their immediate families. The department, subject to s. 29.024 (2g) and (2r), shall issue a wild rice identification card to each member of a licensee's immediate family, to a recipient of old–age assistance and to each member of the recipient's family. The term "immediate family" includes ~~husband and wife~~ spouses and minor children having their abode and domicile with the parent or legal guardian.

SECTION 635. 30.2065 (1) of the statutes is repealed.

SECTION 636. 30.2065 (1g) of the statutes is created to read:

30.2065 **(1g)** (a) The department shall issue a general permit that authorizes wetland, stream, and floodplain restoration and management activities that will result in a net improvement in hydrologic connections, conditions, and functions. These activities shall be designed to the extent possible to return wetland, stream, and floodplain hydrology to a natural and self–regulating condition in order to achieve such goals as to slow the flow of runoff, reduce flood peaks, restore surface and groundwater interactions, improve water quality, or increase soil retention, groundwater infiltration, base flow, upper watershed storage, and flood resilience.

An activity is authorized by the general permit only if the applicant demonstrates to the satisfaction of the department that the activity will result in net improvements in hydrologic connections, conditions, and functions and will not injure public rights or interests or result in material injury to the rights of any riparian owner. The department may develop a quantification tool to determine if an activity will meet those standards. The department shall include conditions under the general permit that do all of the following:

1. Authorize hydrologic restoration activities in and adjacent to wetlands, streams, floodplains, and drainageways, including those that are no longer present but are restorable, for the purposes of reconnecting streams and floodplains, reestablishing healthy channel form and condition, removing or reducing wetland drainage, restoring or improving natural flow and movement of water or sediment, and reestablishing vegetation to support site stability and help manage flow and infiltration.

2. Authorize hydrologic restoration activities that alter the flow of water in, to, or from an area of special natural resource interest if the activities restore or repair surface or subsurface connections within the area of special natural resource interest or between the area of special natural resource interest and other waters of the state.

3. Specify that the general permit does not authorize any of the following activities:

a. Construction of artificial wetlands.

b. Construction of stormwater retention or detention ponds.

c. Construction of large dams, as defined under s. 31.19 (1m), or dams that pose a risk to life, health, or property.

d. Activities that straighten, berm, dredge, or armor stream channels, except when proposed as a necessary element of a larger hydrologic restoration plan.

e. Fish and wildlife habitat enhancement activities that are not associated with a larger hydrologic restoration plan.

(b) In addition to the conditions under par. (a), the department may include other conditions necessary to ensure that activities authorized by the general permit will not injure public rights or interests or result in material injury to the rights of any riparian owner.

(c) The department shall consider all of the following factors when it assesses whether a proposed activity will result in net improvements in hydrologic connections, conditions, and functions:

1. Minimal adverse impacts regulated under this chapter and ch. 281 may be allowed if those impacts are anticipated to be temporary.

2. Restoring natural and self–regulating hydrology may result in permanent but net–positive changes to biotic communities and abiotic conditions.

(d) In reviewing activities proposed to be conducted under a general permit issued under this subsection, the department may do any of the following:

1. Waive fees.

2. Establish a reporting–only notification process for activities funded in whole or in part by a state or federal agency.

3. Waive requirements for wetland delineations and functional assessments.

4. Adjust and simplify the application and information requirements to reflect the fact that voluntary hydrologic restoration projects differ from projects with potential adverse environmental impacts.

5. Waive requirements related to wetland mitigation for impacts incidental to more fully restoring wetland hydrology.

(e) The department shall notify, in writing, a person who has applied under s. 30.206 (3) (a) for authorization to proceed under a general permit issued under this subsection that the person is required to apply for an individual permit if the department determines that the proposed activity will not result in net improvements to hydrologic connections, condition, and functions. The department shall document in this notification its reasons for making this determination.

(f) A person wishing to proceed with an activity that may be authorized by a general permit under this subsection may request and shall be granted a preapplication meeting with the department prior to submitting an application under s. 30.206 (3) (a). The department shall attempt to coordinate this meeting with the local zoning authority in cases where local zoning regulations apply.

SECTION 637. 30.2065 (2) (title) of the statutes is repealed.

SECTION 638. 30.2065 (2) (a) of the statutes is renumbered 30.2065 (1e) and amended to read:

30.2065 **(1e)** The department may issue a general permit to a person wishing to proceed with ~~an~~ a wetland restoration activity sponsored by a federal agency.

(1r) A permit issued under ~~this subsection~~ sub. (1e) or (1g) is in lieu of any permit or approval that would otherwise be required for that activity under this chapter or s. 31.02, 31.12, 31.33, 281.15, or 281.36, except that a general permit issued under sub. (1g) does not apply to wetland mitigation conducted as required under s. 281.36 (3n) (d).

SECTION 639. 30.2065 (2) (b) of the statutes is renumbered 30.2065 (2m) and amended to read:

30.2065 **(2m)** A general permit issued under ~~this subsection~~ sub. (1e) or (1g) is valid for a period of 5 years except that an activity that the department determines is authorized by a general permit remains authorized under the permit until the activity is completed.

SECTION 640. 30.2065 (2) (c) of the statutes is renumbered 30.2065 (3m), and 30.2065 (3m) (intro.), as renumbered, is amended to read:

30.2065 **(3m)** (intro.) To ensure that the cumulative adverse environmental impact of the activities authorized by a general permit issued under sub. (1e) is insignificant and that the issuance of the general permit will not injure public rights or interests, cause environmental pollution, as defined in s. 299.01 (4), or result in material injury to the rights of any riparian owner, the department may impose any of the following conditions on ~~the~~ a general permit issued under sub. (1e):

SECTION 641. 30.303 of the statutes is created to read:

30.303 Dam on Sheboygan River. From the appropriation under s. 20.370 (5) (fx), the department shall award a grant to Sheboygan County for the removal and reconstruction of a dam on the Sheboygan River at the Sheboygan Marsh.

SECTION 642. 30.52 (1m) (ar) of the statutes is amended to read:

30.52 **(1m)** (ar) *Supplemental fees.* In addition to the applicable fee under sub. (3), ~~each~~ when an agent appointed under par. (a) 3. ~~who~~ accepts an application to renew certification or registration documents ~~in person~~, or the department accepts an application to renew registration documents through a statewide automated system, the agent or the department shall collect an issuing fee of 50 cents and a transaction fee of 50 cents each time the agent or the department issues renewal certification or registration documents or a renewal temporary operating receipt

under par. (ag) 1. or 2. The agent or the department shall retain the entire amount of each issuance and transaction fee the agent or the department collects.

SECTION 643. 30.52 (3) (k) of the statutes is created to read:

30.52 **(3)** (k) *Use of fees.* All fees remitted to or collected by the department under par. (j) shall be credited to the appropriation account under s. 20.370 (9) (hu).

SECTION 644. 30.537 (4) (g) of the statutes is created to read:

30.537 **(4)** (g) All fees remitted to or collected by the department under pars. (a), (c), and (d) shall be credited to the appropriation account under s. 20.370 (9) (hu).

SECTION 645. 30.79 (5) of the statutes is amended to read:

30.79 **(5)** PAYMENT OF AIDS. On or before January 31 of the year following the year in which a local governmental unit operated a water safety patrol unit, it shall file with the department on the forms prescribed by it a detailed statement of the costs incurred by the local governmental unit in the operation of the water safety patrol unit during the past calendar year and of the receipts resulting from fines or forfeitures imposed upon persons convicted of violations of ordinances enacted under s. 30.77. The department shall audit the statement and determine the net costs that are directly attributable to the operation and maintenance of the water safety patrol unit, including a reasonable amount for depreciation of equipment. In calculating the net costs, the department shall deduct any fines or forfeitures imposed on persons convicted of violations of ordinances under s. 30.77 and any costs that do not comply with the rules promulgated under sub. (2m). The department shall compute the state aids on the basis of ~~75~~ 80 percent of these net costs and shall cause the aids to be paid on or before April 1 of the year in which the statements are filed. If the state aids payable to local governmental units exceed the moneys available for such

purpose, the department shall prorate the payments. No local governmental unit may receive state aid amounting to more than 20 percent of the funds available.

SECTION 646. 32.015 of the statutes is repealed.

SECTION 647. 32.51 (1) (intro.) of the statutes is amended to read:

32.51 **(1)** PURPOSES. (intro.) In addition to the powers granted under subch. I ~~and subject to the limitations under s. 32.015~~, any city may condemn or otherwise acquire property under this subchapter for:

SECTION 648. 36.09 (1) (e) of the statutes is amended to read:

36.09 **(1)** (e) Subject to par. (em), the board shall appoint a president of the system; a chancellor for each institution; a dean for each college campus; the state geologist; the director of the laboratory of hygiene; the director of the psychiatric institute; the state cartographer; and the requisite number of officers, other than the vice presidents, associate vice presidents, and assistant vice presidents of the system; faculty; academic staff; and other employees and fix the salaries, subject to the limitations under par. (j) and s. 230.12 (3) (e), the duties and the term of office for each. The board shall fix the salaries, subject to the limitations under par. (j) and s. 230.12 (3) (e), and the duties for each chancellor, vice president, associate vice president, and assistant vice president of the system. No sectarian or partisan tests or any tests based upon race, religion, national origin, ~~or~~ sex, sexual orientation, as defined in s. 111.32 (13m), gender expression, as defined in s. 111.32 (7j), or gender identity, as defined in s. 111.32 (7k) shall ever be allowed or exercised in the appointment of the employees of the system.

SECTION 649. 36.09 (2) (c) of the statutes is repealed.

SECTION 650. 36.09 (3) (d) 3. of the statutes is created to read:

36.09 **(3)** (d) 3. Within 30 days after all contracts under s. 118.40 (2x) have terminated, the chancellor of the University of Wisconsin–Madison shall provide notice of this fact to the legislature in the manner provided under s. 13.172 (2), to the governor, and to the state superintendent of public instruction. All requirements and authority under this paragraph terminate after the chancellor provides this notice.

SECTION 651. 36.11 (11m) (am) of the statutes is created to read:

36.11 **(11m)** (am) The Board of Regents may manage the investment of any revenues designated by the Board of Regents, including revenues specified in par. (a), by directing the investment board to invest these moneys according to investment policies established by the Board of Regents.

SECTION 652. 36.11 (11m) (b) of the statutes is amended to read:

36.11 **(11m)** (b) Notwithstanding ss. 25.14 (1) (a) and 25.17 (1) (g), the board is not required to deposit revenues from gifts, grants, and donations in the state investment fund if the board invests these moneys as provided in par. (a). Notwithstanding ss. 25.14 (1) (a) and 25.17 (1) (g), the board is not required to deposit revenues designated under par. (am) in the state investment fund if the board directs the investment of these moneys as provided in par. (am) and s. 25.17 (2) (h).

SECTION 653. 36.11 (59) of the statutes is created to read:

36.11 **(59)** EXTENSIONS OF CREDIT PROVIDING SHORT-TERM FUNDING. (a) In this subsection:

1. "Athletics program" means a program for intercollegiate athletics that is all of the following:

a. A revenue–producing enterprise.

b. Operated or overseen by an institution's athletics department or office.

c. Subject to the bylaws and policies of the National Collegiate Athletic Association.

2. "Extension of credit" includes a loan or line of credit from a financial institution, liquidity facility, ancillary agreement, or any other credit arrangement.

3. "Master lease" has the meaning given in s. 16.76 (4) (a).

4. "Short–term" means a period not exceeding 5 years for repayment of any individual extension of credit.

(b) The board may, upon affirmative approval by the board at a public meeting, arrange and obtain extensions of credit, on terms approved by the board, to provide short–term funding for any expense associated with athletics or educational programs and related programs, except as provided in par. (e). Extensions of credit may also be used for refinancing or refunding if the repayment period for the original extension of credit does not exceed 5 years.

(c) 1. The board may pledge any of the following collateral as security for repayment of an extension of credit under par. (b):

a. Any revenues generated by the system, arising after the initial extension of credit is entered into, as a result of the operation of any athletics program.

b. Any guarantee, obligation, or revenues furnished by a 3rd party.

2. The board may not pledge the full faith and credit or taxing power of this state for repayment of an extension of credit under par. (b). The state shall not be generally liable for the repayment of any extension of credit or interest thereon, and extensions of credit shall not be a debt of the state for any purpose whatsoever.

3. An extension of credit under par. (b) may be repaid only from the appropriation under s. 20.285 (1) (h). Extensions of credit shall be repayable, together with any interest thereon, solely from the sources that the board may pledge

as collateral under subd. 1. Any instruments evidencing extensions of credit shall contain on their face a statement to that effect.

4. A creditor that provides an extension of credit under this subsection has a security interest in the collateral specified in subd. 1. a. and pledged by the board for the benefit of the creditor. No filing, delivery, or other action is required to perfect the security interest.

(d) The board may execute any credit agreement, security agreement, or other agreement or instrument necessary to obtain an extension of credit under par. (b).

(e) Proceeds from an extension of credit under par. (b) may not be used to pay for any of the following:

1. Expenses associated with the acquisition, construction, improvement, or maintenance of buildings or other structures or facilities, including expenses associated with a project specified in s. 13.48 (10) (c) and including any debt service.

2. Expenses associated with a master lease under which the department of administration, prior to the effective date of this subdivision .... [LRB inserts date], agreed to pay the expense.

3. The creation of a new program, and its associated expenses, under which the board obtains property or services by entering into an agreement with a person other than the department of administration and this person makes or agrees to make periodic payments.

(f) All proceeds from an extension of credit under par. (b) shall be credited to the appropriation account under s. 20.285 (1) (h).

(g) The board may direct the secretary of administration to transfer, and the secretary shall so transfer, from the appropriation account under s. 20.285 (1) (gb)

to the appropriation account under s. 20.285 (1) (h) any amount the board determines necessary for the repayment of any obligation arising under this subsection.

SECTION 654. 36.115 (8) (c) of the statutes is created to read:

36.115 **(8)** (c) 1. In this paragraph, "state specialists" means state specialists who provide extension services in the field of applied agricultural research at any institution and who are faculty or instructional academic staff.

2. The plan under par. (a) shall recognize as teaching hours, to be included in reports to the system administration under par. (a) 1. and eligible for reward under par. (a) 2., time spent by state specialists teaching graduate students and teaching Wisconsin farmers.

SECTION 655. 36.25 (16) of the statutes is created to read:

36.25 **(16)** FRESHWATER COLLABORATIVE. From the appropriation under s. 20.285 (1) (ar), the board shall fund a freshwater collaborative and shall allocate funding to each institution for this purpose. Freshwater collaborative funding shall be used to do the following:

(a) Devise new watercentric training programs focused on undergraduates.

(b) Provide scholarships and student support to retain and attract new talent.

(c) Amplify marketing and recruiting relating to Wisconsin's role in freshwater science, including branding Wisconsin as the "Silicon Valley of Water."

(d) Enhance workforce development programming.

(e) Recruit new faculty and staff to advance training programs, research, and innovation.

SECTION 656. 36.25 (17) of the statutes is created to read:

36.25 **(17)** BACCALAUREATE DEGREE PROGRAM FOR PRISONERS. (a) Subject to par. (b), the board and the department of corrections shall provide a baccalaureate

education degree program for prisoners to be funded from the appropriation under s. 20.285 (1) (cg).

(b) Prior to expending any funds under par. (a), the board and the department of corrections shall jointly submit a plan for implementing the program under this section to the department of administration. The plan shall detail the proposed structure, goals, delivery, and expenditures of the baccalaureate degree program for prisoners as mutually agreed upon by the board and the department of corrections. The department of administration shall approve or disapprove the plan within 60 days after it is received. The board may not expend any funds appropriated under s. 20.285 (1) (cg) except in accordance with the plan as approved by the department of administration.

SECTION 657. 36.25 (40) of the statutes is created to read:

36.25 **(40)** PARTNERSHIP PROGRAM FOR THE LAKE SUPERIOR RESEARCH INSTITUTE. (a) The board shall establish a partnership program between the University of Wisconsin–Superior's Lake Superior Research Institute and northern Wisconsin communities.

(b) The program under par. (a) shall be designed to accomplish all of the following objectives:

1. To remove barriers and provide easy access to research and testing services for homeowners and businesses.

2. To provide follow–up assistance and recommendations to solve environmental issues.

3. To secure external funding to solve environmental issues.

4. To develop highly visible outreach events.

5. To create a direct conduit to fully equipped laboratory space and scientific expertise and to fully integrate the institute as the applied–environmental research arm for the region.

(c) The program under par. (a) shall utilize permanent staff and student employees to coordinate directly with county health and conservation departments and with state, tribal, and local entities to develop regional priorities and solutions.

(d) Costs associated with the program under par. (a) shall be funded from the appropriation account under s. 20.285 (1) (bm).

SECTION 658. 36.25 (43) of the statutes is created to read:

36.25 **(43)** FOSTER YOUTH SUPPORT PROGRAMS. From the appropriation under s. 20.285 (1) (cr), the board shall allocate funding to each institution to establish or maintain support programs for students enrolled in the institution who formerly resided in a foster home or group home. Support programs funded under this subsection may offer students who formerly resided in a foster home or group home, among other forms of support, any of the following:

(a) Scholarships.

(b) Employment.

(c) Emergency funds.

(d) Basic supplies.

(e) Mentorships to assist with academic preparations and successful navigation of the complex college environment.

(f) Other resources such as career planning, financial literacy training, and math and writing support.

SECTION 659. 36.25 (56) of the statutes is created to read:

36.25 **(56)** UNIVERCITY ALLIANCE PROGRAM. From the appropriation under s. 20.285 (1) (fm), the board shall provide funding for the UniverCity Alliance program to connect in partnership Wisconsin communities, towns, cities, and counties with University of Wisconsin–Madison education, service, and research activities in order to address the communities' biggest local challenges.

SECTION 660. 36.27 (2) (ar) of the statutes is created to read:

36.27 **(2)** (ar) A student is entitled to the exemption under par. (a) if all of the following apply:

1. The student, or the student's parent or grandparent, is a member of a federally recognized American Indian tribe or band in this state or is a member of a federally recognized tribe in a state contiguous with Wisconsin.

2. The student has resided in Wisconsin, Minnesota, Illinois, Iowa, or Michigan, or in any combination of these states, for at least 12 months immediately preceding the beginning of any semester or session in which the student enrolls in an institution.

SECTION 661. 36.27 (2) (cr) of the statutes is created to read:

36.27 **(2)** (cr) A person who is not a citizen of the United States is entitled to the exemption under par. (a) if that person meets all of the following requirements:

1. The person graduated from a high school in this state or received a declaration of equivalency of high school graduation from this state.

2. The person was continuously present in this state for at least 3 years following the first day of attending a high school in this state or immediately preceding receipt of a declaration of equivalency of high school graduation.

3. The person enrolls in an institution and provides that institution with proof that the person has filed or will file an application for lawful permanent resident

status with the U.S. citizenship and immigration services as soon as the person is eligible to do so.

SECTION 662. 36.27 (2) (e) of the statutes is renumbered 36.27 (2) (e) (intro.) and amended to read:

36.27 **(2)** (e) (intro.) In determining bona fide residence at the time of the beginning of any semester or session and for the preceding 12 months ~~the~~, all of the following apply:

1. The intent of the person to establish and maintain a permanent home in Wisconsin is determinative. In addition to representations by the student, intent may be demonstrated or disproved by factors including, but not limited to, timely filing of a Wisconsin income tax return of a type that only full–year Wisconsin residents may file, voter registration in Wisconsin, motor vehicle registration in Wisconsin, possession of a Wisconsin operator's license, place of employment, self–support, involvement in community activities in Wisconsin, physical presence in Wisconsin for at least 12 months preceding the beginning of the semester or session for which the student registers, and, if the student is not a U.S. citizen, possession of a visa that permits indefinite residence in the United States.

2. Notwithstanding subd. 1. and par. (a), a student who enters and remains in this state principally to obtain an education is presumed to continue to reside outside this state and such presumption continues in effect until rebutted by clear and convincing evidence of bona fide residence.

SECTION 663. 36.27 (2) (e) 3. of the statutes is created to read:

36.27 **(2)** (e) 3. a. In this subdivision, "relocated service member" means an active duty member of the U.S. armed forces who has been relocated from Wisconsin and stationed on active duty in another state.

b. A relocated service member and the service member's spouse and dependents are considered residents of this state for purposes of this subsection during the period in which the service member is relocated on active duty if they demonstrate, under the factors described in subd. 1., that they are bona fide residents during this period.

c. Except as provided in subd. 3. d., subd. 3. b. does not apply after the relocated service member's period of relocation on active duty in another state has ended.

d. A relocated service member's dependent who is considered a resident of this state under subd. 3. b. continues to be considered a resident of this state after the relocated service member's period of relocation on active duty in another state has ended.

SECTION 664. 36.27 (2r) of the statutes is created to read:

36.27 **(2r)** MINNESOTA-UNIVERSITY OF WISCONSIN SYSTEM STUDENT RECIPROCITY AGREEMENT. (a) There is established, to be administered by the board, a Minnesota–University of Wisconsin System student reciprocity agreement, the purpose of which shall be to ensure that neither state shall profit at the expense of the other and that the determination of any amounts owed by either state under the agreement shall be based on an equitable formula that reflects the educational costs incurred by the 2 states, reflects any differentials in usage by residents of either state of the public institutions of higher education located in the other state, and reflects any differentials in the resident tuition charged at comparable public institutions of higher education of the 2 states. The board, representing this state, shall enter into an agreement meeting the requirements of this subsection with the designated body representing the state of Minnesota.

(b) The agreement under this subsection shall provide for the waiver of nonresident tuition for residents of either state who are enrolled in public institutions of higher education located in the other state. The agreement shall also establish a reciprocal fee structure for residents of either state who are enrolled in public institutions of higher education located in the other state. The reciprocal fee may not exceed the higher of the resident tuition that would be charged the student at the public institution of higher education in which the student is enrolled or the resident tuition that would be charged the student at comparable public institutions of higher education located in the student's state of residence, as specified in the annual administrative memorandum under par. (c). The agreement is subject to the approval of the joint committee on finance.

(c) Prior to each academic year, the board and the designated body representing the state of Minnesota shall prepare an administrative memorandum that establishes policies and procedures for implementation of the agreement for the upcoming academic year, including a description of how the reciprocal fee structure shall be determined for purposes of par. (b), and the board shall submit the administrative memorandum to the joint committee on finance. If the cochairpersons of the committee do not notify the board that the committee has scheduled a meeting for the purpose of reviewing the administrative memorandum within 14 working days after the date of the submittal, the administrative memorandum may be implemented as proposed by the board. If, within 14 working days after the date of the submittal, the cochairpersons of the committee notify the board that the committee has scheduled a meeting for the purpose of reviewing the administrative memorandum, the administrative memorandum may be implemented only upon approval of the committee.

(d) No resident of this state whose name appears on the statewide support lien docket under s. 49.854 (2) (b) may receive a waiver of nonresident tuition under this subsection unless the resident provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

(e) At the end of each semester or academic term, each state shall determine the number of students for whom nonresident tuition has been waived under the agreement. Each state shall certify to the other state, in addition to the number of students so determined, the aggregate amount of its reimbursement obligation. The state with the larger reimbursement obligation shall pay as provided in the agreement an amount determined by subtracting the reimbursement obligation of the state with the smaller reimbursement obligation from the reimbursement obligation of the state with the larger reimbursement obligation. The agreement shall provide a reasonable date for payment of any such sums due and owing, after which date interest may be charged on the amount owed. The methodology for determination of the appropriate interest rate shall be included in the agreement. All tuition and fees received by this state under this subsection and any net obligations received under this paragraph shall be credited to the appropriation account under s. 20.285 (1) (gb).

SECTION 665. 36.29 (8) of the statutes is amended to read:

36.29 **(8)** This section does not apply to a private gift or grant made ~~to the office of educational opportunity.~~ under s. 36.09 (3) (d) 2. d.

SECTION 666. 36.50 of the statutes is created to read:

36.50 Tuition promise grant program. (1) GRANT PROGRAM. The board shall develop and administer a tuition promise grant program to supplement the gap

between any scholarships or grants that an eligible student receives outside of this program and the full cost to the eligible student of academic fees and segregated fees at the institution in which the student is enrolled.

(2) ELIGIBILITY. (a) Subject to pars. (b) and (c), a student is eligible to receive grants from the program established under sub. (1) if all of the following apply:

1. The student is a resident of the state as determined under s. 36.27.

2. The student is enrolled in an on–campus program at an institution other than the University of Wisconsin–Madison.

3. The student is enrolled in his or her first bachelor's degree program.

4. The student's household's annual federal adjusted gross income is equal to or less than $60,000.

5. The student meets any acceptable academic standards or additional requirements developed by the board.

(b) No grant under this section may be awarded to any person during the period that the person is required to register with the selective service under 50 USC, Appendix, sections 451 to 473 if the person has not so registered.

(c) No grant under this section may be awarded to a student whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

(3) GRANT AWARDS. (a) From the appropriation under s. 20.285 (1) (fv), the board may award grants to eligible students.

(b) The board may award grants under this section to eligible students for either 8 consecutive semesters for incoming freshmen or 4 consecutive semesters for

incoming transfer students. Summer terms are not included in the consecutive semester count and the program funding may not be applied to students' summer term tuition or fees.

(4) RULES. The board may promulgate rules to implement and administer this section.

SECTION 667. 36.60 (2) (a) 2. of the statutes is amended to read:

36.60 **(2)** (a) 2. The board may repay, on behalf of a physician or dentist who agrees under sub. (3) to practice in a rural area, up to $100,000 in educational loans obtained by the physician or dentist from a public or private lending institution for education in an accredited school of medicine or dentistry or for postgraduate medical or dental training.

SECTION 668. 36.60 (4m) (intro.) of the statutes is amended to read:

36.60 **(4m)** LOAN REPAYMENT; RURAL PHYSICIANS AND DENTISTS. (intro.) If a physician or dentist agrees under sub. (3) to practice in a rural area, principal and interest due on the loan, exclusive of any penalties, may be repaid by the board at the following rate:

SECTION 669. 36.61 (1) (ak) of the statutes is created to read:

36.61 **(1)** (ak) "Dental therapist" means an individual licensed under s. 447.04 (1m).

SECTION 670. 36.61 (1) (b) of the statutes is amended to read:

36.61 **(1)** (b) "Health care provider" means a dental therapist, dental hygienist, physician assistant, nurse–midwife, or nurse practitioner.

SECTION 671. 36.61 (3) (a) of the statutes is amended to read:

36.61 **(3)** (a) The board shall enter into a written agreement with the health care provider. In the agreement, the health care provider shall agree to practice at

least 32 clinic hours per week for 3 years in one or more eligible practice areas in this state or in a rural area, except that a health care provider in the expanded loan assistance program under sub. (8) who is not a dental therapist or dental hygienist may only agree to practice at a public or private nonprofit entity in a health professional shortage area.

SECTION 672. 36.61 (5) (b) 1. of the statutes is amended to read:

36.61 **(5)** (b) 1. The degree to which there is an extremely high need for medical care in the eligible practice area, health professional shortage area, or rural area in which an eligible applicant who is not a dental therapist or dental hygienist desires to practice and the degree to which there is an extremely high need for dental care in the dental health shortage area or rural area in which an eligible applicant who is a dental therapist or dental hygienist desires to practice.

SECTION 673. 36.61 (8) (c) 3. of the statutes is amended to read:

36.61 **(8)** (c) 3. Practice at a public or private nonprofit entity in a health professional shortage area, if the health care provider is not a dental therapist or dental hygienist, or in a dental health shortage area, if the health care provider is a dental therapist or dental hygienist.

SECTION 674. 36.615 of the statutes is created to read:

36.615 Nurse educators. (1) Subject to sub. (2), the Board of Regents shall establish a program that provides all of the following:

(a) Fellowships for students who enroll in doctor of nursing practice or doctor of philosophy in nursing degree programs.

(b) Postdoctoral fellowships to recruit faculty for system nursing programs.

(c) Educational loan repayment assistance to recruit and retain faculty for system nursing programs.

(2) The program established under sub. (1) shall require individuals who receive fellowships under sub. (1) (a) or (b) or assistance under sub. (1) (c) to make a commitment to teach for 3 consecutive years in a system nursing program.

(3) Costs associated with the program established under sub. (1) shall be funded from the appropriation under s. 20.285 (1) (f).

SECTION 675. 36.64 (title) and (1) of the statutes are repealed.

SECTION 676. 36.64 (2) of the statutes is renumbered 36.09 (3) (d) 1. and amended to read:

36.09 **(3)** (d) 1. The ~~office of educational opportunity shall evaluate proposals for contracts under s. 118.40 (2x),~~ chancellor of the University of Wisconsin–Madison shall monitor pupil academic performance at charter schools authorized under s. 118.40 (2x)~~,~~ and monitor the overall operations of charter schools authorized under s. 118.40 (2x).

SECTION 677. 36.64 (3) of the statutes is repealed.

SECTION 678. 36.64 (4) (intro.) and (a) of the statutes are renumbered 36.09 (3) (d) 2. (intro.) and a. and amended to read:

36.09 **(3)** (d) 2. (intro.) The ~~director of the office of educational opportunity~~ chancellor of the University of Wisconsin–Madison may do any of the following in carrying out the chancellor's duties under subd. 1.:

a. Appoint up to 2 ~~associate directors~~ assistants.

SECTION 679. 36.64 (4) (b) of the statutes is repealed.

SECTION 680. 36.64 (4) (c) of the statutes is renumbered 36.09 (3) (d) 2. c.

SECTION 681. 36.64 (4) (d) and (5) of the statutes are consolidated, renumbered 36.09 (3) (d) 2. d. and amended to read:

36.09 **(3)** (d) 2. d. Solicit private gifts and grants for charter schools established under s. 118.40 (2x). ~~**(5)**~~ The ~~director of the office of educational opportunity~~ chancellor of the University of Wisconsin–Madison shall report to the board any private gift or grant received ~~by the office of educational opportunity~~ under this subd. 2. d. and how the ~~director~~ chancellor intends to use the private gift or grant.

SECTION 682. 38.16 (3) (a) 4. of the statutes is amended to read:

38.16 **(3)** (a) 4. "Valuation factor" means a percentage equal to the greater of either ~~zero~~ 2 percent as compared to the previous year or the percentage change in the district's January 1 equalized value due to the aggregate new construction, less improvements removed, in municipalities located in the district between the previous year and the current year, as determined by the department of revenue under par. (am).

SECTION 683. 38.22 (4) of the statutes is renumbered 38.22 (4) (a) and amended to read:

38.22 **(4)** (a) ~~The~~ Subject to par. (b), the board shall establish procedures to determine the residence of students attending district schools. In the case of any disagreement as to the residence of any student, the board shall make the final determination.

SECTION 684. 38.22 (4) (b) of the statutes is created to read:

38.22 **(4)** (b) 1. In this paragraph, "relocated service member" means an active duty member of the U.S. armed forces who has been relocated from Wisconsin and stationed on active duty in another state.

2. For purposes of sub. (6) and the procedures established under par. (a), a relocated service member and the service member's spouse and dependents are considered residents of this state during the period in which the service member is

relocated on active duty if they demonstrate, under the procedures established under par. (a), that they are bona fide residents during this period.

3. Except as provided in subd. 4., subd. 2. does not apply after the relocated service member's period of relocation on active duty in another state has ended.

4. A relocated service member's dependent who is considered a resident of this state under subd. 2. continues to be considered a resident of this state after the relocated service member's period of relocation on active duty in another state has ended.

SECTION 685. 38.22 (6) (e) of the statutes is created to read:

38.22 **(6)** (e) Any person who is not a citizen of the United States if that person meets all of the following requirements:

1. The person graduated from a high school in this state or received a declaration of equivalency of high school graduation from this state.

2. The person was continuously present in this state for at least 3 years following the first day of attending a high school in this state or immediately preceding receipt of a declaration of equivalency of high school graduation.

3. The person enrolls in a district school and provides the district board with proof that the person has filed or will file an application for lawful permanent resident status with the U.S. citizenship and immigration services as soon as the person is eligible to do so.

SECTION 686. 38.22 (6) (g) of the statutes is created to read:

38.22 **(6)** (g) Any person who meets all of the following requirements:

1. The person, or the person's parent or grandparent, is a member of a federally recognized American Indian tribe or band in this state or is a member of a federally recognized tribe in a state contiguous with Wisconsin.

2. The person has resided in Wisconsin, Minnesota, Illinois, Iowa, or Michigan, or in any combination of these states, for at least 12 months immediately preceding the beginning of any semester or session in which the person enrolls in a district school.

SECTION 687. 39.42 of the statutes is amended to read:

39.42 Interstate agreements. The board, with the approval of the joint committee on finance, or the governing boards of any publicly supported institution of post–high school education, with the approval of the board and the joint committee on finance, may enter into agreements or understandings which include remission of nonresident tuition for designated categories of students at state institutions of higher education with appropriate state agencies and institutions of higher education in other states to facilitate use of public higher education institutions of this state and other states. Such agreements and understandings shall have as their purpose the mutual improvement of educational advantages for residents of this state and such other states or institutions of other states with which agreements are made. This section does not apply to the agreement under s. 36.27 (2r).

SECTION 688. 39.47 (title) of the statutes is amended to read:

39.47 (title) **Minnesota–Wisconsin public vocational school student reciprocity agreement.**

SECTION 689. 39.47 (1) of the statutes is amended to read:

39.47 **(1)** There is established, to be administered by the board, a Minnesota–Wisconsin public vocational school student reciprocity agreement~~, the purpose of which shall be to ensure that neither state shall profit at the expense of the other and that the determination of any amounts owed by either state under the agreement shall be based on an equitable formula which reflects the educational~~

~~costs incurred by the 2 states, reflects any differentials in usage by residents of either state of the public institutions of higher education located in the other state, and reflects any differentials in the resident tuition charged at comparable public institutions of higher education of the 2 states~~. The board, representing this state, shall enter into an agreement meeting the requirements of this section with the designated body representing the state of Minnesota.

SECTION 690. 39.47 (2) of the statutes is amended to read:

39.47 **(2)** The agreement under this section shall provide for the waiver of nonresident ~~tuition~~ fees for a resident of either state who is enrolled in a public vocational school located in the other state. ~~The agreement shall also establish a reciprocal fee structure for residents of either state who are enrolled in public institutions of higher education, other than vocational schools, located in the other state.~~ The reciprocal fee may not exceed the higher of the resident ~~tuition~~ fees that would be charged the student at the public ~~institution of higher education~~ vocational school in which the student is enrolled or the resident ~~tuition~~ fees that would be charged the student at a comparable public ~~institutions of higher education~~ vocational school located in his or her state of residence, as specified in the annual administrative memorandum under sub. (2g). ~~The agreement shall take effect on July 1, 2007.~~ The agreement is subject to the approval of the joint committee on finance under s. 39.42.

SECTION 691. 40.01 (3) of the statutes is amended to read:

40.01 **(3)** COMPATIBILITY OF TRUSTEE RESPONSIBILITIES. Membership on the employee trust funds board, group insurance board~~,~~ and deferred compensation board~~, Wisconsin retirement board and the teachers retirement board~~ shall not be incompatible with any other public office. The board members and the employees of

the department shall not be deemed to have a conflict of interest in carrying out their responsibilities and duties in administering this chapter, or taking other appropriate actions necessary to achieve the purposes of this chapter, solely by reason of their being eligible for benefits under the benefit plans provided under this chapter. However, any board member or employee of the department is expressly prohibited from participating in decisions directly related to a specific benefit, credit, claim, or application of the person and from participating in negotiations or decisions on the selection of actuarial, medical, legal, insurance, or other independent contractors if the board member or employee of the department has a direct or indirect financial interest in or is an officer or employee or is otherwise associated with the independent contractor.

SECTION 692. 40.02 (8) (b) 3. of the statutes is repealed.

SECTION 693. 40.02 (21d) (intro.) of the statutes is amended to read:

40.02 **(21d)** (intro.) "Domestic partnership" means a relationship between 2 individuals~~, who submitted an affidavit of domestic partnership to the department before September 23, 2017,~~ that satisfies all of the following:

SECTION 694. 40.03 (1) (dm) of the statutes is created to read:

40.03 **(1)** (dm) Shall develop and implement policies, principles, and directives for the office of internal audit and determine the qualifications of and appoint, in the classified service, staff for the office of internal audit. Staff appointed under this paragraph shall report directly to the board.

SECTION 695. 40.03 (1) (i) of the statutes is amended to read:

40.03 **(1)** (i) May determine that some or all of the disability annuities and death benefits provided from the Wisconsin retirement system shall instead be provided through group insurance plans ~~to be established by the group insurance~~

~~board~~ either as separate plans or as integral parts of the group life and income continuation insurance plans established under this chapter.

SECTION 696. 40.03 (1) (j) of the statutes is amended to read:

40.03 **(1)** (j) Shall accept timely appeals from determinations made by the department~~, other than appeals of determinations made by the department regarding disability annuities~~. The board shall review the relevant facts and may hold a hearing. Upon completion of its review and hearing, if any, the board shall make a determination which it shall certify to the participating employer or the appropriate state agency and to the appropriate employee, if any. The board's determination of an employee's status under s. 40.06 (1) (e) shall remain in effect until receipt by the department of notification indicating a different classification. A participant may appeal that determination as provided by s. 40.06 (1) (e).

SECTION 697. 40.03 (1) (p) of the statutes is amended to read:

40.03 **(1)** (p) May, upon the recommendation of the actuary, transfer in whole or in part the assets and reserves held in any account described in s. 40.04 (9) to a different account described in s. 40.04 (9), for the purpose of providing any group insurance benefit ~~offered by the group insurance board~~.

SECTION 698. 40.03 (1) (q) of the statutes is created to read:

40.03 **(1)** (q) For the purposes of the group income continuation insurance plan established under ss. 40.61 and 40.62 and the group long–term disability insurance plan established under s. 40.64:

1. May, on behalf of the state, enter into a contract or contracts with one or more insurers authorized to transact insurance business in this state for the purpose of providing the plans.

2. May, wholly or partially in lieu of subd. 1., on behalf of the state, provide the plans on a self–insured basis.

3. May take any action as trustees that is considered advisable and not specifically prohibited or delegated to some other governmental agency to carry out the purpose and intent of the plans.

4. May apportion all excess moneys becoming available to the board through operation of the plans to reduce premium payments in following contract years or to establish reserves to stabilize costs in subsequent years. If the board determines that the excess became available due to favorable experience of specific groups of employers or specific employee groups, the board may make the apportionment in a manner designated to benefit the specific employers or employee groups only or to a greater extent than other employers and employee groups.

5. Shall take prompt action to liquidate any actuarial or cash deficit that occurs in the accounts and reserves maintained in the fund for the plans.

6. Shall accept timely appeals of determinations made by the department affecting any right or benefit under the plans.

SECTION 699. 40.03 (2) (d) of the statutes is amended to read:

40.03 **(2)** (d) May suspend an annuity pending final action by the board, or a disability annuity pending final action by the ~~Wisconsin retirement~~ board ~~or the teachers retirement board~~, when, in the secretary's judgment, the annuitant is not eligible to receive the annuity.

SECTION 700. 40.03 (2) (i) of the statutes is amended to read:

40.03 **(2)** (i) ~~Shall~~ Except as provided under pars. (ig) and (ir), shall promulgate, ~~with the approval of the board,~~ all rules~~, except rules promulgated under par. (ig) or (ir),~~ that are required for the efficient administration of the fund or of any of the

benefit plans established by this chapter. ~~In addition to being approved by the board, rules promulgated under this paragraph relating to teachers must be approved by the teachers retirement board and rules promulgated under this paragraph relating to participants other than teachers must be approved by the Wisconsin retirement board, except rules promulgated under s. 40.30~~ and shall promulgate rules as necessary for a long–term disability insurance plan established under s. 40.64. All rules promulgated under this paragraph are subject to board approval under sub. (1) (m).

SECTION 701. 40.03 (2) (ig) of the statutes is amended to read:

40.03 **(2)** (ig) Shall promulgate, with the approval of the group insurance board, all rules required for the administration of the group health, long–term care, ~~income continuation~~ or life insurance plans established under subchs. IV ~~to~~ and VI and health savings accounts under subch. IV.

SECTION 702. 40.03 (2) (p) of the statutes is amended to read:

40.03 **(2)** (p) Shall establish procedures for and conduct the elections of board members required under ~~ss.~~ s. 15.16 ~~(1) (d) and 15.165 (3) (a) 1., 2., 6. and 7.~~ (1) (cm) 1. The procedures shall include the establishment of a nominating process and shall provide for the distribution of ballots to all participating employees and annuitants eligible to vote in the election.

SECTION 703. 40.03 (2) (v) of the statutes is amended to read:

40.03 **(2)** (v) May settle any dispute in an appeal of a determination made by the department that is subject to review under sub. (1) (j)~~,~~ or (6) (i)~~, (7) (f), or (8) (f),~~ or s. 40.80 (2g), but only with the approval of the board having the authority to accept the appeal. In deciding whether to settle such a dispute, the secretary shall consider the cost of litigation, the likelihood of success on the merits, the cost of delay in

resolving the dispute, the actuarial impact on the trust fund, and any other relevant factor the secretary considers appropriate. Any moneys paid by the department to settle a dispute under this paragraph shall be paid from the appropriation account under s. 20.515 (1) (r).

SECTION 704. 40.03 (2) (x) of the statutes is repealed.

SECTION 705. 40.03 (4m) of the statutes is created to read:

40.03 **(4m)** OFFICE OF INTERNAL AUDIT. (a) The office of internal audit shall provide independent assurance that the public employee trust fund assets under the control of the department are safeguarded for the purpose of ensuring the fulfillment of the benefit commitments to individuals under this chapter.

(b) The internal auditor may review any activity, information, or record of the department that relates to the administration of the fund.

(c) The internal auditor shall plan and conduct audit activities, including external audits, risk assessments, research projects, and management reviews, under the direction of the board and in accordance with policies, principles, and directives determined by the board.

(d) The internal auditor shall monitor the department's compliance with applicable legal requirements and contracts entered into by the department and the board.

SECTION 706. 40.03 (6) (intro.) of the statutes is amended to read:

40.03 **(6)** GROUP INSURANCE BOARD. (intro.) ~~The~~ With respect to the group insurance plans provided for by this chapter other than the group income continuation insurance plan established under ss. 40.61 and 40.62 and the group long–term disability insurance plan established under s. 40.64, the group insurance board:

SECTION 707. 40.03 (6) (a) 1. of the statutes is amended to read:

40.03 **(6)** (a) 1. Except as provided in par. (m), shall, on behalf of the state, enter into a contract or contracts with one or more insurers authorized to transact insurance business in this state for the purpose of providing the group insurance plans ~~provided for by this chapter~~; or

SECTION 708. 40.03 (6) (d) (intro.) of the statutes is amended to read:

40.03 **(6)** (d) (intro.) May take any action as trustees ~~which~~ that is deemed advisable and not specifically prohibited or delegated to some other governmental agency, to carry out the purpose and intent of the group insurance plans ~~provided under this chapter~~, including, but not limited to, provisions in the appropriate contracts relating to:

SECTION 709. 40.03 (6) (i) of the statutes is amended to read:

40.03 **(6)** (i) Shall accept timely appeals of determinations made by the department affecting any right or benefit under any group insurance ~~plan provided for under this chapter~~ plans that are overseen by the group insurance board.

SECTION 710. 40.03 (7) of the statutes is repealed.

SECTION 711. 40.03 (8) of the statutes is repealed.

SECTION 712. 40.04 (3) (a) of the statutes is amended to read:

40.04 **(3)** (a) The net gain or loss of the variable retirement investment trust shall be distributed annually on December 31 to each participating account in the same ratio as each account's average ~~daily~~ balance within the respective trust bears to the total average ~~daily~~ balance of all participating accounts in the trust. The amount to be distributed shall be the excess of the increase within the period in the value of the assets of the trust resulting from income from the investments of the trust and from the sale or appreciation in value of any investment of the trust, over

the decrease within the period in the value of the assets resulting from the sale or the depreciation in value of any investments of the trust.

SECTION 713. 40.04 (3) (am) 3. (intro.) of the statutes is amended to read:

40.04 **(3)** (am) 3. (intro.) Annually, on December 31, the sum of all of the following shall be distributed from the market recognition account to each participating account in the core retirement investment trust in the same ratio as each account's average ~~daily~~ balance bears to the total average ~~daily~~ balance of all participating accounts in the trust:

SECTION 714. 40.05 (2) (aw) of the statutes is created to read:

40.05 **(2)** (aw) For purposes of this subsection, the participating employer of an employee subject to s. 40.65 who is on a deployment, training, or readiness exercise as the member of an urban search and rescue task force under a contract under s. 323.72 (1) is the local agency, and the local agency shall contribute any additional percentage or percentages related to the deployment, training, or readiness exercises under a contract under s. 323.72 (1) as calculated by the actuary under s. 40.03 (5) (c). A local agency may seek reimbursement from the department of military affairs under s. 323.72 (2m).

SECTION 715. 40.05 (4) (a) 2. of the statutes is amended to read:

40.05 **(4)** (a) 2. For an insured employee who is an eligible employee under s. 40.02 (25) (a) 2. or (b) 1m. or 2c., the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the date on which the employee becomes insured. For an insured state employee who is currently employed, but who is not a limited term appointment under s. 230.26 or an eligible employee under s. 40.02 (25) (a) 2. or (b) 1m. or 2c., the employer shall pay required employer contributions toward the health insurance

premium of the insured employee beginning on the first day of the ~~3rd~~ 2nd month beginning after the date on which the employee begins employment with the state, not including any leave of absence. For an insured employee who has a limited term appointment under s. 230.26, the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the first day of the 7th month beginning after the date on which the employee first becomes a participating employee.

SECTION 716. 40.06 (8) of the statutes is created to read:

40.06 **(8)** For periods during which a protective occupation participant who is a participating employee is on a deployment, training, or readiness exercise with an urban search and rescue task force under a contract under s. 323.72 (1), all of the following shall apply:

(a) The employer remits required contributions to the department under s. 40.05 (1) (a) and (2) (a).

(b) The employer reports to the department service and earnings that are at least the same rate the employee would have received if the employee had not been on the deployment, training, or readiness exercise.

SECTION 717. 40.08 (12) of the statutes is amended to read:

40.08 **(12)** COURT REVIEW. Notwithstanding s. 227.52, any action, decision, or determination of the board, ~~the Wisconsin retirement board, the teachers retirement board,~~ the group insurance board, or the deferred compensation board in an administrative proceeding shall be reviewable only by an action for certiorari in the circuit court for Dane County that is commenced by any party to the administrative proceeding, including the department, within 30 days after the date on which notice

of the action, decision, or determination is mailed to that party, and any party to the certiorari proceedings may appeal the decision of that court.

SECTION 718. 40.22 (1) of the statutes is amended to read:

40.22 **(1)** Except as otherwise provided in sub. (2) and s. 40.26 (6) and (7), each employee currently in the service of, and receiving earnings from, a state agency or other participating employer shall be included within the provisions of the Wisconsin retirement system as a participating employee of that state agency or participating employer.

SECTION 719. 40.22 (2m) (intro.) of the statutes is amended to read:

40.22 **(2m)** (intro.) Except as otherwise provided in s. 40.26 (6) and (7), an employee who was a participating employee before July 1, 2011, who is not expected to work at least one–third of what is considered full–time employment by the department, as determined by rule, and who is not otherwise excluded under sub. (2) from becoming a participating employee shall become a participating employee if he or she is subsequently employed by the state agency or other participating employer for either of the following periods:

SECTION 720. 40.22 (2r) (intro.) of the statutes is amended to read:

40.22 **(2r)** (intro.) Except as otherwise provided in s. 40.26 (6) and (7), an employee who was not a participating employee before July 1, 2011, who is not expected to work at least two–thirds of what is considered full–time employment by the department, as determined by rule, and who is not otherwise excluded under sub. (2) from becoming a participating employee shall become a participating employee if he or she is subsequently employed by the state agency or other participating employer for either of the following periods:

SECTION 721. 40.22 (3) (intro.) of the statutes is amended to read:

40.22 **(3)** (intro.) Except as otherwise provided in s. 40.26 (6) and (7), a person who qualifies as a participating employee shall be included within, and shall be subject to, the Wisconsin retirement system effective on one of the following dates:

SECTION 722. 40.23 (1) (bm) of the statutes is amended to read:

40.23 **(1)** (bm) If an application by a participant age 55 or over, or by a protective occupation participant age 50 or over, for long–term disability insurance benefits under s. 40.64 is disapproved under rules promulgated by the department, the date which would have been the effective date for the insurance benefits ~~shall be~~ is the retirement annuity effective date if requested by the applicant within 60 days of the disapproval or, if the disapproval is appealed, within 60 days of the final disposition of the appeal.

SECTION 723. 40.26 (7) of the statutes is created to read:

40.26 **(7)** Subsections (1) to (5) do not apply to a participant who applies for an annuity or lump sum payment during the period in which at least 15 days have elapsed between the participant's termination of employment as a teacher with a school district that is a participating employer and becoming a teacher as an employee or contractor providing employee services with any school district that is a participating employer if all of the following conditions are met:

(a) At the time the participant terminates his or her employment as a teacher with a school district, the participant does not have an agreement with any school district that is a participating employer to return to employment as a teacher or enter into a contract to provide employee services as a teacher for the school district.

(b) The participant elects on a form provided by the department to not become a participating employee.

SECTION 724. 40.27 (2) (d) of the statutes is repealed.

SECTION 725. 40.51 (2m) (a) of the statutes is repealed.

SECTION 726. 40.51 (2m) (b) of the statutes is renumbered 40.51 (2m) and amended to read:

40.51 **(2m)** If an eligible employee is divorced or was a domestic partner in a dissolved domestic partnership, the eligible employee may not enroll a new spouse or domestic partner in a group health insurance plan under this subchapter until 6 months have elapsed since the date of the divorce or dissolved domestic partnership.

SECTION 727. 40.51 (7) (a) of the statutes is amended to read:

40.51 **(7)** (a) Any employer, other than the state, including an employer that is not a participating employer, may offer to all of its employees a health care coverage plan through a program offered by the group insurance board. Notwithstanding sub. (2) and ss. 40.05 (4) and 40.52 (1), the department may by rule establish different eligibility standards or contribution requirements for such employees and employers. Beginning on January 1, 2012, except as otherwise provided in a collective bargaining agreement under subch. IV of ch. 111 that covers public safety employees or transit employees and except as provided in par. (b), an employer may not offer a health care coverage plan to its employees under this subsection if the employer pays more than 88 percent of the average premium cost of plans offered in any tier with the lowest employee premium cost under this subsection.

SECTION 728. 40.51 (8) of the statutes is amended to read:

40.51 **(8)** Every health care coverage plan offered by the state under sub. (6) shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.729, 632.746 (1) to (8) and (10), 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853,

632.855, 632.862, 632.867, 632.87 (3) to (6), 632.871, 632.885, 632.89, 632.895 (5m) and (8) to (17), and 632.896.

SECTION 729. 40.51 (8) of the statutes, as affected by 2021 Wisconsin Act .... (this act), section 728, is amended to read:

40.51 **(8)** Every health care coverage plan offered by the state under sub. (6) shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.728, 632.729, 632.746 (1) to (8) and (10), 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853, 632.855, 632.862, 632.867, 632.87 (3) to (6), 632.871, 632.885, 632.89, 632.895 (5m) and (8) to (17), and 632.896.

SECTION 730. 40.51 (8) of the statutes, as affected by 2021 Wisconsin Act .... (this act), section 729, is amended to read:

40.51 **(8)** Every health care coverage plan offered by the state under sub. (6) shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.728, 632.729, 632.746 (1) to (8) and (10), 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853, 632.855, 632.861, 632.862, 632.867, 632.87 (3) to (6), 632.871, 632.885, 632.89, 632.895 (5m) and (8) to (17), and 632.896.

SECTION 731. 40.51 (8m) of the statutes is amended to read:

40.51 **(8m)** Every health care coverage plan offered by the group insurance board under sub. (7) shall comply with ss. 631.95, 632.729, 632.746 (1) to (8) and (10), 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853, 632.855, 632.862, 632.867, 632.871, 632.885, 632.89, and 632.895 (11) to (17).

SECTION 732. 40.51 (8m) of the statutes, as affected by 2021 Wisconsin Act .... (this act), section 731, is amended to read:

40.51 **(8m)** Every health care coverage plan offered by the group insurance board under sub. (7) shall comply with ss. 631.95, 632.728, 632.729, 632.746 (1) to

(8) and (10), 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853, 632.855, 632.862, 632.867, 632.871, 632.885, 632.89, and 632.895 ~~(11)~~ (8) and (10) to (17).

SECTION 733. 40.51 (8m) of the statutes, as affected by 2021 Wisconsin Act .... (this act), section 732, is amended to read:

40.51 **(8m)** Every health care coverage plan offered by the group insurance board under sub. (7) shall comply with ss. 631.95, 632.728, 632.729, 632.746 (1) to (8) and (10), 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853, 632.855, 632.861, 632.862, 632.867, 632.871, 632.885, 632.89, and 632.895 (8) and (10) to (17).

SECTION 734. 40.51 (15m) of the statutes is repealed.

SECTION 735. 40.513 (3) (b) of the statutes is amended to read:

40.513 **(3)** (b) The employee's spouse or domestic partner is receiving health care coverage under s. 40.51 (6).

SECTION 736. 40.52 (2) of the statutes is amended to read:

40.52 **(2)** Health insurance benefits under this subchapter shall be integrated, with exceptions determined appropriate by the group insurance board, with benefits under federal plans for hospital and health care for the aged and disabled. Exclusions and limitations with respect to benefits and different rates may be established for persons eligible under federal plans for hospital and health care for the aged and disabled in recognition of the utilization by persons within the age limits eligible under the federal program. The plan may include special provisions for spouses, domestic partners, and other dependents covered under a plan established under this subchapter where one spouse or domestic partner is eligible under federal plans for hospital and health care for the aged but the others are not eligible because of age or other reasons. As part of the integration, the department

may, out of premiums collected under s. 40.05 (4), pay premiums for the federal health insurance.

SECTION 737. 40.55 (1) of the statutes is amended to read:

40.55 **(1)** Except as provided in sub. (5), the state shall offer, through the group insurance board, to eligible employees under s. 40.02 (25) (bm) and to state annuitants long–term care insurance policies which have been filed with the office of the commissioner of insurance and which have been approved for offering under contracts established by the group insurance board. The state shall also allow an eligible employee or a state annuitant to purchase those policies for his or her spouse, domestic partner, or parent.

SECTION 738. 40.61 (2) of the statutes is amended to read:

40.61 **(2)** Except as provided in sub. (4), ~~any~~ an eligible employee may become covered by income continuation insurance by electing coverage within 30 days of initial eligibility, to be effective as of the first day of the month that first occurs during the 30–day period, or by electing coverage within 60 days of initially becoming eligible for a higher level of employer contribution towards the premium cost to be effective as of the first day of the month following the date of eligibility for teachers employed by the university and effective as of the following April 1 for all other employees. ~~Any~~ An employee who does not so elect at one of these times, or who subsequently cancels the insurance, may not thereafter become insured unless the employee furnishes evidence of insurability under the terms of the contract, or as otherwise provided by rule for employees under sub. (3), at the employee's own expense or obtains coverage subject to contractual waiting periods if contractual waiting periods are provided for by the contract or by rule for employees under sub. (3). An employee who furnishes satisfactory evidence of insurability under the terms

of the contract shall become insured as of the first day of the month following the date of approval of evidence. The method to be used shall be determined by the ~~group insurance~~ board under sub. (1).

SECTION 739. 40.61 (3) of the statutes is amended to read:

40.61 **(3)** ~~Any~~ An employer under s. 40.02 (28), other than the state, may offer to all of its employees ~~an~~ a group income continuation insurance plan through a program offered by the ~~group insurance~~ board. Notwithstanding sub. (2) and ss. 40.05 (5) and 40.62, the department may by rule establish different eligibility standards or contribution requirements for ~~such~~ those employees and employers and may by rule limit the categories of employers ~~which~~ that may be included as participating employers under this subchapter.

SECTION 740. 40.62 (1) of the statutes is amended to read:

40.62 **(1)** The ~~group insurance~~ board shall establish ~~an~~ a group income continuation insurance plan providing for full or partial payment of the financial loss of earnings incurred as a result of injury or illness with separate provisions for short–term insurance with a benefit duration of no more than one year and long–term insurance covering injury or illness of indefinite duration. ~~Employees~~ An employee insured under the plan shall be eligible for benefits upon exhaustion of accumulated sick leave and completion of the elimination period established by the ~~group insurance~~ board.

SECTION 741. 40.63 (5) of the statutes is amended to read:

40.63 **(5)** The department shall make a report based on the evidence prescribed in subs. (1) to (4) as to whether a disability benefit shall be granted and the department shall submit the report to the ~~teachers retirement~~ board ~~for teacher participants and to the Wisconsin retirement board for participants other than~~

~~teachers~~. A copy of the report and notice of the date that the report was presented, or will be presented, to the ~~appropriate~~ board ~~and the board's name,~~ shall be mailed to the applicant and to the applicant's former employer. Either the applicant or the employer may request a hearing under s. 227.44 to contest the department's determination by filing a timely appeal with the ~~appropriate~~ board. If a request for a hearing is not timely filed, and the ~~appropriate~~ board does not disapprove the department's determination or request additional information within the time allowed for filing appeals, the report shall be final. If the board requests additional information, the report shall be final 30 days after the board's receipt of the requested information unless the board disapproves the report. If the report is disapproved, notice of the board's action shall be sent to the applicant and the applicant's former employer. Either the applicant or the employer may contest the board's action by submitting a written request for a hearing under s. 227.44 to the ~~appropriate~~ board within 30 days following the date on which the notice of the board's action was mailed to the applicant or the employer.

SECTION 742. 40.63 (9) (d) of the statutes is amended to read:

40.63 **(9)** (d) If the department terminates a disability annuity under this subsection, the department shall make a report which shall include the department's determination and the reasons for the determination. The department shall submit the report to the ~~teachers retirement~~ board ~~for teacher participants and to the Wisconsin retirement board for participants other than teachers~~. A copy of the report and notice of the date that the report was presented, or will be presented, to the ~~appropriate~~ board~~, and the board's name,~~ shall be mailed to the affected annuitant. An annuitant may request a hearing under s. 227.44 to contest the department's determination by filing a timely appeal with the ~~appropriate~~ board. If a request for

a hearing is not timely filed, and the ~~appropriate~~ board does not disapprove the department's determination or request additional information within the time allowed for filing appeals, the report shall be final. If the board requests additional information, the report shall be final 30 days after the board's receipt of the requested information unless the board disapproves the department's determination.

SECTION 743. 40.64 of the statutes is created to read:

40.64 Long-term disability insurance coverage. The board may establish a long–term disability insurance plan.

SECTION 744. 40.65 (3) of the statutes is amended to read:

40.65 **(3)** The ~~Wisconsin retirement~~ board shall determine the amount of each monthly benefit payable under this section and its effective date. The board shall periodically review the dollar amount of each monthly benefit and adjust it to conform with the provisions of this section. The board may request any income or benefit information, or any information concerning a person's marital status, which it considers to be necessary to implement this subsection and may require a participant to authorize the board to obtain a copy of his or her most recent state or federal income tax return. The board may terminate the monthly benefit of any person who refuses to submit information requested by the board, who refuses to authorize the board to obtain a copy of his or her most recent state or federal income tax return, or who submits false information to the board.

SECTION 745. 40.65 (5) (b) (intro.) of the statutes is amended to read:

40.65 **(5)** (b) (intro.) The ~~Wisconsin retirement~~ board shall reduce the amount of a participant's monthly benefit under this section by the amounts under subds. 1. to 6., except that the board may determine not to reduce a participant's benefit because of income related to therapy or rehabilitation. The ~~Wisconsin retirement~~

board may assume that any benefit or amount listed under subds. 1. to 6. is payable to a participant until it is determined to the board's satisfaction that the participant is ineligible to receive the benefit or amount, except that the department shall withhold an amount equal to 5 percent of the monthly benefit under this section until the amount payable under subd. 3. is determined.

SECTION 746. 40.65 (6) (intro.) of the statutes is amended to read:

40.65 **(6)** (intro.) The ~~Wisconsin retirement~~ board shall adjust the monthly salary of every participant receiving a benefit under this section using the salary index for the previous calendar year as follows:

SECTION 747. 40.65 (7) (am) 1. of the statutes is amended to read:

40.65 **(7)** (am) 1. To the surviving spouse or surviving domestic partner until the surviving spouse remarries, or the surviving domestic partner enters into a new domestic partnership or marries, if the surviving spouse was married to the participant on the date that the participant was disabled under sub. (4), or the surviving domestic partner was in a domestic partnership on the date that the participant was disabled under sub. (4), 50 percent of the participant's monthly salary at the time of death, but reduced by any amount payable under sub. (5) (b) 1. to 6.

SECTION 748. 40.65 (7) (am) 1g. of the statutes is repealed.

SECTION 749. 40.65 (7) (am) 1m. of the statutes is repealed.

SECTION 750. 40.65 (7) (am) 3. of the statutes is amended to read:

40.65 **(7)** (am) 3. The total monthly amount paid under subds. 1.~~, 1g., 1m.,~~ and 2. may not exceed 70 percent of the participant's monthly salary at the time of death reduced by any amounts under sub. (5) (b) 1. to 6. that relate to the participant's work record.

SECTION 751. 40.65 (7) (ar) 1. a. of the statutes is amended to read:

40.65 **(7)** (ar) 1. a. To the surviving spouse or the surviving domestic partner until the surviving spouse remarries, or the surviving domestic partner enters into a new domestic partnership or marries, if the surviving spouse was married to the participant on the date that the participant was disabled under sub. (4), or the surviving domestic partner was in a domestic partnership with the participant on the date that the participant was disabled under sub. (4), 70 percent of the participant's monthly salary at the time of death, but reduced by any amount payable under sub. (5) (b) 1. to 6.

SECTION 752. 40.65 (7) (ar) 1. ag. of the statutes is repealed.

SECTION 753. 40.65 (7) (ar) 1. am. of the statutes is repealed.

SECTION 754. 40.80 (2r) (a) 1. of the statutes is amended to read:

40.80 **(2r)** (a) 1. Relates to a marriage or domestic partnership that terminated after December 1, 2001.

SECTION 755. 40.80 (2r) (a) 2. of the statutes is amended to read:

40.80 **(2r)** (a) 2. Assigns all or part of a participant's accumulated assets held in a deferred compensation plan under this subchapter to a spouse, former spouse, domestic partner, former domestic partner, child, or other dependent to satisfy a family support or marital property obligation.

SECTION 756. 41.53 (1) (k) of the statutes is created to read:

41.53 **(1)** (k) From the appropriation under s. 20.380 (3) (cm), provide a grant to a Native American artist through the program described in par. (fm) for the design, production, and installation of a permanent marker on the University of Wisconsin–Stevens Point campus in recognition of the Native Americans who died due to a scarlet fever epidemic. Notwithstanding pars. (f) and (fm), a grantee may

receive funds distributed as a grant under this paragraph regardless of whether the grantee has provided at least 50 percent of the estimated total cost of the project.

SECTION 757. 42.105 (1) of the statutes is renumbered 42.105.

SECTION 758. 42.105 (2) of the statutes is repealed.

SECTION 759. 45.01 (6) (c) of the statutes is amended to read:

45.01 **(6)** (c) The ~~biological~~ natural 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.

SECTION 760. 45.20 (2) (a) 1. of the statutes is amended to read:

45.20 **(2)** (a) 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.

SECTION 761. 45.20 (2) (c) 1. of the statutes is amended to read:

45.20 **(2)** (c) 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.

SECTION 762. 45.20 (2) (d) 1. (intro.) of the statutes is amended to read:

45.20 **(2)** (d) 1. (intro.) 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:

SECTION 763. 45.48 (1m) of the statutes is created to read:

45.48 **(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 contracts to provide services under this subsection.

SECTION 764. 45.51 (3) (c) 2. of the statutes is amended to read:

45.51 **(3)** (c) 2. The department may deviate from this sequence upon order of the board to prevent the separation of ~~a husband and wife~~ spouses.

SECTION 765. 45.51 (5) (a) 1. b. of the statutes is amended to read:

45.51 **(5)** (a) 1. 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~~ surviving spouse by the death of the person while in the service or as a result of physical disability of the person incurred during the service.

SECTION 766. 45.51 (5) (a) 1. c. of the statutes is amended to read:

45.51 **(5)** (a) 1. 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~~ after the death of the deceased person is 6 months or more.

SECTION 767. 45.55 of the statutes is amended to read:

45.55 Notes and mortgages of minor veterans. Notwithstanding any provision of this chapter or any other law to the contrary, any minor who served in the active armed forces of the United States at any time after August 27, 1940, and the ~~husband or wife~~ spouse 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~~ spouse 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.

SECTION 768. 45.82 (2) of the statutes is amended to read:

45.82 **(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 chosen from a list of candidates who have taken a civil service examination for the position of county veterans service officer developed and administered by the bureau of merit recruitment and selection in the department of administration, or is appointed under a civil service competitive examination procedure under s. 59.52 (8) or ch. 63. The grant shall be ~~$8,500~~ $8,925 for a county with a population of less than 20,000, ~~$10,000~~ $10,500 for a county with a population of 20,000 to 45,499, ~~$11,500~~ $12,075 for a county with a population of 45,500 to 74,999, and ~~$13,000~~ $13,650 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.

SECTION 769. 45.82 (3) of the statutes is amended to read:

45.82 **(3)** Notwithstanding sub. (2), an eligible county with a part–time county veterans service officer shall be eligible for an annual grant not exceeding ~~$500~~ $525.

SECTION 770. 45.82 (4) of the statutes is amended to read:

45.82 **(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 in an amount not to exceed ~~$15,000~~ $15,750 per grant under this subsection and shall promulgate rules to implement this subsection.

SECTION 771. 46.011 (1p) of the statutes is amended to read:

46.011 **(1p)** "Juvenile correctional services" means services provided for a juvenile who is under the supervision of the department of corrections under s. 938.183, 938.34 (2), ~~(4h),~~ (4m), (4n), or (7g), or 938.357 (3) or (4).

SECTION 772. 46.011 (1p) of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

46.011 **(1p)** "Juvenile correctional services" means services provided for a juvenile who is under the supervision of the department of corrections under s. 938.183, 938.34 (4m) or (7g), or 938.357 (3) or (4).

SECTION 773. 46.057 (1) of the statutes is amended to read:

46.057 **(1)** The department shall establish, maintain, and operate the Mendota juvenile treatment center on the grounds of the Mendota Mental Health Institute. The department may designate staff at the Mendota Mental Health Institute as responsible for administering, and providing services at, the center. Notwithstanding ss. 301.02, 301.03, and 301.36 (1), the department shall operate the Mendota juvenile treatment center as a juvenile correctional facility, as defined in s. 938.02 (10p). The center shall not be considered a hospital, as defined in s. 50.33 (2), an inpatient facility, as defined in s. 51.01 (10), a state treatment facility, as defined in s. 51.01 (15), or a treatment facility, as defined in s. 51.01 (19). The center shall provide psychological and psychiatric evaluations and treatment for juveniles whose behavior presents a serious problem to themselves or others in other juvenile correctional facilities and whose mental health needs can be met at the center. With

the approval of the department of health services, the department of corrections may transfer to the center any juvenile who has been placed in a juvenile correctional facility or a secured residential care center for children and youth under the supervision of the department of corrections under s. 938.183, 938.34 ~~(4h) or~~ (4m), or 938.357 (3), (4), or (5) (e) in the same manner that the department of corrections transfers juveniles between other juvenile correctional facilities. Upon the recommendation of the department of health services, a court may place a juvenile at the center in a proceeding for a change in placement order under s. 938.357 (3).

SECTION 774. 46.057 (1) of the statutes, as affected by 2017 Wisconsin Act 185 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

46.057 **(1)** The department shall establish, maintain, and operate the Mendota juvenile treatment center on the grounds of the Mendota Mental Health Institute. The department may designate staff at the Mendota Mental Health Institute as responsible for administering, and providing services at, the center. Notwithstanding ss. 301.02, 301.03, and 301.36 (1), the department shall operate the Mendota juvenile treatment center as a juvenile correctional facility, as defined in s. 938.02 (10p). The center shall not be considered a hospital, as defined in s. 50.33 (2), an inpatient facility, as defined in s. 51.01 (10), a state treatment facility, as defined in s. 51.01 (15), or a treatment facility, as defined in s. 51.01 (19). The center shall provide psychological and psychiatric evaluations and treatment for juveniles whose behavior presents a serious problem to themselves or others in other juvenile correctional facilities and whose mental health needs can be met at the center. With the approval of the department of health services, the department of corrections may transfer to the center any juvenile who has been placed in a juvenile correctional facility or a secured residential care center for children and youth under the

supervision of the department of corrections under s. 938.183, 938.34 (4m), or 938.357 (3), (4), or (5) (e) in the same manner that the department of corrections transfers juveniles between other juvenile correctional facilities. Upon the recommendation of the department of health services, a court may place a juvenile at the center in a proceeding for a change in placement order under s. 938.357 (3).

SECTION 775. 46.057 (2) of the statutes is amended to read:

46.057 **(2)** From the appropriation account under s. 20.410 (3) (ba)~~, the department of corrections shall transfer to the appropriation account under s. 20.435 (2) (kx) $1,365,500 in each fiscal year and, from the appropriation account under s. 20.410 (3)~~ or (hm), the department of corrections shall ~~transfer to the appropriation account under s. 20.435 (2) (kx) $3,224,100 in fiscal year 2019–20 and $5,429,000 in fiscal year 2020–21, for~~ reimburse the department of health services for the cost of providing services for juveniles placed at the Mendota juvenile treatment center at a per person daily cost specified by the department of health services. The department of health services may charge the department of corrections not more than the actual cost of providing those services.

SECTION 776. 46.10 (2) of the statutes is amended to read:

46.10 **(2)** Except as provided in subs. (2m) and (14) (b) and (c), any person, including but not limited to a person admitted, committed, protected, or placed under s. 975.01, 1977 stats., s. 975.02, 1977 stats., s. 975.17, 1977 stats., s. 55.05 (5), 2003 stats., and s. 55.06, 2003 stats., and ss. 51.10, 51.13, 51.15, 51.20, 51.35 (3), 51.37 (5), 51.45 (10), (11), (12) and (13), 55.05, 55.055, 55.12, 55.13, 55.135, 971.14 (2) and (5), 971.17 (1), 975.06 and 980.06, receiving care, maintenance, services, and supplies provided by any institution in this state including University of Wisconsin Hospitals and Clinics, in which the state is chargeable with all or part of the person's care,

maintenance, services, and supplies, any person receiving care and services from a county department established under s. 51.42 or 51.437 or from a facility established under s. 49.73, and any person receiving treatment and services from a public or private agency under s. 980.06 (2) (c), 1997 stats., s. 980.08 (5), 2003 stats., or s. 971.17 (3) (d) or (4) (e) or 980.08 (4) (g) and the person's property and estate, including the homestead, and the spouse of the person, and the spouse's property and estate, including the homestead, and, in the case of a minor child, the parents of the person, and their property and estates, including their homestead, and, in the case of a foreign child described in s. 48.839 (1) who became dependent on public funds for his or her primary support before an order granting his or her adoption, the resident of this state appointed guardian of the child by a foreign court who brought the child into this state for the purpose of adoption, and his or her property and estate, including his or her homestead, shall be liable for the cost of the care, maintenance, services, and supplies in accordance with the fee schedule established by the department under s. 46.03 (18). If a spouse, ~~widow~~ surviving spouse, or minor, or an incapacitated person may be lawfully dependent upon the property for their support, the court shall release all or such part of the property and estate from the charges that may be necessary to provide for those persons. The department shall make every reasonable effort to notify the liable persons as soon as possible after the beginning of the maintenance, but the notice or the receipt thereof is not a condition of liability.

SECTION 777. 46.22 (1) (c) 1. b. of the statutes is amended to read:

46.22 **(1)** (c) 1. b. 'State institutions.' The Mendota Mental Health Institute, the Winnebago Mental Health Institute, centers for the developmentally disabled, and ~~Type 1~~ juvenile correctional facilities, as defined in s. 938.02 ~~(19)~~ (10p).

SECTION 778. 46.2895 (8) (a) 1. of the statutes is amended to read:

46.2895 **(8)** (a) 1. If the long–term care district offers employment to any individual who was previously employed by a county, which participated in creating the district and at the time of the offer had not withdrawn or been removed from the district under sub. (14), and who while employed by the county performed duties relating to the same or a substantially similar function for which the individual is offered employment by the district and ~~whose wages were established in~~ who was covered by a collective bargaining agreement with the county under subch. IV of ch. 111 that is in effect on the date that the individual commences employment with the district, with respect to that individual, abide by the terms of the collective bargaining agreement ~~concerning the individual's wages~~ until the time of the expiration of that collective bargaining agreement or adoption of a collective bargaining agreement with the district under subch. IV of ch. 111 covering the individual as an employee of the district, whichever occurs first.

SECTION 779. 46.40 (8) of the statutes is amended to read:

46.40 **(8)** ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT ALLOCATION. Subject to sub. (9), for services to persons with Alzheimer's disease and their caregivers under s. 46.87, the department shall distribute not more than ~~$2,558,900~~ $3,058,900 in each fiscal year.

SECTION 780. 46.48 (3m) of the statutes is created to read:

46.48 **(3m)** DEAF, HARD OF HEARING, AND DEAF-BLIND BEHAVIORAL HEALTH TREATMENT CENTER. The department may distribute not more than $1,936,000 in each fiscal year, beginning in fiscal year 2022–23, to a statewide provider of behavioral health treatment services for individuals who are deaf, hard of hearing, or deaf–blind.

SECTION 781. 46.48 (6) of the statutes is created to read:

46.48 **(6)** TRAUMA RESPONSE TEAMS. The department shall annually award a grant equal to $450,000 for the Milwaukee trauma response team. Notwithstanding sub. (1), grants awarded under this subsection shall be from the appropriation under s. 20.435 (5) (bc).

SECTION 782. 46.48 (7) of the statutes is created to read:

46.48 **(7)** MEDICATION-ASSISTED TREATMENT GRANTS. The department shall award up to $500,000 in fiscal year 2021–22 and up to $1,000,000 annually thereafter to develop or support entities that offer medication–assisted treatment. Notwithstanding sub. (1), grants awarded under this subsection shall be from the appropriation under s. 20.435 (5) (bc).

SECTION 783. 46.48 (9) of the statutes is created to read:

46.48 **(9)** SUBSTANCE USE HARM REDUCTION GRANT. The department may annually award up to $250,000 to organizations with comprehensive harm reduction strategies for the development or support of substance use harm reduction programs, as determined by the department. Notwithstanding sub. (1), grants awarded under this subsection shall be from the appropriation under s. 20.435 (5) (bc).

SECTION 784. 46.536 of the statutes is renumbered 46.536 (intro.) and amended to read:

46.536 Crisis program enhancement grants. (intro.) From the appropriation under s. 20.435 (5) (cf), the department shall award all of the following grants:

(1) A ~~in the~~ total amount of $250,000 in each fiscal biennium to counties or regions comprised of multiple counties to establish or enhance crisis programs to serve individuals having crises in rural areas. The department shall award a grant

under this ~~section~~ subsection in an amount equal to one–half the amount of money the county or region provides to establish or enhance crisis programs.

SECTION 785. 46.536 (2) of the statutes is created to read:

46.536 **(2)** At least $1,250,000 in each fiscal year to establish and enhance law enforcement and behavioral health services emergency response collaboration programs. Grant recipients under this subsection shall match at least 25 percent of the grant amount awarded for the purpose that the grant is received.

SECTION 786. 46.536 (3) of the statutes is created to read:

46.536 **(3)** At least $850,000 in each fiscal year to a county with a population of more than 750,000 to enhance mobile crisis teams.

SECTION 787. 46.537 of the statutes is created to read:

46.537 County crisis call center support grants. From the appropriation under s. 20.435 (5) (cj), the department shall award grants to support mental health professionals to provide supervision and consultation to individuals who support crisis call center services. Each county or multicounty program that receives supervision and consultation services from a grant recipient described under this section shall contribute at least 10 percent of the costs of the services that the grant recipient incurs for the purpose that the grant is received.

SECTION 788. 46.87 (5m) of the statutes is amended to read:

46.87 **(5m)** A person is financially eligible for the program under this section if the joint income of the person with Alzheimer's disease and that person's spouse, if any, is ~~$48,000~~ $55,000 per year or less, unless the department sets a higher limitation on income eligibility by rule. In determining joint income for purposes of this subsection, the administering agency shall subtract any expenses attributable

to the Alzheimer's–related needs of the person with Alzheimer's disease or of the person's caregiver.

SECTION 789. 46.977 (1) (intro.) and (a) of the statutes are consolidated, renumbered 46.977 (1) and amended to read:

46.977 **(1)** ~~DEFINITIONS~~ DEFINITION. In this section~~: (a) "Guardian"~~, "guardian" has the meaning given in s. 54.01 (10).

SECTION 790. 46.977 (1) (b) of the statutes is renumbered 46.977 (2) (ag) and amended to read:

46.977 **(2)** (ag) ~~"Organization"~~ In this subsection, "organization" means a private, nonprofit agency or a county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437.

SECTION 791. 46.977 (2) (a) of the statutes is renumbered 46.977 (2) (am) and amended to read:

46.977 **(2)** (am) From the appropriation under s. 20.435 (1) (cg), the department may under this ~~section~~ subsection, based on the criteria under par. (c), award grants to applying organizations for the purpose of training and assisting guardians for individuals found incompetent under ch. 54. No grant may be paid unless the awardee provides matching funds equal to 10 percent of the amount of the award.

SECTION 792. 46.977 (2) (b) (intro.) of the statutes is amended to read:

46.977 **(2)** (b) (intro.) Organizations awarded grants under par. ~~(a)~~ (am) shall do all of the following:

SECTION 793. 46.977 (2) (c) of the statutes is amended to read:

46.977 **(2)** (c) In reviewing applications for grants under par. (am), the department shall consider the extent to which the proposed program will effectively train and assist guardians for individuals found incompetent under ch. 54.

SECTION 794. 46.977 (3) of the statutes is created to read:

46.977 **(3)** GRANT FOR INITIAL TRAINING. (a) The department shall award a grant to develop, administer, and conduct the guardian training required under s. 54.26.

(b) The department shall require the grantee to have expertise in state guardianship law, experience with technical assistance and support to guardians and wards, and knowledge of common challenges and questions encountered by guardians and wards.

(c) The grantee selected to develop training that meets the requirements under s. 54.26 (1) shall develop plain–language, web–based training modules using adult–learning design principles that can be accessed for free by training topic and in formats that maximize accessibility, with printed versions available for free upon request.

SECTION 795. 46.995 (4) of the statutes is created to read:

46.995 **(4)** The department shall ensure that any child who is eligible and who applies for the disabled children's long–term support program that is operating under a waiver of federal law receives services under the disabled children's long–term support program that is operating under a waiver of federal law.

SECTION 796. 47.02 (3m) (f) of the statutes is amended to read:

47.02 **(3m)** (f) Assure that eligibility for vocational rehabilitation services under this chapter is determined without regard to the sex, race, age, creed, color, ~~or~~ national origin, sexual orientation, as defined in s. 111.32 (13m), gender expression, as defined in s. 111.32 (7j), or gender identity, as defined in s. 111.32 (7k) of the individual applying for services, that no class of individuals is found ineligible solely on the basis of type of disability and that no age limitations for eligibility exist

~~which~~ that, by themselves, would result in ineligibility for vocational rehabilitation services.

SECTION 797. 47.07 (1) of the statutes is amended to read:

47.07 **(1)** The department shall allocate for each fiscal year at least $250,000 from the appropriation under s. 20.445 ~~(1) (b)~~ (5) (b) for contracts and activities entered into under this section.

SECTION 798. 47.07 (3) of the statutes is created to read:

47.07 **(3)** The department may facilitate Project SEARCH opportunities for young adults with disabilities, administer operations, contracts, and services related to the Project SEARCH program, provide training related to the Project SEARCH program, maintain existing Project SEARCH program sites, and manage the timing for expanding the number of available Project SEARCH program sites.

SECTION 799. 48.02 (1d) of the statutes is amended to read:

48.02 **(1d)** "Adult" means a person who is 18 years of age or older~~, except that for purposes of investigating or prosecuting a person who is alleged to have violated any state or federal criminal law or any civil law or municipal ordinance, "adult" means a person who has attained 17 years of age~~.

SECTION 800. 48.02 (2) of the statutes is amended to read:

48.02 **(2)** "Child," when used without further qualification, means a person who is less than 18 years of age~~, except that for purposes of investigating or prosecuting a person who is alleged to have violated a state or federal criminal law or any civil law or municipal ordinance, "child" does not include a person who has attained 17 years of age~~.

SECTION 801. 48.02 (13) of the statutes is amended to read:

48.02 **(13)** "Parent" means a ~~biological~~ natural parent~~, a husband who has consented to the artificial insemination of his wife under s. 891.40,~~ or a parent by adoption. If the child is a nonmarital child who is not adopted or whose parents do not subsequently intermarry under s. 767.803, "parent" includes a person conclusively determined from genetic test results to be the father under s. 767.804 ~~or,~~ a person acknowledged under s. 767.805 or a substantially similar law of another state to be a natural parent, or a person adjudicated to be ~~the biological father~~ a natural parent. "Parent" does not include any person whose parental rights have been terminated. For purposes of the application of s. 48.028 and the federal Indian Child Welfare Act, 25 USC 1901 to 1963, "parent" means a ~~biological~~ natural parent of an Indian child, an Indian ~~husband~~ spouse who has consented to the artificial insemination of his ~~wife~~ or her spouse under s. 891.40, or an Indian person who has lawfully adopted an Indian child, including an adoption under tribal law or custom, and includes, in the case of a nonmarital Indian child who is not adopted or whose parents do not subsequently intermarry under s. 767.803, a person conclusively determined from genetic test results to be the father under s. 767.804, a person acknowledged under s. 767.805, a substantially similar law of another state, or tribal law or custom to be the ~~biological father~~ natural parent, or a person adjudicated to be the ~~biological father~~ natural parent, but does not include any person whose parental rights have been terminated.

SECTION 802. 48.02 (14k) of the statutes is created to read:

48.02 **(14k)** "Qualified individual" has the meaning given under 42 USC 675a (c) (1) (D).

SECTION 803. 48.02 (17t) of the statutes is created to read:

48.02 **(17t)** "Standardized assessment" means an assessment, using a tool determined by the department, of the strengths and needs of a child to determine appropriateness of a placement in a residential care center, group home, or shelter care facility certified under s. 48.675. This definition does not apply to s. 48.62 (8) (b).

SECTION 804. 48.023 (4) of the statutes is amended to read:

48.023 **(4)** The rights and responsibilities of legal custody except when legal custody has been vested in another person or when the child is under the supervision of the department of corrections under s. 938.183, 938.34 ~~(4h),~~ (4m)~~,~~ or (4n), or 938.357 (3) or (4) or the supervision of a county department under s. 938.34 (4d), (4m), or (4n).

SECTION 805. 48.023 (4) of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

48.023 **(4)** The rights and responsibilities of legal custody except when legal custody has been vested in another person or when the child is under the supervision of the department of corrections under s. 938.183, 938.34 (4m), or 938.357 (3) or (4) or the supervision of a county department under s. 938.34 (4m) or (4n).

SECTION 806. 48.025 (title) of the statutes is amended to read:

48.025 (title) **Declaration of ~~paternal~~ parental interest in matters affecting children.**

SECTION 807. 48.025 (2) (b) of the statutes is amended to read:

48.025 **(2)** (b) A declaration under sub. (1) may be filed at any time before the birth of the child or within 14 days after the birth of the child, except that a ~~man~~ person who receives a notice under s. 48.42 (1g) (b) may file a declaration within 21

days after the date on which the notice was mailed. This paragraph does not apply to a declaration filed before July 1, 2006.

SECTION 808. 48.025 (3) (c) of the statutes is amended to read:

48.025 **(3)** (c) A court in a proceeding under s. 48.13, 48.133, 48.14, or 938.13 or under a substantially similar law of another state or a person authorized to file a petition under s. 48.25, 48.42, 48.837, or 938.25 or under a substantially similar law of another state may request the department to search its files to determine whether a person who may be the ~~father~~ parent of the child who is the subject of the proceeding has filed a declaration under this section. If the department has on file a declaration of ~~paternal~~ parental interest in matters affecting the child, the department shall issue to the requester a copy of the declaration. If the department does not have on file a declaration of ~~paternal~~ parental interest in matters affecting the child, the department shall issue to the requester a statement that no declaration could be located. The department may require a person who requests a search under this paragraph to pay a reasonable fee that is sufficient to defray the costs to the department of maintaining its file of declarations and publicizing information relating to declarations of ~~paternal~~ parental interest under this section.

SECTION 809. 48.21 (1) (c) of the statutes is created to read:

48.21 **(1)** (c) If the child is held in custody in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the intake worker or agency primarily responsible for providing services under the custody order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including all of the following, to the court and all persons who are required to receive a copy of the petition or request under par. (b) no later

than the hearing or, if not available by that time, no later than 30 days after the date on which the placement is made:

1. Whether the proposed placement will provide the child with the most effective and appropriate level of care in the least restrictive environment.

2. How the placement is consistent with the short–term and long–term goals for the child, as specified in the permanency plan.

3. The reasons why the child's needs can or cannot be met by the child's family or in a foster home. A shortage or lack of foster homes is not an acceptable reason for determining that the child's needs cannot be met in a foster home.

4. The placement preference of the family permanency team under s. 48.38 (3m) and, if that preference is not the placement recommended by the qualified individual, why that recommended placement is not preferred.

SECTION 810. 48.21 (5) (b) 2g. of the statutes is created to read:

48.21 **(5)** (b) 2g. Except as provided in par. (cm), if the child is held in custody in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, a finding as to each of the following, the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the recommendation of the qualified individual under sub. (1) (c):

a. Whether the needs of the child can be met through placement in a foster home.

b. Whether placement of the child in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675 provides the most effective and appropriate level of care for the child in the least restrictive environment.

c. Whether the placement is consistent with the short–term and long–term goals for the child, as identified in the permanency planning.

d. Whether the judge or court commissioner approves or disapproves the placement.

SECTION 811. 48.21 (5) (cm) of the statutes is created to read:

48.21 **(5)** (cm) If the results of the standardized assessment and recommendation of the qualified individual who conducted the standardized assessment are required under sub. (1) (c) but not available at the time of the custody order, the judge or court commissioner shall defer making the findings under par. (b) 2g. as provided in this paragraph. No later than 60 days after the date on which the placement is made, the judge or court commissioner shall issue an order making the findings under par. (b) 2g.

SECTION 812. 48.21 (6) of the statutes is renumbered 48.21 (6) (a).

SECTION 813. 48.21 (6) (b) of the statutes is created to read:

48.21 **(6)** (b) If under par. (a) a child is transferred to a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the intake worker or agency primarily responsible for providing services under the custody order shall include it and the recommendation of the qualified individual who conducted the standardized assessment, including all of the information specified under sub. (1) (c) with the notice under par. (a) or, if not available at that time, submit it to the court and all persons who received the notice no later than 30 days after the date on which the transfer is made. No later than 60 days after the date on which the transfer is made the judge or court commissioner shall issue an order making the findings under sub. (5) (b) 2g.

SECTION 814. 48.217 (1) (b) 2. of the statutes is amended to read:

48.217 **(1)** (b) 2. The notice shall contain the name and address of the new placement, the reasons for the change in placement, whether the new placement is certified under s. 48.675, and a statement describing why the new placement is preferable to the present placement. The person sending the notice shall file the notice with the court on the same day that the notice is sent.

SECTION 815. 48.217 (1) (b) 3. of the statutes is created to read:

48.217 **(1)** (b) 3. If the proposed change in placement would place the child in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the intake worker or agency primarily responsible for providing services under a temporary physical custody order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including all of the following, to the court and all persons who are required to receive the notice under subd. 1. a. no later than the filing of that notice or, if not available by that time, and except as provided under subd. 4., no later than 10 days after the notice is filed:

a. Whether the proposed placement will provide the child with the most effective and appropriate level of care in the least restrictive environment.

b. How the placement is consistent with the short–term and long–term goals for the child, as specified in the permanency plan.

c. The reasons why the child's needs can or cannot be met by the child's family or in a foster home. A shortage or lack of foster homes is not an acceptable reason for determining that the child's needs cannot be met in a foster home.

d. The placement preference of the family permanency team under s. 48.38 (3m) and, if that preference is not the placement recommended by the qualified individual, why that recommended placement is not preferred.

SECTION 816. 48.217 (1) (b) 4. of the statutes is created to read:

48.217 **(1)** (b) 4. If, for good cause shown, the information required to be submitted under subd. 3. is not available by the deadline under that subdivision, the intake worker or agency primarily responsible for providing services under a temporary physical custody order shall submit it no later than 30 days after the date on which the placement is made.

SECTION 817. 48.217 (2) of the statutes is renumbered 48.217 (2) (a).

SECTION 818. 48.217 (2) (b) and (c) of the statutes are created to read:

48.217 **(2)** (b) 1. If the emergency change in placement under par. (a) results in a child being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the intake worker or agency primarily responsible for providing services under a temporary physical custody order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including the information specified under sub. (1) (b) 3. with the notice under par. (a) or, if not available at that time, and except as provided under subd. 2., no later than 10 days after the filing of that notice.

2. If, for good cause shown, the information required to be submitted under subd. 1. is not available by the deadline under that subdivision, the intake worker or agency primarily responsible for providing services under a temporary physical custody order shall submit it no later than 30 days after the date on which the placement was made.

(c) If the emergency change in placement under par. (a) results in a child being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the court shall, no later than 60 days after the placement is made, issue an order making all of the findings required under sub. (2v) (d) 1., the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment.

SECTION 819. 48.217 (2m) (b) 3. of the statutes is created to read:

48.217 **(2m)** (b) 3. If the change in placement results in a child being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the intake worker or agency primarily responsible for providing services under a temporary physical custody order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including the information under sub. (1) (b) 3., to the court and to all persons who are required to receive the notice under subd. 2., no later than the hearing or, if not available by that time, no later than 30 days after the date on which the placement is made.

SECTION 820. 48.217 (2m) (c) of the statutes is renumbered 48.217 (2m) (c) 1.

SECTION 821. 48.217 (2m) (c) 2. and 3. of the statutes are created to read:

48.217 **(2m)** (c) 2. Except as provided in subd. 3., if the court changes the placement to a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the change–in–placement order shall contain the findings under sub. (2v) (d) 1., the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the

recommendation of the qualified individual who conducted the standardized assessment.

3. If the results of the standardized assessment and recommendation of the qualified individual who conducted the standardized assessment are not available at the time of the order, the court shall defer making the findings under sub. (2v) (d) 1. as provided in this subdivision. No later than 60 days after the date on which the placement was made, the court shall issue an order making the findings under sub. (2v) (d) 1.

SECTION 822. 48.217 (2v) (d) 1. and 2. of the statutes are created to read:

48.217 **(2v)** (d) 1. Except as provided in subd. 2., if the court changes the placement to a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the change–in–placement order shall contain a finding as to each of the following, the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment:

a. Whether the needs of the child can be met through placement in a foster home.

b. Whether placement of the child in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675 provides the most effective and appropriate level of care for the child in the least restrictive environment.

c. Whether the placement is consistent with the short–term and long–term goals for the child, as specified in the permanency plan.

d. Whether the court approves or disapproves the placement.

2. If the results of the standardized assessment and recommendation of the qualified individual who conducted the standardized assessment are not available at the time of the order, the court shall defer making the findings under subd. 1. as provided in this subdivision. No later than 60 days after the date on which the placement was made, the court shall issue an order making the findings under subd. 1.

SECTION 823. 48.233 (2) of the statutes is amended to read:

48.233 **(2)** This section does not apply to a proceeding commenced under s. 48.13 after June 30, ~~2021~~ 2023.

SECTION 824. 48.233 (3) of the statutes is amended to read:

48.233 **(3)** The state public defender may promulgate rules necessary to implement the pilot program established under sub. (1). The state public defender may promulgate the rules under this subsection as emergency rules under s. 227.24. Notwithstanding s. 227.24 (1) (a) and (3), the state public defender is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until June 30, ~~2021~~ 2023.

SECTION 825. 48.233 (4) of the statutes is amended to read:

48.233 **(4)** By January 1, 2021, and by January 1, 2023, the department and the state public defender shall each submit a report to the joint committee on finance, and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3), regarding costs and data from implementing the pilot program under sub. (1).

SECTION 826. 48.27 (3) (b) 1. a. of the statutes is amended to read:

48.27 **(3)** (b) 1. a. A person who has filed a declaration of ~~paternal~~ parental interest under s. 48.025.

SECTION 827. 48.27 (3) (b) 1. b. of the statutes is amended to read:

48.27 **(3)** (b) 1. b. A person alleged to the court to be ~~the father~~ a parent of the child or who may, based on the statements of the ~~mother~~ parent who gave birth to the child or other information presented to the court, be ~~the father~~ a parent of the child.

SECTION 828. 48.27 (5) of the statutes is amended to read:

48.27 **(5)** Subject to sub. (3) (b), the court shall make every reasonable effort to identify and notify any person who has filed a declaration of ~~paternal~~ parental interest under s. 48.025, any person conclusively determined from genetic test results to be the father under s. 767.804 (1), any person who has acknowledged ~~paternity~~ parentage of the child under s. 767.805 (1), and any person who has been adjudged to be the ~~father~~ parent of the child in a judicial proceeding unless the person's parental rights have been terminated.

SECTION 829. 48.299 (2) of the statutes is created to read:

48.299 **(2)** (a) Except as provided in par. (b), instruments of restraint such as handcuffs, chains, irons, or straitjackets, cloth and leather restraints, or other similar items may not be used on a child during a court proceeding under this chapter and shall be removed prior to the child being brought into the courtroom to appear before the court.

(b) A court may order a child to be restrained during a court proceeding upon request of the district attorney, corporation counsel, or other appropriate official specified under s. 48.09 if the court finds all of the following:

1. That the use of restraints is necessary due to one of the following factors:

a. Instruments of restraint are necessary to prevent physical harm to the child or another person.

b. The child has a history of disruptive courtroom behavior that has placed others in potentially harmful situations or the child presents a substantial risk of inflicting physical harm on himself or herself or others as evidenced by recent behavior.

c. There is a reasonable belief that the child presents a substantial risk of flight from the courtroom.

2. That there are no less restrictive alternatives to restraints that will prevent flight or physical harm to the child or another person, including the presence of court personnel, law enforcement officers, or bailiffs.

(c) The court shall provide the child's attorney an opportunity to be heard before the court orders the use of restraints under par. (b). The court shall make written findings of fact in support of any order to use restraints under par. (b).

(d) If the court orders a child to be restrained under par. (b), the restraints shall allow the child limited movement of the hands to read and handle documents and writings necessary to the hearing.

(e) No child may be restrained during a court proceeding under this chapter using fixed restraints attached to a wall, floor, or furniture.

SECTION 830. 48.299 (6) (intro.) of the statutes is amended to read:

48.299 **(6)** (intro.) If a ~~man~~ person who has been given notice under s. 48.27 (3) (b) 1., 48.977 (4) (c) 1., 48.978 (2) (c) 1., or 48.9795 (4) (c) 1. appears at any hearing for which he or she received the notice, alleges that he or she is ~~the father~~ a parent

of the child, and states that he or she wishes to establish the ~~paternity~~ parentage of the child, all of the following apply:

SECTION 831. 48.299 (6) (e) 1. of the statutes is amended to read:

48.299 **(6)** (e) 1. In this paragraph, "genetic test" means a test that examines genetic markers present on blood cells, skin cells, tissue cells, bodily fluid cells or cells of another body material for the purpose of determining the statistical probability that a ~~man~~ person who is alleged to be a child's ~~father~~ parent is the child's biological ~~father~~ parent.

SECTION 832. 48.299 (6) (e) 2. of the statutes is amended to read:

48.299 **(6)** (e) 2. The court shall, at the hearing, orally inform any ~~man~~ person specified in sub. (6) (intro.) that he or she may be required to pay for any testing ordered by the court under this paragraph or under s. 885.23.

SECTION 833. 48.299 (6) (e) 3. of the statutes is amended to read:

48.299 **(6)** (e) 3. In addition to ordering testing as provided under s. 885.23, if the court determines that it would be in the best interests of the child, the court may order any ~~man~~ person specified in sub. (6) (intro.) to submit to one or more genetic tests which shall be performed by an expert qualified as an examiner of genetic markers present on the cells and of the specific body material to be used for the tests, as appointed by the court. A report completed and certified by the court–appointed expert stating genetic test results and the statistical probability that the ~~man~~ person alleged to be the child's ~~father~~ parent is the child's biological ~~father~~ parent based upon the genetic tests is admissible as evidence without expert testimony and may be entered into the record at any hearing. The court, upon request by a party, may order that independent tests be performed by other experts qualified as examiners

of genetic markers present on the cells of the specific body materials to be used for the tests.

SECTION 834. 48.299 (6) (e) 4. of the statutes is amended to read:

48.299 **(6)** (e) 4. If the genetic tests show that an alleged ~~father~~ parent is not excluded and that the statistical probability that the alleged ~~father~~ parent is the child's biological ~~father~~ parent is 99.0 percent or higher, the court may determine that for purposes of a proceeding under this chapter, other than a proceeding under subch. VIII, the ~~man~~ person is the child's biological parent.

SECTION 835. 48.299 (7) of the statutes is amended to read:

48.299 **(7)** If a ~~man~~ person who has been given notice under s. 48.27 (3) (b) 1., 48.977 (4) (c) 1., 48.978 (2) (c) 1., or 48.9795 (4) (c) 1. appears at any hearing for which he or she received the notice but does not allege that he or she is ~~the father~~ a parent of the child and state that he or she wishes to establish the ~~paternity~~ parentage of the child or if no ~~man~~ person to whom such notice was given appears at a hearing, the court may refer the matter to the state or to the attorney responsible for support enforcement under s. 59.53 (6) (a) for a determination, under s. 767.80, of whether an action should be brought for the purpose of determining the ~~paternity~~ parentage of the child.

SECTION 836. 48.32 (1) (ar) of the statutes is created to read:

48.32 **(1)** (ar) If the consent decree places a child in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the agency primarily responsible for providing services to the child shall submit it and the recommendation of the qualified individual who completed the assessment, including all of the following, to the court and to all persons who are parties to the

consent decree, no later than the time the consent decree is entered or, if not available by that time, no later than 30 days after the date on which the placement is made:

1. Whether the proposed placement will provide the child with the most effective and appropriate level of care in the least restrictive environment.

2. How the placement is consistent with the short–term and long–term goals for the child, as specified in the permanency plan.

3. The reasons why the child's needs can or cannot be met by the child's family or in a foster home. A shortage or lack of foster homes is not an acceptable reason for determining that the child's needs cannot be met in a foster home.

4. The placement preference of the family permanency team under s. 48.38 (3m) and, if that preference is not the placement recommended by the qualified individual, why that recommended placement is not preferred.

SECTION 837. 48.32 (1) (b) 1r. of the statutes is created to read:

48.32 **(1)** (b) 1r. Except as provided in par. (cd), if the child is placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, a finding as to each of the following, the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment under par. (ar):

a. Whether the needs of the child can be met through placement in a foster home.

b. Whether placement of the child in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675 provides the most effective and appropriate level of care for the child in the least restrictive environment.

c. Whether the placement is consistent with the short–term and long–term goals for the child, as specified in the permanency plan.

d. Whether the court approves or disapproves the placement.

SECTION 838. 48.32 (1) (cd) of the statutes is created to read:

48.32 **(1)** (cd) If the results of the standardized assessment and recommendation of the qualified individual who conducted the standardized assessment are required but not available at the time of the order, the court shall defer making the findings under par. (b) 1r. as provided in this paragraph. No later than 60 days after the date on which the placement was made, the court shall issue an order making the findings under par. (b) 1r.

SECTION 839. 48.33 (4) (cm) of the statutes is created to read:

48.33 **(4)** (cm) A statement indicating whether the recommended placement is certified under s. 48.675.

SECTION 840. 48.33 (4) (cr) of the statutes is created to read:

48.33 **(4)** (cr) 1. If the report recommends placement of a child in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, except as provided in subd. 2., the report shall contain the results of the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment, including all of the following:

a. Whether the proposed placement will provide the child with the most effective and appropriate level of care in the least restrictive environment.

b. How the placement is consistent with the short–term and long–term goals for the child, as specified in the permanency plan.

c. The reasons why the child's needs can or cannot be met by the child's family or in a foster home. A shortage or lack of foster homes is not an acceptable reason for determining that the child's needs cannot be met in a foster home.

d. The placement preference of the family permanency team under s. 48.38 (3m) and, if that preference is not the placement recommended by the qualified individual, why that recommended placement is not preferred.

2. If the information under subd. 1. is not available at the time of the report, the agency shall submit it by the date of the dispositional hearing or, if it is not available on that date, no later than 30 days after the date on which the placement was made.

SECTION 841. 48.355 (2) (b) 6d. of the statutes is created to read:

48.355 **(2)** (b) 6d. Except as provided in par. (cd), if the child is placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, a finding as to each of the following, the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment:

a. Whether the needs of the child can be met through placement in a foster home.

b. Whether placement of the child in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675 provides the most effective and appropriate level of care for the child in the least restrictive environment.

c. Whether the placement is consistent with the short–term and long–term goals for the child, as specified in the permanency plan.

d. Whether the court approves or disapproves the placement.

SECTION 842. 48.355 (2) (cd) of the statutes is created to read:

48.355 **(2)** (cd) If the results of the standardized assessment and recommendation of the qualified individual who conducted the standardized assessment are required but not available at the time of the order, the court shall defer making the findings under par. (b) 6d. as provided in this paragraph. No later than 60 days after the date on which the placement was made, the court shall issue an order making the findings under par. (b) 6d.

SECTION 843. 48.355 (4g) (a) 1. of the statutes is amended to read:

48.355 **(4g)** (a) 1. The child's parents are parties to a pending action for divorce, annulment, or legal separation, a ~~man~~ person determined under s. 48.299 (6) (e) 4. to be the biological ~~father~~ parent of the child for purposes of a proceeding under this chapter is a party to a pending action to determine paternity of the child under ch. 767, or the child is the subject of a pending independent action under s. 767.41 or 767.43 to determine legal custody of the child or visitation rights with respect to the child.

SECTION 844. 48.357 (1) (am) 1. c. of the statutes is amended to read:

48.357 **(1)** (am) 1. c. The notice shall contain the name and address of the new placement, the reasons for the change in placement, whether the new placement is certified under s. 48.675, a statement describing why the new placement is preferable to the present placement, and a statement of how the new placement satisfies the objectives of the treatment plan or permanency plan ordered by the court. The person sending the notice shall file the notice with the court on the same day that the notice is sent.

SECTION 845. 48.357 (1) (am) 1m. and 1r. of the statutes are created to read:

48.357 **(1)** (am) 1m. If the proposed change in placement would place the child in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the person or agency primarily responsible for implementing the dispositional order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including all of the following, to the court and all persons who are required to receive the notice under subd. 1. no later than time of filing that notice or, if not available by that time, and except as provided under subd. 1r., no later than 10 days after the notice is filed:

a. Whether the proposed placement will provide the child with the most effective and appropriate level of care in the least restrictive environment.

b. How the placement is consistent with the short–term and long–term goals for the child, as specified in the permanency plan.

c. The reasons why the child's needs can or cannot be met by the child's family or in a foster home. A shortage or lack of foster homes is not an acceptable reason for determining that the child's needs cannot be met in a foster home.

d. The placement preference of the family permanency team under s. 48.38 (3m) and, if that preference is not the placement recommended by the qualified individual, why that recommended placement is not preferred.

1r. If, for good cause shown, the information required to be submitted under subd. 1m. is not available by the deadline under that subdivision, the person or agency primarily responsible for implementing the dispositional order shall submit it no later than 30 days after the date on which the placement is made.

SECTION 846. 48.357 (1) (c) 1r. of the statutes is created to read:

48.357 **(1)** (c) 1r. If the proposed change in placement would place the child in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the person or agency primarily responsible for implementing the dispositional order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including the information under par. (am) 1m., to the court and to all persons who are required to receive the notice under par. (am) 1. a. no later than the filing of that request or, if not available by that time, no later than 30 days after the date on which the placement was made.

SECTION 847. 48.357 (2) (a) of the statutes is renumbered 48.357 (2) (a) 1.

SECTION 848. 48.357 (2) (a) 2., 3. and 4. of the statutes are created to read:

48.357 **(2)** (a) 2. If the emergency change in placement under subd. 1. results in a child being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the person or agency primarily responsible for implementing the dispositional order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including the information specified under sub. (1) (am) 1m. with the notice under subd. 1. or, if not available at that time, and except as provided under subd. 3., no later than 10 days after the filing of that notice.

3. If, for good cause shown, the information required to be submitted under subd. 2. is not available by the deadline under that subdivision, the person or agency primarily responsible for implementing the dispositional order shall submit it no later than 30 days after the date on which the placement was made.

4. If the emergency change in placement under subd. 1. results in a child being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the court shall, no later than 60 days after the placement is made, issue an order making the findings under sub. (2v) (a) 5., the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment.

SECTION 849. 48.357 (2) (b) 5. and 6. of the statutes are created to read:

48.357 **(2)** (b) 5. If the emergency change in placement under this paragraph results in a child being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the person or agency primarily responsible for implementing the dispositional order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including the information specified under sub. (1) (am) 1m., to the court and all persons who are required to receive the notice under subd. 2. no later than the filing of that request or, if not available by that time, no later than 30 days after the date on which the placement was made.

6. If the emergency change in placement under this paragraph results in a child being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the court shall, no later than 60 days after the placement is made, issue an order making the findings under sub. (2v) (a) 5., the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment.

SECTION 850. 48.357 (2m) (a) of the statutes is renumbered 48.357 (2m) (a) 1.

SECTION 851. 48.357 (2m) (a) 2. of the statutes is created to read:

48.357 **(2m)** (a) 2. If the change in placement results in the child being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the person or agency primarily responsible for implementing the dispositional order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including the information specified under sub. (1) (am) 1m., to the court and to all persons who are required to receive the notice under par. (b) 2., no later than the filing of that request or, if not available by that time, no later than 30 days after the date on which the placement was made.

SECTION 852. 48.357 (2v) (a) 5. and 6. of the statutes are created to read:

48.357 **(2v)** (a) 5. Except as provided in subd. 6., if the court changes the placement to a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the change–in–placement order shall contain a finding as to each of the following, the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment:

a. Whether the needs of the child can be met through placement in a foster home.

b. Whether placement of the child in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675 provides the most

effective and appropriate level of care for the child in the least restrictive environment.

c. Whether the placement is consistent with the short–term and long–term goals for the child, as specified in the permanency plan.

d. Whether the court approves or disapproves the placement.

6. If the results of the standardized assessment and recommendation of the qualified individual who conducted the standardized assessment are not available at the time of the order, the court shall defer making the findings under subd. 5. as provided in this paragraph. No later than 60 days after the date on which the placement was made, the court shall issue an order making the findings under subd. 5.

SECTION 853. 48.38 (1) (ag) of the statutes is created to read:

48.38 **(1)** (ag) "Family permanency team" means the team of individuals assembled under sub. (3m) to participate in a child's permanency planning.

SECTION 854. 48.38 (1) (ap) of the statutes is created to read:

48.38 **(1)** (ap) "Like–kin" means a person who has a significant emotional relationship with a child or the child's family and to whom any of the following applies:

1. Prior to the child's placement in out–of–home care, the person had an existing relationship with the child or the child's family that is similar to a familial relationship.

2. During the child's placement in out–of–home care, the person developed a relationship with the child or the child's family that is similar to a familial relationship.

SECTION 855. 48.38 (1) (c) of the statutes is created to read:

48.38 **(1)** (c) "Qualified residential treatment program" means a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675.

SECTION 856. 48.38 (3m) of the statutes is created to read:

48.38 **(3m)** FAMILY PERMANENCY TEAM. If a child is placed in a qualified residential treatment program, the agency that placed the child or arranged the placement or the agency assigned primary responsibility for providing services to the child under s. 48.355 (2) (b) 6g. shall invite all of the following to participate in permanency planning and may invite others at the agency's discretion:

(a) All appropriate biological family members, relatives, and like–kin of the child, as determined by the agency.

(b) Appropriate professionals who serve as a resource for the family of the child, such as teachers, medical or mental health providers who have treated the child, or clergy.

(c) Others identified by a child over the age of 14 as provided under sub. (2m).

SECTION 857. 48.38 (4) (k) of the statutes is created to read:

48.38 **(4)** (k) If the child is placed in a qualified residential treatment program, all of the following:

1. Documentation of reasonable and good faith efforts to identify and include all required individuals on the family permanency team.

2. The contact information for the members of the family permanency team.

3. Information showing that meetings of the family permanency team are held at a time and place convenient for the family to the extent possible.

4. If reunification is the child's permanency goal, information demonstrating that the parent from whom the child was removed provided input on the members of the family permanency team or why that input was not obtained.

5. Information showing that the standardized assessment, as determined by the department, was used to determine the appropriateness of the placement in a qualified residential treatment program

6. The placement preferences of the family permanency team, including a recognition that a child should be placed with his or her siblings unless the court determines that a joint placement would be contrary to the safety or well–being of the child or any of those siblings.

7. If placement preferences of the family permanency team are not the placement recommended by the qualified individual who conducted the standardized assessment, the reasons why these preferences were not recommended.

8. The recommendations of the qualified individual who conducted the standardized assessment, including all of the following:

a. Whether the recommended placement in a qualified residential treatment program is the placement that will provide the child with the most effective and appropriate level of care in the least restrictive environment and how that placement is consistent with the short–term and long–term goals for the child, as specified in the permanency plan.

b. Whether and why the child's needs can or cannot be met by the child's family or in a foster home. A shortage or lack of foster homes is not an acceptable reason for determining that the child's needs cannot be met in a foster home.

9. Documentation of the approval or disapproval of the placement in a qualified residential treatment program by a court, if such a determination has been made.

SECTION 858. 48.38 (4) (L) of the statutes is created to read:

48.38 **(4)** (L) If the child is a parent or is pregnant, all of the following:

1. A list of the services or programs to be provided to or on behalf of the child to ensure that the child, if pregnant, is prepared and, if a parent, is able to be a parent.

2. The out–of–home care prevention strategy for any child born to the parenting or pregnant child.

SECTION 859. 48.38 (5) (bm) 4. of the statutes is created to read:

48.38 **(5)** (bm) 4. If the child is placed in a qualified residential treatment program, the agency that prepared the permanency plan shall submit to the court or panel specific information showing all of the following, which the court or panel shall consider when determining the continuing necessity for and the safety and appropriateness of the placement:

a. Whether ongoing assessment of the strengths and needs of the child continues to support the determination that the needs of the child cannot be met through placement in a foster home, whether the placement in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment, and how the placement is consistent with the short–term and long–term goals for the child, as specified in the child's permanency plan.

b. The specific treatment or service needs that will be met for the child in the placement and the length of the time the child is expected to need the treatment or services.

c. The efforts made by the agency to prepare the child to return home or to be placed with a fit and willing relative, a guardian, or an adoptive parent or in a foster home.

SECTION 860. 48.38 (5) (c) 1. of the statutes is amended to read:

48.38 **(5)** (c) 1. The continuing necessity for and the safety and appropriateness of the placement, subject to par. (bm) 4. and sub. (5m) (c) 4. If the permanency goal of the child's permanency plan is placement of the child in a planned permanent living arrangement described in sub. (4) (fg) 5., the determination under this subdivision shall include an explanation of why the planned permanent living arrangement is the best permanency goal for the child and why, supported by compelling reasons, it continues not to be in the best interests of the child to be returned to his or her home or to be placed for adoption, with a guardian, or with a fit and willing relative.

SECTION 861. 48.38 (5) (d) of the statutes is amended to read:

48.38 **(5)** (d) Notwithstanding s. 48.78 (2) (a), the agency that prepared the permanency plan shall, at least 5 days before a review by a review panel, provide to each person appointed to the review panel, the child's parent, guardian, and legal custodian, the person representing the interests of the public, the child's counsel, the child's guardian ad litem, the child's court–appointed special advocate, and, if the child is an Indian child who is placed outside the home of his or her parent or Indian custodian, the Indian child's Indian custodian and tribe a copy of the permanency plan, any information submitted under par. (bm) 4., and any written comments submitted under par. (bm) 1. Notwithstanding s. 48.78 (2) (a), a person appointed to a review panel, the person representing the interests of the public, the child's counsel, the child's guardian ad litem, the child's court–appointed special advocate,

and, if the child is an Indian child who is placed outside the home of his or her parent or Indian custodian, the Indian child's Indian custodian and tribe may have access to any other records concerning the child for the purpose of participating in the review. A person permitted access to a child's records under this paragraph may not disclose any information from the records to any other person.

SECTION 862. 48.38 (5m) (c) 4. of the statutes is created to read:

48.38 **(5m)** (c) 4. If the child is placed in a qualified residential treatment program, the agency that prepared the permanency plan shall present to the court specific information showing all of the following, which the court shall consider when determining the continuing necessity for and the safety and appropriateness of the placement under sub. (5) (c) 1.:

a. Whether ongoing assessment of the strengths and needs of the child continues to support the determination that the needs of the child cannot be met through placement in a foster home, whether the placement in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment, and how the placement is consistent with the short–term and long–term goals for the child, as specified in the child's permanency plan.

b. The specific treatment or service needs that will be met for the child in the placement and the length of the time the child is expected to need the treatment or services.

c. The efforts made by the agency to prepare the child to return home or to be placed with a fit and willing relative, a guardian, or an adoptive parent or in a foster home.

SECTION 863. 48.38 (5m) (d) of the statutes is amended to read:

48.38 **(5m)** (d) At least 5 days before the date of the hearing the agency that prepared the permanency plan shall provide a copy of the permanency plan, any information submitted under par. (bm) 4., and any written comments submitted under par. (c) 1. to the court, to the child's parent, guardian, and legal custodian, to the person representing the interests of the public, to the child's counsel or guardian ad litem, to the child's court–appointed special advocate, and, if the child is an Indian child who is placed outside the home of his or her parent or Indian custodian, to the Indian child's Indian custodian and tribe. Notwithstanding s. 48.78 (2) (a), the person representing the interests of the public, the child's counsel or guardian ad litem, the child's court–appointed special advocate, and, if the child is an Indian child who is placed outside of the home of his or her parent or Indian custodian, the Indian child's Indian custodian and tribe may have access to any other records concerning the child for the purpose of participating in the review. A person permitted access to a child's records under this paragraph may not disclose any information from the records to any other person.

SECTION 864. 48.396 (1) of the statutes is amended to read:

48.396 **(1)** Law enforcement officers' records of children shall be kept separate from records of adults. Law enforcement officers' records of the adult expectant mothers of unborn children shall be kept separate from records of other adults. Law enforcement officers' records of children and the adult expectant mothers of unborn children shall not be open to inspection or their contents disclosed except under sub. (1b), (1d), (5), or (6) or s. 48.293 or 938.396 (2m) (c) 1p. or by order of the court. This subsection does not apply to the representatives of newspapers or other reporters of news who wish to obtain information for the purpose of reporting news without revealing the identity of the child or adult expectant mother involved, to the

confidential exchange of information between the police and officials of the public or private school attended by the child or other law enforcement or social welfare agencies, or to children ~~10~~ 12 years of age or older who are subject to the jurisdiction of the court of criminal jurisdiction. A public school official who obtains information under this subsection shall keep the information confidential as required under s. 118.125, and a private school official who obtains information under this subsection shall keep the information confidential in the same manner as is required of a public school official under s. 118.125. This subsection does not apply to the confidential exchange of information between the police and officials of the tribal school attended by the child if the police determine that enforceable protections are provided by a tribal school policy or tribal law that requires tribal school officials to keep the information confidential in a manner at least as stringent as is required of a public school official under s. 118.125. A law enforcement agency that obtains information under this subsection shall keep the information confidential as required under this subsection and s. 938.396 (1) (a). A social welfare agency that obtains information under this subsection shall keep the information confidential as required under ss. 48.78 and 938.78.

SECTION 865. 48.396 (2) (dm) of the statutes is amended to read:

48.396 **(2)** (dm) Upon request of a court having jurisdiction over actions affecting the family, an attorney responsible for support enforcement under s. 59.53 (6) (a) or a party to a paternity proceeding under subch. IX of ch. 767, the party's attorney or the guardian ad litem for the child who is the subject of that proceeding to review or be provided with information from the records of the court assigned to exercise jurisdiction under this chapter and ch. 938 relating to the paternity of a child for the purpose of determining the paternity of the child or for the purpose of

rebutting the presumption of ~~paternity~~ parentage under s. 891.405, 891.407, or 891.41 (1), the court assigned to exercise jurisdiction under this chapter and ch. 938 shall open for inspection by the requester its records relating to the paternity of the child or disclose to the requester those records.

SECTION 866. 48.42 (1g) (a) 4. of the statutes is amended to read:

48.42 **(1g)** (a) 4. A statement identifying any ~~man~~ person who has lived in a familial relationship with the child and who may be ~~the father~~ a parent of the child.

SECTION 867. 48.42 (1g) (b) of the statutes is amended to read:

48.42 **(1g)** (b) The petitioner shall notify any ~~man~~ person identified in the affidavit under par. (a) as an alleged ~~father~~ parent of ~~his~~ the right to file a declaration of ~~paternal~~ parental interest under s. 48.025 before the birth of the child, within 14 days after the birth of the child, or within 21 days after the date on which the notice is mailed, whichever is later; of the birth date or anticipated birth date of the child; and of the consequences of filing or not filing a declaration of ~~paternal~~ parental interest. The petitioner shall include with the notice a copy of the form required to file a declaration of ~~paternal~~ parental interest under s. 48.025. The notice shall be sent by certified mail to the last–known address of the alleged ~~father~~ parent.

SECTION 868. 48.42 (1g) (c) of the statutes is amended to read:

48.42 **(1g)** (c) If an affidavit under par. (a) is not filed with the petition, notice shall be given to an alleged ~~father~~ parent under sub. (2).

SECTION 869. 48.42 (2) (b) 1. of the statutes is amended to read:

48.42 **(2)** (b) 1. A person who has filed an unrevoked declaration of ~~paternal~~ parental interest under s. 48.025 before the birth of the child or within 14 days after the birth of the child.

SECTION 870. 48.42 (2) (b) 2. of the statutes is amended to read:

48.42 **(2)** (b) 2. A person or persons alleged to the court to be ~~the father~~ a parent of the child or who may, based upon the statements of the ~~mother~~ parent who gave birth to the child or other information presented to the court, be the ~~father~~ parent of the child unless that person has waived the right to notice under s. 48.41 (2) (c).

SECTION 871. 48.42 (2) (bm) 1. of the statutes is amended to read:

48.42 **(2)** (bm) 1. A person who has filed an unrevoked declaration of ~~paternal~~ parental interest under s. 48.025 before the birth of the child, within 14 days after the birth of the child, or within 21 days after a notice under sub. (1g) (b) is mailed, whichever is later.

SECTION 872. 48.422 (6) (a) of the statutes is amended to read:

48.422 **(6)** (a) In the case of a nonmarital child who is not adopted or whose parents do not subsequently intermarry under s. 767.803 and for whom paternity has not been established, or for whom a declaration of ~~paternal~~ parental interest has not been filed under s. 48.025 within 14 days after the date of birth of the child or, if s. 48.42 (1g) (b) applies, within 21 days after the date on which the notice under s. 48.42 (1g) (b) is mailed, the court shall hear testimony concerning the ~~paternity~~ parentage of the child. Based on the testimony, the court shall determine whether all interested parties who are known have been notified under s. 48.42 (2) and (2g) (ag). If not, the court shall adjourn the hearing and order appropriate notice to be given.

SECTION 873. 48.422 (7) (bm) of the statutes is amended to read:

48.422 **(7)** (bm) Establish whether a proposed adoptive parent of the child has been identified. If a proposed adoptive parent of the child has been identified and the proposed adoptive parent is not a relative of the child, the court shall order the petitioner to submit a report to the court containing the information specified in s.

48.913 (7). The court shall review the report to determine whether any payments or agreement to make payments set forth in the report are coercive to the birth parent of the child or to an alleged ~~to~~ or presumed ~~father~~ parent of the child or are impermissible under s. 48.913 (4). Making any payment to or on behalf of ~~the~~ any birth parent ~~of the child, an,~~ alleged or presumed ~~father~~ parent of the child, or the child conditional in any part upon transfer or surrender of the child or the termination of parental rights or the finalization of the adoption creates a rebuttable presumption of coercion. Upon a finding of coercion, the court shall dismiss the petition or amend the agreement to delete any coercive conditions, if the parties agree to the amendment. Upon a finding that payments ~~which~~ that are impermissible under s. 48.913 (4) have been made, the court may dismiss the petition and may refer the matter to the district attorney for prosecution under s. 948.24 (1). This paragraph does not apply if the petition was filed with a petition for adoptive placement under s. 48.837 (2).

SECTION 874. 48.422 (7) (br) of the statutes is amended to read:

48.422 **(7)** (br) Establish whether any person has coerced a birth parent or ~~any~~ alleged or presumed ~~father~~ parent of the child in violation of s. 48.63 (3) (b) 5. Upon a finding of coercion, the court shall dismiss the petition.

SECTION 875. 48.423 (2) (d) of the statutes is amended to read:

48.423 **(2)** (d) That the person has complied with the requirements of the state where the ~~mother~~ birth parent previously resided or was located to protect and preserve his ~~paternal~~ or her parental interests in matters affecting the child.

SECTION 876. 48.432 (1) (am) 2. b. of the statutes is amended to read:

48.432 **(1)** (am) 2. b. If there is no adjudicated father, the ~~husband~~ spouse of the mother at the time the individual or adoptee is conceived or born, or when the parents intermarry under s. 767.803.

SECTION 877. 48.437 (1) (a) 2. of the statutes is amended to read:

48.437 **(1)** (a) 2. The notice shall contain the name and address of the new placement, the reasons for the change in placement, whether the new placement is certified under s. 48.675, a statement describing why the new placement is preferable to the present placement, a statement of how the new placement satisfies the objectives of the treatment plan or permanency plan ordered by the court, and, if the child is an Indian child who has been removed from the home of his or her parent or Indian custodian, a statement as to whether the new placement is in compliance with the order of placement preference under s. 48.028 (7) (b) or, if applicable, s. 48.028 (7) (c) and, if the new placement is not in compliance with that order, specific information showing good cause, as described in s. 48.028 (7) (e), for departing from that order. The person sending the notice shall file the notice with the court on the same day the notice is sent.

SECTION 878. 48.437 (1) (a) 3. and 4. of the statutes are created to read:

48.437 **(1)** (a) 3. If the proposed change in placement would place the child in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the agency appointed as the guardian of the child shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including all of the following, to the court and all persons who are required to receive the notice under subd. 1. no later than time of filing of that notice,

or, if not available by that time, and except as provided under subd. 4., no later than 10 days after the notice is filed:

a. Whether the proposed placement will provide the child with the most effective and appropriate level of care in the least restrictive environment.

b. How the placement is consistent with the short–term and long–term goals for the child, as specified in the permanency plan.

c. The reasons why the child's needs can or cannot be met by the child's family or in a foster home. A shortage or lack of foster homes is not an acceptable reason for determining that the child's needs cannot be met in a foster home.

d. The placement preference of the family permanency team under s. 48.38 (3m) and, if that preference is not the placement recommended by the qualified individual, why that recommended placement is not preferred.

4. If, for good cause shown, the information required to be submitted under subd. 3. is not available by the deadline under that subdivision, the agency appointed as the guardian of the child shall submit it no later than 30 days after the date on which the placement is made.

SECTION 879. 48.437 (1) (c) of the statutes is amended to read:

48.437 **(1)** (c) *Contents of order.* The change–in–placement order shall contain the applicable order under sub. (2v) (a), the applicable statement under sub. (2v) (b), and the ~~finding~~ applicable findings under sub. (2v) (c) and (d). If the court changes the placement of an Indian child who has been removed from the home of his or her parent or Indian custodian, the change–in–placement order shall, in addition, comply with the order of placement preference under s. 48.028 (7) (b) or, if applicable, s. 48.028 (7) (c), unless the court finds good cause, as described in s. 48.028 (7) (e), for departing from that order.

SECTION 880. 48.437 (2) of the statutes is renumbered 48.437 (2) (a).

SECTION 881. 48.437 (2) (b) and (c) of the statutes are created to read:

48.437 **(2)** (b) 1. If the emergency change in placement under par. (a) results in a child being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the agency appointed as the guardian of the child shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including the information specified under sub. (1) (a) 3. with the notice under par. (a) or, if not available at that time, and except as provided under subd. 2., no later than 10 days after the filing of that notice.

2. If, for good cause shown, the information required to be submitted under subd. 1. is not available by the deadline under that subdivision, the agency appointed as the guardian of the child shall submit it no later than 30 days after the date on which the placement was made.

(c) If the emergency change in placement under par. (a) results in a child being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the court shall, no later than 60 days after the placement is made, issue an order making the findings under sub. (2v) (d) 1., the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment.

SECTION 882. 48.437 (2v) (d) of the statutes is created to read:

48.437 **(2v)** (d) 1. Except as provided in subd. 2., if the court changes the placement to a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the change–in–placement order shall contain

a finding as to each of the following, the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment:

a. Whether the needs of the child can be met through placement in a foster home.

b. Whether placement of the child in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675 provides the most effective and appropriate level of care for the child in the least restrictive environment.

c. Whether the placement is consistent with the short–term and long–term goals for the child, as specified in the permanency plan.

d. Whether the court approves or disapproves the placement.

2. If the results of the standardized assessment and recommendation of the qualified individual who conducted the standardized assessment are not available at the time of the order, the court shall defer making the findings under that subd. 1. as provided in this paragraph. No later than 60 days after the date on which the placement was made, the court shall issue an order making the findings under subd. 1.

SECTION 883. Subchapter IX (title) of chapter 48 [precedes 48.44] of the statutes is amended to read:

CHAPTER 48

SUBCHAPTER IX

JURISDICTION OVER ~~PERSON 17~~

~~OR OLDER~~ ADULTS

SECTION 884. 48.44 of the statutes is amended to read:

48.44 Jurisdiction over ~~persons 17 or older~~ adults. The court has jurisdiction over ~~persons 17 years of age or older~~ adults as provided under ss. 48.133, 48.355 (4), 48.357 (6), 48.365 (5), and 48.45 and as otherwise specifically provided in this chapter.

SECTION 885. 48.45 (1) (a) of the statutes is amended to read:

48.45 **(1)** (a) If in the hearing of a case of a child alleged to be in a condition described in s. 48.13 it appears that any ~~person 17 years of age or older~~ adult has been guilty of contributing to, encouraging, or tending to cause by any act or omission~~,~~ ~~such~~ that condition of the child, the judge may make orders with respect to the conduct of ~~such~~ that person in his or her relationship to the child, including orders determining the ability of the person to provide for the maintenance or care of the child and directing when, how, and from where funds for the maintenance or care shall be paid.

SECTION 886. 48.45 (1) (am) of the statutes is amended to read:

48.45 **(1)** (am) If in the hearing of a case of an unborn child and the unborn child's expectant mother alleged to be in a condition described in s. 48.133 it appears that any ~~person 17 years of age or over~~ adult has been guilty of contributing to, encouraging, or tending to cause by any act or omission~~, such~~ that condition of the unborn child and expectant mother, the judge may make orders with respect to the conduct of ~~such~~ that person in his or her relationship to the unborn child and expectant mother.

SECTION 887. 48.45 (3) of the statutes is amended to read:

48.45 **(3)** If it appears at a court hearing that any ~~person 17 years of age or older~~ adult has violated s. 948.40, the judge shall refer the record to the district attorney

for criminal proceedings as may be warranted in the district attorney's judgment. This subsection does not prevent prosecution of violations of s. 948.40 without the prior reference by the judge to the district attorney, as in other criminal cases.

SECTION 888. 48.47 (20) of the statutes is created to read:

48.47 **(20)** DIVERSITY, EQUITY, AND INCLUSION GRANTS. From the appropriation account under s. 20.437 (3) (r), award grants to public, private, or nonprofit entities that promote diversity and advance equity and inclusion.

SECTION 889. 48.47 (30) of the statutes is created to read:

48.47 **(30)** DIVERSITY, EQUITY, AND INCLUSION GRANTS. From the appropriation account under s. 20.437 (3) (f), award grants to public, private, or non–profit entities that promote diversity and advance equity and inclusion.

SECTION 890. 48.48 (17m) of the statutes is created to read:

48.48 **(17m)** (a) To provide funding to county departments, nonprofit corporations, Indian tribes, or licensed child welfare agencies under contract with the department or a county department for services to prevent the removal of children from the home under this chapter or chapter 938 or to promote the safety of children in the home.

(b) To provide direct support for evidence–based services provided by the department, county departments, Indian tribes, or licensed child welfare agencies that seek to prevent the removal of children from the home under this chapter or chapter 938 or to promote the safety of children in the home on a statewide, regional, or local level, including any of the following:

1. Training, coaching, quality assurance, and funding for certification or licensing for implementation of the evidence–based services.

2. Purchasing or subsidizing the purchase of the evidence–based services.

(c) To develop criteria, standards, and review procedures for the administration of this subsection. The department may promulgate rules relating to eligibility to receive support under this subsection.

SECTION 891. 48.48 (19) of the statutes is repealed.

SECTION 892. 48.48 (20) of the statutes is created to read:

48.48 **(20)** To certify a residential care center for children and youth, group home, or shelter care facility to operate a qualified residential treatment program as provided under s. 48.675 and monitor compliance with certification requirements.

SECTION 893. 48.48 (21) of the statutes is created to read:

48.48 **(21)** To provide training for staff, including contractors, of a child welfare agency or a congregate care facility, as defined in s. 48.685 (1) (ao).

SECTION 894. 48.481 (title) of the statutes is amended to read:

48.481 (title) **Grants for ~~children's community programs~~ youth services.**

SECTION 895. 48.481 (intro.) of the statutes is renumbered 48.481 (2m) (intro.) and amended to read:

48.481 **(2m)** (intro.) ~~From the appropriation under s. 20.437 (1) (bc), the~~ The department shall distribute ~~the following~~ grants for ~~children's community programs~~ youth services to public agencies, nonprofit corporations, and Indian tribes to provide programs that accomplish one or more of the following purposes:

SECTION 896. 48.481 (1) of the statutes is repealed.

SECTION 897. 48.481 (1m) of the statutes is created to read:

48.481 **(1m)** In this section:

(a) "Nonprofit corporation" means a nonstock, nonprofit corporation organized under ch. 181.

(b) "Public agency" means a county, city, village, town, or school district or an agency of this state or of a county, city, village, town, or school district.

SECTION 898. 48.481 (2) of the statutes is repealed.

SECTION 899. 48.481 (2m) (a), (b), (c), (d), (e), (f), (g), (h) and (i) and (3) of the statutes are created to read:

48.481 **(2m)** (a) Increasing youth access to housing.

(b) Increasing youth self–sufficiency through employment, education, and training.

(c) Increasing youth social and emotional health by promoting healthy and stable adult connections, social engagement, and connection with necessary services.

(d) Preventing sex trafficking of children and youth.

(e) Providing treatment and services for documented and suspected victims of child and youth sex trafficking.

(f) Preventing and reducing the incidence of youth violence and other delinquent behavior.

(g) Preventing and reducing the incidence of youth alcohol and other drug use and abuse.

(h) Preventing and reducing the incidence of child abuse and neglect.

(i) Preventing and reducing the incidence of teen pregnancy.

(3) From the appropriations under s. 20.437 (1) (bc) and (kb), the department shall distribute $55,000 in each fiscal year to Diverse and Resilient, Inc., to provide programs that accomplish one or more of the purposes under sub. (2m).

SECTION 900. 48.481 (4) of the statutes is created to read:

48.481 **(4)** DRIVER EDUCATION PROGRAM. The department shall establish or contract for a driver education program for individuals who are 15 years of age or older and in out–of–home care. The program shall provide assistance with identifying and enrolling in an appropriate driver education course and obtaining an operator's license. From the appropriation under s. 20.437 (1) (a), the department may pay all of the following expenses that apply to an individual in the program:

(a) Fees required to enroll in a driver education course.

(b) Fees required to obtain an operator's license under ch. 343.

SECTION 901. 48.526 (3) (e) of the statutes is amended to read:

48.526 **(3)** (e) The department may ~~carry forward $500,000 or~~ transfer to the appropriation account under s. 20.437 (1) (kp) 10 percent of its funds allocated under this subsection and not ~~encumbered~~ expended or carried forward under par. (dm) ~~by counties~~ by December 31~~, whichever is greater, to the next 2 calendar years. The department may transfer moneys from or within s. 20.437 (1) (cj) to accomplish this purpose. The department may allocate these transferred moneys to counties with persistently high rates of juvenile arrests for serious offenses during the next 2 calendar years to improve community–based juvenile delinquency–related services, as defined in s. 46.011 (1c). The allocation does not affect a county's base allocation~~.

SECTION 902. 48.526 (3) (em) of the statutes is repealed.

SECTION 903. 48.526 (7) (intro.) of the statutes is amended to read:

48.526 **(7)** ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability of the appropriations under s. 20.437 (1) (cj) and (o), the department shall allocate funds for community youth and family aids for the period beginning on July 1, ~~2019~~ 2021, and ending on June 30, ~~2021~~ 2023, as provided in this subsection to county departments under ss. 46.215, 46.22, and 46.23 as follows:

SECTION 904. 48.526 (7) (a) of the statutes is amended to read:

48.526 **(7)** (a) For community youth and family aids under this section, amounts not to exceed ~~$45,383,600~~ $48,396,000 for the last 6 months of ~~2019~~ 2021, ~~$90,767,200~~ $100,893,000 for ~~2020~~ 2022, and ~~$45,383,600~~ $52,497,100 for the first 6 months of ~~2021~~ 2023.

SECTION 905. 48.526 (7) (b) (intro.) of the statutes is amended to read:

48.526 **(7)** (b) (intro.) Of the amounts specified in par. (a), the department shall allocate $2,000,000 for the last 6 months of ~~2019~~ 2021, $4,000,000 for ~~2020~~ 2022, and $2,000,000 for the first 6 months of ~~2021~~ 2023 to counties based on each of the following factors weighted equally:

SECTION 906. 48.526 (7) (bm) of the statutes is amended to read:

48.526 **(7)** (bm) Of the amounts specified in par. (a), the department shall allocate $6,250,000 for the last 6 months of ~~2019~~ 2021, $12,500,000 for ~~2020~~ 2022, and $6,250,000 for the first 6 months of ~~2021~~ 2023 to counties based on each county's proportion of the number of juveniles statewide who are placed in a juvenile correctional facility or a secured residential care center for children and youth during the most recent 3–year period for which that information is available.

SECTION 907. 48.526 (7) (c) of the statutes is amended to read:

48.526 **(7)** (c) Of the amounts specified in par. (a), the department shall allocate $1,053,200 for the last 6 months of ~~2019~~ 2021, $2,106,500 for ~~2020~~ 2022, and $1,053,300 for the first 6 months of ~~2021~~ 2023 to counties based on each of the factors specified in par. (b) 1. to 3. weighted equally, except that no county may receive an allocation under this paragraph that is less than 93 percent nor more than 115 percent of the amount that the county would have received under this paragraph if

the allocation had been distributed only on the basis of the factor specified in par. (b) 3.

SECTION 908. 48.526 (7) (d) of the statutes is created to read:

48.526 **(7)** (d) Of the amounts specified in par. (a), the department shall allocate an amount not to exceed $2,663,800 for the last 6 months of 2021, $9,428,600 for 2022, and $6,764,900 for the first 6 months of 2023 for costs incurred by a county for the care and maintenance of a juvenile placed under the supervision of a county department or the department of corrections in a juvenile detention facility under s. 938.22 (2) (d) 1., a juvenile correctional facility, or a secured residential care center for children and youth.

SECTION 909. 48.526 (7) (d) of the statutes, as created by 2021 Wisconsin Act .... (this act), is amended to read:

48.526 **(7)** (d) Of the amounts specified in par. (a), the department shall allocate an amount not to exceed $2,663,800 for the last 6 months of 2021, $9,428,600 for 2022, and $6,764,900 for the first 6 months of 2023 for costs incurred by a county for the care and maintenance of a juvenile placed under the supervision of a county department or the department of corrections in ~~a juvenile detention facility under s. 938.22 (2) (d) 1.,~~ a juvenile correctional facility~~,~~ or a secured residential care center for children and youth.

SECTION 910. 48.526 (7) (e) of the statutes is repealed.

SECTION 911. 48.526 (7) (h) of the statutes is repealed.

SECTION 912. 48.526 (8) of the statutes is repealed.

SECTION 913. 48.5275 of the statutes is created to read:

48.5275 Seventeen-year-old juvenile justice aids. Notwithstanding s. 48.526, from the appropriation under s. 20.437 (1) (cL), beginning on January 1,

2022, the department shall reimburse counties for the costs under s. 48.526 (2) (c) associated with juveniles who were alleged to have violated a state or federal criminal law or any civil law or municipal ordinance at age 17.

SECTION 914. 48.528 of the statutes is repealed and recreated to read:

48.528 Youth justice system improvements program. From the appropriations under s. 20.437 (1) (cm), (cn), and (kp), in each fiscal year the department may expend funds for the following purposes:

(1) To fund programs that enhance diversion, prevention, or early intervention to reduce the number of justice–involved youth or promote successful outcomes for all youth. To determine eligibility for a payment under this subsection, the department shall require a county or other provider to submit a plan for the expenditure of the payment.

(2) To address emergencies related to community youth and family aids under s. 48.526.

(3) To fund activities required of the department under s. 48.526 (1).

SECTION 915. 48.53 of the statutes is created to read:

48.53 Grants to support foster parents and children. From the appropriation account under s. 20.437 (1) (bg), the department shall distribute grants to counties, nonprofit organizations, or tribes for the purpose of supporting foster parents and providing normalcy for children in out–of–home care, including for the purpose of sibling reconnection.

SECTION 916. 48.545 of the statutes is repealed.

SECTION 917. 48.551 of the statutes is created to read:

48.551 Adoption recruitment services for children with special needs. From the appropriation accounts under s. 20.437 (1) (cx) and (mx), the department

shall provide $300,000 annually to the Wendy's Wonderful Kids program at the Children's Hospital of Wisconsin to recruit adoptive placements for children with special needs in a county with a population of 750,000 or more.

SECTION 918. 48.563 (2) of the statutes is amended to read:

48.563 **(2)** COUNTY ALLOCATION. For children and family services under s. 48.569 (1) (d), the department shall distribute not more than ~~$80,125,200~~ $106,389,600 in fiscal year ~~2019–20~~ 2021–22 and ~~$101,145,500~~ $111,868,900 in fiscal year ~~2020–21~~ 2022–23.

SECTION 919. 48.57 (3m) (am) (intro.) of the statutes is amended to read:

48.57 **(3m)** (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md), (me), and (s), the department shall reimburse counties having populations of less than 750,000 for payments made under this subsection and shall make payments under this subsection in a county having a population of 750,000 or more. Subject to par. (ap), a county department and, in a county having a population of 750,000 or more, the department shall make payments in the amount of ~~$254~~ $300 per month beginning on January 1, ~~2020~~ 2022, to a kinship care relative who is providing care and maintenance for a child if all of the following conditions are met:

SECTION 920. 48.57 (3n) (am) (intro.) of the statutes is amended to read:

48.57 **(3n)** (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md), (me), and (s), the department shall reimburse counties having populations of less than 750,000 for payments made under this subsection and shall make payments under this subsection in a county having a population of 750,000 or more. Subject to par. (ap), a county department and, in a county having a population of 750,000 or more, the department shall make monthly payments for each child in the amount of ~~$254~~ $300 per month beginning on January 1, ~~2020~~ 2022, to a long–term kinship care

relative who is providing care and maintenance for that child if all of the following conditions are met:

SECTION 921. 48.62 (4) of the statutes is amended to read:

48.62 **(4)** Monthly payments in foster care shall be provided according to the rates specified in this subsection. Beginning on January 1, ~~2020~~ 2022, the rates are ~~$254~~ $300 for care and maintenance provided for a child of any age by a foster home that is certified to provide level one care, as defined in the rules promulgated under sub. (8) (a) and, for care and maintenance provided by a foster home that is certified to provide care at a level of care that is higher than level one care, ~~$420~~ $431 for a child under 5 years of age; ~~$460~~ $472 for a child 5 to 11 years of age; ~~$522~~ $535 for a child 12 to 14 years of age; and ~~$545~~ $559 for a child 15 years of age or over. Beginning on January 1, 2023, the rates for care and maintenance provided by a foster home that is certified to provide care at a level of care that is higher than level one care are $442 for a child under 5 years of age; $484 for a child 5 to 11 years of age; $548 for a child 12 to 14 years of age; and $573 for a child 15 years of age or over. In addition to these grants for basic maintenance, the department, county department, or licensed child welfare agency shall make supplemental payments for foster care to a foster home that is receiving an age–related rate under this subsection that are commensurate with the level of care that the foster home is certified to provide and the needs of the child who is placed in the foster home according to the rules promulgated by the department under sub. (8) (c).

SECTION 922. 48.63 (3) (b) 4. of the statutes is amended to read:

48.63 **(3)** (b) 4. Before a child may be placed under subd. 1., the department, county department, or child welfare agency making the placement and the proposed adoptive parent or parents shall enter into a written agreement that specifies who

is financially responsible for the cost of providing care for the child prior to the finalization of the adoption and for the cost of returning the child to the parent who has custody of the child if the adoption is not finalized. Under the agreement, the department, county department, or child welfare agency or the proposed adoptive parent or parents, but not ~~the~~ any birth parent ~~of the child~~ or ~~any~~ alleged or presumed ~~father~~ parent of the child, shall be financially responsible for those costs.

SECTION 923. 48.63 (3) (b) 5. of the statutes is amended to read:

48.63 **(3)** (b) 5. Prior to termination of parental rights to the child, no person may coerce a birth parent ~~of the child~~ or ~~any~~ alleged or presumed ~~father~~ parent of the child into refraining from exercising his or her right to withdraw consent to the transfer or surrender of the child or to termination of his or her parental rights to the child, to have reasonable visitation or contact with the child, or to otherwise exercise his or her parental rights to the child.

SECTION 924. 48.66 (1) (b) of the statutes is amended to read:

48.66 **(1)** (b) Except as provided in s. 48.715 (6), the department of corrections may license a child welfare agency to operate a secured residential care center for children and youth for holding in secure custody juveniles who have been convicted under s. 938.183 or adjudicated delinquent under s. 938.183 or 938.34 (4d)~~, (4h),~~ or (4m) and referred to the child welfare agency by the court, the tribal court, the county department, or the department of corrections and to provide supervision, care, and maintenance for those juveniles.

SECTION 925. 48.66 (1) (b) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

48.66 **(1)** (b) Except as provided in s. 48.715 (6), the department of corrections may license a child welfare agency to operate a secured residential care center for

children and youth for holding in secure custody juveniles who have been convicted under s. 938.183 or adjudicated delinquent under s. 938.183 or 938.34 ~~(4d) or~~ (4m) and referred to the child welfare agency by the court, the tribal court, the county department, or the department of corrections and to provide supervision, care, and maintenance for those juveniles.

SECTION 926. 48.675 of the statutes is created to read:

48.675 Qualified residential treatment programs. (1) The department may certify a residential care center for children and youth, group home, or shelter care facility to operate a qualified residential treatment program if it determines that the program meets the requirements of 42 USC 672 (k) (4) and any other requirements established by the department under this section. A residential care center for children and youth, group home, or shelter care facility certified under this section shall comply with all other requirements applicable to the residential care center for children and youth, group home, or shelter care facility.

(2) The department may promulgate rules for the establishment, certification, operation, and monitoring of, and the placement of a child in, a qualified residential treatment program under sub. (1).

SECTION 927. 48.685 (1) (bm) of the statutes is amended to read:

48.685 **(1)** (bm) "Nonclient resident" means a person, including a person who is under 18 years of age, but not under ~~10~~ 12 years of age, who resides, or is expected to reside, at an entity or with a caregiver specified in par. (ag) 1. am., who is not a client of the entity or caregiver, and who has, or is expected to have, regular, direct contact with clients of the entity or caregiver.

SECTION 928. 48.686 (1) (bm) of the statutes is amended to read:

48.686 **(1)** (bm) "Household member" means a person who is age ~~10~~ 12 or older, who resides, or is expected to reside, at a child care program, and who is not a client of the child care program or caregiver.

SECTION 929. 48.715 (8) of the statutes is created to read:

48.715 **(8)** The department may deny, suspend, restrict, refuse to renew, or otherwise withhold a certification under s. 48.675 based on a failure to comply with certification requirements established by administrative rule under that section.

SECTION 930. 48.73 of the statutes is amended to read:

48.73 Inspection of licensees and school district child care programs. The department may visit and inspect each child welfare agency, foster home, group home, and child care center licensed by the department and each entity certified by the department under s. 48.675, and for that purpose shall be given unrestricted access to the premises described in the license or certification. The department may visit and inspect each child care program established or contracted for under s. 120.13 (14) that receives payment under s. 49.155 for the child care provided, and for that purpose shall be given unrestricted access to the premises used for the child care program.

SECTION 931. 48.82 (1) (a) of the statutes is amended to read:

48.82 **(1)** (a) ~~A husband and wife~~ Spouses jointly, or ~~either the husband or wife if~~ the ~~other~~ spouse ~~is~~ of a parent of the minor.

SECTION 932. 48.837 (1r) (d) of the statutes is amended to read:

48.837 **(1r)** (d) Before a child may be placed under par. (a), the department, county department, or child welfare agency making the placement and the proposed adoptive parent or parents shall enter into a written agreement that specifies who is financially responsible for the cost of providing care for the child prior to the

finalization of the adoption and for the cost of returning the child to the parent who has custody of the child if the adoption is not finalized. Under the agreement, the department, county department, or child welfare agency or the proposed adoptive parent or parents, but not ~~the~~ any birth parent ~~of the child~~ or ~~any~~ alleged or presumed ~~father~~ parent of the child, shall be financially responsible for those costs.

SECTION 933. 48.837 (1r) (e) of the statutes is amended to read:

48.837 **(1r)** (e) Prior to termination of parental rights to the child, no person may coerce a birth parent ~~of the child~~ or ~~any~~ alleged or presumed ~~father~~ parent of the child into refraining from exercising his or her right to withdraw consent to the transfer or surrender of the child or to termination of his or her parental rights to the child, to have reasonable visitation or contact with the child, or to otherwise exercise his or her parental rights to the child.

SECTION 934. 48.837 (6) (b) of the statutes is amended to read:

48.837 **(6)** (b) At the beginning of the hearing held under sub. (2), the court shall review the report that is submitted under s. 48.913 (6). The court shall determine whether any payments or the conditions specified in any agreement to make payments are coercive to ~~the~~ any birth parent ~~of the child~~ or ~~to an~~ alleged or presumed ~~father~~ parent of the child or are impermissible under s. 48.913 (4). Making any payment to or on behalf of ~~the~~ a birth parent ~~of the child, an,~~ alleged or presumed ~~father~~ parent of the child, or the child conditional in any part upon transfer or surrender of the child or the termination of parental rights or the finalization of the adoption creates a rebuttable presumption of coercion. Upon a finding of coercion, the court shall dismiss the petitions under subs. (2) and (3) or amend the agreement to delete any coercive conditions, if the parties agree to the amendment. Upon a finding that payments ~~which~~ that are impermissible under s. 48.913 (4) have been

made, the court may dismiss the petition and may refer the matter to the district attorney for prosecution under s. 948.24 (1).

SECTION 935. 48.837 (6) (br) of the statutes is amended to read:

48.837 **(6)** (br) At the hearing on the petition under sub. (2), the court shall determine whether any person has coerced a birth parent or ~~any~~ alleged or presumed ~~father~~ parent of the child in violation of sub. (1r) (e). Upon a finding of coercion, the court shall dismiss the petitions under subs. (2) and (3).

SECTION 936. 48.913 (1) (a) of the statutes is amended to read:

48.913 **(1)** (a) Preadoptive counseling for a birth parent ~~of the child~~ or ~~an~~ alleged or presumed ~~father~~ parent of the child.

SECTION 937. 48.913 (1) (b) of the statutes is amended to read:

48.913 **(1)** (b) Post–adoptive counseling for a birth parent ~~of the child~~ or ~~an~~ alleged or presumed ~~father~~ parent of the child.

SECTION 938. 48.913 (1) (h) of the statutes is amended to read:

48.913 **(1)** (h) Legal and other services received by a birth parent of the child, an alleged or presumed ~~father~~ parent of the child, or the child in connection with the adoption.

SECTION 939. 48.913 (2) (intro.) of the statutes is amended to read:

48.913 **(2)** PAYMENT OF EXPENSES WHEN BIRTH PARENT IS RESIDING IN ANOTHER STATE. (intro.) Notwithstanding sub. (1), the proposed adoptive parents of a child or a person acting on behalf of the proposed adoptive parents of a child may pay for an expense of a birth parent of the child or an alleged or presumed ~~father~~ parent of the child if the birth parent or ~~the~~ alleged or presumed ~~father~~ parent was residing in another state when the payment was made and when the expense was incurred and if all of the following apply:

SECTION 940. 48.913 (2) (b) of the statutes is amended to read:

48.913 **(2)** (b) The state in which the birth parent or ~~the~~ alleged or presumed ~~father~~ parent was residing when the payment was made permits the payment of that expense by the proposed adoptive parents of the child.

SECTION 941. 48.913 (2) (c) (intro.) of the statutes is amended to read:

48.913 **(2)** (c) (intro.) A listing of all payments made under this subsection, a copy of the statutory provisions of the state in which the birth parent or ~~the~~ alleged or presumed ~~father~~ parent was residing when the payments were made that permit those payments to be made by the proposed adoptive parents of the child, and a copy of all orders entered in the state in which the birth parent or ~~the~~ alleged or presumed ~~father~~ parent was residing when the payments were made that relate to the payment of expenses of the birth parent or ~~the~~ alleged or presumed ~~father~~ parent by the proposed adoptive parents of the child is submitted to the court as follows:

SECTION 942. 48.913 (3) of the statutes is amended to read:

48.913 **(3)** METHOD OF PAYMENT. Any payment under sub. (1) or (2) shall be made directly to the provider of a good or service except that a payment under sub. (1) or (2) may be made to a birth parent ~~of the child~~ or ~~to an~~ alleged or presumed ~~father~~ parent of the child as reimbursement of an amount previously paid by the birth parent or ~~by the~~ alleged or presumed ~~father~~ parent if documentation is provided showing that the birth parent or alleged or presumed ~~father~~ parent has made the previous payment.

SECTION 943. 48.913 (4) of the statutes is amended to read:

48.913 **(4)** OTHER PAYMENTS PROHIBITED. The proposed adoptive parents of a child or a person acting on behalf of the proposed adoptive parents may not make any

payments to or on behalf of a birth parent of the child, an alleged or presumed ~~father~~ parent of the child, or the child except as provided in subs. (1) and (2).

SECTION 944. 48.913 (7) of the statutes is amended to read:

48.913 **(7)** REPORT TO THE COURT; CONTENTS REQUIRED. The report required under sub. (6) shall include a list of all transfers of anything of value made or agreed to be made by the proposed adoptive parents or by a person acting on their behalf to a birth parent of the child, an alleged or presumed ~~father~~ parent of the child, or the child, on behalf of a birth parent of the child, an alleged or presumed ~~father~~ parent of the child, or the child, or to any other person in connection with the pregnancy, the birth of the child, the placement of the child with the proposed adoptive parents, or the adoption of the child by the proposed adoptive parents. The report shall be itemized and shall show the goods or services for which payment was made or agreed to be made. The report shall include the dates of each payment, the names and addresses of each attorney, doctor, hospital, agency, or other person or organization receiving any payment from the proposed adoptive parents or a person acting on behalf of the proposed adoptive parents in connection with the pregnancy, the birth of the child, the placement of the child with the proposed adoptive parents, or the adoption of the child by the proposed adoptive parents.

SECTION 945. 48.9795 (1) (a) 1. c. of the statutes is amended to read:

48.9795 **(1)** (a) 1. c. Any person who has filed a declaration of ~~paternal~~ parental interest under s. 48.025, who is alleged to the court to be ~~the father~~ a parent of the child, or who may, based on the statements of the ~~mother~~ parent who gave birth to the child or other information presented to the court, be the ~~father~~ parent of the child.

SECTION 946. 48.9795 (1) (b) of the statutes is amended to read:

48.9795 **(1)** (b) "Party" means the person petitioning for the appointment of a guardian for a child or any interested person other than a person who is alleged to the court to be ~~the father~~ a parent of the child or who may, based on the statements of the ~~mother~~ parent who gave birth to the child or other information presented to the court, be the ~~father~~ parent of the child.

SECTION 947. 48.981 (1) (b) of the statutes is amended to read:

48.981 **(1)** (b) "Community placement" means probation; extended supervision; parole; aftercare; conditional transfer into the community under s. 51.35 (1); conditional transfer or discharge under s. 51.37 (9); ~~placement in a Type 2 residential care center for children and youth or a Type 2 juvenile correctional facility authorized under s. 938.539 (5);~~ conditional release under s. 971.17; supervised release under s. 980.06 or 980.08; participation in the community residential confinement program under s. 301.046, the intensive sanctions program under s. 301.048, ~~community supervision under s. 938.533,~~ the intensive supervision program under s. 938.534, or the serious juvenile offender program under s. 938.538; or any other placement of an adult or juvenile offender in the community under the custody or supervision of the department of corrections, the department of health services, a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437 or any other person under contract with the department of corrections, the department of health services or a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437 to exercise custody or supervision over the offender.

SECTION 948. 49.11 (1c) of the statutes is amended to read:

49.11 **(1c)** "Community–based juvenile delinquency–related services" means juvenile delinquency–related services provided under ch. 938 other than services

provided for a juvenile who is under the supervision of the department of corrections under s. 938.183, 938.34 (2), ~~(4h),~~ (4m), (4n), or (7g), or 938.357 (3) or (4).

SECTION 949. 49.11 (1c) of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

49.11 **(1c)** "Community–based juvenile delinquency–related services" means juvenile delinquency–related services provided under ch. 938 other than services provided for a juvenile who is under the supervision of the department of corrections under s. 938.183, 938.34 (4m) or (7g), or 938.357 (3) or (4).

SECTION 950. 49.133 of the statutes is created to read:

49.133 Child care quality improvement program. (1) The department may establish a program under which it may, from the appropriation under s. 20.437 (2) (c) and under s. 49.175 (1) (qm), make monthly payments and monthly per–child payments to child care providers certified under s. 48.651, child care centers licensed under s. 48.65, and child care programs established or contracted for by a school board under s. 120.13 (14). Of the amounts from the appropriation under s. 20.437 (2) (c), the department may award 10 percent to child care providers, child care centers, and child care programs located in child care deserts, as defined by the department.

(2) The department may promulgate rules to implement the program under this section, including establishing eligibility requirements and payment amounts and setting requirements for how recipients may use the payments.

SECTION 951. 49.138 (title) of the statutes is amended to read:

49.138 (title) **Emergency assistance for <u>needy</u> families ~~with needy children~~.**

SECTION 952. 49.138 (1d) (am) of the statutes is created to read:

49.138 **(1d)** (am) "Family" means one of the following:

1. An individual who has attained the age of 18 years but has not yet attained the age of 25 years.

2. One or more dependent children and a qualified caretaker relative, as defined by the department, with whom the child is living or was living at the time the emergency occurred.

SECTION 953. 49.138 (1m) (intro.) of the statutes is amended to read:

49.138 **(1m)** (intro.) The department shall implement a program of emergency assistance to needy persons in cases of fire, flood, natural disaster, homelessness or impending homelessness, or energy crisis. The department shall establish the maximum amounts of aid to be granted. The department need not establish the maximum amounts by rule under ch. 227. The department shall publish the maximum amounts in the Wisconsin administrative register if the department does not establish the maximum amounts by rule. Emergency assistance provided to needy persons under this section may only be provided to a needy person once in a ~~12–month~~ 6–month period. Emergency assistance provided to needy persons under this section in cases of homelessness or impending homelessness may be used only to obtain or retain a permanent living accommodation. For the purposes of this section, a family is considered to be homeless, or to be facing impending homelessness, if any of the following applies:

SECTION 954. 49.138 (1m) (c) of the statutes is amended to read:

49.138 **(1m)** (c) A member of the family was a victim of domestic abuse~~, as defined in s. 968.075 (1) (a)~~. Evidence specified under rules promulgated under s. 49.1473 (1) (a) as sufficient to establish that an individual is or has been a victim of domestic abuse is also sufficient for purposes of this paragraph.

SECTION 955. 49.138 (1m) (f) of the statutes is created to read:

49.138 **(1m)** (f) During a national emergency declared by the U.S. president under 50 USC 1621 or a state of emergency declared by the governor under s. 323.10, the family is delinquent on a rent payment, a mortgage payment, or a property tax payment.

SECTION 956. 49.1385 of the statutes, as affected by 2019 Wisconsin Act 9, is repealed.

SECTION 957. 49.141 (1) (j) 1. of the statutes is amended to read:

49.141 **(1)** (j) 1. A ~~biological~~ natural parent.

SECTION 958. 49.141 (1) (j) 2. of the statutes is repealed.

SECTION 959. 49.148 (4) (a) of the statutes is amended to read:

49.148 **(4)** (a) A Wisconsin ~~works~~ Works agency shall require a participant in a community service job or transitional placement who, after August 22, 1996, was convicted in any state or federal court of a felony that had as an element possession, use or distribution of a controlled substance to submit to a test for use of a controlled substance as a condition of continued eligibility. If the test results are positive, the Wisconsin ~~works~~ Works agency shall decrease the presanction benefit amount for that participant by not more than 15 percent for not fewer than 12 months, or for the remainder of the participant's period of participation in a community service job or transitional placement, if less than 12 months. If, at the end of 12 months, the individual is still a participant in a community service job or transitional placement and submits to another test for use of a controlled substance and if the results of the test are negative, the Wisconsin ~~works~~ Works agency shall discontinue the reduction under this paragraph. In this subsection, "controlled substance" does not include

tetrahydrocannabinols in any form, including tetrahydrocannabinols contained in marijuana, obtained from marijuana, or chemically synthesized.

SECTION 960. 49.155 (1m) (c) 1g. of the statutes is amended to read:

49.155 **(1m)** (c) 1g. If the individual is a foster parent of the child or a subsidized guardian or interim caretaker of the child under s. 48.623, the child's ~~biological~~ natural or adoptive family has a gross income that is at or below 200 percent of the poverty line. In calculating the gross income of the child's ~~biological~~ natural or adoptive family, the department or county department or agency determining eligibility shall include court–ordered child or family support payments received by the individual, if those support payments exceed $1,250 per month, and income described under s. 49.145 (3) (b) 1. and 3.

SECTION 961. 49.155 (1m) (c) 1h. of the statutes is amended to read:

49.155 **(1m)** (c) 1h. If the individual is a relative of the child, is providing care for the child under a court order, and is receiving payments under s. 48.57 (3m) or (3n) on behalf of the child, the child's ~~biological~~ natural or adoptive family has a gross income that is at or below 200 percent of the poverty line. In calculating the gross income of the child's ~~biological~~ natural or adoptive family, the department or county department or agency determining eligibility shall include court–ordered child or family support payments received by the individual, if those support payments exceed $1,250 per month, and income described under s. 49.145 (3) (b) 1. and 3.

SECTION 962. 49.155 (6) (e) of the statutes is repealed.

SECTION 963. 49.163 (2) (am) 2. of the statutes is amended to read:

49.163 **(2)** (am) 2. If over 25 years of age, be a ~~biological~~ natural or adoptive parent of a child under 18 years of age whose parental rights to the child have not

been terminated or be a relative and primary caregiver of a child under 18 years of age.

SECTION 964. 49.1635 (1) of the statutes is repealed.

SECTION 965. 49.1635 (2) of the statutes is repealed.

SECTION 966. 49.1635 (3) of the statutes is repealed.

SECTION 967. 49.1635 (4) of the statutes is repealed.

SECTION 968. 49.1635 (5) (a) of the statutes is renumbered 49.1635 (1m) and amended to read:

49.1635 **(1m)** From the allocation under s. 49.175 (1) (j), the department shall make a grant of ~~$500,000~~ $1,000,000 in each fiscal year to Wisconsin Trust Account Foundation, Inc., for distribution of annual awards ~~of not more than $75,000 per year per program~~ to programs that provide legal services to persons who are eligible under ~~par. (b) 2.~~ sub. (2m) (b) if all of the following apply:

(a) Wisconsin Trust Account Foundation, Inc., submits a plan to the department detailing the proposed use of the grant; the proposed use of the grant conforms to the requirements under ~~par. (b)~~ sub. (2m); and the secretary of the department, or his or her designee, approves the plan.

(b) Wisconsin Trust Account Foundation, Inc., enters into an agreement with the department that specifies the conditions for the use of the grant proceeds, and the conditions conform to the requirements under ~~par. (b)~~ sub. (2m) and include training, reporting, and auditing requirements.

(c) Wisconsin Trust Account Foundation, Inc., agrees in writing to submit to the department the reports required under ~~par. (c)~~ sub. (3m) by the times required under ~~par. (c)~~ sub. (3m).

SECTION 969. 49.1635 (5) (b) of the statutes is renumbered 49.1635 (2m), and 49.1635 (2m) (a), as renumbered, is amended to read:

49.1635 **(2m)** (a) Subject to ~~subd. 3.~~ par. (c), the grant may be used only to provide legal services in civil matters related to eviction, domestic abuse, or sexual abuse~~,~~ or to restraining orders or injunctions for individuals at risk under s. 813.123.

SECTION 970. 49.1635 (5) (c) of the statutes is renumbered 49.1635 (3m) and amended to read:

49.1635 **(3m)** For each fiscal year in which the department makes a grant under this subsection, Wisconsin Trust Account Foundation, Inc., shall submit to the department, within 3 months after spending the full amount of that grant, a report detailing how the grant proceeds were used. The department may not make a grant in a subsequent fiscal year unless Wisconsin Trust Account Foundation, Inc., submits the report under this paragraph within the time required and the department determines that the grant proceeds were used in accordance with the approved plan under ~~par. (a) 1.~~ sub. (1m) (a), the agreement under ~~par. (a) 2.~~ sub. (1m) (b), and the requirements under ~~par. (b)~~ sub. (2m).

SECTION 971. 49.168 of the statutes is created to read:

49.168 Internet assistance program. (1) The department shall establish an Internet assistance program under which it shall, from the appropriation under s. 20.437 (2) (eg) and the allocation under s. 49.175 (1) (x), make payments to internet service providers on behalf of low–income individuals to assist with paying for Internet service. Assistance under this program may be provided only after other assistance program options have been exhausted. The department may contract for the administration of the program.

(2) The department shall promulgate rules to implement the program under this section and shall include a financial eligibility requirement that the family income of a recipient not exceed 200 percent of the poverty line.

SECTION 972. 49.175 (1) (intro.) of the statutes is amended to read:

49.175 **(1)** ALLOCATION OF FUNDS. (intro.) In this section, with respect to any of the following that fund a contract for services, "allocation" means the amount under the contract that the department is obligated to pay. Except as provided in sub. (2), within the limits of the appropriations under s. 20.437 (2) (a), (cm), (dz), (k), (kx), (L), (mc), (md), (me), and (s) and (3) (kp), the department shall allocate the following amounts for the following purposes:

SECTION 973. 49.175 (1) (a) of the statutes is amended to read:

49.175 **(1)** (a) *Wisconsin Works benefits.* For Wisconsin Works benefits, ~~$31,110,000~~ $38,335,100 in fiscal year ~~2019–20~~ 2021–22 and ~~$31,732,200~~ $45,703,200 in fiscal year ~~2020–21~~ 2022–23.

SECTION 974. 49.175 (1) (b) of the statutes is amended to read:

49.175 **(1)** (b) *Wisconsin Works agency contracts; job access loans.* For contracts with Wisconsin Works agencies under s. 49.143 and for job access loans under s. 49.147 (6), ~~$50,000,000~~ $54,009,700 in fiscal year ~~2019–20~~ 2021–22 and ~~$50,000,000~~ $57,071,200 in fiscal year ~~2020–21~~ 2022–23.

SECTION 975. 49.175 (1) (c) of the statutes is amended to read:

49.175 **(1)** (c) *Case management incentive payments.* For supplement payments to individuals under s. 49.255, $2,700,000 in each fiscal year ~~2019–20 and $2,700,000 in fiscal year 2020–21~~.

SECTION 976. 49.175 (1) (f) of the statutes is amended to read:

49.175 **(1)** (f) *Homeless case management services grants.* For grants to shelter facilities under s. 16.3085, ~~$500,000~~ $1,000,000 in each fiscal year. All moneys allocated under this paragraph shall be credited to the appropriation account under s. 20.505 (7) (kg).

SECTION 977. 49.175 (1) (fa) of the statutes is repealed.

SECTION 978. 49.175 (1) (g) of the statutes is amended to read:

49.175 **(1)** (g) *State administration of public assistance programs and overpayment collections.* For state administration of public assistance programs and the collection of public assistance overpayments, ~~$16,671,200~~ $17,363,300 in fiscal year ~~2019–20~~ 2021–22 and ~~$17,268,300~~ $17,625,100 in fiscal year ~~2020–21~~ 2022–23.

SECTION 979. 49.175 (1) (i) of the statutes is amended to read:

49.175 **(1)** (i) *Emergency assistance.* For emergency assistance under s. 49.138 and for transfer to the department of administration for low–income energy or weatherization assistance programs, ~~$6,000,000 in each fiscal year~~ $10,829,500 in fiscal year 2021–22 and $9,936,400 in fiscal year 2022–23.

SECTION 980. 49.175 (1) (j) of the statutes is amended to read:

49.175 **(1)** (j) *Grants for providing civil legal services.* For the grants under s. 49.1635 (5) to Wisconsin Trust Account Foundation, Inc., for distribution to programs that provide civil legal services to low–income families, ~~$500,000~~ $1,000,000 in each fiscal year.

SECTION 981. 49.175 (1) (k) of the statutes is amended to read:

49.175 **(1)** (k) *Transform Milwaukee and Transitional Jobs programs.* For contract costs under the Transform Milwaukee Jobs program and the Transitional Jobs program under s. 49.163, ~~$8,500,000~~ $12,100,000 in fiscal year ~~2019–20~~ 2021–22 and ~~$9,500,000~~ $14,700,000 in fiscal year ~~2020–21~~ 2022–23.

SECTION 982. 49.175 (1) (Lm) of the statutes is created to read:

49.175 **(1)** (Lm) *Jobs for America's Graduates.* For grants to the Jobs for America's Graduates to fund programs that improve social, academic, and employment skills of youth who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq., $500,000 in each fiscal year.

SECTION 983. 49.175 (1) (o) of the statutes is amended to read:

49.175 **(1)** (o) ~~*Evidence-based substance abuse prevention grants*~~ *Grants for youth services.* For grants awarded under s. ~~48.545 (2) (c)~~ 48.481, $500,000 in each fiscal year.

SECTION 984. 49.175 (1) (p) of the statutes is amended to read:

49.175 **(1)** (p) *Direct child care services.* For direct child care services under s. 49.155 or 49.257, ~~$357,097,500 in fiscal year 2019–20 and $365,700,400~~ $311,236,600 in each fiscal year ~~2020–21~~.

SECTION 985. 49.175 (1) (q) of the statutes is amended to read:

49.175 **(1)** (q) *Child care state administration and licensing activities.* For state administration of child care programs under s. 49.155 and for child care licensing activities, ~~$40,152,100~~ $42,678,900 in fiscal year ~~2019–20~~ 2021–22 and ~~$41,555,200~~ $41,922,600 in fiscal year ~~2020–21~~ 2022–23.

SECTION 986. 49.175 (1) (qm) of the statutes is amended to read:

49.175 **(1)** (qm) *Quality care for quality kids.* For the child care quality improvement activities specified in ss. 49.133, 49.155 (1g), and 49.257, ~~$16,532,900~~ $33,847,900 in fiscal year ~~2019–20~~ 2021–22 and ~~$16,683,700~~ $34,484,700 in fiscal year ~~2020–21~~ 2022–23.

SECTION 987. 49.175 (1) (r) of the statutes is amended to read:

49.175 **(1)** (r) *Children of recipients of supplemental security income.* For payments made under s. 49.775 for the support of the dependent children of recipients of supplemental security income, ~~$25,013,300 in each fiscal year~~ $18,564,700 in fiscal year 2021–22 and $18,145,000 in fiscal year 2022–23.

SECTION 988. 49.175 (1) (s) of the statutes is amended to read:

49.175 **(1)** (s) *Kinship care and long–term kinship care assistance.* For kinship care and long–term kinship care payments under s. 48.57 (3m) (am) and (3n) (am), for assessments to determine eligibility for those payments, and for agreements under s. 48.57 (3t) with the governing bodies of Indian tribes for the administration of the kinship care and long–term kinship care programs within the boundaries of the reservations of those tribes, ~~$26,640,000~~ $28,727,100 in fiscal year ~~2019–20~~ 2021–22 and ~~$28,159,200~~ $31,441,800 in fiscal year ~~2020–21~~ 2022–23.

SECTION 989. 49.175 (1) (t) of the statutes is amended to read:

49.175 **(1)** (t) *Safety and out–of–home placement services.* For services provided to ensure the safety of children who the department or a county determines may remain at home if appropriate services are provided, and for services provided to families with children placed in out–of–home care, ~~$8,314,300 in fiscal year 2019–20 and~~ $9,314,300 in each fiscal year ~~2020–21~~. To receive funding under this paragraph, a county shall match a percentage of the amount received that is equal to the percentage the county is required to match for a distribution under s. 48.563 (2) as specified by the schedule established by the department under s. 48.569 (1) (d).

SECTION 990. 49.175 (1) (u) of the statutes is amended to read:

49.175 **(1)** (u) *Prevention services.* For services to prevent child abuse or neglect, ~~$5,789,600 in fiscal year 2019–20 and $6,789,600~~ $7,289,600 in each fiscal year ~~2020–21~~.

SECTION 991. 49.175 (1) (x) of the statutes is created to read:

49.175 **(1)** (x) *Internet assistance program.* For the Internet assistance program under s. 49.168, $10,000,000 in each fiscal year.

SECTION 992. 49.175 (1) (z) of the statutes is amended to read:

49.175 **(1)** (z) *Grants to the Boys and Girls Clubs of America.* For grants to the Wisconsin Chapter of the Boys and Girls Clubs of America to fund programs that improve social, academic, and employment skills of youth who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq., focusing on study habits, intensive tutoring in math and English, and exposure to career options and role models, ~~$2,675,000~~ $2,807,000 in each fiscal year. Grants provided under this paragraph may not be used by the grant recipient to replace funding for programs that are being funded, when the grant proceeds are received, with moneys other than those from the appropriations specified in sub. (1) (intro.). The total amount of the grants includes funds for the BE GREAT: Graduate program in the amount of matching funds that the program provides, up to ~~$1,400,000~~ $1,532,000 in each fiscal year, to be used only for activities for which federal Temporary Assistance for Needy Families block grant moneys may be used.

SECTION 993. 49.175 (1) (zh) of the statutes is amended to read:

49.175 **(1)** (zh) *Earned income tax credit supplement.* For the transfer of moneys from the appropriation account under s. 20.437 (2) (md) to the appropriation account under s. 20.835 (2) (kf) for the earned income tax credit, $116,716,400 in fiscal year 2021–22 and $69,700,000 in ~~each~~ fiscal year 2022–23.

SECTION 994. 49.19 (1) (a) 2. a. of the statutes is amended to read:

49.19 **(1)** (a) 2. a. Is living with a parent; a blood relative, including those of half–blood, and including first cousins, nephews or nieces and persons of preceding

generations as denoted by prefixes of grand, great or great–great; a ~~stepfather, stepmother~~ stepparent, stepbrother, or stepsister; a person who legally adopts the child or is the adoptive parent of the child's parent, a natural or legally adopted child of such person or a relative of an adoptive parent; or a spouse of any person named in this ~~subparagraph~~ subd. 2. a. even if the marriage is terminated by death or divorce; and is living in a residence maintained by one or more of these relatives as the child's or their own home, or living in a residence maintained by one or more of these relatives as the child's or their own home because the parents of the child have been found unfit to have care and custody of the child; or

SECTION 995. 49.19 (4) (d) (intro.) of the statutes is amended to read:

49.19 **(4)** (d) (intro.) Aid may be granted to the ~~mother or stepmother~~ parent or stepparent of a dependent child if he or she is without a ~~husband~~ spouse or if he or she:

SECTION 996. 49.19 (4) (d) 1. of the statutes is amended to read:

49.19 **(4)** (d) 1. Is the ~~wife~~ spouse of a ~~husband~~ person who is incapacitated for gainful work by mental or physical disability; or

SECTION 997. 49.19 (4) (d) 2. of the statutes is amended to read:

49.19 **(4)** (d) 2. Is the ~~wife~~ spouse of a ~~husband~~ person who is incarcerated or who is a convicted offender permitted to live at home but precluded from earning a wage because the ~~husband~~ person is required by a court imposed sentence to perform unpaid public work or unpaid community service; or

SECTION 998. 49.19 (4) (d) 3. of the statutes is amended to read:

49.19 **(4)** (d) 3. Is the ~~wife~~ spouse of a ~~husband~~ person who has been committed to the department pursuant to ch. 975, irrespective of the probable period of such commitment; or

SECTION 999. 49.19 (4) (d) 4. of the statutes is amended to read:

49.19 **(4)** (d) 4. Is the ~~wife~~ spouse of a ~~husband~~ person who has continuously abandoned or failed to support him or her, if proceedings have been commenced against the ~~husband~~ person under ch. 769; or

SECTION 1000. 49.19 (4) (d) 5. of the statutes is amended to read:

49.19 **(4)** (d) 5. Has been divorced and is without a ~~husband~~ spouse or legally separated from his or her ~~husband~~ spouse and is unable through use of the provisions of law to compel his or her former ~~husband~~ spouse to adequately support the child for whom aid is sought; or

SECTION 1001. 49.343 (1g) of the statutes is amended to read:

49.343 **(1g)** ESTABLISHMENT OF RATES. For services provided beginning on January 1, 2011, the department shall establish the per client rate that a residential care center for children and youth or a group home may charge for its services, and the per client administrative rate that a child welfare agency may charge for the administrative portion of its foster care services, as provided in this section. In establishing rates for a placement specified in s. 938.357 (4) (c) 1. or 2., 2019 stats., the department shall consult with the department of corrections. A residential care center for children and youth and a group home shall charge all purchasers the same rate for the same services and a child welfare agency shall charge all purchasers the same administrative rate for the same foster care services. The department shall determine the levels of care created under the rules promulgated under s. 48.62 (8) to which this section applies.

SECTION 1002. 49.345 (2) of the statutes is amended to read:

49.345 **(2)** Except as provided in sub. (14) (b) and (c), any person, including a person placed under s. 48.32 (1) (am) or (b), 48.345 (3), 48.357 (1) or (2m), 938.183,

938.34 (3) or (4d), or 938.357 (1), (2m), (4), or (5) (e), receiving care, maintenance, services, and supplies provided by any institution in this state, in which the state is chargeable with all or part of the person's care, maintenance, services, and supplies, and the person's property and estate, including the homestead, and the spouse of the person, and the spouse's property and estate, including the homestead, and, in the case of a minor child, the parents of the person, and their property and estates, including their homestead, and, in the case of a foreign child described in s. 48.839 (1) who became dependent on public funds for his or her primary support before an order granting his or her adoption, the resident of this state appointed guardian of the child by a foreign court who brought the child into this state for the purpose of adoption, and his or her property and estate, including his or her homestead, shall be liable for the cost of the care, maintenance, services, and supplies in accordance with the fee schedule established by the department under s. 49.32 (1). If a spouse, ~~widow~~ surviving spouse, or minor, or an incapacitated person may be lawfully dependent upon the property for his or her support, the court shall release all or such part of the property and estate from the charges that may be necessary to provide for the person. The department shall make every reasonable effort to notify the liable persons as soon as possible after the beginning of the maintenance, but the notice or the receipt of the notice is not a condition of liability.

SECTION 1003. 49.345 (2) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

49.345 **(2)** Except as provided in sub. (14) (b) and (c), any person, including a person placed under s. 48.32 (1) (am) or (b), 48.345 (3), 48.357 (1) or (2m), 938.183, 938.34 (3) ~~or (4d)~~, or 938.357 (1), (2m), (4), or (5) (e), receiving care, maintenance, services, and supplies provided by any institution in this state, in which the state is

chargeable with all or part of the person's care, maintenance, services, and supplies, and the person's property and estate, including the homestead, and the spouse of the person, and the spouse's property and estate, including the homestead, and, in the case of a minor child, the parents of the person, and their property and estates, including their homestead, and, in the case of a foreign child described in s. 48.839 (1) who became dependent on public funds for his or her primary support before an order granting his or her adoption, the resident of this state appointed guardian of the child by a foreign court who brought the child into this state for the purpose of adoption, and his or her property and estate, including his or her homestead, shall be liable for the cost of the care, maintenance, services, and supplies in accordance with the fee schedule established by the department under s. 49.32 (1). If a spouse, surviving spouse, or minor, or an incapacitated person may be lawfully dependent upon the property for his or her support, the court shall release all or such part of the property and estate from the charges that may be necessary to provide for the person. The department shall make every reasonable effort to notify the liable persons as soon as possible after the beginning of the maintenance, but the notice or the receipt of the notice is not a condition of liability.

SECTION 1004. 49.37 (1) of the statutes is amended to read:

49.37 **(1)** Beginning in fiscal year 2017–18, the department of children and families shall establish a ~~5–year~~ 6–year offender reentry demonstration project focused on noncustodial fathers in a 1st class city.

SECTION 1005. 49.37 (2) of the statutes is amended to read:

49.37 **(2)** Upon completion of the demonstration project under sub. (1) and by June 30, ~~2023~~ 2024, the department of children and families shall conduct an evaluation of the demonstration project.

SECTION 1006. 49.43 (12) of the statutes is amended to read:

49.43 **(12)** "Spouse" means the ~~legal husband or wife of~~ person to whom the beneficiary is legally married, whether or not the person is eligible for medical assistance.

SECTION 1007. 49.45 (2p) of the statutes is repealed.

SECTION 1008. 49.45 (2t) of the statutes is repealed.

SECTION 1009. 49.45 (3) (e) 11. of the statutes is amended to read:

49.45 **(3)** (e) 11. The department shall use a portion of the moneys collected under s. 50.38 (2) (a) to pay for services provided by eligible hospitals, as defined in s. 50.38 (1), other than critical access hospitals, under the Medical Assistance Program under this subchapter, including services reimbursed on a fee–for–service basis and services provided under a managed care system. For state fiscal year 2008–09, total payments required under this subdivision, including both the federal and state share of Medical Assistance, shall equal the amount collected under s. 50.38 (2) (a) for fiscal year 2008–09 divided by 57.75 percent. For each state fiscal year after state fiscal year 2008–09, total payments required under this subdivision, including both the federal and state share of Medical Assistance, shall equal the amount collected under s. 50.38 (2) (a) for the fiscal year divided by 61.68 percent, except that if the department has expanded eligibility under section 2001 (a) (1) (C) of the Patient Protection and Affordable Care Act, P.L. 111–148, for the Medical Assistance program under this subchapter, the amount collected for the fiscal year shall be divided by 53.69 percent.

SECTION 1010. 49.45 (3) (e) 12. of the statutes is amended to read:

49.45 **(3)** (e) 12. The department shall use a portion of the moneys collected under s. 50.38 (2) (b) to pay for services provided by critical access hospitals under

the Medical Assistance Program under this subchapter, including services reimbursed on a fee–for–service basis and services provided under a managed care system. For each state fiscal year, total payments required under this subdivision, including both the federal and state share of Medical Assistance, shall equal the amount collected under s. 50.38 (2) (b) for the fiscal year divided by 61.68 percent, except that if the department has expanded eligibility under section 2001 (a) (1) (C) of the Patient Protection and Affordable Care Act, P.L. 111–148, for the Medical Assistance program under this subchapter, the amount collected for the fiscal year shall be divided by 53.69 percent.

SECTION 1011. 49.45 (3m) (a) (intro.) of the statutes is amended to read:

49.45 **(3m)** (a) (intro.) Subject to par. ~~(c)~~ (d) and notwithstanding sub. (3) (e), from the appropriations under s. 20.435 (4) (b) and (o), in each fiscal year, the department shall pay to hospitals that serve a disproportionate share of low–income patients an amount equal to the sum of $27,500,000, as the state share of payments, and the matching federal share of payments. The department may make a payment to a hospital under this subsection under the calculation method described in par. (b) if the hospital meets all of the following criteria:

SECTION 1012. 49.45 (3m) (cm) of the statutes is created to read:

49.45 **(3m)** (cm) Notwithstanding the total amount of state share paid to hospitals under par. (a) and the limit paid to a single hospital under par. (b) 3. a., if the department has expanded eligibility under section 2001 (a) (1) (C) of the Patient Protection and Affordable Care Act, P.L. 111–148, for the Medical Assistance program under this subchapter, the department shall pay as the state share to hospitals $47,500,000 under par. (a) and pay no single hospital more than $7,950,000 under par. (b) 3. a.

SECTION 1013. 49.45 (5g) of the statutes is created to read:

49.45 **(5g)** PAYMENTS TO TRIBES. (a) *Tribal care coordination agreements*. A tribal health care provider's care coordination agreement with a nontribal health care provider shall meet federal requirements, including that a service provided by the nontribal health care provider be at the request of the tribal health care provider on behalf of a tribal member who remains in the tribal health care provider's care according to the care coordination agreement; that both the tribal health care provider and nontribal health care provider are providers, as defined in s. 49.43 (10); that an established relationship exists between the tribal health care provider and the tribal member; and that the care be provided pursuant to a written care coordination agreement.

(b) *Amount and distribution of payments*. 1. From the appropriation account under s. 20.435 (4) (b), the department shall make payments to eligible governing bodies of federally recognized American Indian tribes or bands or tribal health care providers in an amount and manner determined by the department. The department shall determine payment amounts on the basis of the difference between the state share of medical assistance payments paid for services rendered to tribal members for whom a care coordination agreement with nontribal health care providers is in place and the state share of medical assistance payments that would have been paid for those services absent a care coordination agreement with nontribal partners.

2. The department shall withhold from the payments under subd. 1. the state share of administrative costs associated with carrying out this subsection, not to exceed 10 percent of the amounts calculated in subd. 1.

3. Federally recognized American Indian tribes or bands may use funds paid under this subsection for health–related purposes. The department shall consult biennially with tribes to determine the timing and distribution of payments.

SECTION 1014. 49.45 (6m) (a) 6. of the statutes is repealed.

SECTION 1015. 49.45 (6m) (ag) 3p. a. to c. of the statutes are amended to read:

49.45 **(6m)** (ag) 3p. a. The system may incorporate acuity measurements ~~under the most recent Resource Utilization Groupings methodology~~ to determine factors for case–mix adjustment.

b. ~~Four times annually, for~~ For each facility resident who is a Medical Assistance recipient on March 31, June 30, September 30, or December 31, as applicable, the system shall determine the average case–mix index by use of the factors specified under subd. 3p. a.

c. The system ~~shall~~ may incorporate payment adjustments for dementia, behavioral needs, or other complex medical conditions.

SECTION 1016. 49.45 (6xm) of the statutes is created to read:

49.45 **(6xm)** PEDIATRIC INPATIENT SUPPLEMENT. (a) From the appropriations under s. 20.435 (4) (b), (o), and (w), the department shall, using a method determined by the department, distribute a total sum of $2,000,000 each state fiscal year to hospitals that meet all of the following criteria:

1. The hospital is an acute care hospital located in this state.

2. During the hospital's fiscal year, the inpatient days in the hospital's acute care pediatric units and intensive care pediatric units totaled more than 12,000 days, not including neonatal intensive care units. For purposes of this subsection, the hospital's fiscal year is the hospital's fiscal year that ended in the 2nd calendar year preceding the beginning of the state fiscal year.

(b) Notwithstanding par. (a), from the appropriations under s. 20.435 (4) (b), (o), and (w), if the department has expanded eligibility under section 2001 (a) (1) (C) of the Patient Protection and Affordable Care Act, P.L. 111–148, for the Medical Assistance program under this subchapter, then the department may, using a method determined by the department, distribute an additional total sum of $7,500,000 in each state fiscal year to hospitals that are free–standing pediatric teaching hospitals located in Wisconsin that have a percentage calculated under s. 49.45 (3m) (b) 1. a. greater than 45 percent.

SECTION 1017. 49.45 (18) (ac) of the statutes is amended to read:

49.45 **(18)** (ac) Except as provided in pars. (am) to ~~(d), and subject to par. (ag)~~ (c), any person eligible for medical assistance under s. 49.46, 49.468, or 49.47, or for the benefits under s. 49.46 (2) (a) and (b) under s. 49.471 shall pay up to the maximum amounts allowable under 42 CFR 447.53 to 447.58 for purchases of services provided under s. 49.46 (2). The service provider shall collect the specified or allowable copayment, coinsurance, or deductible, unless the service provider determines that the cost of collecting the copayment, coinsurance, or deductible exceeds the amount to be collected. The department shall reduce payments to each provider by the amount of the specified or allowable copayment, coinsurance, or deductible. No provider may deny care or services because the recipient is unable to share costs, but an inability to share costs specified in this subsection does not relieve the recipient of liability for these costs.

SECTION 1018. 49.45 (18) (ag) of the statutes is repealed.

SECTION 1019. 49.45 (18) (b) 8. of the statutes is created to read:

49.45 **(18)** (b) 8. Prescription drugs.

SECTION 1020. 49.45 (18) (d) of the statutes is repealed.

SECTION 1021. 49.45 (23) of the statutes is repealed.

SECTION 1022. 49.45 (23b) of the statutes is repealed.

SECTION 1023. 49.45 (24L) of the statutes is created to read:

49.45 **(24L)** CRITICAL ACCESS REIMBURSEMENT PAYMENTS TO DENTAL PROVIDERS. (a) Based on the criteria in pars. (b) and (c), the department shall increase reimbursements to dental providers that meet quality of care standards, as established by the department.

(b) In order to be eligible for enhanced reimbursement under this subsection, the provider must meet one of the following qualifications:

1. For a nonprofit or public provider, 50 percent or more of the individuals served by the provider are individuals who are without dental insurance or are enrolled in the Medical Assistance program.

2. For a for–profit provider, 5 percent or more of the individuals served by the provider are enrolled in the Medical Assistance program.

(c) For dental services rendered on or after January 1, 2022, by a qualified nonprofit or public dental provider, the department shall increase reimbursement by 50 percent above the reimbursement rate that would otherwise be paid to that provider. For dental services rendered on or after January 1, 2022, by a qualified for–profit dental provider, the department shall increase reimbursement by 30 percent above the reimbursement rate that would otherwise be paid to that provider. For dental providers rendering services to individuals in managed care under the Medical Assistance program, for services rendered on or after January 1, 2022, the department shall increase reimbursement to pay an additional amount on the basis of the rate that would have been paid to the dental provider had the individual not been enrolled in managed care.

(d) If a provider has more than one service location, the thresholds described under par. (b) apply to each location, and the department will determine the payment for each separate service location.

(e) Any provider that receives reimbursement through the pilot project under sub. (24k) is not eligible for reimbursement under this subsection.

SECTION 1024. 49.45 (25) (bj) of the statutes is amended to read:

49.45 **(25)** (bj) The department of corrections may elect to provide case management services under this subsection to persons who are under the supervision of that department under s. 938.183, 938.34 ~~(4h),~~ (4m), or (4n), or 938.357 (3) or (4), who are Medical Assistance beneficiaries, and who meet one or more of the conditions specified in par. (am). The amount of the allowable charges for those services under the Medical Assistance program that is not provided by the federal government shall be paid from the appropriation account under s. 20.410 (3) (hm), (ho), or (hr).

SECTION 1025. 49.45 (25) (bj) of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

49.45 **(25)** (bj) The department of corrections may elect to provide case management services under this subsection to persons who are under the supervision of that department under s. 938.183, 938.34 (4m), or 938.357 (3) or (4), who are Medical Assistance beneficiaries, and who meet one or more of the conditions specified in par. (am). The amount of the allowable charges for those services under the Medical Assistance program that is not provided by the federal government shall be paid from the appropriation account under s. 20.410 (3) (hm), (ho), or (hr).

SECTION 1026. 49.45 (25r) of the statutes is created to read:

49.45 **(25r)** COMMUNITY HEALTH WORKER SERVICES. (a) In this subsection:

1. "Community health services" means services provided by a community health worker.

2. "Community health worker" means a frontline public health worker who is a trusted member of or has a close understanding of the community served, enabling the worker to serve as a liaison, link, or intermediary between health and social services and the community to facilitate access to services and improve the quality and cultural competence of service delivery, and who builds individual and community capacity by increasing health knowledge and self–sufficiency through a range of activities such as outreach, community education, informal counseling, social support, and advocacy.

(b) The department shall request any necessary waiver from, or submit any necessary amendments to the state Medical Assistance plan to, the secretary of the federal department of health and human services to provide community health services to eligible Medical Assistance recipients. If the waiver or state plan amendment is granted, the department shall reimburse certified providers for those community health services approved by the federal department of health and human services for Medical Assistance coverage and as provided to Medical Assistance recipients under s. 49.46 (2) (b) 9m.

SECTION 1027. 49.45 (30e) (a) 2. of the statutes is repealed.

SECTION 1028. 49.45 (30e) (b) 3. of the statutes is amended to read:

49.45 **(30e)** (b) 3. Requirements for certification of community–based psychosocial service programs. The department may certify county–based providers and providers that are not county–based providers.

SECTION 1029. 49.45 (30e) (c) of the statutes is renumbered 49.45 (30e) (c) 1. and amended to read:

49.45 **(30e)** (c) 1. ~~A~~ The department shall reimburse a county that elects to ~~make the~~ provide services under s. 49.46 (2) (b) 6. Lm. ~~available shall reimburse a provider of the services~~ for the amount of the allowable charges for those services under the ~~medical assistance~~ Medical Assistance program that is not provided by the federal government~~. The department shall reimburse the provider only for~~ and the amount of the allowable charges for those services under the ~~medical assistance~~ Medical Assistance program that is provided by the federal government.

SECTION 1030. 49.45 (30e) (c) 2. of the statutes is created to read:

49.45 **(30e)** (c) 2. The department shall reimburse to a provider that is not a county–based provider for services under s. 49.46 (2) (b) 6. Lm. for both the federal and nonfederal share of a fee schedule that is determined by the department.

SECTION 1031. 49.45 (30e) (d) of the statutes is amended to read:

49.45 **(30e)** (d) *Provision of services on regional basis.* Notwithstanding par. (c) 1. and subject to par. (e), in counties that elect to ~~deliver~~ provide the services under s. 49.46 (2) (b) 6. Lm. through the Medical Assistance program on a regional basis according to criteria established by the department, the department shall reimburse a provider of the services for the amount of the allowable charges for those services under the Medical Assistance program that is provided by the federal government and for the amount of the allowable charges that is not provided by the federal government.

SECTION 1032. 49.45 (30t) of the statutes is created to read:

49.45 **(30t)** DOULA SERVICES. (a) In this subsection:

1. "Certified doula" means an individual who has received certification from a doula certifying organization recognized by the department.

2. "Doula services" means childbirth education and support services, including emotional and physical support provided during pregnancy, labor, birth, and the postpartum period.

(b) The department shall request from the secretary of the federal department of health and human services any required waiver or any required amendment to the state plan for Medical Assistance to allow reimbursement for doula services provided by a certified doula. If the waiver or state plan amendment is granted, the department shall reimburse a certified doula under s. 49.46 (2) (b) 12p. for the allowable charges for doula services provided to Medical Assistance recipients.

SECTION 1033. 49.46 (1) (a) 1m. of the statutes is amended to read:

49.46 **(1)** (a) 1m. Any pregnant woman whose income does not exceed the standard of need under s. 49.19 (11) and whose pregnancy is medically verified. Eligibility continues to the last day of the month in which the ~~60th~~ 365th day after the last day of the pregnancy falls.

SECTION 1034. 49.46 (1) (j) of the statutes is amended to read:

49.46 **(1)** (j) An individual determined to be eligible for benefits under par. (a) 9. remains eligible for benefits under par. (a) 9. for the balance of the pregnancy and to the last day of the month in which the ~~60th~~ 365th day after the last day of the pregnancy falls without regard to any change in the individual's family income.

SECTION 1035. 49.46 (2) (b) 8m. of the statutes is created to read:

49.46 **(2)** (b) 8m. Room and board for residential substance use disorder treatment.

SECTION 1036. 49.46 (2) (b) 9m. of the statutes is created to read:

49.46 **(2)** (b) 9m. Community health services, as specified under s. 49.45 (25r).

SECTION 1037. 49.46 (2) (b) 11m. of the statutes is created to read:

49.46 **(2)** (b) 11m. Subject to par. (bx), acupuncture provided by an acupuncturist who holds a certificate under ch. 451.

SECTION 1038. 49.46 (2) (b) 12p. of the statutes is created to read:

49.46 **(2)** (b) 12p. Doula services provided by a certified doula, as specified under s. 49.45 (30t).

SECTION 1039. 49.46 (2) (b) 24. of the statutes is created to read:

49.46 **(2)** (b) 24. Subject to par. (bv), nonmedical services that contribute to the determinants of health.

SECTION 1040. 49.46 (2) (bv) of the statutes is created to read:

49.46 **(2)** (bv) The department shall determine those services under par. (b) 24. that contribute to the determinants of health. The department shall seek any necessary state plan amendment or request any waiver of federal Medicaid law to implement this paragraph. The department is not required to provide the services under this paragraph as a benefit under the Medical Assistance program if the federal department of health and human services does not provide federal financial participation for the services under this paragraph.

SECTION 1041. 49.46 (2) (bx) of the statutes is created to read:

49.46 **(2)** (bx) The department shall submit to the federal department of health and human services any request for a state plan amendment, waiver, or other federal approval necessary to provide reimbursement for the benefit under par. (b) 11m. If the federal department approves the request or if no federal approval is necessary, the department shall provide the benefit and reimbursement under par. (b) 11m. If the federal department disapproves the request, the department may not provide the benefit or reimbursement for the benefit described under par. (b) 11m.

SECTION 1042. 49.47 (4) (ag) 2. of the statutes is amended to read:

49.47 **(4)** (ag) 2. Pregnant and the woman's pregnancy is medically verified Eligibility continues to the last day of the month in which the ~~60th~~ 365th day after the last day of the pregnancy falls.

SECTION 1043. 49.471 (1) (b) 2. of the statutes is amended to read:

49.471 **(1)** (b) 2. A ~~stepfather, stepmother~~ stepparent, stepbrother, or stepsister.

SECTION 1044. 49.471 (1) (cr) of the statutes is created to read:

49.471 **(1)** (cr) "Enhanced federal medical assistance percentage" means a federal medical assistance percentage described under 42 USC 1396d (y) or (z).

SECTION 1045. 49.471 (4) (a) 4. b. of the statutes is amended to read:

49.471 **(4)** (a) 4. b. The individual's family income does not exceed ~~100~~ 133 percent of the poverty line ~~before application of the 5 percent income disregard under 42 CFR 435.603 (d)~~.

SECTION 1046. 49.471 (4) (a) 8. of the statutes is created to read:

49.471 **(4)** (a) 8. An individual who meets all of the following criteria:

a. The individual is an adult under the age of 65.

b. The adult has a family income that does not exceed 133 percent of the poverty line, except as provided in sub. (4g).

c. The adult is not otherwise eligible for the Medical Assistance program under this subchapter or the Medicare program under 42 USC 1395 et seq.

SECTION 1047. 49.471 (4g) of the statutes is created to read:

49.471 **(4g)** MEDICAID EXPANSION; FEDERAL MEDICAL ASSISTANCE PERCENTAGE. For services provided to individuals described under sub. (4) (a) 8., the department shall comply with all federal requirements to qualify for the highest available enhanced federal medical assistance percentage. The department shall submit any amendment to the state medical assistance plan, request for a waiver of federal

Medicaid law, or other approval request required by the federal government to provide services to the individuals described under sub. (4) (a) 8. and qualify for the highest available enhanced federal medical assistance percentage.

SECTION 1048. 49.471 (6) (b) of the statutes is amended to read:

49.471 **(6)** (b) A pregnant woman who is determined to be eligible for benefits under sub. (4) remains eligible for benefits under sub. (4) for the balance of the pregnancy and to the last day of the month in which the ~~60th~~ 365th day after the last day of the pregnancy falls without regard to any change in the woman's family income.

SECTION 1049. 49.471 (6) (L) of the statutes is created to read:

49.471 **(6)** (L) The department shall request from the federal department of health and human services approval of a state plan amendment, a waiver of federal Medicaid law, or approval of a demonstration project to maintain eligibility for postpartum women to the last day of the month in which the 365th day after the last day of the pregnancy falls under ss. 49.46 (1) (a) 1m. and 9. and (j), 49.47 (4) (ag) 2., and 49.471 (4) (a) 1g. and 1m., (6) (b), and (7) (b) 1. The department shall cover and provide reimbursement for services under ss. 49.46 (1) (a) 1m. and 9. and (j), 49.47 (4) (ag) 2., and 49.471 (4) (a) 1g. and 1m., (6) (b), and (7) (b) 1. regardless of whether a state plan amendment, waiver of federal Medicaid law, or approval of a demonstration project related to coverage or reimbursement of these services is granted by the federal department of human services.

SECTION 1050. 49.471 (7) (b) 1. of the statutes is amended to read:

49.471 **(7)** (b) 1. A pregnant woman whose family income exceeds 300 percent of the poverty line may become eligible for coverage under this section if the difference between the pregnant woman's family income and the applicable income

limit under sub. (4) (a) is obligated or expended for any member of the pregnant woman's family for medical care or any other type of remedial care recognized under state law or for personal health insurance premiums or for both. Eligibility obtained under this subdivision continues without regard to any change in family income for the balance of the pregnancy and to the last day of the month in which the ~~60th~~ 365th day after the last day of the woman's pregnancy falls. Eligibility obtained by a pregnant woman under this subdivision extends to all pregnant women in the pregnant woman's family.

SECTION 1051. 49.485 of the statutes is renumbered 20.9315 (19) and amended to read:

20.9315 **(19)** ~~Whoever knowingly presents or causes to be presented to any officer, employee, or agent of this state a false claim for medical assistance shall forfeit not less than $5,000 nor more than $10,000, plus 3 times the amount of the damages that were sustained by the state or would have been sustained by the state, whichever is greater, as a result of the false claim.~~ The attorney general may bring an action on behalf of the state to recover any forfeiture incurred under this section.

SECTION 1052. 49.686 (3) (d) of the statutes is amended to read:

49.686 **(3)** (d) Has applied for coverage under and has been denied eligibility for medical assistance within 12 months prior to application for reimbursement under sub. (2). This paragraph does not apply to an individual ~~who is eligible for benefits under the demonstration project for childless adults under s. 49.45 (23) or to an individual~~ who is eligible for benefits under BadgerCare Plus under s. 49.471 (4) (a) 8. or (11).

SECTION 1053. 49.79 (1) (b) of the statutes is amended to read:

49.79 **(1)** (b) "Controlled substance" has the meaning given in 21 USC 802 (6), except "controlled substance" does not include tetrahydrocannabinols in any form, including tetrahydrocannabinols contained in marijuana, obtained from marijuana, or chemically synthesized.

SECTION 1054. 49.79 (7r) (d) of the statutes is created to read:

49.79 **(7r)** (d) The department may expend from the appropriation under s. 20.435 (4) (bt) no more than $425,000 per fiscal year for the pilot program under this subsection.

SECTION 1055. 49.79 (9) (a) 1g. of the statutes is amended to read:

49.79 **(9)** (a) 1g. Except as provided in subds. 2. and 3., ~~beginning October 1, 2019,~~ the department shall require, to the extent allowed by the federal government, ~~all~~ able–bodied adults without dependents in this state to participate in the employment and training program under this subsection, except for able–bodied adults without dependents who are employed, as determined by the department. The department may require ~~other~~ able individuals who are 18 to 60 years of age, or a subset of those individuals to the extent allowed by the federal government, who are not participants in a Wisconsin Works employment position to participate in the employment and training program under this subsection.

SECTION 1056. 49.79 (9) (d) of the statutes is repealed.

SECTION 1057. 49.79 (9) (f) of the statutes is repealed.

SECTION 1058. 49.791 of the statutes is repealed.

SECTION 1059. 49.90 (4) of the statutes is amended to read:

49.90 **(4)** The circuit court shall in a summary way hear the allegations and proofs of the parties and by order require maintenance from these relatives, if they have sufficient ability, considering their own future maintenance and making

reasonable allowance for the protection of the property and investments from which they derive their living and their care and protection in old age, in the following order: First the ~~husband or wife~~ spouse; then the ~~father and the mother~~ parents; and then the grandparents in the instances in which sub. (1) (a) 2. applies. The order shall specify a sum ~~which~~ that will be sufficient for the support of the dependent person under sub. (1) (a) 1. or the maintenance of a child of a dependent person under sub. (1) (a) 2., to be paid weekly or monthly, during a period fixed by the order or until the further order of the court. If the court is satisfied that any such relative is unable wholly to maintain the dependent person or the child, but is able to contribute to the person's support or the child's maintenance, the court may direct 2 or more of the relatives to maintain the person or the child and prescribe the proportion each shall contribute. If the court is satisfied that these relatives are unable together wholly to maintain the dependent person or the child, but are able to contribute to the person's support or the child's maintenance, the court shall direct a sum to be paid weekly or monthly by each relative in proportion to ability. Contributions directed by court order, if for less than full support, shall be paid to the department of health services or the department of children and families, whichever is appropriate, and distributed as required by state and federal law. An order under this subsection that relates to maintenance required under sub. (1) (a) 2. shall specifically assign responsibility for and direct the manner of payment of the child's health care expenses, subject to the limitations under subs. (1) (a) 2. and (11). Upon application of any party affected by the order and upon like notice and procedure, the court may modify such an order. Obedience to such an order may be enforced by proceedings for contempt.

SECTION 1060. 50.379 of the statutes is created to read:

50.379 Designated caregivers. (1) DEFINITIONS. In this section:

(a) "Aftercare assistance" means any assistance provided by a caregiver to a patient under this section after the patient's discharge and related to the patient's condition at the time of discharge, including assisting with basic activities of daily living or instrumental activities of daily living, or carrying out medical or nursing tasks, such as managing wound care, assisting in administering medications, or operating medical equipment.

(b) "Caregiver" means any individual, including a relative, partner, friend, neighbor, or other person who has a significant relationship with a patient, who is designated as a caregiver under this section to provide aftercare assistance to that patient.

(c) "Discharge" means a patient's exit or release from a hospital to the patient's residence following an inpatient admission.

(d) "Hospital" has the meaning given in s. 50.33 (2).

(e) "Incapacitated" has the meaning given in s. 50.94 (1) (b).

(f) "Residence" means a dwelling that the patient considers to be his or her home. "Residence" does not include any rehabilitation facility, hospital, nursing home, assisted living facility, or group home licensed by the department.

(2) CAREGIVER DESIGNATION. (a) A hospital shall provide a patient or, if applicable, a patient's legal guardian at least one opportunity to designate at least one caregiver no later than 24 hours following the patient's admission to a hospital and before the patient's discharge or transfer to another hospital or facility licensed by the department.

(b) If a patient is unconscious or otherwise incapacitated upon admission to the hospital, the hospital shall provide the patient or, if applicable, the patient's legal

guardian with an opportunity to designate a caregiver within 24 hours following the patient's recovery of his or her consciousness or capacity.

(c) If a patient or a patient's legal guardian declines to designate a caregiver under this section, the hospital shall promptly document that information in the patient's medical record.

(d) If a patient or the patient's legal guardian designates a caregiver under this section, the hospital shall promptly record the designation of the caregiver, the relationship of the caregiver to the patient, and the name, telephone number, and address of the caregiver in the patient's medical record.

(e) Nothing in this section requires a patient or a patient's legal guardian to designate a caregiver.

(f) A patient may elect to change a designated caregiver at any time. The hospital shall, within 24 hours, record in the patient's medical record any designation change and any new information required under par. (d).

(g) Designation of a caregiver under the provisions of this section does not obligate any individual to perform aftercare assistance for the patient.

(3) RELEASE OF MEDICAL INFORMATION. (a) If a patient or a patient's legal guardian designates an individual as a caregiver under this section, the hospital shall promptly request the written consent of the patient or the patient's legal guardian to release medical information to the patient's designated caregiver following the hospital's established procedures for releasing personal health information and in accordance with applicable federal and state law.

(b) If a patient or the patient's legal guardian declines to consent to the release of medical information to the patient's designated caregiver, the hospital is not

required to provide notice to the caregiver or provide information contained in the patient's discharge plan as required under subs. (4) and (5).

(4) NOTIFICATION AND INSTRUCTION TO DESIGNATED CAREGIVER. Subject to sub. (3), if a patient or a patient's legal guardian designates a caregiver under this section, a hospital shall do all of the following:

(a) Notify the patient's designated caregiver of the patient's discharge or transfer to another hospital or facility licensed by the department as soon as possible, which may be after the patient's physician issues a discharge order, but not less than 4 hours before the patient's actual discharge or transfer to the other hospital or facility.

(b) No less than 24 hours before a patient's discharge from a hospital, consult with the designated caregiver along with the patient regarding the caregiver's capabilities and limitations and issue a written discharge plan that describes a patient's aftercare assistance needs at the patient's residence.

(5) DISCHARGE PLAN. (a) For purposes of this section, a hospital shall include in a discharge plan at least all of the following:

1. The name and contact information of the caregiver designated under this section.

2. A description of all aftercare assistance tasks necessary to maintain the patient's ability to reside at home, taking into account the capabilities of the caregiver.

3. Contact information for any health care, community resources, and long–term services and supports necessary to successfully carry out the patient's discharge plan.

(b) A hospital issuing a discharge plan under this section shall provide caregivers with instruction in all aftercare assistance tasks described in the discharge plan, and must include at least all of the following:

1. A live demonstration of the tasks performed by a hospital employee or individual with whom the hospital has a contractual relationship authorized to perform the aftercare assistance task, provided in a culturally competent manner and in accordance with the hospital's requirements to provide language access services under state and federal law.

2. An opportunity for the caregiver and patient to ask questions about the aftercare assistance tasks.

3. Answers to the caregiver's and patient's questions provided in a culturally competent manner and in accordance with the hospital's requirements to provide language access services under state and federal law.

(6) NO INTERFERENCE WITH AUTHORIZED DECISION MAKING. Nothing in this section shall be construed to interfere with the rights of a person authorized by law to make health care decisions on behalf of a patient.

(7) NO RIGHT OF ACTION. Nothing in this section shall be construed to create a private right of action against a hospital, a hospital employee, or any authorized agent of the hospital, or to otherwise supercede or replace existing rights or remedies.

SECTION 1061. 51.035 of the statutes is created to read:

51.035 Crisis response system; grants. (1) From the appropriation under s. 20.435 (5) (ch), the department shall award grants under this section to entities to provide a continuum of crisis response services, including mental health crisis urgent care and observation centers, crisis stabilization and inpatient psychiatric beds, and crisis stabilization facilities.

(2) From the appropriation under s. 20.435 (5) (ch), the department shall award no more than 5 grants to fund services at facilities providing crisis stabilization services, based on criteria established by the department.

SECTION 1062. 51.036 of the statutes is created to read:

51.036 Crisis urgent care and observation centers. (1) In this section, "crisis" has the meaning given in s. 51.042 (1) (a).

(2) The department may certify crisis urgent care and observation centers and may establish criteria by rule for the certification of crisis urgent care and observation centers. If the department establishes a certification process for crisis urgent care and observation centers, no person may operate a crisis urgent care and observation center without having a certification. The department may limit the number of certifications it grants to operate crisis urgent care and observation centers.

SECTION 1063. 51.045 of the statutes is amended to read:

51.045 Availability of inpatient psychiatric and other beds. From the appropriation under s. 20.435 (2) (cm), the department shall award a grant in the amount of ~~$80,000~~ $100,000 in fiscal year ~~2015–16~~ 2021–22 and ~~$30,000~~ $50,000 in each fiscal year thereafter ~~to the entity under contract under s. 153.05 (2m) (a)~~ to develop and operate an Internet site and system to show the availability of inpatient psychiatric beds, peer run respite beds, and crisis stabilization beds statewide. To receive the grant, the entity shall use a password protected Internet site to allow an inpatient psychiatric unit or hospital or a facility, center, or program that has inpatient psychiatric, peer run respite, or crisis stabilization beds to enter all of the following information and to enable any hospital emergency department, county

department, or other entity involved in identifying placement options in the state to view all of the following information reported to the system:

(1) The number of available child, adolescent, adult, and geriatric ~~inpatient psychiatric~~ beds, as applicable, that are inpatient psychiatric, peer run respite, or crisis stabilization beds and that are currently available at the hospital, unit, facility, center, or program at the time of reporting ~~by the hospital or unit~~.

(2) Any special information that the hospital ~~or,~~ unit, facility, center, or program reports regarding the available beds under sub. (1).

(3) The date the hospital ~~or,~~ unit, facility, center, or program reports the information under subs. (1) and (2).

(4) The location of the hospital ~~or,~~ unit, facility, center, or program that is reporting.

(5) The contact information for admission coordination for the hospital ~~or,~~ unit, facility, center, or program.

SECTION 1064. 51.44 (5) (bm) of the statutes is created to read:

51.44 **(5)** (bm) Ensure that any child with a level of lead in his or her blood that is 5 or more micrograms per 100 milliliters of blood, as confirmed by one venous blood test, is eligible for services under the program under this section.

SECTION 1065. 54.01 (36) (a) of the statutes is amended to read:

54.01 **(36)** (a) An individual who obtains or consents to a final decree or judgment of divorce from the decedent or an annulment of their marriage, if the decree or judgment is not recognized as valid in this state, unless the 2 subsequently participated in a marriage ceremony purporting to marry each other or they subsequently held themselves out as ~~husband and wife~~ married to each other.

SECTION 1066. 54.15 (8) (a) (intro.) of the statutes is amended to read:

54.15 **(8)** (a) (intro.) At least 96 hours before the hearing under s. 54.44, the proposed guardian shall submit to the court ~~a~~ all of the following:

1m. A sworn and notarized statement as to whether any of the following is true:

SECTION 1067. 54.15 (8) (a) 1. to 4. of the statutes are renumbered 54.15 (8) (a) 1m. a. to d.

SECTION 1068. 54.15 (8) (a) 2m. of the statutes is created to read:

54.15 **(8)** (a) 2m. A sworn and notarized statement that the proposed guardian has completed the training requirements under s. 54.26 (1), unless exempted under s. 54.26 (2) (c), (d), or (e).

SECTION 1069. 54.15 (8) (b) of the statutes is amended to read:

54.15 **(8)** (b) If par. (a) ~~1., 2., 3., or 4.~~ 1m. a., b., c., or d. applies to the proposed guardian, he or she shall include in the sworn and notarized statement a description of the circumstances surrounding the applicable event under par. (a) ~~1., 2., 3., or 4.~~ 1m. a., b., c., or d.

SECTION 1070. 54.26 of the statutes is created to read:

54.26 Guardian training requirements. (1) REQUIRED TRAINING TOPICS. (a) Every guardian of the person, unless exempted under sub. (2) (c), (d), or (e), shall complete training on all of the following topics:

1. The duties and responsibilities of a guardian of the person under the law and limits of the guardian's decision–making authority.

2. Alternatives to guardianship, including supported decision–making agreements and powers of attorney.

3. Rights retained by a ward.

4. Best practices for a guardian to solicit and understand the wishes and preferences of a ward, to involve a ward in decision making, and to take a ward's wishes and preferences into account in decisions made by the guardian.

5. Restoration of a ward's rights and the process for removal of guardianship.

6. Future planning and identification of a potential standby or successor guardian.

7. Resources and technical support for guardians.

(b) Every guardian of the estate shall complete training on all of the following topics:

1. The duties and responsibilities of a guardian of the estate under the law and limits of the guardian's decision–making authority.

2. Inventory and accounting requirements.

(2) INITIAL TRAINING REQUIREMENTS. (a) Before the final hearing for a permanent guardianship, any person nominated for appointment or seeking appointment as a guardian of the person is required to receive the training required under sub. (1) (a).

(b) Before the final hearing for permanent guardianship, any person nominated for appointment or seeking appointment as a guardian of the estate is required to receive at least the training required under sub. (1) (b).

(c) A guardian under s. 54.15 (7) who is regulated by the department is exempt from pars. (a) and (b).

(d) A volunteer guardian who has completed the training requirements under sub. (1) is exempt from pars. (a) and (b) with regard to subsequent wards.

(e) A guardian of the person or a guardian of the estate, or both, for a minor under s. 54.10 (1) is exempt from pars. (a) and (b).

SECTION 1071. 54.960 (1) of the statutes is amended to read:

54.960 **(1)** Beneficial interests in a custodial trust created for multiple beneficiaries are deemed to be separate custodial trusts of equal undivided interests for each beneficiary. Except in a transfer or declaration for use and benefit of ~~husband and wife~~ 2 individuals who are married to each other, for whom survivorship is presumed, a right of survivorship does not exist unless the instrument creating the custodial trust specifically provides for survivorship or survivorship is required as to marital property.

SECTION 1072. 59.10 (intro.) of the statutes is amended to read:

59.10 Boards: composition; election; terms; compensation; compatibility. (intro.) The boards of the several counties shall be composed of representatives from within the county who are elected and compensated as provided in this section. Each board shall act under sub. (2), (3) or (5), unless the board enacts an ordinance, by a majority vote of the entire membership, to act under sub. (1). If a board enacts such ordinance, a certified copy shall be filed with the secretary of ~~state~~ administration.

SECTION 1073. 59.10 (2) (d) 1. of the statutes is amended to read:

59.10 **(2)** (d) 1. 'Number of supervisors; redistricting.' The board may, not more than once prior to November 15, 2010, decrease the number of supervisors after the enactment of a supervisory district plan under par. (a). In that case, the board shall redistrict, readjust, and change the boundaries of supervisory districts, so that the number of districts equals the number of supervisors, the districts are substantially equal in population according to the most recent countywide federal census, the districts are in as compact a form as possible, and the districts consist of contiguous municipalities or contiguous whole wards in existence at the time at which the amended redistricting plan is adopted, except as authorized in sub. (3) (b) 2. In the

amended plan, the board shall adhere to the requirements under sub. (3) (b) 2. with regard to contiguity and shall, to the extent possible, place whole contiguous municipalities or contiguous parts of the same municipality within the same district. In the amended plan, the original numbers of the districts in their geographic outlines, to the extent possible, shall be retained. The chairperson of the board shall file a certified copy of any amended plan adopted under this subdivision with the secretary of ~~state~~ administration.

SECTION 1074. 59.10 (3) (b) 4. of the statutes is amended to read:

59.10 **(3)** (b) 4. The chairperson of the board shall file a certified copy of the final districting plan with the secretary of ~~state~~ administration. Unless otherwise ordered under sub. (6), a plan enacted and filed under this paragraph, together with any authorized amendment that is enacted and filed under this section, remains in effect until the plan is superseded by a subsequent plan enacted under this subsection and a certified copy of that plan is filed with the secretary of ~~state~~ administration.

SECTION 1075. 59.10 (3) (c) 4. of the statutes is amended to read:

59.10 **(3)** (c) 4. The chairperson of the board shall file a certified copy of any amended plan under this paragraph with the secretary of ~~state~~ administration.

SECTION 1076. 59.10 (3) (cm) 1. of the statutes is amended to read:

59.10 **(3)** (cm) 1. 'Number of supervisors; redistricting.' Except as provided in subd. 3., following the enactment of a decennial supervisory district plan under par. (b), the board may decrease the number of supervisors. In that case, the board shall redistrict, readjust, and change the boundaries of supervisory districts, so that the number of districts equals the number of supervisors, the districts are substantially equal in population according to the most recent countywide federal census, the districts are in as compact a form as possible, and the districts consist of contiguous

municipalities or contiguous whole wards in existence at the time at which the redistricting plan is adopted, except as authorized in par. (b) 1. In the redistricting plan, the board shall adhere to the requirements under par. (b) 2. with regard to contiguity and shall, to the extent possible, place whole contiguous municipalities or contiguous parts of the same municipality within the same district. In redistricting under this subdivision, the original numbers of the districts in their geographic outlines, to the extent possible, shall be retained. No plan may be enacted under this subdivision during review of the sufficiency of a petition filed under subd. 2. nor after a referendum is scheduled on such a petition. However, if the electors of the county reject a change in the number of supervisory districts under subd. 2., the board may then take action under this subdivision except as provided in subd. 3. The county clerk shall file a certified copy of any redistricting plan enacted under this subdivision with the secretary of ~~state~~ administration.

SECTION 1077. 59.10 (3) (cm) 2. of the statutes is amended to read:

59.10 **(3)** (cm) 2. 'Petition and referendum.' Except as provided in subd. 3., the electors of a county may, by petition and referendum, decrease the number of supervisors at any time after the first election is held following enactment of a decennial supervisory district plan under par. (b). A petition for a change in the number of supervisors may be filed with the county clerk. Prior to circulating a petition to decrease the number of supervisors in any county, a petitioner shall register with the county clerk, giving the petitioner's name and address and indicating the petitioner's intent to file such a petition. No signature on a petition is valid unless the signature is obtained within the 60–day period following such registration. The petition shall specify the proposed number of supervisors to be elected. Within 14 days after the last day for filing an original petition, any other

petitioner may file an alternative petition with the county clerk proposing a different number of supervisors to be elected, and, if the petition is valid, the alternative proposed in the petition shall be submitted for approval at the same referendum. An alternative petition is subject to the same registration and signature requirements as an original petition. Each petition shall be in the form specified in s. 8.40 and shall contain a number of signatures of electors of the county equal to at least 25 percent of the total votes cast in the county for the office of supervisor at the most recent spring election preceding the date of filing. The county clerk shall promptly determine the sufficiency of a petition filed under this subdivision. Upon determination that a petition is sufficient, or if one or more valid alternative petitions are filed, upon determination that the petitions are sufficient, the county clerk shall call a referendum concurrently with the next spring or general election in the county that is held not earlier than 70 days after the determination is made. The question proposed at the referendum shall be: "Shall the board of supervisors of .... County be decreased from .... members to .... members?". If one or more alternative valid petitions are filed within 14 days after the last day that an original petition may be filed, the question relating to the number of supervisors shall appear separately. The first question shall be: "Shall the size of the county board of supervisors of .... County be decreased from its current membership of .... members?". Any subsequent question shall be: "If so, shall the size of the board be decreased to .... members?". Each elector may vote in the affirmative or negative on the first question and may then vote in the affirmative on one of the remaining questions. If the first question is not approved by a majority of the electors voting on the question, any subsequent question is of no effect. If the question is approved by a majority of the electors voting on the question, or, if more than one question is submitted, if the

first question is approved by a majority of the electors voting on the question, the board shall enact an ordinance prescribing revised boundaries for the supervisory districts in the county. The ordinance shall be enacted in accordance with the approved question or, if more than one question is submitted, in accordance with the choice receiving a plurality of the votes cast. The districts are subject to the same requirements that apply to districts in any plan enacted by the board under subd. 1. If the board has determined under sub. (1) (b) to adopt staggered terms for the office of supervisor, the board may change the expiration date of the term of any supervisor to an earlier date than the date provided under current ordinance if required to implement the redistricting or to maintain classes of members. The county clerk shall file a certified copy of any redistricting plan enacted under this subdivision with the secretary of ~~state~~ administration.

SECTION 1078. 59.17 (2) (b) 7. of the statutes is repealed.

SECTION 1079. 59.23 (2) (m) 2. of the statutes is amended to read:

59.23 **(2)** (m) 2. Except as otherwise provided, receive and file the official oaths and bonds of all county officers and upon request shall certify under the clerk's signature and seal the official capacity and authority of any county officer so filing and charge the statutory fee. Upon the commencement of each term every clerk shall file the clerk's signature and the impression of the clerk's official seal in the office of the secretary of ~~state~~ administration.

SECTION 1080. 59.23 (2) (s) of the statutes is amended to read:

59.23 **(2)** (s) *List of local officials.* Annually, on the first Tuesday of June, transmit to the secretary of ~~state~~ administration a list showing the name, phone number, electronic mail address, and post–office address of local officials, including the chairperson, mayor, president, clerk, treasurer, council and board members, and

assessor of each municipality, and of the elective or appointive officials of any other local governmental unit, as defined in s. 66.0135 (1) (c), that is located wholly or partly within the county. Such lists shall be placed on file for the information of the public. The clerk, secretary, or other administrative officer of a local governmental unit, as defined in s. 66.0137 (1) (as), shall provide the county clerk the information he or she needs to complete the requirements of this paragraph.

SECTION 1081. 59.43 (1c) (t) of the statutes is amended to read:

59.43 **(1c)** (t) Upon commencement of each term, file his or her signature and the impression of his or her official seal or rubber stamp in the office of the secretary of ~~state~~ administration.

SECTION 1082. 59.52 (4) (a) 1. of the statutes is amended to read:

59.52 **(4)** (a) 1. Notices of tax apportionment that are received from the secretary of ~~state~~ administration, after 3 years.

SECTION 1083. 59.52 (6) (a) of the statutes is amended to read:

59.52 **(6)** (a) *How acquired; purposes.* Take and hold land acquired under ch. 75 and acquire, lease or rent property, real and personal, for public uses or purposes of any nature, including without limitation acquisitions for county buildings, airports, parks, recreation, highways, dam sites in parks, parkways and playgrounds, flowages, sewage and waste disposal for county institutions, lime pits for operation under s. 59.70 (24), equipment for clearing and draining land and controlling weeds for operation under s. 59.70 (18), ambulances, acquisition and transfer of real property to the state for new collegiate institutions or research facilities, and for transfer to the state for state parks and for the uses and purposes specified in s. 23.09 (2) (d). ~~The power of condemnation may not be used to acquire property for the purpose of establishing or extending a recreational trail; a bicycle~~

~~way, as defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).~~

SECTION 1084. 59.52 (29) (a) of the statutes is amended to read:

59.52 **(29)** (a) All public work, including any contract for the construction, repair, remodeling or improvement of any public work, building, or furnishing of supplies or material of any kind where the estimated cost of such work will exceed ~~$25,000~~ $50,000 shall be let by contract to the lowest responsible bidder. Any public work, the estimated cost of which does not exceed ~~$25,000~~ $50,000, shall be let as the board may direct. If the estimated cost of any public work is between $5,000 and ~~$25,000~~ $50,000, the board shall give a class 1 notice under ch. 985 before it contracts for the work or shall contract with a person qualified as a bidder under s. 66.0901 (2). A contract, the estimated cost of which exceeds ~~$25,000~~ $50,000, shall be let and entered into under s. 66.0901, except that the board may by a three–fourths vote of all the members entitled to a seat provide that any class of public work or any part thereof may be done directly by the county without submitting the same for bids. This subsection does not apply to public construction if the materials for such a project are donated or if the labor for such a project is provided by volunteers. This subsection does not apply to highway contracts which the county highway committee or the county highway commissioner is authorized by law to let or make.

SECTION 1085. 59.54 (25) (title) of the statutes is amended to read:

59.54 **(25)** (title) ~~POSSESSION~~ REGULATION OF MARIJUANA.

SECTION 1086. 59.54 (25) (a) (intro.) of the statutes is amended to read:

59.54 **(25)** (a) (intro.) The board may enact and enforce an ordinance ~~to prohibit the possession of marijuana, as defined in s. 961.01 (14), subject to the exceptions in s. 961.41 (3g) (intro.), and provide a forfeiture for a violation of the ordinance~~ that

is consistent with s. 961.71 or 961.72; except that if a complaint is issued ~~regarding an allegation of possession of more than 25 grams of marijuana, or possession of any amount of marijuana following a conviction in this state for possession of marijuana~~ alleging a violation of s. 961.72 (2) (b) 2., (c) 3., or (d) 4., the subject of the complaint may not be prosecuted under this subsection for the same action that is the subject of the complaint unless all of the following occur:

SECTION 1087. 59.796 of the statutes is repealed.

SECTION 1088. 60.33 (10p) of the statutes is created to read:

60.33 **(10p)** CLAIMS IN TOWNS CONTAINING STATE INSTITUTIONS. Make a certified claim against the state, without direction from the board, in all cases in which the reimbursement is directed in s. 16.51 (7), upon forms prescribed by the department of administration. The forms shall contain information required by the clerk and shall be filed annually with the department of corrections on or before June 1.

SECTION 1089. 60.47 (2) (a) of the statutes is amended to read:

60.47 **(2)** (a) No town may enter into a public contract with an estimated cost of more than $5,000 but not more than ~~$25,000~~ $50,000 unless the town board, or a town official or employee designated by the town board, gives a class 1 notice under ch. 985 before execution of that public contract.

SECTION 1090. 60.47 (2) (b) of the statutes is amended to read:

60.47 **(2)** (b) No town may enter into a public contract with a value of more than ~~$25,000~~ $50,000 unless the town board, or a town official or employee designated by the town board, advertises for proposals to perform the terms of the public contract by publishing a class 2 notice under ch. 985. The town board may provide for additional means of advertising for bids.

SECTION 1091. 60.565 (title) of the statutes is amended to read:

60.565 (title) ~~**Ambulance**~~ **Emergency medical service and ambulance service.**

SECTION 1092. 60.565 of the statutes is renumbered 60.565 (1) (a) and amended to read:

60.565 **(1)** (a) The town board shall contract for or operate and maintain ambulance services unless such services are provided by another person. If the town board contracts for ambulance services, it may contract with one or more providers. ~~The town board may determine and charge a reasonable fee for ambulance service provided under this section.~~

(c) The town board may purchase equipment for medical and other emergency calls.

SECTION 1093. 60.565 (1) (b) of the statutes is created to read:

60.565 **(1)** (b) The town board may contract for or maintain emergency medical services for the town. If the town board contracts for emergency medical services, it may contract with one or more providers.

SECTION 1094. 60.565 (2) of the statutes is created to read:

60.565 **(2)** FUNDING. (a) The town board may determine and charge a reasonable fee for ambulance services provided under sub. (1) (a).

(b) The town board may do any of the following for the purpose of funding emergency medical services under sub. (1) (b):

1. Appropriate money.

2. Charge property owners a fee for the cost of emergency medical services provided to their property according to a written schedule established by the town board.

3. Levy taxes on the entire town.

4. Levy taxes on property served by a particular source of emergency medical services, to support the source of emergency medical services.

SECTION 1095. 60.782 (2) (d) of the statutes is amended to read:

60.782 **(2)** (d) Lease or acquire, including by condemnation, any real property situated in this state that may be needed for the purposes of s. 23.09 (19), 23.094 (3g) or 30.275 (4). ~~The power of condemnation may not used to acquire property for the purpose of establishing or extending a recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).~~

SECTION 1096. 61.187 (2) (d) of the statutes is amended to read:

61.187 **(2)** (d) If, in accordance with par. (a), the results of the election under sub. (1) provide for dissolution, the village clerk shall, within 10 days after the election, record the petition and determination of the village board of canvassers in the office of the register of deeds of the county or counties in which the village is located and file with the secretary of administration certified copies of the petition and the determination of inspectors of election. The village clerk shall also record in the office of the register of deeds a certificate by the village clerk showing the date on which the dissolution takes effect and file with the secretary of administration ~~4 copies~~ one copy of the certificate. These documents shall be recorded and indexed by the register of deeds. The index shall include the document number of the original documents and, if given on the original documents, the volume or reel and the page or image number where the original documents are filed or recorded. The secretary of administration shall forward ~~2 copies~~ one copy of the certificate to the department of transportation and one to the department of revenue.

SECTION 1097. 61.189 (2) of the statutes is amended to read:

61.189 **(2)** The election shall be noticed and conducted and the result canvassed and certified as in the case of regular village elections and the village clerk shall immediately file with the secretary of administration ~~4 copies~~ one copy of a certification certifying the fact of holding such election and the result thereof and a description of the legal boundaries of such village or proposed city and ~~4~~ one certified ~~copies~~ copy of a ~~plat~~ scale map thereof; and thereupon a certificate of incorporation shall be issued to such city by the secretary of administration. ~~Two copies~~ One copy of the certification and ~~plat~~ scale map shall be forwarded by the secretary of administration to the department of transportation and one copy to the department of revenue. Thereafter such city shall in all things be governed by the general city charter law. All debts, obligations and liabilities existing against such village at the time of such change shall continue and become like debts, obligations and liabilities against such city, and such city may carry out and complete all proceedings then pending for the issue of bonds for improvements therein.

SECTION 1098. 61.25 (11) of the statutes is created to read:

61.25 **(11)** To make a certified claim against the state, without direction from the board, in all cases in which the reimbursement is directed in s. 16.51 (7), upon forms prescribed by the department of administration. The forms shall contain information required by the clerk and shall be filed annually with the department of corrections on or before June 1.

SECTION 1099. 61.34 (3) (a) of the statutes is renumbered 61.34 (3) and amended to read:

61.34 **(3)** ACQUISITION AND DISPOSAL OF PROPERTY. ~~Except as provided in par. (b),~~ ~~the~~ The village board may acquire property, real or personal, within or outside the village, for parks, libraries, recreation, beautification, streets, water systems,

sewage or waste disposal, harbors, improvement of watercourses, public grounds, vehicle parking areas, and for any other public purpose; may acquire real property within or contiguous to the village, by means other than condemnation, for industrial sites; may improve and beautify the same; may construct, own, lease and maintain buildings on such property for instruction, recreation, amusement and other public purposes; and may sell and convey such property. Condemnation shall be as provided by ch. 32.

SECTION 1100. 61.34 (3) (b) of the statutes is repealed.

SECTION 1101. 62.03 (1) of the statutes is amended to read:

62.03 **(1)** This subchapter, except ss. 62.071, 62.08 (1), 62.09 (1) (e) and (11) (j) ~~and,~~ (k), and (m), 62.175, 62.23 (7) (em) and (he) and 62.237, does not apply to 1st class cities under special charter.

SECTION 1102. 62.09 (11) (m) of the statutes is created to read:

62.09 **(11)** (m) The clerk of any city that is entitled to reimbursement under s. 16.51 (7) shall make a certified claim against the state, without direction from the council, in all cases in which the reimbursement is directed in s. 16.51 (7), upon forms prescribed by the department of administration. The forms shall contain information required by the clerk and shall be filed annually with the department of corrections on or before June 1.

SECTION 1103. 62.15 (1) of the statutes is amended to read:

62.15 **(1)** CONTRACTS; HOW LET; EXCEPTION FOR DONATED MATERIALS AND LABOR. All public construction, the estimated cost of which exceeds ~~$25,000~~ $50,000, shall be let by contract to the lowest responsible bidder; all other public construction shall be let as the council may direct. If the estimated cost of any public construction exceeds $5,000 but is not greater than ~~$25,000~~ $50,000, the board of public works shall give

a class 1 notice, under ch. 985, of the proposed construction before the contract for the construction is executed. This provision does not apply to public construction if the materials for such a project are donated or if the labor for such a project is provided by volunteers. The council may also by a vote of three–fourths of all the members–elect provide by ordinance that any class of public construction or any part thereof may be done directly by the city without submitting the same for bids.

SECTION 1104. 62.22 (1) (a) of the statutes is renumbered 62.22 (1) and amended to read:

62.22 **(1)** PURPOSES. ~~Except as provided in par. (b), the~~ The governing body of any city may by gift, purchase or condemnation acquire property, real or personal, within or outside the city, for parks, recreation, water systems, sewage or waste disposal, airports or approaches thereto, cemeteries, vehicle parking areas, and for any other public purpose; may acquire real property within or contiguous to the city, by means other than condemnation, for industrial sites; may improve and beautify the same; may construct, own, lease and maintain buildings on such property for public purposes; and may sell and convey such property. The power of condemnation for any such purpose shall be as provided by ch. 32.

SECTION 1105. 62.22 (1) (b) of the statutes is repealed.

SECTION 1106. 62.23 (17) (a) (intro.) of the statutes is amended to read:

62.23 **(17)** (a) (intro.) ~~Except as provided in par. (am), cities~~ Cities may acquire by gift, lease, purchase, or condemnation any lands within its corporate limits for establishing, laying out, widening, enlarging, extending, and maintaining memorial grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings, and reservations in and about and along and leading to any or all of the

same or any lands adjoining or near to such city for use, sublease, or sale for any of the following purposes:

SECTION 1107. 62.23 (17) (am) of the statutes is repealed.

SECTION 1108. 62.53 of the statutes is repealed.

SECTION 1109. 63.23 (1) of the statutes is amended to read:

63.23 **(1)** The city service commission shall classify all offices and positions in the city service, excepting those subject to the exemptions of s. 63.27 ~~and those subject to an exclusion under s. 119.33 (2) (e) 1. or 119.9002 (5) (a)~~, according to the duties and responsibilities of each position. Classification shall be so arranged that all positions ~~which~~ that in the judgment of the commission are substantially the same with respect to authority, responsibility, and character of work are included in the same class. From time to time the commission may reclassify positions upon a proper showing that the position belongs to a different class.

SECTION 1110. 66.0101 (3) of the statutes is amended to read:

66.0101 **(3)** A charter ordinance shall be published as a class 1 notice, under ch. 985, and shall be recorded by the clerk in a permanent book kept for that purpose, with a statement of the manner of its adoption. A certified copy of the charter ordinance shall be filed by the clerk with the secretary of ~~state~~ administration. The secretary of ~~state~~ administration shall keep a separate index of all charter ordinances, arranged alphabetically by city and village and summarizing each ordinance, and annually shall issue the index of charter ordinances filed during the 12 months prior to July 1.

SECTION 1111. 66.0104 of the statutes is repealed.

SECTION 1112. 66.0107 (1) (bm) of the statutes is amended to read:

66.0107 **(1)** (bm) Enact and enforce an ordinance ~~to prohibit the possession of marijuana, as defined in s. 961.01 (14), subject to the exceptions in s. 961.41 (3g) (intro.), and provide a forfeiture for a violation of the ordinance~~ that is consistent with s. 961.71 or 961.72; except that if a complaint is issued ~~regarding an allegation of possession of more than 25 grams of marijuana, or possession of any amount of marijuana following a conviction in this state for possession of marijuana~~ alleging a violation of s. 961.72 (2) (b) 2., (c) 3., or (d) 4., the subject of the complaint may not be prosecuted under this paragraph for the same action that is the subject of the complaint unless the charges are dismissed or the district attorney declines to prosecute the case.

SECTION 1113. 66.0129 (5) of the statutes is amended to read:

66.0129 **(5)** BIDS FOR CONSTRUCTION. The nonprofit corporation shall let all contracts exceeding $1,000 for the construction, maintenance or repair of hospital facilities to the lowest responsible bidder after advertising for bids by the publication of a class 2 notice under ch. 985. ~~Section~~ Sections 66.0901 ~~applies~~ and 66.0903 apply to bids and contracts under this subsection.

SECTION 1114. 66.0134 of the statutes is repealed.

SECTION 1115. 66.0137 (4) of the statutes is amended to read:

66.0137 **(4)** SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or a village provides health care benefits under its home rule power, or if a town provides health care benefits, to its officers and employees on a self–insured basis, the self–insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.729, 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.798, 632.85, 632.853, 632.855, 632.862, 632.867, 632.87 (4) to (6), 632.871, 632.885, 632.89, 632.895 (9) to (17), 632.896, and 767.513 (4).

SECTION 1116. 66.0137 (4) of the statutes, as affected by 2021 Wisconsin Act .... (this act), section 1115, is amended to read:

66.0137 **(4)** SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or a village provides health care benefits under its home rule power, or if a town provides health care benefits, to its officers and employees on a self–insured basis, the self–insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.728, 632.729, 632.746 (1) and (10) (a) 2. and (b) 2., 632.747 (3), 632.798, 632.85, 632.853, 632.855, 632.862, 632.867, 632.87 (4) to (6), 632.871, 632.885, 632.89, 632.895 ~~(9)~~ (8) to (17), 632.896, and 767.513 (4).

SECTION 1117. 66.0137 (4) of the statutes, as affected by 2021 Wisconsin Act .... (this act), section 1116, is amended to read:

66.0137 **(4)** SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or a village provides health care benefits under its home rule power, or if a town provides health care benefits, to its officers and employees on a self–insured basis, the self–insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.728, 632.729, 632.746 (1) and (10) (a) 2. and (b) 2., 632.747 (3), 632.798, 632.85, 632.853, 632.855, 632.861, 632.862, 632.867, 632.87 (4) to (6), 632.871, 632.885, 632.89, 632.895 (8) to (17), 632.896, and 767.513 (4).

SECTION 1118. 66.0211 (5) of the statutes is amended to read:

66.0211 **(5)** CERTIFICATION OF INCORPORATION. If a majority of the votes in an incorporation referendum are cast in favor of a village or city, the clerk of the circuit court shall certify the fact to the secretary of administration and supply the secretary of administration with a copy of a description of the legal boundaries of the village or city and the associated population and a copy of a ~~plat~~ scale map of the village or city. Within 10 days of receipt of the description and ~~plat~~ scale map, the secretary

of administration shall forward ~~2 copies~~ one copy to the department of transportation and one copy ~~each~~ to the department of ~~administration and the department of~~ revenue. The secretary of administration shall issue a certificate of incorporation and record the certificate.

SECTION 1119. 66.0215 (5) of the statutes is amended to read:

66.0215 **(5)** CERTIFICATE OF INCORPORATION. If a majority of the votes are cast in favor of a city the clerk shall certify the fact to the secretary of administration, together with the result of the census, if any, and ~~4 copies~~ one copy of a description of the legal boundaries of the town and ~~4 copies~~ one copy of a ~~plat~~ scale map of the town. The secretary of administration shall then issue a certificate of incorporation, and record the certificate in a book kept for that purpose. ~~Two copies~~ One copy of the description and ~~plat~~ scale map shall be forwarded by the secretary of administration to the department of transportation and one copy to the department of revenue.

SECTION 1120. 66.02162 (5) of the statutes is amended to read:

66.02162 **(5)** CERTIFICATE OF INCORPORATION. If a majority of the votes are cast in favor of a village, the town clerk shall certify that fact to the secretary, together with ~~4 copies~~ one copy of a description of the legal boundaries of the town, and ~~4 copies~~ one copy of a ~~plat~~ scale map of the town. The town clerk shall also send the secretary an incorporation fee of $1,000. Upon receipt of the town clerk's certification, the incorporation fee, and other required documents, the secretary shall issue a certificate of incorporation and record the certificate in a book kept for that purpose. The secretary shall provide ~~2 copies~~ one copy of the description and ~~plat~~ scale map to the department of transportation and one copy to the department of revenue. The town clerk shall also transmit a copy of the certification and the resolution under sub. (1) to the county clerk.

SECTION 1121. 66.0217 (1) (b) of the statutes is amended to read:

66.0217 **(1)** (b) "Department" means the secretary of administration in the department of administration.

SECTION 1122. 66.0217 (1) (c) 1. a. of the statutes is amended to read:

66.0217 **(1)** (c) 1. a. By government lot, section, township, and range.

SECTION 1123. 66.0217 (1) (c) 1. b. of the statutes is amended to read:

66.0217 **(1)** (c) 1. b. By recorded private claim, section, township, and range.

SECTION 1124. 66.0217 (6) (a) of the statutes is amended to read:

66.0217 **(6)** (a) *Annexations ~~within populous counties~~*. No annexation proceeding ~~within a county having a population of 50,000 or more~~ is valid unless the person publishing a notice of annexation under sub. (4) mails a copy of the notice to the clerk of each municipality affected and the department, together with any fee imposed under s. 16.53 (14), within 5 days of the publication. The department shall within 20 days after receipt of the notice mail to the clerk of the town within which the territory lies and to the clerk of the proposed annexing village or city a notice that states whether in its opinion the annexation is in the public interest or is against the public interest and that advises the clerks of the reasons the annexation is in or against the public interest as defined in par. (c). The annexing municipality shall review the advice before final action is taken.

SECTION 1125. 66.0217 (9) (a) of the statutes is amended to read:

66.0217 **(9)** (a) The clerk of a city or village which has annexed territory shall file immediately with the secretary of administration a certified copy of the ordinance, certificate and ~~plat~~ scale map, and shall send one copy to each company that provides any utility service in the area that is annexed. The city or village shall also file with the county clerk or board of election commissioners the report required

by s. 5.15 (4) (b). The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district. Failure to file, record or send does not invalidate the annexation and the duty to file, record or send is a continuing one. The ordinance that is filed, recorded or sent shall describe the annexed territory and the associated population. The information filed with the secretary of administration shall be utilized in making recommendations for adjustments to entitlements under the federal revenue sharing program and distribution of funds under ch. 79. The clerk shall certify annually, no later than December 31, to the secretary of administration and record with the register of deeds a legal description of the total boundaries of the municipality as those boundaries existed on December 1, unless there has been no change in the 12 months preceding.

SECTION 1126. 66.0217 (9) (b) of the statutes is amended to read:

66.0217 **(9)** (b) Within 10 days of receipt of the ordinance, certificate, and ~~plat~~ scale map, the secretary of administration shall forward ~~2 copies~~ one copy of the ordinance, certificate, and ~~plat~~ scale map to the department of transportation, ~~one copy to the department of administration,~~ one copy to the department of revenue, one copy to the department of public instruction, ~~one copy to the department,~~ one copy to the department of natural resources, one copy to the department of agriculture, trade and consumer protection and 2 copies to the clerk of the municipality from which the territory was annexed.

SECTION 1127. 66.0217 (9) (c) of the statutes is amended to read:

66.0217 **(9)** (c) Any city or village may direct a survey of its present boundaries to be made, and when properly attested the survey and ~~plat~~ scale map may be filed in the office of the register of deeds in the county in which the city or village is located.

Upon filing, the survey and ~~plat~~ scale map are prima facie evidence of the facts set forth in the survey and ~~plat~~ scale map.

SECTION 1128. 66.0217 (12) of the statutes is amended to read:

66.0217 **(12)** VALIDITY OF ~~PLATS~~ SCALE MAPS. If an annexation is declared invalid but before the declaration and subsequent to the annexation a ~~plat~~ scale map is submitted and is approved as required in s. 236.10 (1) (a), the ~~plat~~ scale map is validly approved despite the invalidity of the annexation.

SECTION 1129. 66.0219 (7) of the statutes is amended to read:

66.0219 **(7)** APPEAL. An appeal from the order of the circuit court is limited to contested issues determined by the circuit court. An appeal shall not stay the conduct of the referendum election, if one is ordered, but the statement of the election results and the copies of the certificate and ~~plat~~ scale map may not be filed with the secretary of administration until the appeal has been determined.

SECTION 1130. 66.0221 (1) of the statutes is amended to read:

66.0221 **(1)** Upon its own motion and subject to sub. (3) and ss. 66.0301 (6) (d) and 66.0307 (7), a city or village, by a two–thirds vote of the entire membership of its governing body, may enact an ordinance annexing territory which comprises a portion of a town or towns and which was completely surrounded by territory of the city or village on December 2, 1973. The ordinance shall include all surrounded town areas except those that are exempt by mutual agreement of all of the governing bodies involved. The annexation ordinance shall contain a legal description of the territory and the name of the town or towns from which the territory is detached. Upon enactment of the ordinance, the city or village clerk immediately shall file ~~6~~ one certified ~~copies~~ copy of the ordinance with the secretary of administration, together with ~~6 copies~~ one copy of a scale map. The city or village shall also file with

the county clerk or board of election commissioners the report required by s. 5.15 (4) (b). The secretary of administration shall forward ~~2 copies~~ one copy of the ordinance and scale map to the department of transportation, one copy to the department of natural resources, and one copy to the department of revenue ~~and one copy to the department of administration~~. This subsection does not apply if the town island was created only by the annexation of a railroad right–of–way or drainage ditch. This subsection does not apply to land owned by a town government which has existing town government buildings located on the land. No town island may be annexed under this subsection if the island consists of over 65 acres or contains over 100 residents. Section 66.0217 (11) applies to annexations under this subsection. Except as provided in sub. (2), after December 2, 1973, no city or village may, by annexation, create a town area which is completely surrounded by the city or village.

SECTION 1131. 66.0223 (1) of the statutes is amended to read:

66.0223 **(1)** In addition to other methods provided by law and subject to sub. (2) and ss. 66.0301 (6) (d) and 66.0307 (7), territory owned by and lying near but not necessarily contiguous to a village or city may be annexed to a village or city by ordinance enacted by the board of trustees of the village or the common council of the city, provided that in the case of noncontiguous territory the use of the territory by the city or village is not contrary to any town or county zoning regulation. The ordinance shall contain the exact description of the territory annexed and the names of the towns from which detached, and attaches the territory to the village or city upon the filing of ~~7~~ one certified ~~copies~~ copy of the ordinance with the secretary of administration, together with ~~7 copies~~ one copy of a ~~plat~~ scale map showing the boundaries of the territory attached. The city or village shall also file with the county clerk or board of election commissioners the report required by s. 5.15 (4) (b). ~~Two~~

~~copies~~ One copy of the ordinance and ~~plat~~ scale map shall be forwarded by the secretary of administration to the department of transportation, ~~one copy to the department of administration,~~ one copy to the department of natural resources, one copy to the department of revenue and one copy to the department of public instruction. Within 10 days of filing the certified ~~copies~~ copy, a copy of the ordinance and ~~plat~~ scale map shall be mailed or delivered to the clerk of the county in which the annexed territory is located. Sections 66.0203 (8) (c) and 66.0217 (11) apply to annexations under this section.

SECTION 1132. 66.0227 (5) of the statutes is amended to read:

66.0227 **(5)** The ordinance, certificate and ~~plat~~ scale map shall be filed and recorded in the same manner as annexations under s. 66.0217 (9) (a). The requirements for the secretary of administration are the same as in s. 66.0217 (9) (b).

SECTION 1133. 66.0231 of the statutes is amended to read:

66.0231 Notice of certain litigation affecting municipal status or boundaries. If a proceeding under ss. 61.187, 61.189, 61.74, 62.075, 66.0201 to 66.0213, 66.0215, 66.02162, 66.0217, 66.0221, 66.0223, 66.0227, 66.0301 (6), or 66.0307 or other sections relating to an incorporation, annexation, consolidation, dissolution or detachment of territory of a city or village is contested by instigation of legal proceedings, the clerk of the city or village involved in the proceedings shall file with the secretary of administration ~~4 copies~~ one copy of a notice of the commencement of the action. The clerk shall file with the secretary of administration ~~4 copies~~ one copy of any judgments rendered or appeals taken in such cases. The notices or copies of judgments that are required under this section may also be filed by an officer or attorney of any party of interest. If any judgment has the effect of changing the municipal boundaries, the city or village clerk shall also

file with the county clerk or board of election commissioners the report required by s. 5.15 (4) (b). The secretary of administration shall forward to the department of transportation ~~2 copies~~ and to the department of revenue ~~and the department of administration~~ one copy each of any notice of action or judgment filed with the secretary of administration under this section.

SECTION 1134. 66.0301 (1) (a) of the statutes is amended to read:

66.0301 **(1)** (a) Except as provided in pars. (b) and (c), in this section, "municipality" means the state or any department or agency thereof, or any city, village, town, county, or school district, ~~the opportunity schools and partnership programs under subch. IX of ch. 115 and subch. II of ch. 119, the superintendent of schools opportunity schools and partnership program under s. 119.33,~~ or any public library system, public inland lake protection and rehabilitation district, sanitary district, farm drainage district, metropolitan sewerage district, sewer utility district, solid waste management system created under s. 59.70 (2), local exposition district created under subch. II of ch. 229, local professional baseball park district created under subch. III of ch. 229, local professional football stadium district created under subch. IV of ch. 229, local cultural arts district created under subch. V of ch. 229, long–term care district under s. 46.2895, water utility district, mosquito control district, municipal electric company, county or city transit commission, commission created by contract under this section, taxation district, regional planning commission, housing authority created under s. 66.1201, redevelopment authority created under s. 66.1333, community development authority created under s. 66.1335, or city–county health department.

SECTION 1135. 66.0408 (2) (d) of the statutes is repealed.

SECTION 1136. 66.04185 of the statutes is created to read:

66.04185 Cultivation of tetrahydrocannabinols. No city, village, town, or county may prohibit cultivating tetrahydrocannabinols outdoors if the cultivation is by an individual who has no more than 6 marijuana plants at one time for his or her personal use.

SECTION 1137. 66.0419 (4) of the statutes is created to read:

66.0419 **(4)** If a political subdivision has been granted an exemption under s. 287.16, the political subdivision is exempt from the prohibition under sub. (2) to the extent authorized by the exemption.

SECTION 1138. 66.0422 (1) (cg) of the statutes is created to read:

66.0422 **(1)** (cg) "Underserved area" means an area of this state that is designated as an underserved area by the public service commission under s. 196.504 (2) (d).

SECTION 1139. 66.0422 (1) (cr) of the statutes is created to read:

66.0422 **(1)** (cr) "Unserved area" means an area of this state that is designated as an unserved area by the public service commission under s. 196.504 (2) (e).

SECTION 1140. 66.0422 (2) (c) of the statutes is amended to read:

66.0422 **(2)** (c) No less than 30 days before the public hearing, the local government prepares and makes available for public inspection a report estimating the total costs of, and revenues derived from, constructing, owning, or operating the facility and including a cost–benefit analysis of the facility for a period of at least 3 years. The costs that are subject to this paragraph include personnel costs and costs of acquiring, installing, maintaining, repairing, or operating any plant or equipment, and include an appropriate allocated portion of costs of personnel, plant, or equipment that are used to provide jointly both telecommunications services and

other services. This paragraph does not apply to a broadband facility that is intended to serve an underserved or unserved area.

SECTION 1141. 66.0422 (3d) (intro.) of the statutes is amended to read:

66.0422 **(3d)** (intro.) Subsection (2) does not apply to a facility for providing broadband service to an area within the boundaries of a local government if the local government asks, in writing, each person that provides broadband service within the boundaries of the local government whether the person currently provides broadband service to the area and, if the area is not an underserved or unserved area, whether the person intends to provide broadband service to the area within 9 months, or, if the area is an underserved or unserved area, whether the person actively plans to provide broadband service to the area within 3 months and any of the following are satisfied:

SECTION 1142. 66.0422 (3d) (a) of the statutes is amended to read:

66.0422 **(3d)** (a) ~~The local government asks, in writing, each person that provides broadband service within the boundaries of the local government whether the person currently provides broadband service to the area or intends to provide broadband service within 9 months to the area and within 60 days after receiving the written request no person responds in writing to the~~ The local government does not receive a response in writing that ~~the~~ a person currently provides broadband service to the area or intends or actively plans to provide broadband service to the area within ~~9 months~~ the relevant time period.

SECTION 1143. 66.0422 (3d) (b) of the statutes is amended to read:

66.0422 **(3d)** (b) The local government determines that a person who responded ~~to a written request under par. (a)~~ that the person currently provides broadband

service to the area did not actually provide broadband service to the area and no other person ~~makes the response~~ responds to the local government ~~described in par. (a)~~.

SECTION 1144. 66.0422 (3d) (c) of the statutes is amended to read:

66.0422 **(3d)** (c) The local government determines that a person who responded ~~to a written request under par. (a)~~ that the person intended or actively planned to provide broadband service to the area within ~~9 months~~ the relevant time period did not actually provide broadband service to the area within ~~9 months~~ the relevant time period and no other person ~~makes the response~~ responds to the local government ~~described in par. (a)~~.

SECTION 1145. 66.0422 (3m) (b) of the statutes is amended to read:

66.0422 **(3m)** (b) The municipality itself does not use the facility to provide broadband service to end users. This paragraph does not apply to a facility that is intended to serve an underserved or unserved area.

SECTION 1146. 66.0422 (3m) (c) of the statutes is amended to read:

66.0422 **(3m)** (c) The municipality determines that, at the time that the municipality authorizes the construction, ownership, or operation of the facility, whichever occurs first, the facility does not compete with more than one provider of broadband service. This paragraph does not apply to a facility that is intended to serve an underserved or unserved area.

SECTION 1147. 66.0501 (1) of the statutes is renumbered 66.0501 (1) (a) and amended to read:

66.0501 **(1)** (a) ~~No~~ Except as provided in par. (b), no person may be appointed deputy sheriff of any county or police officer for any city, village, or town unless that person is a citizen of the United States. This section does not apply to common carriers or to a deputy sheriff not required to take an oath of office.

SECTION 1148. 66.0501 (1) (b) of the statutes is created to read:

66.0501 **(1)** (b) The sheriff of a county or the appointing authority of a local law enforcement agency that provides police service to a city, village, or town may elect to authorize the appointment of noncitizens who are in receipt of valid employment authorization from the federal department of homeland security as deputy sheriffs for that county or as police officers for that city, village, or town.

SECTION 1149. 66.0509 (1m) (c) 1. of the statutes is amended to read:

66.0509 **(1m)** (c) 1. A grievance procedure that addresses employee terminations, employee discipline, and workplace safety.

SECTION 1150. 66.0509 (1m) (c) 2. of the statutes is repealed and recreated to read:

66.0509 **(1m)** (c) 2. A just cause standard of review for employee terminations, including a refusal to renew a teaching contract under s. 118.22.

SECTION 1151. 66.0509 (1m) (c) 3. of the statutes is repealed.

SECTION 1152. 66.0509 (1m) (d) 2. of the statutes is amended to read:

66.0509 **(1m)** (d) 2. A hearing before an impartial hearing officer from the employment relations commission.

SECTION 1153. 66.0509 (1m) (d) 4. and 5. of the statutes are created to read:

66.0509 **(1m)** (d) 4. A provision indicating that the grievant shall be entitled to representation throughout the grievance process.

5. A provision indicating that the employer shall bear all fees and costs associated with the grievance process, except for the grievant's representational fees and costs.

SECTION 1154. 66.0511 (1) of the statutes is renumbered 66.0511 (1) (intro.) and amended to read:

66.0511 **(1)** ~~DEFINITION~~ DEFINITIONS. (intro.) In this section~~, "law~~:

(b) "Law enforcement agency" has the meaning given under s. 165.83 (1) (b).

SECTION 1155. 66.0511 (1) (a) of the statutes is created to read:

66.0511 **(1)** (a) "Choke hold" means the intentional and prolonged application of force to the throat or windpipe that prevents or hinders breathing or reduces the intake of air.

SECTION 1156. 66.0511 (2) of the statutes is renumbered 66.0511 (2) (intro.) and amended to read:

66.0511 **(2)** USE OF FORCE POLICY. (intro.) Each person in charge of a law enforcement agency shall prepare in writing ~~and make available for public scrutiny~~ a policy or standard regulating the use of force by law enforcement officers in the performance of their duties. The law enforcement agency shall make the policy publicly available on a website maintained by the law enforcement agency or, if the agency does not maintain its own site, on a website maintained by the municipality over which the law enforcement agency has jurisdiction. The law enforcement agency shall provide in its policy the instances in which a use of force must be reported, how to report a use of force, and a requirement that officers who engage in or observe a reportable use of force report it. Each policy or standard shall incorporate the following principles:

SECTION 1157. 66.0511 (2) (a), (b), (c), (d), (e) and (f) and (4) of the statutes are created to read:

66.0511 **(2)** (a) That the primary duty of all law enforcement is to preserve the life of all individuals.

(b) That deadly force is to be used only as a last resort.

(c) That the use of choke holds by law enforcement officers is prohibited.

(d) That officers should use skills and tactics, including de–escalation tactics, that minimize the likelihood that force will become necessary.

(e) That, if law enforcement officers must use physical force, it should be the least amount of force necessary to safely address the threat.

(f) That law enforcement officers shall take reasonable action to stop or prevent any unreasonable use of force by their colleagues.

(4) WHISTLEBLOWER PROTECTIONS. No law enforcement officer may be discharged, disciplined, demoted, or denied promotion, transfer, or reassignment, or otherwise discriminated against in regard to employment, or threatened with any such treatment, because the law enforcement officer reported, or is believed to have reported, any violation of a policy under sub. (2); initiated, participated in, or testified in, or is believed to have initiated, participated in, or testified in, any action or proceeding regarding a violation of a policy under sub. (2); or provided any information, or is believed to have provided any information, about a violation of a policy under sub. (2).

SECTION 1158. 66.0602 (1) (d) of the statutes is amended to read:

66.0602 **(1)** (d) "Valuation factor" means a percentage equal to the greater of either the percentage change in the political subdivision's January 1 equalized value due to new construction less improvements removed between the previous year and the current or ~~zero~~ 2 percent.

SECTION 1159. 66.0602 (2m) (a) of the statutes is renumbered 66.0602 (2m).

SECTION 1160. 66.0602 (2m) (b) of the statutes is repealed.

SECTION 1161. 66.0602 (3) (a) of the statutes is repealed.

SECTION 1162. 66.0602 (3) (e) 10. of the statutes is created to read:

66.0602 **(3)** (e) 10. The amount that a political subdivision levies in that year to pay for the political subdivision's share of a regional planning commission's budget as charged by the commission under s. 66.0309 (14) (a) to (c).

SECTION 1163. 66.0602 (3) (p) of the statutes is created to read:

66.0602 **(3)** (p) 1. Subject to subd. 2., the limit otherwise applicable under this section does not apply to the amount that a political subdivision levies in that year for operating and capital costs directly related to the provision of new or enhanced transit services across adjacent county borders or across adjacent municipal borders. For costs to be eligible for the exception under this paragraph, the starting date for the new or enhanced transit services must be on or after the effective date of this subdivision .... [LRB inserts date], and the costs to which the levy applies must be described in the agreement under subd. 2.

2. A political subdivision may not use the exception under this paragraph unless all of the following apply:

a. The political subdivisions between which the new or enhanced transit routes operate have entered into an intergovernmental cooperation agreement under s. 66.0301 to provide for the new or enhanced transit services. The agreement shall describe the services and the amounts that must be levied to pay for those services.

b. The agreement described in subd. 2. a. is approved in a referendum, by the electors in each political subdivision that is a party to the agreement, to be held at the next succeeding spring primary or election or partisan primary or general election to be held not earlier than 70 days after the adoption of the agreement by all of the parties to the agreement. The governing body shall file the resolution to be submitted to the electors as provided in s. 8.37.

SECTION 1164. 66.0615 (1m) (a) of the statutes is amended to read:

66.0615 **(1m)** (a) The governing body of a municipality may enact an ordinance, and a district, under par. (e) or (em), may adopt a resolution, imposing a tax on the privilege of furnishing, at retail, except sales for resale, rooms or lodging to transients by hotelkeepers, motel operators, lodging marketplaces, owners of short–term rentals, and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for use of the accommodations. A tax imposed under this paragraph may be collected from the consumer or user, but may not be imposed on sales to the federal government and persons listed under s. 77.54 (9a). A tax imposed under this paragraph by a municipality shall be paid to the municipality and, with regard to any tax revenue that may not be retained by the municipality, shall be forwarded to a tourism entity or a commission if one is created under par. (c), as provided in par. (d). Except as provided in par. (am), a tax imposed under this paragraph by a municipality may not exceed 8 percent. Except as provided in par. (am), if a tax greater than 8 percent under this paragraph is in effect on May 13, 1994, the municipality imposing the tax shall reduce the tax to 8 percent, effective on June 1, 1994.

SECTION 1165. 66.0615 (1m) (em) of the statutes is created to read:

66.0615 **(1m)** (em) Notwithstanding par. (e), if a district created by the city of Superior adopts a resolution imposing a room tax under par. (a), the amount of the tax may not exceed 2 percent of total room charges, and the city of Superior may also impose and collect a room tax under par. (a) without regard to whether the district imposes a room tax as provided in this paragraph.

SECTION 1166. 66.0617 (7) of the statutes is amended to read:

66.0617 **(7)** LOW-COST OR WORKFORCE HOUSING. An ordinance enacted under this section may provide for an exemption from, or a reduction in the amount of, impact

fees on land development that provides low–cost housing~~, except that no~~ or workforce housing, as defined in s. 66.1105 (2) (n). Under no circumstances may the amount of an impact fee for which an exemption or reduction is provided under this subsection ~~may~~ be shifted to any other development in the land development in which the low–cost housing or workforce housing is located or to any other land development in the municipality.

SECTION 1167. 66.0626 (1) (b) of the statutes is amended to read:

66.0626 **(1)** (b) "Failing private on–site wastewater treatment system" has the meaning provided in s. ~~145.245 (4)~~ 145.01 (4m).

SECTION 1168. 66.0823 (3) (b) of the statutes is amended to read:

66.0823 **(3)** (b) *Filing requirements.* The parties entering into a contract under this subsection shall file a copy of the contract with the secretary of ~~state~~ administration. Upon receipt, the secretary of ~~state~~ administration shall record the contract and issue a certificate of incorporation stating the name of the authority and the date and fact of incorporation. The corporate existence of the authority begins upon issuance of the certificate.

SECTION 1169. 66.0825 (4) (b) of the statutes is amended to read:

66.0825 **(4)** (b) Any contract entered into under this section shall be filed with the secretary of ~~state~~ administration. Upon receipt, the secretary shall record the contract and issue a certificate of incorporation stating the name of the company and the date and fact of incorporation. Upon issuance of the certificate, the existence of the company shall begin.

SECTION 1170. 66.0901 (1) (ae) of the statutes is repealed.

SECTION 1171. 66.0901 (1) (am) of the statutes is repealed.

SECTION 1172. 66.0901 (6) of the statutes is amended to read:

66.0901 **(6)** SEPARATION OF CONTRACTS; CLASSIFICATION OF CONTRACTORS. In public contracts for the construction, repair, remodeling or improvement of a public building or structure, other than highway structures and facilities, a municipality may bid projects based on a single or multiple division of the work. Public contracts shall be awarded according to the division of work selected for bidding. ~~Except as provided in sub. (6m), the~~ The municipality may set out in any public contract reasonable and lawful conditions as to the hours of labor, wages, residence, character and classification of workers to be employed by any contractor, classify contractors as to their financial responsibility, competency and ability to perform work and set up a classified list of contractors. The municipality may reject the bid of any person, if the person has not been classified for the kind or amount of work in the bid.

SECTION 1173. 66.0901 (6m) of the statutes is repealed.

SECTION 1174. 66.0901 (6s) of the statutes is repealed.

SECTION 1175. 66.0903 (1) (a), (am), (b), (cm), (dr), (em), (hm) and (im) of the statutes are created to read:

66.0903 **(1)** (a) "Area" means the county in which a proposed project of public works that is subject to this section is located or, if the department determines that there is insufficient wage data in that county, "area" means those counties that are contiguous to that county or, if the department determines that there is insufficient wage data in those counties, "area" means those counties that are contiguous to those counties or, if the department determines that there is insufficient wage data in those counties, "area" means the entire state or, if the department is requested to review a determination under sub. (3) (br), "area" means the city, village, or town in which a proposed project of public works that is subject to this section is located.

(am) "Bona fide economic benefit" has the meaning given in s. 103.49 (1) (am).

(b) "Department" means the department of workforce development.

(cm) "Insufficient wage data" has the meaning given in s. 103.49 (1) (bg).

(dr) "Minor service or maintenance work" means a project of public works that is limited to minor crack filling, chip or slurry sealing, or other minor pavement patching, not including overlays, that has a projected life span of no longer than 5 years or that is performed for a town and is not funded under s. 86.31, regardless of projected life span; the depositing of gravel on an existing gravel road applied solely to maintain the road; road shoulder maintenance; cleaning of drainage or sewer ditches or structures; or any other limited, minor work on public facilities or equipment that is routinely performed to prevent breakdown or deterioration.

(em) "Multiple–trade project of public works" has the meaning given in s. 103.49 (1) (br).

(hm) "Single–trade project of public works" has the meaning given in s. 103.49 (1) (em).

(im) "Supply and installation contract" has the meaning given in s. 103.49 (1) (fm).

SECTION 1176. 66.0903 (1) (c) of the statutes is amended to read:

66.0903 **(1)** (c) "Hourly basic rate of pay" has the meaning given in s. ~~16.856~~ 103.49 (1) (b)~~, 2015 stats~~.

SECTION 1177. 66.0903 (1) (f) of the statutes is amended to read:

66.0903 **(1)** (f) "Prevailing hours of labor" has the meaning given in s. ~~16.856~~ 103.49 (1) ~~(e), 2015 stats.~~ (c).

SECTION 1178. 66.0903 (1) (g) of the statutes is repealed and recreated to read:

66.0903 **(1)** (g) "Prevailing wage rate" has the meaning given in s. 103.49 (1) (d).

SECTION 1179. 66.0903 (1) (j) of the statutes is amended to read:

66.0903 **(1)** (j) "Truck driver" ~~includes an owner–operator of a truck~~ has the meaning given in s. 103.49 (1) (g).

SECTION 1180. 66.0903 (1m) (b) of the statutes is amended to read:

66.0903 **(1m)** (b) The legislature finds that the enactment of ordinances or other enactments by local governmental units requiring laborers, workers, mechanics, and truck drivers employed on projects of public works or on publicly funded private construction projects to be paid the prevailing wage rate and to be paid at least 1.5 times their hourly basic rate of pay for hours worked in excess of the prevailing hours of labor would be logically inconsistent with, would defeat the purpose of, and would go against the ~~repeals~~ spirit of this section and the repeal of s. 66.0904, 2009 stats.~~, and s. 66.0903 (2) to (12), 2013 stats.~~ Therefore, this section shall be construed as an enactment of statewide concern for the ~~purposes of facilitating broader participation with respect to bidding on projects of public works, ensuring that wages accurately reflect market conditions, providing local governments with the flexibility to reduce costs on capital projects, and reducing spending at all levels of government in this state~~ purpose of providing uniform prevailing wage rate and prevailing hours of labor requirements throughout the state.

SECTION 1181. 66.0903 (2) to (12) of the statutes are created to read:

66.0903 **(2)** APPLICABILITY. Subject to sub. (5), this section applies to any project of public works erected, constructed, repaired, remodeled, or demolished for a local governmental unit, including all of the following:

(a) A highway, street, bridge, building, or other infrastructure project.

(b) A project erected, constructed, repaired, remodeled, or demolished by one local governmental unit for another local governmental unit under a contract under s. 66.0301 (2), 83.03, 83.035, or 86.31 (2) (b) or under any other statute specifically authorizing cooperation between local governmental units.

(c) A project in which the completed facility is leased, purchased, lease purchased, or otherwise acquired by, or dedicated to, a local governmental unit in lieu of the local governmental unit contracting for the erection, construction, repair, remodeling, or demolition of the facility.

(d) A road, street, bridge, sanitary sewer, or water main project in which the completed road, street, bridge, sanitary sewer, or water main is acquired by, or dedicated to, a local governmental unit, including under s. 236.13 (2), for ownership or maintenance by the local governmental unit.

(3) PREVAILING WAGE RATES AND HOURS OF LABOR. (am) A local governmental unit, before making a contract by direct negotiation or soliciting bids on a contract for the erection, construction, remodeling, repairing, or demolition of any project of public works, shall apply to the department to determine the prevailing wage rate for each trade or occupation required in the work contemplated. The department shall conduct investigations and hold public hearings as necessary to define the trades or occupations that are commonly employed on projects of public works that are subject to this section and to inform itself of the prevailing wage rates in all areas of the state for those trades or occupations, in order to determine the prevailing wage rate for each trade or occupation. The department shall issue its determination within 30 days after receiving the request and shall file the determination with the requesting local governmental unit.

(ar) The department shall, by January 1 of each year, compile the prevailing wage rates for each trade or occupation in each area. The compilation shall, in addition to the current prevailing wage rates, include future prevailing wage rates when those prevailing wage rates can be determined for any trade or occupation in any area and shall specify the effective date of those future prevailing wage rates. If a project of public works extends into more than one area, the department shall determine only one standard of prevailing wage rates for the entire project.

(av) In determining prevailing wage rates under par. (am) or (ar), the department may not use data from projects that are subject to this section, s. 103.49 or 103.50, or 40 USC 3142 unless the department determines that there is insufficient wage data in the area to determine those prevailing wage rates, in which case the department may use data from projects that are subject to this section, s. 103.49 or 103.50, or 40 USC 3142. In determining prevailing wage rates under par. (am) or (ar), the department may not use data from any construction work that is performed by a local governmental unit or a state agency.

(bm) Any person may request a recalculation of any portion of an initial determination within 30 days after the initial determination date if the person submits evidence with the request showing that the prevailing wage rate for any given trade or occupation included in the initial determination does not represent the prevailing wage rate for that trade or occupation in the area. The evidence shall include wage rate information reflecting work performed by individuals working in the contested trade or occupation in the area during the current survey period. The department shall affirm or modify the initial determination within 15 days after the date on which the department receives the request for recalculation.

(br) In addition to the recalculation under par. (bm), the local governmental unit that requested the determination under this subsection may request a review of any portion of a determination within 30 days after the date of issuance of the determination if the local governmental unit submits evidence with the request showing that the prevailing wage rate for any given trade or occupation included in the determination does not represent the prevailing wage rate for that trade or occupation in the city, village, or town in which the proposed project of public works is located. That evidence shall include wage rate information for the contested trade or occupation on at least 3 similar projects located in the city, village, or town where the proposed project of public works is located and on which some work has been performed during the current survey period and which were considered by the department in issuing its most recent compilation under par. (ar). The department shall affirm or modify the determination within 15 days after the date on which the department receives the request for review.

(dm) A local governmental unit that is subject to this section shall include a reference to the prevailing wage rates determined by the department and to the prevailing hours of labor in the notice published for the purpose of securing bids for the project of public works. Except as otherwise provided in this paragraph, if any contract or subcontract for a project of public works is entered into, the prevailing wage rates determined by the department and the prevailing hours of labor shall be physically incorporated into and made a part of the contract or subcontract. For a minor subcontract, as determined by the department, the department shall prescribe by rule the method of notifying the minor subcontractor of the prevailing wage rates and prevailing hours of labor applicable to the minor subcontract. The prevailing wage rates and prevailing hours of labor applicable to a contract or

subcontract may not be changed during the time that the contract or subcontract is in force.

(e) No contractor, subcontractor, or contractor or subcontractor's agent that is subject to this section may do any of the following:

1. Pay an individual performing the work described in sub. (4) less than the prevailing wage rate in the same or most similar trade or occupation determined under this subsection.

2. Allow an individual performing the work described in sub. (4) to work a greater number of hours per day or per week than the prevailing hours of labor, unless the contractor, subcontractor, or contractor or subcontractor's agent pays the individual for all hours worked in excess of the prevailing hours of labor at a rate of at least 1.5 times the individual's hourly basic rate of pay.

(4) COVERED EMPLOYEES. (a) Subject to par. (b), any person subject to this section shall pay all of the following employees the prevailing wage rate determined under sub. (3) and may not allow such employees to work a greater number of hours per day or per week than the prevailing hours of labor, unless the person pays the employee for all hours worked in excess of the prevailing hours of labor at a rate of at least 1.5 times the employee's hourly basic rate of pay:

1. All laborers, workers, mechanics, and truck drivers employed on the site of a project of public works that is subject to this section.

2. All laborers, workers, mechanics, and truck drivers employed in the manufacturing or furnishing of materials, articles, supplies, or equipment on the site of a project of public works that is subject to this section or from a facility dedicated exclusively, or nearly so, to a project of public works that is subject to this section by

a contractor, subcontractor, agent, or other person performing any work on the site of the project.

(b) A laborer, worker, mechanic, or truck driver who is employed to process, manufacture, pick up, or deliver materials or products from a commercial establishment that has a fixed place of business from which the establishment supplies processed or manufactured materials or products or from a facility that is not dedicated exclusively, or nearly so, to a project of public works that is subject to this section is not entitled to receive the prevailing wage rate determined under sub. (3) or to receive at least 1.5 times his or her hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor unless any of the following applies:

1. The laborer, worker, mechanic, or truck driver is employed to go to the source of mineral aggregate such as sand, gravel, or stone and deliver that mineral aggregate to the site of a project of public works that is subject to this section by depositing the material directly in final place, from the transporting vehicle or through spreaders from the transporting vehicle.

2. The laborer, worker, mechanic, or truck driver is employed to go to the site of a project of public works that is subject to this section, pick up excavated material or spoil from the site of the project, and transport that excavated material or spoil away from the site of the project.

(c) A person subject to this section shall pay a truck driver who is an owner–operator of a truck separately for his or her work and for the use of his or her truck.

(5) NONAPPLICABILITY. This section does not apply to any of the following:

(a) A single–trade project of public works for which the estimated project cost of completion is less than $48,000, a multiple–trade project of public works for which

the estimated project cost of completion is less than $100,000, or, in the case of a multiple–trade project of public works erected, constructed, repaired, remodeled, or demolished by a private contractor for a city or village having a population of less than 2,500 or for a town, a multiple–trade project of public works for which the estimated project cost of completion is less than $234,000.

(b) Work performed on a project of public works for which the local governmental unit contracting for the project is not required to compensate any contractor, subcontractor, contractor's or subcontractor's agent, or individual for performing the work.

(c) Minor service or maintenance work, warranty work, or work under a supply and installation contract.

(f) A project of public works involving the erection, construction, repair, remodeling, or demolition of a residential property containing 2 dwelling units or less.

(g) A road, street, bridge, sanitary sewer, or water main project that is a part of a development in which not less than 90 percent of the lots contain or will contain 2 dwelling units or less, as determined by the local governmental unit at the time of approval of the development, and that, on completion, is acquired by, or dedicated to, a local governmental unit, including under s. 236.13 (2), for ownership or maintenance by the local governmental unit.

(8) POSTING. A local governmental unit that has contracted for a project of public works shall post the prevailing wage rates determined by the department, the prevailing hours of labor, and the provisions of subs. (10) (a) and (11) (a) in at least one conspicuous place on the site of the project that is easily accessible by employees

working on the project, or, if there is no common site on the project, at the place normally used by the local governmental unit to post public notices.

(9) COMPLIANCE. (a) When the department finds that a local governmental unit has not requested a determination under sub. (3) (am) or that a local governmental unit, contractor, or subcontractor has not physically incorporated a determination into a contract or subcontract as required under this section or has not notified a minor subcontractor of a determination in the manner prescribed by the department by rule promulgated under sub. (3) (dm), the department shall notify the local governmental unit, contractor, or subcontractor of the noncompliance and shall file the determination with the local governmental unit, contractor, or subcontractor within 30 days after the notice.

(b) Upon completion of a project of public works and before receiving final payment for his or her work on the project, each agent or subcontractor shall furnish the contractor with an affidavit stating that the agent or subcontractor has complied fully with the requirements of this section. A contractor may not authorize final payment until the affidavit is filed in proper form and order.

(c) Upon completion of a project of public works and before receiving final payment for his or her work on the project, each contractor shall file with the local governmental unit authorizing the work an affidavit stating that the contractor has complied fully with the requirements of this section and that the contractor has received an affidavit under par. (b) from each of the contractor's agents and subcontractors. A local governmental unit may not authorize a final payment until the affidavit is filed in proper form and order. If a local governmental unit authorizes a final payment before an affidavit is filed in proper form and order or if the department determines, based on the greater weight of the credible evidence, that

any person performing the work specified in sub. (4) has been or may have been paid less than the prevailing wage rate or less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor and requests that the local governmental unit withhold all or part of the final payment, but the local governmental unit fails to do so, the local governmental unit is liable for all back wages payable up to the amount of the final payment.

(10) RECORDS; INSPECTION; ENFORCEMENT. (a) Each contractor, subcontractor, or contractor's or subcontractor's agent that performs work on a project of public works that is subject to this section shall keep full and accurate records clearly indicating the name and trade or occupation of every individual performing the work described in sub. (4) and an accurate record of the number of hours worked by each of those individuals and the actual wages paid for the hours worked.

(b) The department or the contracting local governmental unit may demand and examine, and every contractor, subcontractor, and contractor's or subcontractor's agent shall keep, and furnish upon request by the department or local governmental unit, copies of payrolls and other records and information relating to the wages paid to individuals performing the work described in sub. (4) for work to which this section applies. The department may inspect records in the manner provided in ch. 103. Every contractor, subcontractor, or agent performing work on a project of public works that is subject to this section is subject to the requirements of ch. 103 relating to the examination of records.

(c) If requested by any person, the department shall inspect the payroll records of any contractor, subcontractor, or agent performing work on a project of public works that is subject to this section as provided in this paragraph to ensure compliance with this section. On receipt of such a request, the department shall

request that the contractor, subcontractor, or agent submit to the department a certified record of the information specified in par. (a), other than personally identifiable information relating to an employee of the contractor, subcontractor, or agent, for no longer than a 4–week period. The department may request that a contractor, subcontractor, or agent submit those records no more than once per calendar quarter for each project of public works on which the contractor, subcontractor, or agent is performing work. The department may not charge a requester a fee for obtaining that information. Certified records submitted to the department under this paragraph are open for public inspection and copying under s. 19.35 (1).

(d) Section 103.005 (5) (f), (11), (12), and (13) applies to this section, except that s. 103.005 (12) (a) does not apply to a person who fails to provide any information to the department to assist the department in determining prevailing wage rates under sub. (3) (am) or (ar). Section 111.322 (2m) applies to discharge and other discriminatory acts arising in connection with any proceeding under this section, including proceedings under sub. (11) (a).

(11) LIABILITY AND PENALTIES. (a) 1. A contractor, subcontractor, or contractor's or subcontractor's agent who fails to pay the prevailing wage rate determined by the department under sub. (3) or who pays less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor is liable to any affected employee in the amount of his or her unpaid wages or his or her unpaid overtime compensation and in an additional amount as liquidated damages as provided under subd. 2. or 3., whichever is applicable.

2. If the department determines upon inspection under sub. (10) (b) or (c) that a contractor, subcontractor, or contractor's or subcontractor's agent has failed to pay

the prevailing wage rate determined by the department under sub. (3) or has paid less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor, the department shall order the contractor to pay to any affected employee the amount of his or her unpaid wages or his or her unpaid overtime compensation and an additional amount equal to 100 percent of the amount of those unpaid wages or that unpaid overtime compensation as liquidated damages within a period specified by the department in the order.

3. In addition to or in lieu of recovering the liability specified in subd. 1. as provided in subd. 2., any employee for and on behalf of that employee and other employees similarly situated may commence an action to recover that liability in any court of competent jurisdiction. If the court finds that a contractor, subcontractor, or contractor's or subcontractor's agent has failed to pay the prevailing wage rate determined by the department under sub. (3) or has paid less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor, the court shall order the contractor, subcontractor, or agent to pay to any affected employee the amount of his or her unpaid wages or his or her unpaid overtime compensation and an additional amount equal to 100 percent of the amount of those unpaid wages or that unpaid overtime compensation as liquidated damages.

5. No employee may be a party plaintiff to an action under subd. 3. unless the employee consents in writing to become a party and the consent is filed in the court in which the action is brought. Notwithstanding s. 814.04 (1), the court shall, in addition to any judgment awarded to the plaintiff, allow reasonable attorney fees and costs to be paid by the defendant.

(b) 1. Except as provided in subds. 2., 4., and 6., any contractor, subcontractor, or contractor's or subcontractor's agent who violates this section may be fined not

more than $200 or imprisoned for not more than 6 months or both. Each day that any violation continues is a separate offense.

2. Whoever induces any individual who seeks to be or is employed on any project of public works that is subject to this section to give up, waive, or return any part of the wages to which the individual is entitled under the contract governing the project, or who reduces the hourly basic rate of pay normally paid to an individual for work on a project that is not subject to this section during a week in which the individual works both on a project of public works that is subject to this section and on a project that is not subject to this section, by threat not to employ, by threat of dismissal from employment, or by any other means is guilty of an offense under s. 946.15 (1).

3. Any individual employed on a project of public works that is subject to this section who knowingly allows a contractor, subcontractor, or contractor's or subcontractor's agent to pay him or her less than the prevailing wage rate set forth in the contract governing the project, who gives up, waives, or returns any part of the compensation to which he or she is entitled under the contract, or who gives up, waives, or returns any part of the compensation to which he or she is normally entitled for work on a project that is not subject to this section during a week in which the individual works both on a project of public works that is subject to this section and on a project that is not subject to this section, is guilty of an offense under s. 946.15 (2).

4. Whoever induces any individual who seeks to be or is employed on any project of public works that is subject to this section to allow any part of the wages to which the individual is entitled under the contract governing the project to be deducted from the individual's pay is guilty of an offense under s. 946.15 (3), unless

the deduction would be allowed under 29 CFR 3.5 or 3.6 from an individual who is working on a project that is subject to 40 USC 3142.

5. Any individual who is employed on a project of public works that is subject to this section who knowingly allows any part of the wages to which he or she is entitled under the contract governing the project to be deducted from his or her pay is guilty of an offense under s. 946.15 (4), unless the deduction would be allowed under 29 CFR 3.5 or 3.6 from an individual who is working on a project that is subject to 40 USC 3142.

6. Subdivision 1. does not apply to any person who fails to provide any information to the department to assist the department in determining prevailing wage rates under sub. (3) (am) or (ar).

(12) DEBARMENT. (a) Except as provided under pars. (b) and (c), the department shall notify any local governmental unit applying for a determination under sub. (3) of the names of all persons that the department has found to have failed to pay the prevailing wage rate determined under sub. (3) or has found to have paid less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor at any time in the preceding 3 years. The department shall include with each name the address of the person and shall specify when the person failed to pay the prevailing wage rate and when the person paid less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor. A local governmental unit may not award any contract to the person unless otherwise recommended by the department or unless 3 years have elapsed from the date the department issued its findings or the date of final determination by a court of competent jurisdiction, whichever is later.

(b) The department may not include in a notification under par. (a) the name of any person on the basis of having subcontracted a contract for a project of public works to a person that the department has found to have failed to pay the prevailing wage rate determined under sub. (3) or has found to have paid less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor.

(c) This subsection does not apply to any contractor, subcontractor, or agent who in good faith commits a minor violation of this section, as determined on a case–by–case basis through administrative hearings with all rights to due process afforded to all parties or who has not exhausted or waived all appeals.

(d) Any person submitting a bid or negotiating a contract on a project of public works that is subject to this section shall, on the date the person submits the bid or negotiates the contract, identify any construction business in which the person, or a shareholder, officer, or partner of the person, if the person is a business, owns, or has owned at least a 25 percent interest on the date the person submits the bid or negotiates the contract or at any other time within 3 years preceding the date the person submits the bid or negotiates the contract, if the business has been found to have failed to pay the prevailing wage rate determined under sub. (3) or to have paid less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor.

(e) The department shall promulgate rules to administer this subsection.

SECTION 1182. 66.1001 (2g) of the statutes is created to read:

66.1001 **(2g)** CONSIDERATION OF CLIMATE CHANGE. In preparing or updating a comprehensive plan, a local governmental unit shall consider, to the extent

practicable, the effects of climate change with regard to each of the elements under sub. (2).

SECTION 1183. 66.10012 of the statutes is created to read:

66.10012 Workforce housing. (1) DEFINITIONS. In this section:

(a) "Housing agency" means the Wisconsin Housing and Economic Development Authority, the Wisconsin Economic Development Corporation, or the department of administration.

(b) "Housing grant" means any grant administered by a housing agency that relates to housing.

(c) "Political subdivision" means any city, village, town, or county.

(d) "Workforce housing" means housing to which all of the following apply, as adjusted for family size and the county in which the household is located, based on the county's 5–year average median income and housing costs as calculated by the U.S. bureau of the census in its American community survey:

1. The housing costs a household no more than 30 percent of the household's gross median income.

2. The residential units are for initial occupancy by individuals whose household median income is no more than 120 percent of the county's gross median income.

(2) HOUSING INITIATIVES. (a) Subject to par. (b), to implement a workforce housing initiative, a political subdivision may enact an ordinance, adopt a resolution, or put into effect a policy to accomplish any of the following:

1. Reduce by at least 10 percent the processing time for all permits related to workforce housing.

2. Reduce by at least 10 percent the cost of impact fees that a political subdivision may impose on developments that include workforce housing units.

3. Reduce by at least 10 percent the parking requirements for developments that include workforce housing units.

4. Increase by at least 10 percent the allowable zoning density for developments that include workforce housing units.

5. Establish a mixed–use tax incremental financing district with at least 20 percent of the housing units to be used for workforce housing.

6. Demonstrate compliance with a housing affordability report under s. 66.10013.

7. Rehabilitate at least 5 dwelling units of existing, uninhabitable housing stock into habitable workforce housing.

8. Modify existing zoning ordinances to allow for the development of workforce housing in areas zoned for commercial or mixed–use development, or in areas near employment centers or major transit corridors.

9. Extend the life of a tax incremental district under s. 66.1105 (6) (g) 1.

10. Reduce by at least 10 percent the cost of roads for developments that include workforce housing units.

11. Implement any other initiative to address the workforce housing needs of the political subdivision.

(b) After a political subdivision completes one of the actions specified in par. (a), the initiative shall be considered in effect once the political subdivision submits to the department of administration a written explanation of how the action complies with the workforce housing initiative and posts the explanation on the political subdivision's Internet site.

(c) Once a political subdivision's action takes effect under par. (b), its workforce housing initiative remains in effect for 5 years. A political subdivision may put into effect more than one of the workforce housing initiatives under par. (a). After June 30, 2021, if a political subdivision has in effect at the same time at least 3 of the workforce housing initiatives under par. (a), a housing agency shall give priority to housing grant applications from, or that relate to a project in, the political subdivision.

SECTION 1184. 66.1010 of the statutes is repealed.

SECTION 1185. 66.1011 (1) of the statutes is amended to read:

66.1011 **(1)** DECLARATION OF POLICY. The right of all persons to have equal opportunities for housing regardless of their sex, race, color, disability, as defined in s. 106.50 (1m) (g), sexual orientation, as defined in s. 111.32 (13m), religion, national origin, marital status, family status, as defined in s. 106.50 (1m) (k), status as a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), status as a holder or nonholder of a license under s. 343.03 (3r), lawful source of income, age, or ancestry is a matter both of statewide concern under ss. 101.132 and 106.50 and also of local interest under this section and s. 66.0125. The enactment of ss. 101.132 and 106.50 by the legislature does not preempt the subject matter of equal opportunities in housing from consideration by political subdivisions, and does not exempt political subdivisions from their duty, nor deprive them of their right, to enact ordinances that prohibit discrimination in any type of housing solely on the basis of an individual being a member of a protected class.

SECTION 1186. 66.1105 (2) (ab) of the statutes is renumbered 66.1105 (2) (n) (intro.) and amended to read:

66.1105 **(2)** (n) (intro.) "~~Affordable~~ Workforce housing" means housing ~~that costs a household no more than 30 percent of the household's gross monthly income.~~ to which all of the following apply, as adjusted for family size and the county in which the household is located, based on the county's 5–year average median income and housing costs as calculated by the U.S. bureau of the census in its American community survey:

SECTION 1187. 66.1105 (2) (cm) of the statutes is renumbered 66.1105 (2) (cm) (intro.) and amended to read:

66.1105 **(2)** (cm) (intro.) "Mixed–use development" means development that contains a combination of industrial, commercial, or residential uses, except that lands proposed for newly platted residential use, as shown in the project plan, may not exceed ~~35~~ either of the following:

1. Thirty–five percent, by area, of the real property within the district.

SECTION 1188. 66.1105 (2) (cm) 2. of the statutes is created to read:

66.1105 **(2)** (cm) 2. Sixty percent, by area, of the real property within the district, if the newly platted residential use that exceeds 35 percent is used solely for workforce housing.

SECTION 1189. 66.1105 (2) (n) 1. of the statutes is created to read:

66.1105 **(2)** (n) 1. The housing costs a household no more than 30 percent of the household's gross median income.

SECTION 1190. 66.1105 (2) (n) 2. of the statutes is created to read:

66.1105 **(2)** (n) 2. The residential units are for initial occupancy by individuals whose household median income is no more than 120 percent of the county's gross median income.

SECTION 1191. 66.1105 (6) (am) 2. n. of the statutes is created to read:

66.1105 **(6)** (am) 2. n. Expenditures for project costs for Tax Incremental District Number 2 in the city of Wisconsin Dells. Such expenditures may be made through November 2026.

SECTION 1192. 66.1105 (6) (am) 2. o. of the statutes is created to read:

66.1105 **(6)** (am) 2. o. Expenditures for project costs for Tax Incremental District Number 3 in the city of Wisconsin Dells. Such expenditures may be made through May 2040.

SECTION 1193. 66.1105 (6) (g) 1. (intro.) of the statutes is amended to read:

66.1105 **(6)** (g) 1. (intro.) After the date on which a tax incremental district created by a city pays off the aggregate of all of its project costs, and notwithstanding the time at which such a district would otherwise be required to terminate under sub. (7), a city may extend the life of the district for ~~one year~~ 3 years if the city does all of the following:

SECTION 1194. 66.1105 (6) (g) 1. a. of the statutes is amended to read:

66.1105 **(6)** (g) 1. a. The city adopts a resolution extending the life of the district for a specified number of months. The resolution shall specify how the city intends to ~~improve its~~ increase the number of affordable and workforce housing ~~stock~~ units, as required in subd. 3.

SECTION 1195. 66.1105 (6) (g) 3. of the statutes is amended to read:

66.1105 **(6)** (g) 3. If a city receives tax increments as described in subd. 2., the city shall use ~~at least 75 percent of~~ the increments received to ~~benefit affordable housing in the city. The remaining portion of the increments shall be used by the city to improve the city's~~ increase the number of the city's affordable and workforce housing ~~stock~~ units.

SECTION 1196. 66.1201 (2m) of the statutes is amended to read:

66.1201 **(2m)** DISCRIMINATION. Persons otherwise entitled to any right, benefit, facility, or privilege under ss. 66.1201 to 66.1211 may not be denied the right, benefit, facility, or privilege in any manner for any purpose nor be discriminated against because of sex, race, color, creed, national origin, sexual orientation, status as a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or ~~national origin~~ status as a holder or nonholder of a license under s. 343.03 (3r).

SECTION 1197. 66.1213 (3) of the statutes is amended to read:

66.1213 **(3)** DISCRIMINATION. Persons otherwise entitled to any right, benefit, facility, or privilege under this section may not be denied the right, benefit, facility, or privilege in any manner for any purpose nor be discriminated against because of sex, race, color, creed, national origin, sexual orientation, status as a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or ~~national origin~~ status as a holder or nonholder of a license under s. 343.03 (3r).

SECTION 1198. 66.1301 (2m) of the statutes is amended to read:

66.1301 **(2m)** DISCRIMINATION. Persons entitled to any right, benefit, facility, or privilege under ss. 66.1301 to 66.1329 may not be denied the right, benefit, facility, or privilege in any manner for any purpose nor be discriminated against because of sex, race, color, creed, national origin, sexual orientation, status as a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or ~~national origin~~ status as a holder or nonholder of a license under s. 343.03 (3r).

SECTION 1199. 66.1305 (1) (h) of the statutes is amended to read:

66.1305 **(1)** (h) Dissolve without obtaining the approval of the local governing body, which may be given upon conditions deemed necessary or appropriate to the protection of the interest of the city in the proceeds of the sale of the real property as to any property or work turned into the development by the city. The approval

shall be endorsed on the certificate of dissolution and the certificate may not be filed in the office of the secretary of ~~state~~ administration in the absence of the endorsement.

SECTION 1200. 66.1333 (3) (e) 2. of the statutes is amended to read:

66.1333 **(3)** (e) 2. Persons otherwise entitled to any right, benefit, facility, or privilege under this section may not be denied the right, benefit, facility, or privilege in any manner for any purpose nor be discriminated against because of sex, race, color, creed, national origin, sexual orientation, status as a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or ~~national origin~~ status as a holder or nonholder of a license under s. 343.03 (3r).

SECTION 1201. 67.04 (5) (b) 5. of the statutes is created to read:

67.04 **(5)** (b) 5. To replace revenue lost due to a disaster or public health emergency declared by the governor under s. 323.10 or by the county board under s. 323.11.

SECTION 1202. 67.045 (1) (i) of the statutes is created to read:

67.045 **(1)** (i) The county board adopts a resolution stating that the debt is issued to replace revenue lost due to a disaster or public health emergency declared by the governor under s. 323.10 or by the county board under s. 323.11. The resolution shall specify the amount of revenue lost, or expected to be lost, due to effects related to the disaster or public health emergency, and a certified copy of the resolution shall be sent to the department of administration. The county may not issue the debt in an amount that exceeds the amount specified by the department of administration under sub. (2) (c), and the debt may not be for a term that exceeds 10 years.

SECTION 1203. 67.045 (2) (c) of the statutes is created to read:

67.045 **(2)** (c) 1. Following receipt of a certified resolution under sub. (1) (i), the department of administration shall determine, based on the resolution and all other available information, the appropriate amount of bonding that a county may issue pursuant to sub. (1) (i). The department shall notify the county of its determination as soon as practicable.

2. The department of administration shall promulgate any administrative rules it believes are necessary to administer this paragraph.

SECTION 1204. 67.10 (3) of the statutes is amended to read:

67.10 **(3)** BORROWED MONEY FUND, SOURCE AND USE. ~~All borrowed money~~ Each municipality that issues municipal obligations under this chapter shall establish and maintain, separate and distinct from all other funds, a borrowed money fund. The fund may include a separate account for each municipal obligation issue. Except as provided under s. 67.11, all proceeds of municipal obligations issued under this chapter shall be paid into the treasury of the municipality ~~borrowing it,~~ issuing the obligations and shall be entered in ~~an account separate and distinct from all other funds, disbursements~~ a borrowed money fund. Except as provided under s. 67.11, disbursements charged ~~thereto~~ to the borrowed money fund shall be solely for the purpose for which ~~it was borrowed and for no other purpose, except as provided by s. 67.11, but~~ the municipal obligations were issued, including the reimbursement of a temporary advance from other funds of the municipality or the repayment of a temporary loan by the municipality if ~~such~~ the advance or loan has been made in anticipation of the ~~borrowed money~~ receipt of the proceeds of municipal obligations and for the same purpose~~, and such disbursements~~. Disbursements charged to the borrowed money fund shall be only upon orders or warrants charged to ~~said~~ the fund

and expressing the purpose for which they are drawn. Money in the borrowed money fund may be temporarily invested as provided in s. 66.0603 (1m).

SECTION 1205. 67.11 (1) (c) of the statutes is created to read:

67.11 **(1)** (c) Any accrued interest received as part of the purchase price for the municipal obligations.

SECTION 1206. 67.11 (1) (d) of the statutes is amended to read:

67.11 **(1)** (d) ~~The~~ To the extent provided in a resolution authorizing the municipal obligations, the premium, if any, for which the municipal obligations have been sold above par value ~~and accrued interest~~.

SECTION 1207. 67.12 (12) (a) of the statutes is amended to read:

67.12 **(12)** (a) Any municipality may issue promissory notes as evidence of indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not limited to paying any general and current municipal expense, and refunding any municipal obligations, including interest on them. Each note, plus interest if any, shall be repaid within 10 years after the original date of the note, except that notes issued under this section for purposes of ss. 119.498, 281.58, 281.59, ~~281.60,~~ 281.61, and 292.72 and s. 281.60, 2019 stats., issued to raise funds to pay a portion of the capital costs of a metropolitan sewerage district, or issued by a 1st class city or a county having a population of 750,000 or more, to pay unfunded prior service liability with respect to an employee retirement system, shall be repaid within 20 years after the original date of the note.

SECTION 1208. 67.12 (12) (h) of the statutes is amended to read:

67.12 **(12)** (h) Paragraph (e) 2. does not apply to borrowing by the school board of a school district created by a reorganization under s. 117.105, or by the school board from which territory is detached to create a school district under s. 117.105,

for the purpose of financing any assets or liabilities apportioned to the school district or assets apportioned to another school district under s. 117.105 (1m)~~,~~ or (2m)~~, or (4m)~~.

SECTION 1209. 69.03 (15) of the statutes is amended to read:

69.03 **(15)** Periodically provide to each county child support agency under s. 59.53 (5) a list of names and, notwithstanding s. 69.20 (2) (a), addresses of registrants who reside in that county for whom ~~no father's~~ only one parent's name has been inserted on the registrant's birth record within 6 months of birth.

SECTION 1210. 69.11 (4) (b) of the statutes is amended to read:

69.11 **(4)** (b) The state registrar may amend an item on a birth record that affects information about the name, sex, date of birth, place of birth, parent's name, or parent's marital status ~~of the mother~~ if 365 days have elapsed since the occurrence of the event that is the subject of the birth record, if the amendment is at the request of a person with a direct and tangible interest in the record and is in the manner prescribed by the state registrar, and if the amendment is accompanied by 2 items of documentary evidence from early childhood that are sufficient to prove that the item to be changed is in error and by the affidavit of the person requesting the amendment. A change in the marital status on the birth record may be made under this paragraph only if the marital status is inconsistent with information ~~concerning the father or husband~~ that appears on the birth record. This paragraph may not be used to add to or delete from a birth record the name of a parent, to change the identity of a parent named on the birth record, or to effect a name change prohibited under s. 301.47.

SECTION 1211. 69.12 (5) of the statutes is amended to read:

69.12 **(5)** A change in the marital status on the record of birth may be requested under this section only if the marital status is inconsistent with ~~father or husband~~ information appearing on the birth record. This section may not be used to add or delete the name of a parent on the record of birth or change the identity of either parent named on the birth record.

SECTION 1212. 69.13 (2) (b) 4. of the statutes is amended to read:

69.13 **(2)** (b) 4. If relevant to the correction sought, a certified copy of a marriage document, divorce or annulment record, or a final divorce decree that indicates that the mother was not married to the person listed as her ~~husband~~ spouse at any time during the pregnancy, a legal name change order, or any other legal document that clarifies the disputed information.

SECTION 1213. 69.14 (1) (c) 4. of the statutes is amended to read:

69.14 **(1)** (c) 4. In the absence of a person under subds. 1. to 3., the ~~father or~~ mother, father, or mother's spouse, or in the absence of the father or the mother's spouse and the inability of the mother, the person responsible for the premises where the birth occurs.

SECTION 1214. 69.14 (1) (e) (title) and 1. of the statutes are amended to read:

69.14 **(1)** (e) (title) ~~*Father's*~~ *Spouse's or father's name.* 1. ~~If~~ Except as provided in par. (h), if the mother of a registrant under this section was married at any time from the conception to the birth of the registrant, the name of the ~~husband~~ spouse of the mother shall be entered on the birth record as ~~the~~ a legal ~~father~~ parent of the registrant. The name of the ~~father~~ parent entered under this subdivision may not be changed except by a proceeding under ch. 767.

SECTION 1215. 69.14 (1) (f) 1. of the statutes is amended to read:

69.14 **(1)** (f) 1. a. Except as provided under subd. 1. b., if the mother of a registrant of a birth record under this section is married ~~to the father of the registrant~~ at any time from the conception to the birth of the registrant, the given name and surname ~~which~~ that the mother ~~and father~~ of the registrant and her spouse enter for the registrant on the birth record shall be the given name and surname filed and registered on the birth record.

b. If the mother of a registrant of a birth record under this section is married ~~to the father of the registrant~~ at any time from the conception to the birth of the registrant and the mother is separated or divorced ~~from the father of the registrant~~ at the time of birth, the given name and surname ~~which~~ that the parent of the registrant with actual custody enters for the registrant on the birth record shall be the given name and surname filed and registered on the birth record, except that if a court has granted legal custody of the registrant, the given name and surname ~~which~~ that the person with legal custody enters for the registrant on the birth record shall be the given name and surname filed and registered on the birth record.

c. If the mother of a registrant of a birth record under this section is not married ~~to the father of the registrant~~ at any time from the conception to the birth of the registrant, the given name and surname ~~which~~ that the mother of the registrant enters for the registrant on the birth record shall be the given name and surname filed and registered on the birth record, except that if a court has granted legal custody of the registrant, the given name and surname ~~which~~ that the person with legal custody enters for the registrant on the birth record shall be the given name and surname filed and registered on the birth record.

SECTION 1216. 69.14 (1) (g) of the statutes is amended to read:

69.14 **(1)** (g) *Birth by artificial insemination.* If the registrant of a birth record under this section is born as a result of artificial insemination under the requirements of s. 891.40, the ~~husband~~ spouse of the ~~woman~~ person inseminated shall be considered ~~the father~~ a parent of the registrant on the birth record. ~~If the registrant is born as a result of artificial insemination which does not satisfy the requirements of s. 891.40, the information about the father of the registrant shall be omitted from the registrant's birth record.~~

SECTION 1217. 69.14 (2) (b) 2. d. of the statutes is amended to read:

69.14 **(2)** (b) 2. d. The full name of the father or the mother's spouse, except that if the mother was not married at the time of conception or birth or between conception and birth of the registrant, the name of the father may not be entered except as provided under s. 69.15 (3).

SECTION 1218. 69.15 (1) of the statutes is amended to read:

69.15 **(1)** BIRTH RECORD INFORMATION CHANGES. The state registrar may change information on a birth record registered in this state which was correct at the time the birth record was filed under a court or administrative order issued in this state, in another state or in Canada or under the valid order of a court of any federally recognized Indian tribe, band, or nation if all of the following occur:

(a) The order provides for an adoption, name change, or name change with sex change or establishes paternity~~; and~~ or parentage.

(b) A clerk of court or, for a paternity or parentage action, a clerk of court or county child support agency under s. 59.53 (5), sends the state registrar a certified report of an order of a court in this state in the method prescribed by the state registrar or, in the case of any other order, the state registrar receives a certified copy of the order and the proper fee under s. 69.22.

SECTION 1219. 69.15 (3) (title) and (a) (intro.), 1., 2. and 3. of the statutes are amended to read:

69.15 **(3)** (title) ~~PATERNITY~~ PARENTAGE. (a) (intro.) If the state registrar receives an order under sub. (1) that establishes paternity or determines that the ~~man~~ person whose name appears on a registrant's birth record is not the ~~father~~ parent of the registrant, or a report under s. 767.804 (1) (c) that shows a conclusive determination of paternity, the state registrar shall do the following, as appropriate:

1. Prepare under sub. (6) a new record omitting the ~~father's~~ parent's name if the order determines that the ~~man~~ person whose name appears on a registrant's birth record is not the ~~father~~ parent of the registrant and if there is no adjudicated father.

2. Prepare under sub. (6) a new record for the subject of a paternity action changing the name of the ~~father~~ parent if the name of the adjudicated father is different than the name of the ~~man~~ person on the birth record.

3. Except as provided under subd. 4., insert the name of the adjudicated or conclusively determined father on the original birth record if the name of ~~the father~~ that parent was omitted on the original record.

SECTION 1220. 69.15 (3) (b) 1., 2., 3. and 4. (intro.), a. and b. of the statutes are amended to read:

69.15 **(3)** (b) 1. Except as provided under par. (c), if the state registrar receives a statement acknowledging ~~paternity~~ parentage in the manner prescribed by the state registrar and signed by both of the ~~birth~~ natural parents of a child determined to be a marital child under s. 767.803, a certified copy of the parents' marriage record, and the fee required under s. 69.22 (5) (b) 1., the state registrar shall insert the name of the ~~husband~~ spouse of the person who gave birth from the marriage record as the

~~father~~ parent if the name of ~~the father~~ that parent was omitted on the original birth record. The state registrar shall include for the acknowledgment the items in s. 767.813 (5g).

2. Except as provided under par. (c), if the parent of a child determined to be a marital child under s. 767.803 dies after his or her marriage and before the statement acknowledging ~~paternity~~ parentage has been signed, the state registrar shall insert the name of the ~~father~~ parent under subd. 1. upon receipt of a court order determining that the ~~husband~~ spouse was the ~~father~~ parent of the child.

3. Except as provided under par. (c), if the state registrar receives a statement acknowledging ~~paternity~~ parentage in the method prescribed by the state registrar and signed by both parents, neither of whom was under the age of 18 years when the form was signed, along with the fee under s. 69.22, the state registrar shall insert the name of the ~~father~~ parent under subd. 1. The state registrar shall mark the record to show that the acknowledgement is on file. The acknowledgement shall be available to the department of children and families or a county child support agency under s. 59.53 (5) pursuant to the program responsibilities under s. 49.22 or to any other person with a direct and tangible interest in the record. The state registrar shall include on the acknowledgment the information in s. 767.805 and the items in s. 767.813 (5g).

4. (intro.) If a registrant has not reached the age of 18 years and if any of the following indicate, in a statement acknowledging ~~paternity~~ parentage under subd. 1. or 3., that the given name or surname, or both, of the registrant should be changed on the birth record, the state registrar shall enter the name indicated on the birth record without a court order:

a. The ~~mother of the~~ parent who gave birth to the registrant, except as provided under subd. 4. b. and c.

b. The ~~father of~~ natural parent who did not give birth to the registrant if ~~the father~~ that parent has legal custody of the registrant.

SECTION 1221. 69.15 (3) (b) 3m. of the statutes is created to read:

69.15 **(3)** (b) 3m. Except as provided in par. (c), if the state registrar receives an acknowledgement of parentage on a form prescribed by the state registrar and signed by both of the people presumed to be natural parents under s. 891.41 (1) (b), a certified copy of the parents' marriage certificate, and the fee required under s. 69.22 (5) (b) 1., the state registrar shall insert the name of the spouse from the marriage certificate as a parent if the name of that parent was omitted on the original birth certificate.

SECTION 1222. 69.15 (3) (d) of the statutes is amended to read:

69.15 **(3)** (d) The method prescribed by the state registrar for acknowledging ~~paternity~~ parentage shall require that the social security number of each of the registrant's parents be provided.

SECTION 1223. 69.15 (3m) (title) and (a) (intro.) of the statutes are amended to read:

69.15 **(3m)** (title) RESCISSION OF STATEMENT ACKNOWLEDGING ~~PATERNITY~~ PARENTAGE. (a) (intro.) A statement acknowledging ~~paternity~~ parentage that is filed with the state registrar under sub. (3) (b) 3. may be rescinded by either person who signed the statement as a parent of the registrant if all of the following apply:

SECTION 1224. 69.15 (3m) (a) 3. and (b) of the statutes are amended to read:

69.15 **(3m)** (a) 3. The person rescinding the statement files a rescission in the method prescribed under subd. 2. before the day on which a court or circuit court

commissioner makes an order in an action affecting the family involving the ~~man~~ person who signed the statement and the child who is the subject of the statement or before 60 days elapse after the statement was filed, whichever occurs first.

(b) If the state registrar, within the time required under par. (a) 3., receives a rescission in the method prescribed by the state registrar, along with the proper fee under s. 69.22, the state registrar shall prepare under sub. (6) a new record omitting the ~~father's~~ parent's name if it was inserted under sub. (3) (b).

SECTION 1225. 70.03 (1) of the statutes is amended to read:

70.03 **(1)** In chs. 70 to 76, 78, and 79, "real property," "real estate," and "land" include not only the land itself but all buildings ~~and~~, fixtures, improvements ~~thereon, and all fixtures and~~, leases, rights, and privileges appertaining thereto, including assets that cannot be taxed separately as real property, but are inextricably intertwined with the real property, enable the real property to achieve its highest and best use, and are transferable to future owners, except as provided in sub. (2) and except that for the purpose of time–share property, as defined in s. 707.02 (32), real property does not include recurrent exclusive use and occupancy on a periodic basis or other rights, including, but not limited to, membership rights, vacation services, and club memberships. In this subsection, "lease" means a right in real estate that is related primarily to the property and not to the labor, skill, or business acumen of the property owner or tenant. In this subsection, "highest and best use" has the meaning given in s. 70.32 (1).

SECTION 1226. 70.11 (4) (a) 1m. of the statutes is created to read:

70.11 **(4)** (a) 1m. Property owned and used exclusively by a community health center that receives a federal grant under 42 USC 254b, is exempt from federal income taxation under section 501 (c) (3) of the Internal Revenue Code, and annually

treats at least 30,000 patients, but not exceeding 25 acres of land necessary for location and convenience of buildings while such property is not used for profit.

SECTION 1227. 70.32 (1) of the statutes is amended to read:

70.32 **(1)** Real property shall be valued by the assessor in the manner specified in the Wisconsin property assessment manual provided under s. 73.03 (2a) at its highest and best use from actual view or from the best information that the assessor can practicably obtain, at the full value which could ordinarily be obtained therefor at private sale. In determining the value, the assessor shall consider recent arm's–length sales of the property to be assessed if according to professionally acceptable appraisal practices those sales conform to recent arm's–length sales of reasonably comparable property; recent arm's–length sales of reasonably comparable property; and all factors that, according to professionally acceptable appraisal practices, affect the value of the property to be assessed. In this subsection, "arm's–length sale" means a sale between a willing buyer and willing seller, neither being under compulsion to buy or sell and each being familiar with the attributes of the property sold. In this subsection, "highest and best use" means the specific current use of the property or a higher use for which the property may be used as of the current assessment date, if the property is marketable for that use and the use is legally permissible, physically possible, not highly speculative, and financially feasible and provides the highest net return. When the current use of a property is the highest and best use of that property, value in the current use equals full market value. In this subsection, "legally permissible" does not include a conditional use that has not been granted as of the assessment date.

SECTION 1228. 70.32 (1b) of the statutes is created to read:

70.32 **(1b)** In determining the value of real property under sub. (1), the assessor may consider, as part of the valuation under sub. (1), any lease provisions and actual rent pertaining to a property and affecting its value, including the lease provisions and rent associated with a sale and leaseback of the property, if all such lease provisions and rent are the result of an arm's–length transaction involving persons who are not related in any of the ways specified under section 267 (b) of the Internal Revenue Code for the year of the transaction. The assessor shall reconcile the results of such consideration with the professionally acceptable appraisal practices regarding reasonably comparable sales, the cost approach, and other methods specified in the Wisconsin property assessment manual provided under s. 73.03 (2a). In this subsection, an "arm's–length transaction" means an agreement between willing parties, neither being under compulsion to act and each being familiar with the attributes of the property.

SECTION 1229. 70.32 (1d) of the statutes is created to read:

70.32 **(1d)** (a) To determine the value of property using generally accepted appraisal methods, the assessor shall consider all of the following as comparable to the property being assessed:

1. Sales or rentals of properties exhibiting the same or a similar highest and best use with placement in the same real estate market segment.

2. Sales or rentals of properties that are similar to the property being assessed with regard to age, condition, use, type of construction, location, design, physical features, and economic characteristics, including similarities in occupancy and the potential to generate rental income. For purposes of this subdivision, such properties may be found locally, regionally, or nationally.

(b) For purposes of par. (a), a property is not comparable if any of the following applies:

1. At or before the time of sale, the seller places any deed restriction on the property that changes the highest and best use of the property, or prohibits competition, so that it no longer qualifies as a comparable property under par. (a) 1. or 2. and the property being assessed lacks such a restriction.

2. The property is dark property and the property being assessed is not dark property. In this subdivision, "dark property" means property that is vacant or unoccupied beyond the normal period for property in the same real estate market segment. For purposes of this subdivision, what is considered vacant or unoccupied beyond the normal period may vary depending on the property location.

(c) For purposes of par. (a), "highest and best use" has the meaning given in s. 70.32 (1).

(d) For purposes of par. (a), "real estate market segment" means a pool of potential buyers and sellers that typically buy or sell properties similar to the property being assessed, including potential buyers who are investors or owner–occupants. For purposes of this paragraph, and depending on the type of property being assessed, the pool of potential buyers and sellers may be found locally, regionally, nationally, or internationally.

SECTION 1230. 70.995 (14) (b) of the statutes is amended to read:

70.995 **(14)** (b) If the department of revenue ~~does not receive the fee imposed on a municipality~~ imposes a fee under par. (a) ~~by March 31 of each year~~ on a municipality, the department shall reduce ~~the~~ a distribution made to the municipality under s. ~~79.02 (2) (b)~~ 79.02 (1) in the following year by the amount of

the fee. Any amount that is not able to be deducted from a distribution under s. 79.02 (1) shall be directly imposed upon the municipality.

SECTION 1231. 71.03 (2) (d) (title) of the statutes is amended to read:

71.03 **(2)** (d) (title) ~~*Husband and wife*~~ *Spouses joint filing*.

SECTION 1232. 71.03 (2) (d) 1. of the statutes is amended to read:

71.03 **(2)** (d) 1. Except as provided in subds. 2. and 3. and par. (e), ~~a husband and a wife~~ spouses may file a joint return for income tax purposes even though one of the spouses has no gross income or no deductions.

SECTION 1233. 71.03 (2) (d) 2. of the statutes is amended to read:

71.03 **(2)** (d) 2. No joint return may be filed if either ~~the husband or wife~~ spouse at any time during the taxable year is a nonresident alien, unless an election is in effect for the taxable year under section 6013 (g) or (h) of the ~~internal revenue code~~ Internal Revenue Code.

SECTION 1234. 71.03 (2) (d) 3. of the statutes is amended to read:

71.03 **(2)** (d) 3. No joint return may be filed if the ~~husband and wife~~ spouses have different taxable years, except that if their taxable years begin on the same day and end on different days because of the death of either or both the joint return may be filed with respect to the taxable year of each unless the surviving spouse remarries before the close of his or her taxable year or unless the taxable year of either spouse is a fractional part of a year under section 443 (a) (1) of the ~~internal revenue code~~ Internal Revenue Code.

SECTION 1235. 71.03 (2) (g) of the statutes is amended to read:

71.03 **(2)** (g) *Joint return following separate return.* Except as provided in par. (i), if an individual has filed a separate return for a taxable year for which a joint return could have been filed by the individual and the individual's spouse under par.

(d) or (e) and the time prescribed by law for timely filing the return for that taxable year has expired, the individual and the individual's spouse may file a joint return for that taxable year. A joint return filed by the ~~husband and wife~~ spouses under this paragraph is their return for that taxable year, and all payments, credits, refunds or other repayments made or allowed with respect to the separate return of each spouse for that taxable year shall be taken into account in determining the extent to which the tax based upon the joint return has been paid. If a joint return is filed under this paragraph, any election, other than the election to file a separate return, made by either spouse in that spouse's separate return for that taxable year with respect to the treatment of any income, deduction or credit of that spouse may not be changed in the filing of the joint return if that election would have been irrevocable if the joint return had not been filed.

SECTION 1236. 71.03 (2) (m) 2. of the statutes is amended to read:

71.03 **(2)** (m) 2. If ~~a husband and wife~~ spouses change from a joint return to separate returns within the time prescribed in subd. 1., the tax paid on the joint return shall be allocated between them in proportion to the tax liability shown on each separate return.

SECTION 1237. 71.03 (4) (a) of the statutes is amended to read:

71.03 **(4)** (a) Natural persons whose total income is not in excess of $10,000 and consists entirely of wages subject to withholding for Wisconsin tax purposes and not more than $200 total of dividends, interest and other wages not subject to Wisconsin withholding, and who have elected the Wisconsin standard deduction and have not claimed either the credit for homestead property tax relief or deductions for expenses incurred in earning such income, shall, at their election, not be required to record on their income tax returns the amount of the tax imposed on their Wisconsin taxable

income. Married persons shall be permitted this election only if the joint income of the ~~husband and wife~~ spouses does not exceed $10,000, if both report their incomes on the same joint income tax return form, and if both make this election.

SECTION 1238. 71.05 (6) (a) 26. a. of the statutes is amended to read:

71.05 **(6)** (a) 26. a. To the extent that the receipt of such amounts by the owner or beneficiary of the account results in a penalty as provided in 26 USC 529 (c) (6), any amount that was not used for qualified higher education expenses, as that term is defined in 26 USC 529 (e) (3), ~~and was contributed to the account after December 31, 2013,~~ except that this subd. 26. a. applies only to amounts for which a subtraction was made under par. (b) 32.

SECTION 1239. 71.05 (6) (a) 28. of the statutes is amended to read:

71.05 **(6)** (a) 28. Upon the termination of an account as described under s. 16.643 or 224.55, any amount in the account that is returned to an account owner's estate.

SECTION 1240. 71.05 (6) (a) 30. of the statutes is created to read:

71.05 **(6)** (a) 30. For an account holder, as defined in s. 71.10 (10) (a) 1., or an account holder's estate:

a. Any amount distributed under s. 71.10 (10) (d) 2. or 3.

b. Any amount withdrawn from the account created under s. 71.10 (10) (b) 1. for any reason other than payment or reimbursement of eligible costs, as defined in s. 71.10 (10) (a) 4., except that this subd. 30. b. does not apply to the transfer of funds to another account as described in s. 71.10 (10) (c) 4. or to the disbursement of funds pursuant to a filing for bankruptcy protection under 11 USC 101 et seq.

SECTION 1241. 71.05 (6) (b) 9. of the statutes is renumbered 71.05 (6) (b) 9. (intro.) and amended to read:

71.05 **(6)** (b) 9. (intro.) On assets held more than one year and on all assets acquired from a decedent, 30 percent of the capital gain as computed under the ~~internal revenue code~~ Internal Revenue Code, not including capital gains for which the federal tax treatment is determined under section 406 of P.L. 99–514; not including amounts treated as ordinary income for federal income tax purposes because of the recapture of depreciation or any other reason; and not including amounts treated as capital gain for federal income tax purposes from the sale or exchange of a lottery prize. For purposes of this subdivision, the capital gains and capital losses for all assets shall be netted before application of the percentage. For taxable years beginning after December 31, 2020, no subtraction may be made under this subdivision by an individual whose federal adjusted gross income in the taxable year exceeds the applicable threshold amount, except that an individual whose federal adjusted gross income, less 30 percent of the capital gains otherwise eligible for subtraction under this subdivision, is below the applicable threshold amount may make the subtraction reduced by the amount that the individual's federal adjusted gross income exceeds the applicable threshold amount. In this subdivision, "applicable threshold amount" means:

SECTION 1242. 71.05 (6) (b) 9. a. of the statutes is created to read:

71.05 **(6)** (b) 9. a. For an estate, a trust, a single individual, or an individual who files as a head of household, $400,000.

SECTION 1243. 71.05 (6) (b) 9. b. of the statutes is created to read:

71.05 **(6)** (b) 9. b. For a married couple who files a joint return, $533,000.

SECTION 1244. 71.05 (6) (b) 9. c. of the statutes is created to read:

71.05 **(6)** (b) 9. c. For a married individual who files a separate return, $266,500.

SECTION 1245. 71.05 (6) (b) 17. of the statutes is repealed.

SECTION 1246. 71.05 (6) (b) 18. of the statutes is repealed.

SECTION 1247. 71.05 (6) (b) 19. c. of the statutes is amended to read:

71.05 **(6)** (b) 19. c. For taxable years beginning before January 1, 2021, for a person who is a nonresident or a part–year resident of this state, modify the amount calculated under subd. 19. b. by multiplying the amount by a fraction the numerator of which is the person's net earnings from a trade or business that are taxable by this state and the denominator of which is the person's total net earnings from a trade or business.

SECTION 1248. 71.05 (6) (b) 19. cm. of the statutes is created to read:

71.05 **(6)** (b) 19. cm. For taxable years beginning after December 31, 2020, for a person who is a nonresident or a part–year resident of this state, modify the amount calculated under subd. 19. b. by multiplying the amount by a fraction the numerator of which is the person's wages, salary, tips, unearned income, and net earnings from a trade or business that are taxable by this state and the denominator of which is the person's total wages, salary, tips, unearned income, and net earnings from a trade or business. In this subd. 19. cm., for married persons filing separately, "wages, salary, tips, unearned income, and net earnings from a trade or business" means the separate wages, salary, tips, unearned income, and net earnings from a trade or business of each spouse, and for married persons filing jointly, "wages, salary, tips, unearned income, and net earnings from a trade or business" means the total wages, salary, tips, unearned income, and net earnings from a trade or business of both spouses.

SECTION 1249. 71.05 (6) (b) 19. d. of the statutes is amended to read:

71.05 **(6)** (b) 19. d. ~~Reduce~~ For taxable years beginning before January 1, 2021, reduce the amount calculated under subd. 19. b. or c. to the person's aggregate net earnings from a trade or business that are taxable by this state.

SECTION 1250. 71.05 (6) (b) 19. dm. of the statutes is created to read:

71.05 **(6)** (b) 19. dm. For taxable years beginning after December 31, 2020, reduce the amount calculated under subd. 19.b. or cm. to the person's aggregate wages, salary, tips, unearned income, and net earnings from a trade or business that are taxable by this state.

SECTION 1251. 71.05 (6) (b) 20. of the statutes is repealed.

SECTION 1252. 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

71.05 **(6)** (b) 28. (intro.) An amount paid by a claimant for tuition expenses and mandatory student fees for a student who is the claimant or who is the claimant's child and the claimant's dependent, as defined under section 152 of the Internal Revenue Code, to attend any university, college, technical college or a school approved under s. 440.52, that is located in Wisconsin or to attend a public vocational school or public institution of higher education in Minnesota under ~~the Minnesota–Wisconsin~~ a reciprocity agreement under s. 36.27 (2r) or 39.47, calculated as follows:

SECTION 1253. 71.05 (6) (b) 34. of the statutes is amended to read:

71.05 **(6)** (b) 34. Any amount of basic, special, and incentive pay income or compensation, as those terms are used in 37 USC chapters 3 and 5, received from the federal government by a person who is a member of a reserve component of the U.S. armed forces, after being called into active federal service under the provisions of 10 USC 12302 (a) ~~or~~, 10 USC 12304, or 10 USC 12304b, or into special state service

authorized by the federal department of defense under 32 USC 502 (f), that is paid to the person for a period of time during which the person is on active duty.

SECTION 1254. 71.05 (6) (b) 34m. of the statutes is created to read:

71.05 **(6)** (b) 34m. For taxable years beginning after December 31, 2020, any amount of pay, as described in s. 321.35, received from this state by a person who is a member of the Wisconsin national guard after being called into state active duty under s. 321.39 that is paid to the person for the period of time during which the person is on state active duty, to the extent that the income is not subtracted under subd. 34.

SECTION 1255. 71.05 (6) (b) 36. of the statutes is repealed.

SECTION 1256. 71.05 (6) (b) 37. of the statutes is repealed.

SECTION 1257. 71.05 (6) (b) 39. of the statutes is repealed.

SECTION 1258. 71.05 (6) (b) 40. of the statutes is repealed.

SECTION 1259. 71.05 (6) (b) 41. of the statutes is repealed.

SECTION 1260. 71.05 (6) (b) 43. d. of the statutes is amended to read:

71.05 **(6)** (b) 43. d. For taxable years beginning after December 31, 2013, and before January 1, 2021, up to $3,000 if the claimant has one qualified individual and up to $6,000 if the claimant has more than one qualified individual.

SECTION 1261. 71.05 (6) (b) 49. a. of the statutes is amended to read:

71.05 **(6)** (b) 49. a. Subject to the definitions provided in subd. 49. b. to g. and the limitations specified in subd. 49. h. to j. for taxable years beginning after December 31, 2013, ~~and~~ subject to the limitation in subd. 49. k. for taxable years beginning after December 31, 2017, and subject to the limitation in subd. 49. m. for taxable years beginning after December 31, 2020, tuition expenses that are paid by a claimant for tuition for a pupil to attend an eligible institution.

SECTION 1262. 71.05 (6) (b) 49. m. of the statutes is created to read:

71.05 **(6)** (b) 49. m. For taxable years beginning after December 31, 2020, no modification may be made under this subdivision unless the adjusted gross income of the claimant is less than $100,000 if the claimant is filing as single or head of household, $150,000 if the claimant is married and filing jointly, or $75,000 if the claimant is married and filing separately.

SECTION 1263. 71.05 (6) (b) 54. of the statutes is created to read:

71.05 **(6)** (b) 54. For taxable years beginning after December 31, 2020, the amount of a national service educational award disbursed under 42 USC 12604 during the taxable year for the benefit of an individual. No modification may be claimed under this subdivision for an amount that is subtracted under subd. 28. or deducted under 26 USC 221.

SECTION 1264. 71.05 (6) (b) 55. of the statutes is created to read:

71.05 **(6)** (b) 55. For each account an account holder, as defined in s. 71.10 (10) (a) 1., creates under s. 71.10 (10) (b) 1. and, subject to s. 71.10 (10) (d), the amount deposited, limited to $5,000, by the account holder into the account during the taxable year and any interest, dividends, and other gains that accrue in the account and are redeposited into it. If the account holder is married and files a joint return, the $5,000 limitation shall be increased to $10,000. The subtraction under this subdivision does not apply to the transfer of funds from another account as described in s. 71.10 (10) (c) 4.

SECTION 1265. 71.05 (8) (a) of the statutes is amended to read:

71.05 **(8)** (a) ~~The carry back of losses to reduce income of prior years may be permitted for 2 taxable years.~~ There shall be added any amount deducted as a federal net operating loss ~~carry–back or~~ carry–over and there shall be subtracted for the first

taxable year for which the subtraction may be made any Wisconsin net operating loss ~~carry–back or~~ carry–forward allowable under par. (b) in an amount not in excess of the Wisconsin taxable income computed before the deduction of the Wisconsin net operating loss ~~carry–back or~~ carry–forward.

SECTION 1266. 71.05 (8) (b) 1. of the statutes is renumbered 71.05 (8) (b) and amended to read:

71.05 **(8)** (b) Except as provided in s. 71.80 (25), a Wisconsin net operating loss may be ~~carried back against Wisconsin taxable income of the previous 2 years and then~~ carried forward against Wisconsin taxable incomes of the next 20 taxable years, if the taxpayer was subject to taxation under this chapter in the taxable year in which the loss was incurred, to the extent not offset against other income of the year of loss and to the extent not offset against Wisconsin modified taxable income ~~of the 2 years preceding the loss and~~ of any year between the loss year and the taxable year for which the loss carry–forward is claimed. In this paragraph, "Wisconsin modified taxable income" means Wisconsin taxable income with the following exceptions: a net operating loss deduction or offset for the loss year or any taxable year ~~before or~~ thereafter is not allowed, the deduction for long–term capital gains under subs. (6) (b) 9. and 9m., (25), and (25m) is not allowed, the amount deductible for losses from sales or exchanges of capital assets may not exceed the amount includable in income for gains from sales or exchanges of capital assets and "Wisconsin modified taxable income" may not be less than zero.

SECTION 1267. 71.05 (8) (b) 2. of the statutes is repealed.

SECTION 1268. 71.05 (8) (c) of the statutes is repealed.

SECTION 1269. 71.05 (22) (a) (title) of the statutes is amended to read:

71.05 **(22)** (a) (title) *Election of deductions; ~~husband and wife~~ spousal deductions.*

SECTION 1270. 71.07 (3q) (c) 1. of the statutes is renumbered 71.07 (3q) (c) 1. a. and amended to read:

71.07 **(3q)** (c) 1. a. ~~Partnerships~~ Except as provided in subd. 1. b., partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.

SECTION 1271. 71.07 (3q) (c) 1. b. of the statutes is created to read:

71.07 **(3q)** (c) 1. b. For taxable years beginning after December 31, 2021, partnerships, limited liability companies, and tax–option corporations may elect to claim the credit under this subsection, if the credit results from a contract entered into with the Wisconsin Economic Development Corporation before December 22, 2017. A partnership, limited liability company, or tax–option corporation that wishes to make the election under this subd. 1. b. shall make the election for each taxable year on its original return and may not subsequently make or revoke the election. If a partnership, limited liability company, or tax–option corporation elects to claim the credit under this subsection, the partners, members, and shareholders may not claim the credit under this subsection. The credit may not be claimed under this subd. 1. b. if one or more partners, members, or shareholders have claimed the

credit under this subsection for the same taxable year for which the credit is claimed under this subd. 1. b.

SECTION 1272. 71.07 (3w) (a) 1. of the statutes is renumbered 71.07 (3w) (a) 1. a. and amended to read:

71.07 **(3w)** (a) 1. a. ~~"Base~~ Except as provided in subd. 1. b., "base year" means the taxable year beginning during the calendar year prior to the calendar year in which the enterprise zone in which the claimant is located takes effect.

SECTION 1273. 71.07 (3w) (a) 1. b. of the statutes is created to read:

71.07 **(3w)** (a) 1. b. For a claimant whose contract with the Wisconsin Economic Development Corporation under s. 238.399 is executed after December 31, 2021, "base year" means the 12–month period prior to the date on which the claimant was certified under s. 238.399 (5).

SECTION 1274. 71.07 (3w) (a) 2m. of the statutes is created to read:

71.07 **(3w)** (a) 2m. "Contract" means the contract between the claimant and Wisconsin Economic Development Corporation under s. 238.399.

SECTION 1275. 71.07 (3w) (a) 6. of the statutes is renumbered 71.07 (3w) (a) 6. a. and amended to read:

71.07 **(3w)** (a) 6. a. "Zone payroll" means the amount of state payroll that is attributable to wages paid to full–time employees for services that are performed in an enterprise zone. ~~"Zone~~ Except as provided in subd. 6. b., "zone payroll" does not include the amount of wages paid to any full–time employees that exceeds $100,000.

SECTION 1276. 71.07 (3w) (a) 6. b. of the statutes is created to read:

71.07 **(3w)** (a) 6. b. For a claimant whose contract is executed after December 31, 2021, "zone payroll" does not include the amount of wages paid to any full–time employees that exceeds $123,000.

SECTION 1277. 71.07 (3w) (b) (intro.) of the statutes is amended to read:

71.07 **(3w)** (b) *Filing claims under pre–2022 contracts; payroll.* (intro.) Subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant whose contract is executed prior to January 1, 2022, may claim as a credit against the tax imposed under s. 71.02 or 71.08 an amount calculated as follows:

SECTION 1278. 71.07 (3w) (bd) of the statutes is created to read:

71.07 **(3w)** (bd) *Filing claims under post–2021 contracts; payroll.* Subject to the limitations provided in this subsection and s. 238.399, a claimant whose contract is executed after December 31, 2021, may claim as a credit against the tax imposed under s. 71.02 an amount calculated as follows:

1. Determine the amount that is the lesser of:

a. The number of full–time employees whose annual wages are greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year, minus the number of full–time employees whose annual wages were greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality and who the claimant employed in the area that comprises the enterprise zone in the base year.

b. The number of full–time employees whose annual wages are greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality and who the claimant employed in the state in the taxable year, minus the number of full–time employees whose annual wages were greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality and who the claimant employed in the state in the base year.

2. Determine the claimant's average zone payroll by dividing total wages for full–time employees whose annual wages are greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year by the number of full–time employees whose annual wages are greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year.

3. For employees in a tier I county or municipality, subtract $27,900 from the amount determined under subd. 2. and for employees in a tier II county or municipality, subtract $37,000 from the amount determined under subd. 2.

4. Multiply the amount determined under subd. 3. by the amount determined under subd. 1.

5. Multiply the amount determined under subd. 4. by the percentage determined by under s. 238.399, not to exceed 7 percent.

SECTION 1279. 71.07 (3w) (bm) 1. of the statutes is amended to read:

71.07 **(3w)** (bm) 1. In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 2.~~, 3., and 4.~~ to 5., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08 an amount equal to a percentage, as determined under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade or improve the job–related skills of any of the claimant's full–time employees, to train any of the claimant's full–time employees on the use of job–related new technologies, or to provide job–related training to any full–time employee whose employment with the claimant represents

the employee's first full–time job. This subdivision does not apply to employees who do not work in an enterprise zone.

SECTION 1280. 71.07 (3w) (bm) 2. of the statutes is renumbered 71.07 (3w) (bm) 2. (intro.) and amended to read:

71.07 **(3w)** (bm) 2. (intro.) In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 1., 3., ~~and~~ 4., and 5., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08 one of the following amounts:

a. For a claimant whose contract is executed prior to January 1, 2022, an amount equal to the percentage, as determined under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's full–time employees whose annual wages are greater than the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality, not including the wages paid to the employees determined under par. (b) 1., or greater than $30,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year. ~~A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.~~

SECTION 1281. 71.07 (3w) (bm) 2. b. of the statutes is created to read:

71.07 **(3w)** (bm) 2. b. For a claimant whose contract is executed after December 31, 2021, an amount equal to the percentage, as determined under s. 238.399, not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's full–time employees whose annual wages are greater than $27,900 in a

tier I county or municipality, not including the wages paid to the employees determined under par. (bd) 1., or greater than $37,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (bd) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year.

SECTION 1282. 71.07 (3w) (bm) 3. of the statutes is amended to read:

71.07 **(3w)** (bm) 3. In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 1., 2., ~~and~~ 4., and 5., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08 up to 10 percent of the claimant's significant capital expenditures, as determined under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

SECTION 1283. 71.07 (3w) (bm) 4. of the statutes is amended to read:

71.07 **(3w)** (bm) 4. In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 1., 2., ~~and~~ 3., and 5., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08, up to 1 percent of the amount that the claimant paid in the taxable year to purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services from Wisconsin vendors, as determined under s. 238.399 (5) (e) or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under this subdivision and subd. 3. for the same expenditures.

SECTION 1284. 71.07 (3w) (bm) 5. of the statutes is renumbered 71.07 (3w) (bm) 5. (intro.) and amended to read:

71.07 **(3w)** (bm) 5. (intro.) In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 1. to 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant that has retained the minimum number of full–time employees determined under s. 238.399 (5) (f) and maintained average zone payroll for the taxable year equal to or greater than the base year may claim as a credit against the tax imposed under s. 71.02 or 71.08 one of the following amounts:

a. For a claimant whose contract is executed prior to January 1, 2022, an amount equal to the percentage, as determined by the Wisconsin Economic Development Corporation, of the claimant's zone payroll paid in the 12 months prior to the certification date to the claimant's full–time employees in the enterprise zone whose annual wages are greater than the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality or greater than $30,000 in a tier II county or municipality. ~~The amount that the claimant may claim as credit under this subdivision for a taxable year shall not exceed $2,000,000. A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.~~

SECTION 1285. 71.07 (3w) (bm) 5. b. of the statutes is created to read:

71.07 **(3w)** (bm) 5. b. For a claimant whose contract is executed after December 31, 2021, an amount equal to the percentage, as determined by the Wisconsin Economic Development Corporation, of the claimant's zone payroll paid in the 12 months prior to the certification date to the claimant's full–time employees in the enterprise zone whose annual wages are greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality.

SECTION 1286. 71.07 (3w) (c) 2. of the statutes is renumbered 71.07 (3w) (c) 2. a. and amended to read:

71.07 **(3w)** (c) 2. a. ~~Partnerships~~ Except as provided in subd. 2. b., partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts described under pars. (b) and (bm). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.

SECTION 1287. 71.07 (3w) (c) 2. b. of the statutes is created to read:

71.07 **(3w)** (c) 2. b. For taxable years beginning after December 31, 2021, partnerships, limited liability companies, and tax–option corporations may elect to claim the credit under this subsection, if the credit results from a contract entered into with the Wisconsin Economic Development Corporation before December 22, 2017. A partnership, limited liability company, or tax–option corporation that wishes to make the election under this subd. 2. b. shall make the election for each taxable year on its original return and may not subsequently make or revoke the election. If a partnership, limited liability company, or tax–option corporation elects to claim the credit under this subsection, the partners, members, and shareholders may not claim the credit under this subsection. The credit may not be claimed under this subd. 2. b. if one or more partners, members, or shareholders have claimed the credit under this subsection for the same taxable year for which the credit is claimed under this subd. 2. b.

SECTION 1288. 71.07 (3w) (c) 5. of the statutes is created to read:

71.07 **(3w)** (c) 5. A claimant may claim a credit under par. (bm) 2. for no more than 5 consecutive taxable years.

SECTION 1289. 71.07 (3w) (c) 6. of the statutes is created to read:

71.07 **(3w)** (c) 6. The amount that the claimant may claim as credit under par. (bm) 5. for a taxable year may not exceed $2,000,000. A claimant may claim a credit under par. (bm) 5. for no more than 5 consecutive taxable years.

SECTION 1290. 71.07 (3w) (cm) of the statutes is created to read:

71.07 **(3w)** (cm) *Inflation adjustments.* For taxable years beginning after December 31, 2022, the dollar amounts in pars. (a) 6. b., (bd) 1. a. and b., 2., and 3., and (bm) 2. b. and 5. b. shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the year before the previous year, as determined by the federal department of labor. Each amount that is revised under this paragraph shall be rounded to the nearest multiple of $10 if the revised amount is not a multiple of $10 or, if the revised amount is a multiple of $5, such an amount shall be increased to the next higher multiple of $10.

SECTION 1291. 71.07 (3y) (b) 5. of the statutes is amended to read:

71.07 **(3y)** (b) 5. An amount, as determined by the Wisconsin Economic Development Corporation under s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant paid to an eligible employee in the taxable year if the position in which the eligible employee was employed was created or retained in connection with the claimant's location or retention of the claimant's corporate

headquarters in Wisconsin ~~and the job duties associated with the eligible employee's position involve the performance of corporate headquarters functions~~.

SECTION 1292. 71.07 (3y) (b) 6. of the statutes is created to read:

71.07 **(3y)** (b) 6. An amount, as determined by the Wisconsin Economic Development Corporation under s. 238.308 (4) (a) 6., equal to a percentage, not to exceed 25 percent, of the claimant's energy efficiency or renewable energy project expenditures on real or personal property located in this state.

SECTION 1293. 71.07 (3y) (c) 1. of the statutes is renumbered 71.07 (3y) (c) 1. a. and amended to read:

71.07 **(3y)** (c) 1. a. ~~Partnerships~~ Except as provided in subd. 1. b., partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.

SECTION 1294. 71.07 (3y) (c) 1. b. of the statutes is created to read:

71.07 **(3y)** (c) 1. b. For taxable years beginning after December 31, 2021, partnerships, limited liability companies, and tax–option corporations may elect to claim the credit under this subsection, if the credit results from a contract entered into with the Wisconsin Economic Development Corporation before December 22, 2017. A partnership, limited liability company, or tax–option corporation that wishes to make the election under this subd. 1. b. shall make the election for each

taxable year on its original return and may not subsequently make or revoke the election. If a partnership, limited liability company, or tax–option corporation elects to claim the credit under this subsection, the partners, members, and shareholders may not claim the credit under this subsection. The credit may not be claimed under this subd. 1. b. if one or more partners, members, or shareholders have claimed the credit under this subsection for the same taxable year for which the credit is claimed under this subd. 1. b.

SECTION 1295. 71.07 (4k) (e) 2. a. of the statutes is amended to read:

71.07 **(4k)** (e) 2. a. ~~The~~ For taxable years beginning before January 1, 2021, the amount of the claim not used to offset the tax due, not to exceed 10 percent of the allowable amount of the claim under par. (b) 4., 5., or 6., shall be certified by the department of revenue to the department of administration for payment by check, share draft, or other draft drawn from the appropriation account under s. 20.835 (2) (d). For taxable years beginning after December 31, 2020, the amount of the claim not used to offset the tax due, not to exceed 20 percent of the allowable amount of the claim under par. (b) 4., 5., or 6., shall be certified by the department of revenue to the department of administration for payment by check, share draft, or other draft drawn from the appropriation account under s. 20.835 (2) (d).

SECTION 1296. 71.07 (4t) of the statutes is created to read:

71.07 **(4t)** WORK OPPORTUNITY TAX CREDIT. (a) *Definitions.* In this subsection:

1. "Claimant" means a person who is an employer of a targeted group member and who files a claim under this subsection.

2. "Targeted group member" means an individual who performs services for the claimant in this state and who is a member of a targeted group under 26 USC 51 (d).

(b) *Filing claims*. For taxable years beginning after December 31, 2020, a claimant may claim as a credit against the taxes imposed under s. 71.02, up to the amount of the tax, the following amounts:

1. An amount equal to 20 percent of the qualified first–year wages, as defined in 26 USC 51 (b) (2), paid during the taxable year to a targeted group member who has performed at least 400 hours of services for the claimant in this state.

2. An amount equal to 12.5 percent of the qualified first–year wages, as defined in 26 USC 51 (b) (2), paid during the taxable year to a targeted group member who has performed at least 120 hours, but less than 400 hours, of services for the claimant in this state.

3. An amount equal to 25 percent of the qualified 2nd–year wages, as defined in 26 USC 51 (e) (2), paid during the taxable year to a long–term family assistance recipient, as defined in 26 USC 51 (d) (10), who has performed at least 400 hours of services for the claimant in this state.

(c) *Limitations*. 1. The wages for which a credit may be claimed under par. (b) may not exceed the applicable threshold in 26 USC 51 (b) (3), (d) (7) (B) (ii), or (e) (1) (B) and may not be paid for services performed outside this state.

2. A credit under this subsection shall be claimed at the same time as the credit under 26 USC 51.

3. The requirements and limitations in 26 USC 51 (d) (13), (f), (i), and (k) shall apply to the credit under this subsection.

4. Partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of the wages under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of

credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. The partners, members, and shareholders may claim the credit in proportion to their ownership interests.

(d) *Administration*. Section 71.28 (4) (e) to (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection.

SECTION 1297. 71.07 (5) (a) 15. of the statutes is amended to read:

71.07 **(5)** (a) 15. The amount claimed as a deduction for medical care insurance under section 213 of the Internal Revenue Code that is exempt from taxation under s. 71.05 (6) (b) ~~17. to 20~~ 19., 35., ~~36., 37.,~~ 38., ~~39., 40., 41.,~~ and 42. and the amount claimed as a deduction for a long–term care insurance policy under section 213 (d) (1) (D) of the Internal Revenue Code, as defined in section 7702B (b) of the Internal Revenue Code that is exempt from taxation under s. 71.05 (6) (b) 26.

SECTION 1298. 71.07 (5m) (a) 3. of the statutes is amended to read:

71.07 **(5m)** (a) 3. "Household" means a claimant and an individual related to the claimant as ~~husband or wife~~ his or her spouse.

SECTION 1299. 71.07 (5n) (d) 2. of the statutes is amended to read:

71.07 **(5n)** (d) 2. ~~For~~ Except as provided in subd. 2m., for purposes of determining a claimant's eligible qualified production activities income under this subsection, the claimant shall multiply the claimant's qualified production activities income from property manufactured by the claimant by the manufacturing property factor and qualified production activities income from property produced, grown, or extracted by the claimant by the agriculture property factor.

SECTION 1300. 71.07 (5n) (d) 2m. of the statutes is created to read:

71.07 **(5n)** (d) 2m. For taxable years beginning after December 31, 2020, for purposes of determining a claimant's eligible qualified production activities income

from manufacturing under this subsection, the claimant shall multiply the claimant's qualified production activities income, not exceeding $300,000, from property manufactured by the claimant by the manufacturing property factor.

SECTION 1301. 71.07 (6e) (a) 6. of the statutes is created to read:

71.07 **(6e)** (a) 6. "Rent constituting property taxes" has the meaning given in sub. (9) (a) 4.

SECTION 1302. 71.07 (6e) (b) of the statutes is amended to read:

71.07 **(6e)** (b) *Filing claims.* Subject to the limitations provided in this subsection, a claimant may claim as a credit against the tax imposed under s. 71.02 the amount of the claimant's property taxes or rent constituting property taxes. If the allowable amount of the claim exceeds the income taxes otherwise due on the claimant's income, the amount of the claim not used as an offset against those taxes shall be certified by the department of revenue to the department of administration for payment to the claimant by check, share draft, or other draft from the appropriation under s. 20.835 (2) (em).

SECTION 1303. 71.07 (6e) (c) 3. of the statutes is amended to read:

71.07 **(6e)** (c) 3. If an eligible veteran and an eligible spouse file separate returns, each spouse may claim a credit under this subsection for property taxes based on their respective ownership interest in the eligible veteran's principal dwelling or for rent constituting property taxes based on 50 percent of the total rent constituting property taxes paid during the taxable year for the eligible veteran's principal dwelling.

SECTION 1304. 71.07 (8b) (a) 5. of the statutes is amended to read:

71.07 **(8b)** (a) 5. "Credit period" means the period of ~~6~~ 10 taxable years beginning with the taxable year in which a qualified development is placed in

service. For purposes of this subdivision, if a qualified development consists of more than one building, the qualified development is placed in service in the taxable year in which the last building of the qualified development is placed in service.

SECTION 1305. 71.07 (8b) (a) 7. of the statutes is amended to read:

71.07 **(8b)** (a) 7. "Qualified development" means a qualified low–income housing project under section 42 (g) of the Internal Revenue Code that is financed with tax–exempt bonds~~, pursuant to section 42 (i) (2)~~ described in section 42 (h) (4) (A) of the Internal Revenue Code, allocated the credit under section 42 of the Internal Revenue Code, and located in this state; except that the authority may waive, in the qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code, the requirements of tax–exempt bond financing and federal credit allocation to the extent the authority anticipates that sufficient volume cap under section 146 of the Internal Revenue Code will not be available to finance low–income housing projects in any year.

SECTION 1306. 71.07 (8m) of the statutes is created to read:

71.07 **(8m)** FLOOD INSURANCE PREMIUMS CREDIT. (a) *Definition.* In this subsection:

1. "Claimant" means an individual who files a claim under this subsection.

2. "Flood insurance" means a flood insurance policy that covers the principal dwelling of the claimant.

(b) *Filing claims.* Subject to the limitations provided in this subsection, for taxable years beginning after December 31, 2020, a claimant may claim as a credit against the tax imposed under s. 71.02, up to the amount of those taxes, an amount equal to 10 percent of the amount of the premiums the claimant paid in the taxable

year for flood insurance, but the amount of the credit may not exceed $60 in any taxable year.

(c) *Limitations.* 1. No credit may be claimed under this subsection by a part–year resident or a nonresident of this state.

2. No credit may be allowed under this subsection unless it is claimed within the period specified in s. 71.75 (2).

3. No credit may be allowed under this subsection for a taxable year covering a period of less than 12 months, except for a taxable year closed by reason of the death of the taxpayer.

(d) *Administration*. Subsection (9e) (d), to the extent that it applies to the credit under that subsection, applies to the credit under this subsection.

SECTION 1307. 71.07 (8p) of the statutes is created to read:

71.07 **(8p)** FAMILY CAREGIVER TAX CREDIT. (a) *Definitions.* In this subsection:

1. "Claimant" means an individual who files a claim under this subsection for amounts paid for qualified expenses to benefit a qualified family member.

2. "Physician" has the meaning given in s. 36.60 (1) (b).

3. "Qualified expenses" means amounts paid by a claimant in the year to which the claim relates for items that relate directly to the care or support of a qualified family member, including the following:

a. The improvement or alteration of the claimant's primary residence to enable or assist the qualified family member to be mobile, safe, or independent.

b. The purchase or lease of equipment to enable or assist the qualified family member to carry out one or more activities of daily living.

c. The acquisition of goods or services, or support, to assist the claimant in caring for the qualified family member, including employing a home care aide or

personal care attendant, adult day care, specialized transportation, legal or financial services, or assistive care technology.

4. "Qualified family member" means an individual to whom all of the following apply:

a. The individual is at least 18 years of age during the taxable year to which the claim relates.

b. The individual requires assistance with one or more daily living activities, as certified in writing by a physician.

c. The individual is the claimant's family member, as defined in s. 46.2805 (6m).

(b) *Filing claims.* For taxable years beginning after December 31, 2020, and subject to the limitations provided in this subsection, a claimant may claim as a credit against the tax imposed under s. 71.02, up to the amount of those taxes, 50 percent of the claimant's qualified expenses.

(c) *Limitations.* 1. Subject to subds. 2. and 3., the maximum credit that may be claimed under this subsection each taxable year with regard to a particular qualified family member is $500 or, if a claimant is married and filing a separate return, $250. If more than one individual may file a claim under this subsection for a particular qualified family member, the maximum credit specified in this subdivision shall be apportioned among all eligible claimants based on the ratio of their qualified expenses to the total amount of all qualified expenses incurred on behalf of that particular qualified family member, as determined by the department.

2. If the claimant is married and filing jointly and the couple's federal adjusted gross income in the taxable year exceeds $170,000, no credit may be claimed under this subsection. If the claimant is married and filing jointly and the couple's federal adjusted gross income in the taxable year exceeds $150,000, but does not exceed

$170,000, the credit claimed under this subsection may not exceed the amount determined as follows:

a. Determine the amount allowed under par. (b) without regard to this subdivision but with regard to subd. 1.

b. Subtract $150,000 from the couple's federal adjusted gross income.

c. Divide the amount determined under subd. 2. b. by $20,000.

d. Multiple the amount determined under subd. 2. a. by the amount determined under subd. 2. c.

e. Subtract the amount determined under subd. 2. d. from the amount determined under subd. 2. a.

3. If the claimant files as a single individual or head of household, or is married and files separately, and the claimant's federal adjusted gross income in the taxable year exceeds $85,000, no credit may be claimed under this subsection. If the claimant files as a single individual or head of household, or is married and files separately, and the claimant's federal adjusted gross income in the taxable year exceeds $75,000, but does not exceed $85,000, the credit claimed under this subsection may not exceed the amount determined as follows:

a. Determine the amount allowed under par. (b) without regard to this subdivision but with regard to subd. 1.

b. Subtract $75,000 from the claimant's federal adjusted gross income.

c. Divide the amount determined under subd. 3. b. by $10,000.

d. Multiple the amount determined under subd. 3. a. by the amount determined under subd. 3. c.

e. Subtract the amount determined under subd. 3. d. from the amount determined under subd. 3. a.

4. No credit may be allowed under this subsection unless it is claimed within the period specified under s. 71.75 (2).

5. No credit may be claimed under this subsection by nonresidents or part–year residents of this state.

6. Qualified expenses may not include any of the following:

a. General food, clothing, or transportation expenses.

b. Ordinary household maintenance or repair expenses that are not directly related or necessary for the care of the qualified family member.

c. Any amount that is paid or reimbursed by insurance or other means.

7. No credit may be allowed under this subsection for a taxable year covering a period of less than 12 months, except for a taxable year closed by reason of the death of the taxpayer.

(d) *Administration.* Subsection (9e) (d), to the extent that it applies to the credit under that subsection, applies to the credit under this subsection.

SECTION 1308. 71.07 (9e) (aj) (intro.) of the statutes is amended to read:

71.07 **(9e)** (aj) (intro.) For taxable years beginning after December 31, 2010, and before January 1, 2021, an individual may credit against the tax imposed under s. 71.02 an amount equal to one of the following percentages of the federal basic earned income credit for which the person is eligible for the taxable year under section 32 (b) (1) ~~(A) to (C)~~ of the Internal Revenue Code:

SECTION 1309. 71.07 (9e) (ak) of the statutes is created to read:

71.07 **(9e)** (ak) For taxable years beginning after December 31, 2020, an individual may credit against the tax imposed under s. 71.02 an amount equal to one of the following percentages of the federal basic earned income credit for which the

individual is eligible for the taxable year under section 32 (b) (1) of the Internal Revenue Code:

1. If the individual has one qualifying child who has the same principal place of abode as the individual, 16 percent.

2. If the individual has 2 qualifying children who have the same principal place of abode as the individual, 25 percent.

3. If the individual has 3 or more qualifying children who have the same principal place of abode as the individual, 34 percent.

SECTION 1310. 71.07 (9e) (b) of the statutes is amended to read:

71.07 **(9e)** (b) No credit may be allowed under this subsection to married persons, except married persons living apart who are treated as single under section 7703 (b) of the ~~internal revenue code~~ Internal Revenue Code, if the ~~husband and wife~~ spouses report their income on separate income tax returns for the taxable year.

SECTION 1311. 71.07 (9g) of the statutes is created to read:

71.07 **(9g)** ADDITIONAL CHILD AND DEPENDENT CARE TAX CREDIT. (a) *Definitions.* In this subsection:

1. "Claimant" means an individual who is eligible for and claims the federal child and dependent care tax credit for the taxable year to which the claim under this subsection relates.

2. "Federal child and dependent care tax credit" means the tax credit under 26 USC section 21.

(b) *Filing claims.* Subject to the limitations provided in this subsection, a claimant may claim as a credit against the tax imposed under s. 71.02, up to the amount of those taxes, an amount equal to 50 percent of the federal child and

dependent care tax credit claimed by the claimant on his or her federal income tax return for the taxable year to which the claim under this subsection relates.

(c) *Limitations.* 1. No credit may be allowed under this subsection unless it is claimed within the period under s. 71.75 (2).

2. No credit may be allowed under this subsection for a taxable year covering a period of less than 12 months, except for a taxable year closed by reason of the death of the claimant.

3. The credit under this subsection may not be claimed by a part–year resident or a nonresident of this state.

4. A claimant who claims the credit under this subsection is subject to the special rules in 26 USC 21 (e) (2) and (4).

(d) *Administration.* Subsection (9e) (d), to the extent that it applies to the credit under that subsection, applies to the credit under this subsection.

SECTION 1312. 71.09 (13) (a) 2. of the statutes is amended to read:

71.09 **(13)** (a) 2. The tax shown on the return for the preceding year. If ~~a husband and wife~~ spouses who filed separate returns for the preceding taxable year file a joint return, the tax shown on the return for the preceding year is the sum of the taxes shown on the separate returns of the ~~husband and wife~~ spouses. If ~~a husband and wife~~ spouses who filed a joint return for the preceding taxable year file separate returns, the tax shown on the return for the preceding year is ~~the husband's or wife's~~ each spouse's proportion of that tax based on what their respective tax liabilities for that year would have been had they filed separately.

SECTION 1313. 71.10 (4) (cs) of the statutes is created to read:

71.10 **(4)** (cs) Additional child and dependent care tax credit under s. 71.07 (9g).

SECTION 1314. 71.10 (4) (ct) of the statutes is created to read:

71.10 **(4)** (ct) Work opportunity tax credit under s. 71.07 (4t).

SECTION 1315. 71.10 (4) (ha) of the statutes is created to read:

71.10 **(4)** (ha) Flood insurance premiums credit under s. 71.07 (8m).

SECTION 1316. 71.10 (4) (hd) of the statutes is created to read:

71.10 **(4)** (hd) Family caregiver tax credit under s. 71.07 (8p).

SECTION 1317. 71.10 (4) (k) of the statutes is created to read:

71.10 **(4)** (k) Any amount computed under s. 71.83 (1) (ch).

SECTION 1318. 71.10 (10) of the statutes is created to read:

71.10 **(10)** FIRST-TIME HOMEBUYER SAVINGS ACCOUNTS. (a) *Definitions.* In this subsection:

1. "Account holder" means an individual who creates, individually or jointly with his or her spouse, an account under par. (b) 1.

2. "Allowable closing costs" means disbursements listed in a settlement statement for the purchase of a single–family residence by a beneficiary.

3. "Beneficiary" means a first–time homebuyer who is designated by an account holder as the beneficiary of an account created under par. (b) 1.

4. "Eligible costs" means the down payment and allowable closing costs for the purchase of a single–family residence in this state by a beneficiary.

5. "Financial institution" means a bank, trust company, savings institution, savings bank, savings and loan association, industrial loan association, consumer finance company, credit union, or a benefit association, insurance company, safe deposit company, money market mutual fund, or similar entity authorized to do business in this state.

6. "First–time homebuyer" means an individual who resides in this state and did not have, either individually or jointly, a present ownership interest in a

single–family residence during the 36 months before the month in which the individual purchases a single–family residence in this state.

7. "Single–family residence" means a residence intended for occupation by a single family unit that is purchased by a beneficiary for use as his or her principal residence.

(b) *Creation of account*. 1. An individual may create an account and become the account holder by opening an account at a financial institution for the purpose of paying or reimbursing the eligible costs of a first–time homebuyer. The account holder shall designate a beneficiary when the account is created and may designate himself or herself as the beneficiary. An account may have only one beneficiary at any one time. An individual may be the beneficiary of more than one account, and an individual may be the account holder of more than one account, but an account holder may not have more than one account that designates the same beneficiary. The account holder may change the beneficiary at any time.

2. An individual may jointly own an account created under subd. 1 with his or her spouse.

3. Only cash and marketable securities may be contributed to an account created under subd. 1.

4. Persons other than an account holder may contribute to an account created under subd. 1, but the subtraction under s. 71.05 (6) (b) 55. may be made only by the account holder.

(c) *Account holder rights and responsibilities.* 1. An account holder may withdraw funds from an account created under par. (b) 1. to pay eligible costs for the benefit of the beneficiary or to reimburse the beneficiary for eligible costs the beneficiary incurs and has paid.

2. An account holder may not use funds in an account created under par. (b) 1. to pay any expenses he or she incurs in administering the account, although a financial institution may deduct a service fee from the account.

3. Annually, an account holder shall submit to the department with his or her income tax return, on forms prepared by the department, information regarding the account created under par. (b) 1. The information submitted shall include all of the following:

a. A list of transactions in the account during the taxable year to which the return relates, including the beginning and ending balances of the account.

b. The 1099 form issued by the financial institution that relates to the account.

c. A list of eligible costs, and other costs, for which funds from the account were withdrawn during the taxable year to which the return relates.

4. An account holder may withdraw funds from an account created under par. (b) 1. with no penalty due under s. 71.83 (1) (ch) and no responsibility to make an addition under s. 71.05 (6) (a) 30. if he or she immediately transfers the funds to a different financial institution and deposits the funds into an account created under par. (b) 1. at that financial institution.

(d) *Limitations on accounts, dissolution.* 1. An account holder may not claim a subtraction under s. 71.05 (6) (b) 55. for more than a total of $50,000 of deposits into any account created under par. (b) 1. for each beneficiary.

2. An account holder shall dissolve an account created under par. (b) 1. no later than 120 months after it is created. The financial institution shall distribute any funds in the account at dissolution to the account holder.

3. If an account holder dies while funds remain in an account created under par. (b) 1., the account shall be dissolved and the financial institution shall distribute the funds to the account holder's estate.

(e) *Department responsibilities.* The department shall:

1. Prepare and distribute any forms that an account holder is required to submit under par. (c) 3. and any other forms necessary to administer this subsection and the adjustments to income under s. 71.05 (6) (a) 30. and (b) 55.

2. Prepare and distribute to financial institutions and potential homebuyers informational materials about the accounts described in this subsection.

SECTION 1319. 71.26 (3) (j) of the statutes is amended to read:

71.26 **(3)** (j) Sections 243, 244, 245, 245A, 246 and 246A are excluded and replaced by the rule that corporations may deduct from income dividends received from a corporation with respect to its common stock if the corporation receiving the dividends owns, directly or indirectly, during the entire taxable year at least 70 percent of the total combined voting stock of the payor corporation. In this paragraph, "dividends received" means gross dividends minus taxes on those dividends paid to a foreign nation and claimed as a deduction under this chapter. The same dividends may not be deducted more than once and may not be used in the determination of a net business loss under ss. 71.26 (4) and 71.45 (4).

SECTION 1320. 71.26 (4) (a) of the statutes is amended to read:

71.26 **(4)** (a) Except as provided in par. (b) and s. 71.80 (25), a corporation, except a tax–option corporation or an insurer to which s. 71.45 (4) applies, may offset against its Wisconsin net business income any Wisconsin net business loss incurred in any of the 20 immediately preceding taxable years, if the corporation was subject to taxation under this chapter in the taxable year in which the loss was incurred, to

the extent not offset by other items of Wisconsin income in the loss year and by Wisconsin net business income of any year between the loss year and the taxable year for which an offset is claimed. For purposes of this subsection, Wisconsin net business income or loss shall consist of all the income attributable to the operation of a trade or business in this state, less the business expenses allowed as deductions in computing net income, except that the dividends received deduction under sub. (3) (j) may not be used in the determination of a net business loss. The Wisconsin net business income or loss of corporations engaged in business within and without the state shall be determined under s. 71.25 (6) and (10) to (12). Nonapportionable losses having a Wisconsin situs under s. 71.25 (5) (b) shall be included in Wisconsin net business loss; and nonapportionable income having a Wisconsin situs under s. 71.25 (5) (b), whether taxable or exempt, shall be included in other items of Wisconsin income and Wisconsin net business income for purposes of this subsection.

SECTION 1321. 71.28 (3q) (c) 1. of the statutes is renumbered 71.28 (3q) (c) 1. a. and amended to read:

71.28 **(3q)** (c) 1. a. ~~Partnerships~~ Except as provided in subd. 1. b., partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.

SECTION 1322. 71.28 (3q) (c) 1. b. of the statutes is created to read:

71.28 **(3q)** (c) 1. b. For taxable years beginning after December 31, 2021, partnerships, limited liability companies, and tax–option corporations may elect to claim the credit under this subsection, if the credit results from a contract entered into with the Wisconsin Economic Development Corporation before December 22, 2017. A partnership, limited liability company, or tax–option corporation that wishes to make the election under this subd. 1. b. shall make the election for each taxable year on its original return and may not subsequently make or revoke the election. If a partnership, limited liability company, or tax–option corporation elects to claim the credit under this subsection, the partners, members, and shareholders may not claim the credit under this subsection. The credit may not be claimed under this subd. 1. b. if one or more partners, members, or shareholders have claimed the credit under this subsection for the same taxable year for which the credit is claimed under this subd. 1. b.

SECTION 1323. 71.28 (3w) (a) 1. of the statutes is renumbered 71.28 (3w) (a) 1. a. and amended to read:

71.28 **(3w)** (a) 1. a. ~~"Base~~ Except as provided in subd. 1. b., "base year" means the taxable year beginning during the calendar year prior to the calendar year in which the enterprise zone in which the claimant is located takes effect.

SECTION 1324. 71.28 (3w) (a) 1. b. of the statutes is created to read:

71.28 **(3w)** (a) 1. b. For a claimant whose contract with the Wisconsin Economic Development Corporation under s. 238.399 is executed after December 31, 2021, "base year" means the 12–month period prior to the date on which the claimant was certified under s. 238.399 (5).

SECTION 1325. 71.28 (3w) (a) 2m. of the statutes is created to read:

71.28 **(3w)** (a) 2m. "Contract" means a contract between the claimant and Wisconsin Economic Development Corporation under s. 238.399.

SECTION 1326. 71.28 (3w) (a) 6. of the statutes is renumbered 71.28 (3w) (a) 6. a. and amended to read:

71.28 **(3w)** (a) 6. a. "Zone payroll" means the amount of state payroll that is attributable to wages paid to full–time employees for services that are performed in an enterprise zone. "~~Zone~~ Except as provided in subd. 6. b., "zone payroll" does not include the amount of wages paid to any full–time employees that exceeds $100,000.

SECTION 1327. 71.28 (3w) (a) 6. b. of the statutes is created to read:

71.28 **(3w)** (a) 6. b. For a claimant whose contract is executed after December 31, 2021, "zone payroll" does not include the amount of wages paid to any full–time employees that exceeds $123,000.

SECTION 1328. 71.28 (3w) (b) (intro.) of the statutes is amended to read:

71.28 **(3w)** (b) *Filing claims under pre–2022 contracts; payroll.* (intro.) Subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant whose contract is executed prior to January 1, 2022, may claim as a credit against the tax imposed under s. 71.23 an amount calculated as follows:

SECTION 1329. 71.28 (3w) (bd) of the statutes is created to read:

71.28 **(3w)** (bd) *Filing claims under post–2021 contracts; payroll.* Subject to the limitations provided in this subsection and s. 238.399, a claimant whose contract is executed after December 31, 2021, may claim as a credit against the tax imposed under s. 71.23 an amount calculated as follows:

1. Determine the amount that is the lesser of:

a. The number of full–time employees whose annual wages are greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county

or municipality and who the claimant employed in the enterprise zone in the taxable year, minus the number of full–time employees whose annual wages were greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality and who the claimant employed in the area that comprises the enterprise zone in the base year.

b. The number of full–time employees whose annual wages are greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality and who the claimant employed in the state in the taxable year, minus the number of full–time employees whose annual wages were greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality and who the claimant employed in the state in the base year.

2. Determine the claimant's average zone payroll by dividing total wages for full–time employees whose annual wages are greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year by the number of full–time employees whose annual wages are greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year.

3. For employees in a tier I county or municipality, subtract $27,900 from the amount determined under subd. 2. and for employees in a tier II county or municipality, subtract $37,000 from the amount determined under subd. 2.

4. Multiply the amount determined under subd. 3. by the amount determined under subd. 1.

5. Multiply the amount determined under subd. 4. by the percentage determined under s. 238.399, not to exceed 7 percent.

SECTION 1330. 71.28 (3w) (bm) 1. of the statutes is amended to read:

71.28 **(3w)** (bm) 1. In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 2., ~~3., and 4.~~ to 5., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.23 an amount equal to a percentage, as determined under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade or improve the job–related skills of any of the claimant's full–time employees, to train any of the claimant's full–time employees on the use of job–related new technologies, or to provide job–related training to any full–time employee whose employment with the claimant represents the employee's first full–time job. This subdivision does not apply to employees who do not work in an enterprise zone.

SECTION 1331. 71.28 (3w) (bm) 2. of the statutes is renumbered 71.28 (3w) (bm) 2. (intro.) and amended to read:

71.28 **(3w)** (bm) 2. (intro.) In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 1., 3., ~~and~~ 4., and 5., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.23 one of the following amounts:

a. For a claimant whose contract is executed prior to January 1, 2022, an amount equal to the percentage, as determined under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's full–time employees whose annual wages are greater than the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality, not including the wages paid to the employees determined under par. (b) 1., or greater than $30,000 in a tier II county or

municipality, not including the wages paid to the employees determined under par. (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year. ~~A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.~~

SECTION 1332. 71.28 (3w) (bm) 2. b. of the statutes is created to read:

71.28 **(3w)** (bm) 2. b. For a claimant whose contract is executed after December 31, 2021, an amount equal to the percentage, as determined under s. 238.399, not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's full–time employees whose annual wages are greater than $27,900 in a tier I county or municipality, not including the wages paid to the employees determined under par. (bd) 1., or greater than $37,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (bd) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year.

SECTION 1333. 71.28 (3w) (bm) 3. of the statutes is amended to read:

71.28 **(3w)** (bm) 3. In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 1., 2., ~~and~~ 4., and 5., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.23 up to 10 percent of the claimant's significant capital expenditures, as determined under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

SECTION 1334. 71.28 (3w) (bm) 4. of the statutes is amended to read:

71.28 **(3w)** (bm) 4. In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 1., 2., ~~and~~ 3., and 5., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the tax imposed under s. 71.23, up to 1 percent of the amount that the claimant paid in the taxable year to purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services from Wisconsin vendors, as determined under s. 238.399 (5) (e) or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under this subdivision and subd. 3. for the same expenditures.

SECTION 1335. 71.28 (3w) (bm) 5. of the statutes is renumbered 71.28 (3w) (bm) 5. (intro.) and amended to read:

71.28 **(3w)** (bm) 5. (intro.) In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 1. to 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant that has retained the minimum number of full–time employees determined under s. 238.399 (5) (f) and maintained average zone payroll for the taxable year equal to or greater than the base year may claim as a credit against the tax imposed under s. 71.23 one of the following amounts:

a. For a claimant whose contract is executed prior to January 1, 2022, an amount equal to the percentage, as determined by the Wisconsin Economic Development Corporation, of the claimant's zone payroll paid in the 12 months prior to the certification date to the claimant's full–time employees in the enterprise zone whose annual wages are greater than the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality or greater than $30,000 in a tier II county or municipality. ~~The amount that the claimant may claim as credit under this subdivision for a taxable year shall not~~

~~exceed $2,000,000. A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.~~

SECTION 1336. 71.28 (3w) (bm) 5. b. of the statutes is created to read:

71.28 **(3w)** (bm) 5. b. For a claimant whose contract is executed after December 31, 2021, an amount equal to the percentage, as determined by the Wisconsin Economic Development Corporation, of the claimant's zone payroll paid in the 12 months prior to the certification date to the claimant's full–time employees in the enterprise zone whose annual wages are greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality.

SECTION 1337. 71.28 (3w) (c) 2. of the statutes is renumbered 71.28 (3w) (c) 2. a. and amended to read:

71.28 **(3w)** (c) 2. a. ~~Partnerships~~ Except as provided in subd. 2. b., partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts described under pars. (b) and (bm). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.

SECTION 1338. 71.28 (3w) (c) 2. b. of the statutes is created to read:

71.28 **(3w)** (c) 2. b. For taxable years beginning after December 31, 2021, partnerships, limited liability companies, and tax–option corporations may elect to claim the credit under this subsection, if the credit results from a contract entered into with the Wisconsin Economic Development Corporation before December 22,

2017. A partnership, limited liability company, or tax–option corporation that wishes to make the election under this subd. 2. b. shall make the election for each taxable year on its original return and may not subsequently make or revoke the election. If a partnership, limited liability company, or tax–option corporation elects to claim the credit under this subsection, the partners, members, and shareholders may not claim the credit under this subsection. The credit may not be claimed under this subd. 2. b. if one or more partners, members, or shareholders have claimed the credit under this subsection for the same taxable year for which the credit is claimed under this subd. 2. b.

SECTION 1339. 71.28 (3w) (c) 5. of the statutes is created to read:

71.28 **(3w)** (c) 5. A claimant may claim a credit under par. (bm) 2. for no more than 5 consecutive taxable years.

SECTION 1340. 71.28 (3w) (c) 6. of the statutes is created to read:

71.28 **(3w)** (c) 6. The amount that the claimant may claim as credit under par. (bm) 5. for a taxable year may not exceed $2,000,000. A claimant may claim a credit under par. (bm) 5. for no more than 5 consecutive taxable years.

SECTION 1341. 71.28 (3w) (cm) of the statutes is created to read:

71.28 **(3w)** (cm) *Inflation adjustments.* For taxable years beginning after December 31, 2022, the dollar amounts in pars. (a) 6. b., (bd) 1. a. and b., 2., and 3., and (bm) 2. b. and 5. b. shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the year before the previous year, as determined by the federal department of labor. Each amount that is revised under this paragraph shall be rounded to the nearest

multiple of $10 if the revised amount is not a multiple of $10 or, if the revised amount is a multiple of $5, such an amount shall be increased to the next higher multiple of $10.

SECTION 1342. 71.28 (3y) (b) 5. of the statutes is amended to read:

71.28 **(3y)** (b) 5. An amount, as determined by the Wisconsin Economic Development Corporation under s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant paid to an eligible employee in the taxable year if the position in which the eligible employee was employed was created or retained in connection with the claimant's location or retention of the claimant's corporate headquarters in Wisconsin ~~and the job duties associated with the eligible employee's position involve the performance of corporate headquarters functions~~.

SECTION 1343. 71.28 (3y) (b) 6. of the statutes is created to read:

71.28 **(3y)** (b) 6. An amount, as determined by the Wisconsin Economic Development Corporation under s. 238.308 (4) (a) 6., equal to a percentage, not to exceed 25 percent, of the claimant's energy efficiency or renewable energy project expenditures on real or personal property located in this state.

SECTION 1344. 71.28 (3y) (c) 1. of the statutes is renumbered 71.28 (3y) (c) 1. a. and amended to read:

71.28 **(3y)** (c) 1. a. ~~Partnerships~~ Except as provided in subd. 1. b., partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders

of tax–option corporations may claim the credit in proportion to their ownership interests.

SECTION 1345. 71.28 (3y) (c) 1. b. of the statutes is created to read:

71.28 **(3y)** (c) 1. b. For taxable years beginning after December 31, 2021, partnerships, limited liability companies, and tax–option corporations may elect to claim the credit under this subsection, if the credit results from a contract entered into with the Wisconsin Economic Development Corporation before December 22, 2017. A partnership, limited liability company, or tax–option corporation that wishes to make the election under this subd. 1. b. shall make the election for each taxable year on its original return and may not subsequently make or revoke the election. If a partnership, limited liability company, or tax–option corporation elects to claim the credit under this subsection, the partners, members, and shareholders may not claim the credit under this subsection. The credit may not be claimed under this subd. 1. b. if one or more partners, members, or shareholders have claimed the credit under this subsection for the same taxable year for which the credit is claimed under this subd. 1. b.

SECTION 1346. 71.28 (4) (k) 1. of the statutes is renumbered 71.28 (4) (k) 1. a. and amended to read:

71.28 **(4)** (k) 1. a. ~~The~~ For taxable years beginning before January 1, 2021, the amount of the claim not used to offset the tax due, not to exceed 10 percent of the allowable amount of the claim under par. (ad) 4., 5., or 6., shall be certified by the department of revenue to the department of administration for payment by check, share draft, or other draft drawn from the appropriation account under s. 20.835 (2) (d).

SECTION 1347. 71.28 (4) (k) 1. b. of the statutes is created to read:

71.28 (4) (k) 1. b. For taxable years beginning after December 31, 2020, the amount of the claim not used to offset the tax due, not to exceed 20 percent of the allowable amount of the claim under par. (ad) 4., 5., or 6., shall be certified by the department of revenue to the department of administration for payment by check, share draft, or other draft drawn from the appropriation account under s. 20.835 (2) (d).

SECTION 1348. 71.28 (4t) of the statutes is created to read:

71.28 **(4t)** WORK OPPORTUNITY TAX CREDIT. (a) *Definitions*. In this subsection:

1. "Claimant" means a person who is an employer of a targeted group member and who files a claim under this subsection.

2. "Targeted group member" means an individual who performs services for the claimant in this state and who is a member of a targeted group under 26 USC 51 (d).

(b) *Filing claims*. For taxable years beginning after December 31, 2020, a claimant may claim as a credit against the taxes imposed under s. 71.23, up to the amount of the tax, the following amounts:

1. An amount equal to 20 percent of the qualified first–year wages, as defined in 26 USC 51 (b) (2), paid during the taxable year to a targeted group member who has performed at least 400 hours of services for the claimant in this state.

2. An amount equal to 12.5 percent of the qualified first–year wages, as defined in 26 USC 51 (b) (2), paid during the taxable year to a targeted group member who has performed at least 120 hours, but less than 400 hours, of services for the claimant in this state.

3. An amount equal to 25 percent of the qualified 2nd–year wages, as defined in 26 USC 51 (e) (2), paid during the taxable year to a long–term family assistance

recipient, as defined in 26 USC 51 (d) (10), who has performed at least 400 hours of services for the claimant in this state.

(c) *Limitations*. 1. The wages for which a credit may be claimed under par. (b) may not exceed the applicable threshold in 26 USC 51 (b) (3), (d) (7) (B) (ii), or (e) (1) (B) and may not be paid for services performed outside this state.

2. A credit under this subsection shall be claimed at the same time as the credit under 26 USC 51.

3. The requirements and limitations in 26 USC 51 (d) (13), (f), (i), and (k) shall apply to the credit under this subsection.

4. Partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of the wages under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. The partners, members, and shareholders may claim the credit in proportion to their ownership interests.

(d) *Administration*. Subsection (4) (e) to (h), as it applies to the credit under sub. (4), applies to the credit under this subsection.

SECTION 1349. 71.28 (5n) (d) 2. of the statutes is amended to read:

71.28 **(5n)** (d) 2. Except as provided in ~~subd.~~ subds. 2m. and 3., for purposes of determining a claimant's eligible qualified production activities income under this subsection, the claimant shall multiply the claimant's qualified production activities income from property manufactured by the claimant by the manufacturing property factor and qualified production activities income from property produced, grown, or extracted by the claimant by the agriculture property factor.

SECTION 1350. 71.28 (5n) (d) 2m. of the statutes is created to read:

71.28 **(5n)** (d) 2m. Except as provided in subd. 3., for taxable years beginning after December 31, 2020, for purposes of determining a claimant's eligible qualified production activities income from manufacturing under this subsection, the claimant shall multiply the claimant's qualified production activities income, not exceeding $300,000, from property manufactured by the claimant by the manufacturing property factor.

SECTION 1351. 71.28 (5n) (d) 3. a. of the statutes is amended to read:

71.28 **(5n)** (d) 3. a. The eligible qualified production activities income determined under subd. 2. or 2m.

SECTION 1352. 71.28 (8b) (a) 5. of the statutes is amended to read:

71.28 **(8b)** (a) 5. "Credit period" means the period of ~~6~~ 10 taxable years beginning with the taxable year in which a qualified development is placed in service. For purposes of this subdivision, if a qualified development consists of more than one building, the qualified development is placed in service in the taxable year in which the last building of the qualified development is placed in service.

SECTION 1353. 71.28 (8b) (a) 7. of the statutes is amended to read:

71.28 **(8b)** (a) 7. "Qualified development" means a qualified low–income housing project under section 42 (g) of the Internal Revenue Code that is financed with tax–exempt bonds~~, pursuant to section 42 (i) (2)~~ described in section 42 (h) (4) (A) of the Internal Revenue Code, allocated the credit under section 42 of the Internal Revenue Code, and located in this state; except that the authority may waive, in the qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code, the requirements of tax–exempt bond financing and federal credit allocation to the extent the authority anticipates that sufficient volume cap under section 146 of the

Internal Revenue Code will not be available to finance low–income housing projects in any year.

SECTION 1354. 71.30 (3) (ct) of the statutes is created to read:

71.30 **(3)** (ct) Work opportunity tax credit under s. 71.28 (4t).

SECTION 1355. 71.45 (4) (a) of the statutes is amended to read:

71.45 **(4)** (a) Except as provided in par. (b) and s. 71.80 (25), insurers computing tax under this subchapter may subtract from Wisconsin net income any Wisconsin net business loss incurred in any of the 20 immediately preceding taxable years, if the insurer was subject to taxation under this chapter in the taxable year in which the loss was incurred, to the extent not offset by Wisconsin net business income of any year between the loss year and the taxable year for which an offset is claimed and computed without regard to sub. (2) (a) 8. and 9. and this subsection and limited to the amount of net income, but no loss incurred for a taxable year before taxable year 1987 by a nonprofit service plan of sickness care under ch. 148, or dental care under s. 447.13 may be treated as a net business loss of the successor service insurer under ch. 613 operating by virtue of s. 148.03 or 447.13. For purposes of this paragraph, the dividends received deduction under s. 71.26 (3) (j) may not be used in the determination of a net business loss.

SECTION 1356. 71.47 (3q) (c) 1. of the statutes is renumbered 71.47 (3q) (c) 1. a. and amended to read:

71.47 **(3q)** (c) 1. a. ~~Partnerships~~ Except as provided in subd. 1. b., partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its

partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.

SECTION 1357. 71.47 (3q) (c) 1. b. of the statutes is created to read:

71.47 **(3q)** (c) 1. b. For taxable years beginning after December 31, 2021, partnerships, limited liability companies, and tax–option corporations may elect to claim the credit under this subsection, if the credit results from a contract entered into with the Wisconsin Economic Development Corporation before December 22, 2017. A partnership, limited liability company, or tax–option corporation that wishes to make the election under this subd. 1. b. shall make the election for each taxable year on its original return and may not subsequently make or revoke the election. If a partnership, limited liability company, or tax–option corporation elects to claim the credit under this subsection, the partners, members, and shareholders may not claim the credit under this subsection. The credit may not be claimed under this subd. 1. b. if one or more partners, members, or shareholders have claimed the credit under this subsection for the same taxable year for which the credit is claimed under this subd. 1. b.

SECTION 1358. 71.47 (3w) (a) 1. of the statutes is renumbered 71.47 (3w) (a) 1. a. and amended to read:

71.47 **(3w)** (a) 1. a. ~~"Base~~ Except as provided in subd. 1. b., "base year" means the taxable year beginning during the calendar year prior to the calendar year in which the enterprise zone in which the claimant is located takes effect.

SECTION 1359. 71.47 (3w) (a) 1. b. of the statutes is created to read:

71.47 **(3w)** (a) 1. b. For a claimant whose contract with the Wisconsin Economic Development Corporation under s. 238.399 is executed after December 31, 2021, "base year" means the 12–month period prior to the date on which the claimant was certified under s. 238.399 (5).

SECTION 1360. 71.47 (3w) (a) 2m. of the statutes is created to read:

71.47 **(3w)** (a) 2m. "Contract" means a contract between the claimant and Wisconsin Economic Development Corporation under s. 238.399.

SECTION 1361. 71.47 (3w) (a) 6. of the statutes is renumbered 71.47 (3w) (a) 6. a. and amended to read:

71.47 **(3w)** (a) 6. a. "Zone payroll" means the amount of state payroll that is attributable to wages paid to full–time employees for services that are performed in an enterprise zone. ~~"Zone~~ Except as provided in subd. 6. b., "zone payroll" does not include the amount of wages paid to any full–time employees that exceeds $100,000.

SECTION 1362. 71.47 (3w) (a) 6. b. of the statutes is created to read:

71.47 **(3w)** (a) 6. b. For a claimant whose contract is executed after December 31, 2021, "zone payroll" does not include the amount of wages paid to any full–time employees that exceeds $123,000.

SECTION 1363. 71.47 (3w) (b) (intro.) of the statutes is amended to read:

71.47 **(3w)** (b) *Filing claims under pre–2022 contracts; payroll.* (intro.) Subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant whose contract is executed prior to January 1, 2022, may claim as a credit against the tax imposed under s. 71.43 an amount calculated as follows:

SECTION 1364. 71.47 (3w) (bd) of the statutes is created to read:

71.47 **(3w)** (bd) *Filing claims under post–2021 contracts; payroll.* Subject to the limitations provided in this subsection and s. 238.399, a claimant whose contract is

executed after December 31, 2021, may claim as a credit against the tax imposed under s. 71.43 an amount calculated as follows:

1. Determine the amount that is the lesser of:

a. The number of full–time employees whose annual wages are greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year, minus the number of full–time employees whose annual wages were greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality and who the claimant employed in the area that comprises the enterprise zone in the base year.

b. The number of full–time employees whose annual wages are greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality and who the claimant employed in the state in the taxable year, minus the number of full–time employees whose annual wages were greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality and who the claimant employed in the state in the base year.

2. Determine the claimant's average zone payroll by dividing total wages for full–time employees whose annual wages are greater than $27,900 in a tier I county or municipality or greater than $37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year by the number of full–time employees whose annual wages are greater than $27,900 or greater than $37,000 in a tier II county or municipality and who the claimant employed in the enterprise zone in the taxable year.

3. For employees in a tier I county or municipality, subtract $27,900 from the amount determined under subd. 2. and for employees in a tier II county or municipality, subtract $37,000 from the amount determined under subd. 2.

4. Multiply the amount determined under subd. 3. by the amount determined under subd. 1.

5. Multiply the amount determined under subd. 4. by the percentage determined under s. 238.399, not to exceed 7 percent.

SECTION 1365. 71.47 (3w) (bm) 1. of the statutes is amended to read:

71.47 **(3w)** (bm) 1. In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 2., 3., and 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.43 an amount equal to a percentage, as determined under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade or improve the job–related skills of any of the claimant's full–time employees, to train any of the claimant's full–time employees on the use of job–related new technologies, or to provide job–related training to any full–time employee whose employment with the claimant represents the employee's first full–time job. This subdivision does not apply to employees who do not work in an enterprise zone.

SECTION 1366. 71.47 (3w) (bm) 2. of the statutes is renumbered 71.47 (3w) (bm) 2. (intro.) and amended to read:

71.47 **(3w)** (bm) 2. (intro.) In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 1., 3., and 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.43 one of the following amounts:

a. For a claimant whose contract is executed prior to January 1, 2022, an amount equal to the percentage, as determined under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's full–time employees whose annual wages are greater than the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage in a tier I county or municipality, not including the wages paid to the employees determined under par. (b) 1., or greater than $30,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year. ~~A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.~~

SECTION 1367. 71.47 (3w) (bm) 2. b. of the statutes is created to read:

71.47 **(3w)** (bm) 2. b. For a claimant whose contract is executed after December 31, 2021, an amount equal to the percentage, as determined under s. 238.399, not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's full–time employees whose annual wages are greater than $27,900 in a tier I county or municipality, not including the wages paid to the employees determined under par. (bd) 1., or greater than $37,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (bd) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year.

SECTION 1368. 71.47 (3w) (bm) 3. of the statutes is amended to read:

71.47 **(3w)** (bm) 3. In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 1., 2., and 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.43 up to 10 percent of the claimant's significant capital expenditures, as determined under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

SECTION 1369. 71.47 (3w) (bm) 4. of the statutes is amended to read:

71.47 **(3w)** (bm) 4. In addition to the credits under ~~par.~~ pars. (b) and (bd) and subds. 1., 2., and 3., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the tax imposed under s. 71.43, up to 1 percent of the amount that the claimant paid in the taxable year to purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services from Wisconsin vendors, as determined under s. 238.399 (5) (e) or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under this subdivision and subd. 3. for the same expenditures.

SECTION 1370. 71.47 (3w) (c) 2. of the statutes is renumbered 71.47 (3w) (c) 2. a. and amended to read:

71.47 **(3w)** (c) 2. a. ~~Partnerships~~ Except as provided in subd. 2. b., partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts described under pars. (b) and (bm). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability

companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.

SECTION 1371. 71.47 (3w) (c) 2. b. of the statutes is created to read:

71.47 **(3w)** (c) 2. b. For taxable years beginning after December 31, 2021, partnerships, limited liability companies, and tax–option corporations may elect to claim the credit under this subsection, if the credit results from a contract entered into with the Wisconsin Economic Development Corporation before December 22, 2017. A partnership, limited liability company, or tax–option corporation that wishes to make the election under this subd. 2. b. shall make the election for each taxable year on its original return and may not subsequently make or revoke the election. If a partnership, limited liability company, or tax–option corporation elects to claim the credit under this subsection, the partners, members, and shareholders may not claim the credit under this subsection. The credit may not be claimed under this subd. 2. b. if one or more partners, members, or shareholders have claimed the credit under this subsection for the same taxable year for which the credit is claimed under this subd. 2. b.

SECTION 1372. 71.47 (3w) (c) 5. of the statutes is created to read:

71.47 **(3w)** (c) 5. A claimant may claim a credit under par. (bm) 2. for no more than 5 consecutive taxable years.

SECTION 1373. 71.47 (3w) (cm) of the statutes is created to read:

71.47 **(3w)** (cm) *Inflation adjustments.* For taxable years beginning after December 31, 2022, the dollar amounts in pars. (a) 6. b., (bd) 1. a. and b., 2., and 3., and (bm) 2. b. shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price

index for all urban consumers, U.S. city average, for the month of August of the year before the previous year, as determined by the federal department of labor. Each amount that is revised under this paragraph shall be rounded to the nearest multiple of $10 if the revised amount is not a multiple of $10 or, if the revised amount is a multiple of $5, such an amount shall be increased to the next higher multiple of $10.

SECTION 1374. 71.47 (3y) (b) 5. of the statutes is amended to read:

71.47 **(3y)** (b) 5. An amount, as determined by the Wisconsin Economic Development Corporation under s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant paid to an eligible employee in the taxable year if the position in which the eligible employee was employed was created or retained in connection with the claimant's location or retention of the claimant's corporate headquarters in Wisconsin ~~and the job duties associated with the eligible employee's position involve the performance of corporate headquarters functions~~.

SECTION 1375. 71.47 (3y) (b) 6. of the statutes is created to read:

71.47 **(3y)** (b) 6. An amount, as determined by the Wisconsin Economic Development Corporation under s. 238.308 (4) (a) 6., equal to a percentage, not to exceed 25 percent, of the claimant's energy efficiency or renewable energy project expenditures on real or personal property located in this state.

SECTION 1376. 71.47 (3y) (c) 1. of the statutes is renumbered 71.47 (3y) (c) 1. a. and amended to read:

71.47 **(3y)** (c) 1. a. ~~Partnerships~~ Except as provided in subd. 1. b., partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its

partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax–option corporations may claim the credit in proportion to their ownership interests.

SECTION 1377. 71.47 (3y) (c) 1. b. of the statutes is created to read:

71.47 **(3y)** (c) 1. b. For taxable years beginning after December 31, 2021, partnerships, limited liability companies, and tax–option corporations may elect to claim the credit under this subsection, if the credit results from a contract entered into with the Wisconsin Economic Development Corporation before December 22, 2017. A partnership, limited liability company, or tax–option corporation that wishes to make the election under this subd. 1. b. shall make the election for each taxable year on its original return and may not subsequently make or revoke the election. If a partnership, limited liability company, or tax–option corporation elects to claim the credit under this subsection, the partners, members, and shareholders may not claim the credit under this subsection. The credit may not be claimed under this subd. 1. b. if one or more partners, members, or shareholders have claimed the credit under this subsection for the same taxable year for which the credit is claimed under this subd. 1. b.

SECTION 1378. 71.47 (4) (k) 1. of the statutes is renumbered 71.47 (4) (k) 1. a. and amended to read:

71.47 **(4)** (k) 1. a. ~~The~~ For taxable years beginning before January 1, 2021, the amount of the claim not used to offset the tax due, not to exceed 10 percent of the allowable amount of the claim under par. (ad) 4., 5., or 6., shall be certified by the department of revenue to the department of administration for payment by check,

share draft, or other draft drawn from the appropriation account under s. 20.835 (2) (d).

SECTION 1379. 71.47 (4) (k) 1. b. of the statutes is created to read:

71.47 (4) (k) 1. b. For taxable years beginning after December 31, 2020, the amount of the claim not used to offset the tax due, not to exceed 20 percent of the allowable amount of the claim under par. (ad) 4., 5., or 6., shall be certified by the department of revenue to the department of administration for payment by check, share draft, or other draft drawn from the appropriation account under s. 20.835 (2) (d).

SECTION 1380. 71.47 (4t) of the statutes is created to read:

71.47 **(4t)** WORK OPPORTUNITY TAX CREDIT. (a) *Definitions*. In this subsection:

1. "Claimant" means a person who is an employer of a targeted group member and who files a claim under this subsection.

2. "Targeted group member" means an individual who performs services for the claimant in this state and who is a member of a targeted group under 26 USC 51 (d).

(b) *Filing claims*. For taxable years beginning after December 31, 2020, a claimant may claim as a credit against the taxes imposed under s. 71.43, up to the amount of the tax, the following amounts:

1. An amount equal to 20 percent of the qualified first–year wages, as defined in 26 USC 51 (b) (2), paid during the taxable year to a targeted group member who has performed at least 400 hours of services for the claimant in this state.

2. An amount equal to 12.5 percent of the qualified first–year wages, as defined in 26 USC 51 (b) (2), paid during the taxable year to a targeted group member who has performed at least 120 hours, but less than 400 hours, of services for the claimant in this state.

3. An amount equal to 25 percent of the qualified second–year wages, as defined in 26 USC 51 (e) (2), paid during the taxable year to a long–term family assistance recipient, as defined in 26 USC 51 (d) (10), who has performed at least 400 hours of services for the claimant in this state.

(c) *Limitations*. 1. The wages for which a credit may be claimed under par. (b) may not exceed the applicable threshold in 26 USC 51 (b) (3), (d) (7) (B) (ii), or (e) (1) (B) and may not be paid for services performed outside this state.

2. A credit under this subsection shall be claimed at the same time as the credit under 26 USC 51.

3. The requirements and limitations in 26 USC 51 (d) (13), (f), (i), and (k) shall apply to the credit under this subsection.

4. Partnerships, limited liability companies, and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of the wages under par. (b). A partnership, limited liability company, or tax–option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. The partners, members, and shareholders may claim the credit in proportion to their ownership interests.

(d) *Administration*. Section 71.28 (4) (e) to (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection.

SECTION 1381. 71.47 (8b) (a) 5. of the statutes is amended to read:

71.47 **(8b)** (a) 5. "Credit period" means the period of ~~6~~ 10 taxable years beginning with the taxable year in which a qualified development is placed in service. For purposes of this subdivision, if a qualified development consists of more

than one building, the qualified development is placed in service in the taxable year in which the last building of the qualified development is placed in service.

SECTION 1382. 71.47 (8b) (a) 7. of the statutes is amended to read:

71.47 **(8b)** (a) 7. "Qualified development" means a qualified low–income housing project under section 42 (g) of the Internal Revenue Code that is financed with tax–exempt bonds~~, pursuant to section 42 (i) (2)~~ described in section 42 (h) (4) (A) of the Internal Revenue Code, allocated the credit under section 42 of the Internal Revenue Code, and located in this state; except that the authority may waive, in the qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code, the requirements of tax–exempt bond financing and federal credit allocation to the extent the authority anticipates that sufficient volume cap under section 146 of the Internal Revenue Code will not be available to finance low–income housing projects in any year.

SECTION 1383. 71.49 (1) (ct) of the statutes is created to read:

71.49 **(1)** (ct) Work opportunity tax credit under s. 71.47 (4t).

SECTION 1384. 71.52 (4) of the statutes is amended to read:

71.52 **(4)** "Household" means a claimant and an individual related to the claimant as ~~husband or wife~~ his or her spouse.

SECTION 1385. 71.54 (1) (g) (intro.) of the statutes is amended to read:

71.54 **(1)** (g) *2012 ~~and thereafter~~ to 2020.* (intro.) The amount of any claim filed in 2012 ~~and thereafter~~ to 2020 and based on property taxes accrued or rent constituting property taxes accrued during the previous year is limited as follows:

SECTION 1386. 71.54 (1) (g) 4. of the statutes is amended to read:

71.54 **(1)** (g) 4. ~~Except as provided in subds. 5. and 7., for~~ For claims filed in 2018 and thereafter and based on property taxes accrued or rent constituting property

taxes accrued during the previous year, no credit may be allowed under this paragraph if the claimant has no earned income in the taxable year to which the claim relates unless the claimant is disabled and provides the proof required under subd. 6. or the claimant or the claimant's spouse is over the age of 61 at the close of the year to which the claim relates.

SECTION 1387. 71.54 (1) (g) 5. of the statutes is repealed.

SECTION 1388. 71.54 (1) (g) 6. (intro.) of the statutes is amended to read:

71.54 **(1)** (g) 6. (intro.) ~~With regard to a claimant who is disabled, the~~ A claimant who is disabled shall provide with his or her return proof that his or her disability is in effect for the taxable year to which the claim relates. Proof of disability may be demonstrated by any of the following:

SECTION 1389. 71.54 (1) (g) 7. of the statutes is repealed.

SECTION 1390. 71.54 (1) (h) of the statutes is created to read:

71.54 **(1)** (h) *2021 and thereafter.* Subject to sub. (2m), the amount of any claim filed in 2021 and thereafter and based on property taxes accrued or rent constituting property taxes accrued during the previous year is limited as follows:

1. If the household income was $8,060 or less in the year to which the claim relates, the claim is limited to 80 percent of the property taxes accrued or rent constituting property taxes accrued or both in that year on the claimant's homestead.

2. If the household income was more than $8,060 in the year to which the claim relates, the claim is limited to 80 percent of the amount by which the property taxes accrued or rent constituting property taxes accrued or both in that year on the claimant's homestead exceeds 6.655 percent of the household income exceeding $8,060.

3. No credit may be allowed if the household income exceeds $30,000.

4. Notwithstanding the time limitations described in par. (g) (intro.), the provisions of par. (g) 4. apply to claims filed under this paragraph.

SECTION 1391. 71.54 (2) (b) 4. of the statutes is amended to read:

71.54 **(2)** (b) 4. In calendar years 2011 ~~or any subsequent calendar year~~ to 2022, $1,460.

SECTION 1392. 71.54 (2) (b) 5. of the statutes is created to read:

71.54 **(2)** (b) 5. Subject to sub. (2m), in calendar year 2023 or any subsequent calendar year, $1,460.

SECTION 1393. 71.54 (2m) of the statutes is amended to read:

71.54 **(2m)** INDEXING FOR INFLATION; ~~2010~~ 2023 AND THEREAFTER. (a) For calendar years beginning after December 31, ~~2009, and before January 1, 2011~~ 2022, the dollar amounts of the threshold income under sub. (1) ~~(f)~~ (h) 1. and 2., the maximum household income under sub. (1) ~~(f)~~ (h) 3., and the maximum property taxes under sub. (2) (b) ~~3.~~ 5. shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the 12–month average of the U.S. consumer price index for the month of August of the year before the previous year through the month of July of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the 12–month average of the U.S. consumer price index for August ~~2007~~ 2020 through July ~~2008~~ 2021, as determined by the federal department of labor, except that the adjustment may occur only if the percentage is a positive number. Each amount that is revised under this paragraph shall be rounded to the nearest multiple of $10 if the revised amount is not a multiple of $10 or, if the revised amount is a multiple of $5, such an amount shall be increased to the next higher multiple of $10. The department of revenue shall annually adjust the changes in dollar amounts

required under this paragraph and incorporate the changes into the income tax forms and instructions.

(b) The department of revenue shall annually adjust the slope under sub. (1) ~~(f)~~ (h) 2. ~~such~~ so that, as a claimant's income increases from the threshold income as ~~calculated~~ adjusted under par. (a)~~,~~ to an amount that exceeds the maximum household income as ~~calculated~~ adjusted under par. (a), the credit that may be claimed is reduced to $0, and the department of revenue shall incorporate the changes into the income tax forms and instructions.

SECTION 1394. 71.78 (4) (m) of the statutes is amended to read:

71.78 **(4)** (m) The chief executive officer of the Wisconsin Economic Development Corporation and employees of the corporation to the extent necessary to administer ~~the development zone program~~ economic development programs under ~~subch. II of~~ ch. 238.

SECTION 1395. 71.78 (5) of the statutes is amended to read:

71.78 **(5)** AGREEMENT WITH DEPARTMENT. Copies of returns and claims specified in sub. (1) and related schedules, exhibits, writings or audit reports shall not be furnished to the persons listed under sub. (4), except persons under sub. (4) (e), (k), (n), (o) and (q) or under an agreement between the department of revenue and another agency of government or the Wisconsin Economic Development Corporation.

SECTION 1396. 71.80 (25) (a) of the statutes is renumbered 71.80 (25) and amended to read:

71.80 **(25)** NET OPERATING AND BUSINESS LOSS CARRY-FORWARD ~~AND CARRY-BACK~~. No offset of Wisconsin income may be made under s. 71.05 (8) (b) ~~1.~~, 71.26 (4) (a), or 71.45 (4) (a) unless the incurred loss was computed on a return that was filed within

4 years of the unextended due date for filing the original return for the taxable year in which the loss was incurred.

SECTION 1397. 71.80 (25) (b) of the statutes is repealed.

SECTION 1398. 71.83 (1) (a) 8. of the statutes is amended to read:

71.83 **(1)** (a) 8. 'Joint return replacing separate returns.' If the amount shown as the tax by ~~the husband and wife~~ spouses on a joint return filed under s. 71.03 (2) (g) to (L) exceeds the sum of the amounts shown as the tax upon the separate return of each spouse and if any part of that excess is attributable to negligence or intentional disregard of this chapter, but without intent to defraud, at the time of the filing of that separate return, then 25 percent of the total amount of that excess shall be added to the tax.

SECTION 1399. 71.83 (1) (b) 5. of the statutes is amended to read:

71.83 **(1)** (b) 5. 'Joint return after separate returns.' If the amount shown as the tax by ~~the husband and wife~~ spouses on a joint return filed under s. 71.03 (2) (g) to (L) exceeds the sum of the amounts shown as the tax on the separate return of each spouse and if any part of that excess is attributable to fraud with intent to evade tax at the time of the filing of that separate return, then 50 percent of the total amount of that excess shall be added to the tax.

SECTION 1400. 71.83 (1) (ch) of the statutes is created to read:

71.83 **(1)** (ch) *First-time homebuyer savings account withdrawals.* If an account holder, as defined under s. 71.10 (10) (a) 1., or an account holder's estate is required to add any amount to federal adjusted gross income under s. 71.05 (6) (a) 30., the account holder or the account holder's estate shall also pay an amount equal to 10 percent of the amount that is added to income under s. 71.05 (6) (a) 30. The

department of revenue shall assess, levy, and collect the penalty under this paragraph as it assesses, levies, and collects taxes under this chapter.

SECTION 1401. 71.98 (10) of the statutes is created to read:

71.98 **(10)** FEDERAL TAX CUTS AND JOBS ACT. For taxable years beginning after December 31, 2020, sections 11012, 13206, 13221, 13301, 13304 (a), (b), and (d), 13531, and 13601 of P.L. 115–97.

SECTION 1402. 71.98 (11) of the statutes is created to read:

71.98 **(11)** QUALIFIED TUITION PROGRAMS. For taxable years beginning after December 31, 2018, sections 221 (e) (1) and 529 of the federal Internal Revenue Code in effect for federal purposes, relating to qualified tuition programs.

SECTION 1403. 73.03 (73) (f) 1. of the statutes is amended to read:

73.03 **(73)** (f) 1. Subject to subd. 2., for taxable years beginning after December 31, 2020, the department shall make the pilot program described under par. (b) permanent and applicable to all eligible claimants of the earned income tax credit under s. 71.07 (9e) ~~(aj)~~ (ak), based on the specifications described under pars. (b) and (c) 2.

SECTION 1404. 73.17 of the statutes is created to read:

73.17 Medical marijuana registry program. (1) DEFINITIONS. In this section:

(a) "Debilitating medical condition or treatment" means any of the following:

1. Cancer; glaucoma; acquired immunodeficiency syndrome; a positive test for the presence of HIV, antigen or nonantigenic products of HIV, or an antibody to HIV; inflammatory bowel disease, including ulcerative colitis or Crohn's disease; a hepatitis C virus infection; Alzheimer's disease; amyotrophic lateral sclerosis; nail

patella syndrome; Ehlers–Danlos Syndrome; post–traumatic stress disorder; or the treatment of these conditions.

2. A chronic or debilitating disease or medical condition or the treatment of such a disease or condition that causes cachexia, severe pain, severe nausea, seizures, including those characteristic of epilepsy, or severe and persistent muscle spasms, including those characteristic of multiple sclerosis.

(b) "Department" means the department of revenue.

(c) "Physician" means a person licensed under s. 448.04 (1) (a).

(d) "Qualifying patient" means a person who has been diagnosed by a physician as having or undergoing a debilitating medical condition or treatment but does not include a person under the age of 18 years

(e) "Tax exemption certificate" means a certificate to claim the exemption under s. 77.54 (71).

(f) "Usable marijuana" has the meaning given in s. 139.97 (13).

(g) "Written certification" means means a statement made by a person's physician if all of the following apply:

1. The statement indicates that, in the physician's professional opinion, the person has or is undergoing a debilitating medical condition or treatment and the potential benefits of the person's use of usable marijuana would likely outweigh the health risks for the person.

2. The statement indicates that the opinion described in subd. 1. was formed after a full assessment of the person's medical history and current medical condition that was conducted no more than 6 months prior to making the statement and that was made in the course of a bona fide physician–patient relationship

3. The statement is signed by the physician or is contained in the person's medical records.

4. The statement contains an expiration date that is no more than 48 months after issuance and the statement has not expired.

(2) APPLICATION. An adult who is claiming to be a qualifying patient may apply for a registry identification card by submitting to the department a signed application form containing or accompanied by all of the following:

(a) His or her name, address, and date of birth.

(b) A written certification.

(c) The name, address, and telephone number of the person's current physician, as listed in the written certification.

(3) PROCESSING THE APPLICATION. The department shall verify the information contained in or accompanying an application submitted under sub. (2) and shall approve or deny the application within 30 days after receiving it. The department may deny an application submitted under sub. (2) only if the required information has not been provided or if false information has been provided.

(4) ISSUING A REGISTRY IDENTIFICATION CARD AND TAX EXEMPTION CERTIFICATE. The department shall issue to the applicant a registry identification card and tax exemption certificate within 5 days after approving an application under sub. (3). Unless voided under sub. (5) (b) or revoked under rules issued by the department under sub. (7), a registry identification card and tax exemption certificate shall expire 4 years from the date of issuance. A tax exemption certificate shall contain the information determined by the department. A registry identification card shall contain all of the following:

(a) The name, address, and date of birth of the registrant.

(b) The date of issuance and expiration date of the registry identification card.

(c) A photograph of the registrant.

(d) Other information the department may require by rule.

(5) ADDITIONAL INFORMATION TO BE PROVIDED BY REGISTRANT. (a) An adult registrant shall notify the department of any change in the registrant's name and address. An adult registrant who is a qualifying patient shall notify the department of any change in his or her physician or of any significant improvement in his or her health as it relates to his or her debilitating medical condition or treatment.

(b) If a registrant fails to notify the department within 10 days after any change for which notification is required under par. (a), his or her registry identification card and tax exemption certificate is void.

(6) RECORDS. (a) The department shall maintain a list of all registrants.

(b) Notwithstanding s. 19.35 and except as provided in par. (c), the department may not disclose information from an application submitted or a registry identification card issued under this section.

(c) The department may disclose to state or local law enforcement agencies information from an application submitted by, or from a registry identification card issued to, a specific person under this section for the purpose of verifying that the person possesses a valid registry identification card.

(7) RULES. The department shall promulgate rules to implement this section.

SECTION 1405. 74.09 (3) (gb) of the statutes is created to read:

74.09 **(3)** (gb) 1. Include information from the school district where the property is located regarding the amount of any gross reduction in state aid to the district under ss. 115.7915 (4m), 118.60 (4d), and 121.08 (4) (b) in the previous year and the

current year and the percentage change between those years, except that this paragraph does not apply in any year in which such a reduction does not occur.

2. In addition to the information provided under subd. 1., include the following insert in substantially similar form:

"The gross reduction in state aid to your school district in the .... (current year) is $ .... as a result of pupils enrolled in the .... (statewide choice program) (Racine choice program) (Milwaukee choice program) or as a result of payments to .... (a private school) under the special needs scholarship program. Your school district had the option to increase property taxes to replace this aid reduction."

SECTION 1406. 75.69 (2) of the statutes is amended to read:

75.69 **(2)** This section shall not apply to exchange of property under s. 59.69 (8), to withdrawal and sale of county forest lands, nor to the sale or exchange of lands to or between municipalities or federally recognized American Indian tribes or bands or to the state.

SECTION 1407. 76.07 (3) of the statutes is amended to read:

76.07 **(3)** ASSESSMENT. For the purpose of determining the full market value of the property of each company appearing on the assessment roll, the department may view and inspect the property of ~~such~~ the company and shall consider the reports filed in compliance with s. 76.04 and the reports and returns of the company filed in the office of any officer of this state, and other evidence or information bearing upon the full market value of the property of the company assessed. ~~In case of~~ For companies ~~which~~ that own or use property lying partly within and partly without the state, the department shall value and assess only the property within this state, using the methods under subs. (4g) and (4r). When the full market value of the property of a company within this state has been determined, the amount shall be

entered upon the assessment roll opposite the name of the company and shall be the assessment of the entire property of ~~such~~ the company within this state for the levy of taxes thereon, subject to review and correction. The department shall thereupon give notice ~~by certified mail~~ to each company assessed of the amount of its assessment as entered upon ~~such~~ the roll.

SECTION 1408. 76.08 (1) of the statutes is amended to read:

76.08 **(1)** Notice of the assessments determined under s. 76.07 and of adjustments under s. 76.075 shall be given ~~by certified mail~~ to each company the property of which has been assessed, and the notice of assessment shall be ~~mailed~~ provided on or before the assessment date specified in s. 76.07 (1). Any company aggrieved by the assessment or adjustment of its property thus made may have its assessment or adjustment redetermined by the Dane County circuit court if, within 30 days after notice of assessment or adjustment is ~~mailed~~ provided to the company under s. 76.07 (3), an action for the redetermination is commenced by filing a summons and complaint with that court, and service of authenticated copies of the summons and complaint is made upon the department of revenue. No answer need be filed by the department and the allegations of the complaint in opposition to the assessment or adjustment shall be deemed denied. Upon the filing of the summons and complaint, the court shall set the matter for hearing without a jury. If the plaintiff fails to file the summons and complaint within 5 days of service upon the department, the department may file a copy thereof with the court in lieu of the original. The department may be named as the defendant in any such action and shall appear and be represented by its counsel in all proceedings connected with the action but, on the request of the secretary of revenue, the attorney general may participate with or serve in lieu of departmental counsel. In an action for

redetermination of an adjustment, only the issues raised in the department's adjustment under s. 76.075 may be raised.

SECTION 1409. 76.10 (1) of the statutes is amended to read:

76.10 **(1)** Every company defined in s. 76.02 shall, on or before October 1 in each year, be entitled, on its own motion, to present evidence before the department relating to the state assessment made in the preceding year pursuant to s. 70.575. On written request~~, in writing~~, for such hearing or presentation, the department shall fix a time therefor within 60 days after ~~such~~ the application is filed, the same to be conducted in such manner as the department directs. Notice of ~~such~~ the hearing shall be ~~mailed~~ provided to any company requesting a hearing and shall be published in the official state paper. Within 30 days after the conclusion of ~~such~~ the hearing, the department shall enter an order either affirming the state assessment or ordering correction thereof as provided in sub. (2). A copy of ~~such~~ the order shall be ~~sent by certified mail~~ provided to the company or companies requesting ~~such~~ the hearing and to any interested party who has made an appearance in ~~such~~ the proceeding. The department may, on its own motion, correct ~~such~~ the state assessment. Any company having filed application for review of the state assessment pursuant to this section, or any other interested party participating in ~~such~~ the hearing, if aggrieved by the order entered by the department, may bring an action in the circuit court for Dane County within 30 days after the entry of ~~such~~ the order to have said order set aside and a redetermination made of the state assessment. In any such action or in any hearing before the department pursuant to this section, any interested party may appear and be heard. An interested party includes any division of government whose revenues would be affected by any adjustment of the state assessment.

SECTION 1410. 76.13 (2) of the statutes is amended to read:

76.13 **(2)** Every tax roll upon completion shall be delivered to the secretary of administration. The department shall notify~~, by certified mail,~~ all companies listed on the tax roll of the amount of tax due, which shall be paid to the department. The payment dates provided for in sub. (2a) shall apply. The payment of one–fourth of the tax of any company may, if the company has brought an action in the Dane County circuit court under s. 76.08, be made without delinquent interest as provided in s. 76.14 any time prior to the date upon which the appeal becomes final, but any part of the tax ultimately required to be paid shall bear interest from the original due date to the date the appeal became final at the rate of 12 percent per year and at 1.5 percent per month thereafter until paid. The taxes extended against any company after the same become due, with interest, shall be a lien upon all the property of the company prior to all other liens, claims, and demands ~~whatsoever~~, except as provided in ss. 292.31 (8) (i) and 292.81, ~~which~~ and the lien may be enforced in an action in the name of the state in any court of competent jurisdiction against the property of the company within the state as an entirety.

SECTION 1411. 76.15 (2) of the statutes is amended to read:

76.15 **(2)** The power to reassess the property of any company defined in s. 76.02 and the general property of the state, and to redetermine the average rate of taxation, may be exercised under sub. (1) as often as ~~may be~~ necessary until the amount of taxes legally due from any such company for any year under ss. 76.01 to 76.26 has been finally and definitely determined. Whenever any sum or part thereof, levied upon any property subject to taxation under ss. 76.01 to 76.26 so set aside has been paid and not refunded, the payment ~~so made~~ shall be applied upon the reassessment upon the property, and the reassessment of taxes to that extent shall

be deemed to be satisfied. When the tax roll on the reassessment is completed and delivered to the secretary of administration, the department shall immediately notify ~~by certified mail~~ each of the several companies taxed to pay the amount of the taxes extended on the tax roll within 30 days.

SECTION 1412. 76.639 (1) (e) of the statutes is amended to read:

76.639 **(1)** (e) "Credit period" means the period of ~~6~~ 10 taxable years beginning with the taxable year in which a qualified development is placed in service. For purposes of this paragraph, if a qualified development consists of more than one building, the qualified development is placed in service in the taxable year in which the last building of the qualified development is placed in service.

SECTION 1413. 76.639 (1) (g) of the statutes is amended to read:

76.639 **(1)** (g) "Qualified development" means a qualified low–income housing project under section 42 (g) of the Internal Revenue Code that is financed with tax–exempt bonds~~, pursuant to section 42 (i) (2)~~ described in section 42 (h) (4) (A) of the Internal Revenue Code, allocated the credit under section 42 of the Internal Revenue Code, and located in this state; except that the authority may waive, in the qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code, the requirements of tax–exempt bond financing and federal credit allocation to the extent the authority anticipates that sufficient volume cap under section 146 of the Internal Revenue Code will not be available to finance low–income housing projects in any year.

SECTION 1414. Chapter 77 (title) of the statutes is amended to read:

CHAPTER 77

TAXATION OF FOREST CROPLANDS;

REAL ESTATE TRANSFER FEES;

SALES AND USE TAXES;
COUNTY, MUNICIPALITY, AND
SPECIAL DISTRICT SALES AND USE
TAXES; MANAGED FOREST LAND;
ECONOMIC DEVELOPMENT SURCHARGE;
LOCAL FOOD AND BEVERAGE TAX;
LOCAL RENTAL CAR TAX; PREMIER
RESORT AREA TAXES; STATE RENTAL
VEHICLE FEE; DRY CLEANING FEES

SECTION 1415. 77.25 (8m) of the statutes is amended to read:

77.25 **(8m)** Between ~~husband and wife~~ spouses.

SECTION 1416. 77.51 (1fm) of the statutes is renumbered 77.51 (1fm) (intro.) and amended to read:

77.51 **(1fm)** (intro.) "Candy" means a preparation of sugar, honey, or other natural or artificial sweetener combined with chocolate, fruit, nuts, or other ingredients or flavorings in the form of bars, drops, or pieces. "Candy" does not include ~~a preparation that contains flour or that requires refrigeration.~~ any of the following:

SECTION 1417. 77.51 (1fm) (a) of the statutes is created to read:

77.51 **(1fm)** (a) A preparation that contains flour or that requires refrigeration.

SECTION 1418. 77.51 (1fm) (b) of the statutes is created to read:

77.51 **(1fm)** (b) A preparation that has as its predominant ingredient dried or partially dried fruit along with one or more sweeteners, and which may also contain other additives including oils, natural flavorings, fiber, or preservatives. This paragraph does not apply to a preparation that includes chocolate, nuts, yogurt, or

a preparation that has a confectionary coating or glazing on the dried or partially dried fruit. For purposes of this paragraph, "dried or partially dried fruit" does not include fruit that has been ground, crushed, grated, flaked, pureed, or jellied.

SECTION 1419. 77.51 (11d) of the statutes is amended to read:

77.51 **(11d)** For purposes of subs. (1ag), (1f), (3pf), (7j), ~~and~~ (9p), and (17g) and ss. 77.52 (20) and (21), 77.522, 77.54 (9g), (51), (52), and (60), and 77.59 (5r), "product" includes tangible personal property, and items, property, and goods under s. 77.52 (1) (b), (c), and (d), and services.

SECTION 1420. 77.51 (17g) of the statutes is created to read:

77.51 **(17g)** "Separate and optional fee" means a fee charged to receive a distinct and identifiable product if either of the following applies:

(a) The fee is in addition to fees that the seller charges for other distinct and identifiable products sold to the same buyer, the fee is separately set forth on the invoice given by the seller to the buyer, and the seller does not require the buyer to pay the fee if the buyer chooses not to receive the additional distinct and identifiable product for which the fee applies.

(b) The seller charges a single amount for multiple distinct and identifiable products and offers the buyer the option of paying a lower amount if the buyer chooses not to receive one or more of the distinct and identifiable products. For purposes of this paragraph, the separate and optional fee is the single amount the seller charges for the multiple distinct and identifiable products less the reduced amount the seller charges to the buyer because the buyer chooses not to receive one or more of the products.

SECTION 1421. 77.52 (2) (a) 20. of the statutes is amended to read:

77.52 **(2)** (a) 20. The sale of landscaping and lawn maintenance services including landscape planning and counseling, lawn and garden services such as planting, mowing, spraying and fertilizing, and shrub and tree services. For purposes of this subdivision, landscaping and lawn maintenance services do not include planning and counseling services for the restoration, reclamation, or revitalization of prairie, savanna, or wetlands to improve biodiversity, the quality of land, soils, or water, or other ecosystem functions if the planning and counseling services are provided for a separate and optional fee from any other services.

SECTION 1422. 77.52 (2) (ag) 39. (intro.) of the statutes is amended to read:

77.52 **(2)** (ag) 39. (intro.) Equipment in offices, business facilities, schools, and hospitals but not in residential facilities including personal residences, apartments, long–term care facilities, as defined under s. 16.009 (1) (em), prisons, mental health institutes, as defined in s. 51.01 (12), centers for the developmentally disabled, as defined in s. 51.01 (3), ~~Type 1~~ juvenile correctional facilities, as defined in s. 938.02 ~~(19)~~ (10p), or similar facilities including, by way of illustration but not of limitation, all of the following:

SECTION 1423. 77.52 (2m) (c) of the statutes is created to read:

77.52 **(2m)** (c) With respect to services subject to tax under sub. (2) (a) 7., 10., 11., and 20. that are provided for a separate and optional fee from the planning and counseling services described under sub. (2) (a) 20., all tangible personal property or items, property, or goods under sub. (1) (b), (c), or (d) physically transferred, or transferred electronically, to the customer in conjunction with the provision of the services subject to tax under sub. (2) (a) 7., 10., 11., and 20. is a sale of tangible personal property or items, property, or goods separate from the selling, performing, or furnishing of the services.

SECTION 1424. 77.52 (13) of the statutes is amended to read:

77.52 **(13)** For the purpose of the proper administration of this section and to prevent evasion of the sales tax it shall be presumed that all receipts are subject to the tax until the contrary is established. The burden of proving that a sale of tangible personal property, or items, property, or goods under sub. (1) (b), (c), or (d), or services is not a taxable sale at retail is upon the person who makes the sale unless that person takes from the purchaser an electronic or a paper certificate, in a manner prescribed by the department, to the effect that the property, item, good, or service is purchased for resale or is otherwise exempt, except that no certificate is required for the sale of tangible personal property, or items, property, or goods under sub. (1) (b), (c), or (d), or services that are exempt under s. 77.54 (5) (a) 3., (7), (7m), (8), (10), (11), (14), (15), (17), (20n), (21), (22b), (31), (32), (35), (36), (37), (42), (44), (45), (46), (51), (52), (66), ~~and~~ (67), and (70).

SECTION 1425. 77.53 (10) of the statutes is amended to read:

77.53 **(10)** For the purpose of the proper administration of this section and to prevent evasion of the use tax and the duty to collect the use tax, it is presumed that tangible personal property, or items, property, or goods under s. 77.52 (1) (b), (c), or (d), or taxable services sold by any person for delivery in this state is sold for storage, use, or other consumption in this state until the contrary is established. The burden of proving the contrary is upon the person who makes the sale unless that person takes from the purchaser an electronic or paper certificate, in a manner prescribed by the department, to the effect that the property, or items, property, or goods under s. 77.52 (1) (b), (c), or (d), or taxable service is purchased for resale, or otherwise exempt from the tax, except that no certificate is required for the sale of tangible personal property, or items, property, or goods under s. 77.52 (1) (b), (c), or (d), or

services that are exempt under s. 77.54 (7), (7m), (8), (10), (11), (14), (15), (17), (20n), (21), (22b), (31), (32), (35), (36), (37), (42), (44), (45), (46), (51), (52), ~~and~~ (67)<u>, and (70)</u>.

SECTION 1426. 77.54 (7) (b) 1. of the statutes is amended to read:

77.54 **(7)** (b) 1. The item is transferred to a child, spouse, parent,~~ father–in–law, mother–in–law~~ <u>parent–in–law</u>, daughter–in–law<u>,</u> or son–in–law of the transferor or, if the item is a motor vehicle, from the transferor to a corporation owned solely by the transferor or by the transferor's spouse.

SECTION 1427. 77.54 (47) of the statutes is repealed.

SECTION 1428. 77.54 (56) (a) of the statutes is repealed.

SECTION 1429. 77.54 (56) (ad) of the statutes is created to read:

77.54 **(56)** (ad) 1. The sales price from the sale of and the storage, use, or other consumption of a solar power system or wind energy system that produces usable electrical or heat energy directly from the sun or wind, if the system is capable of continuously producing at least 200 watts of alternating current or 600 British thermal units. A solar power system or wind energy system described under this subdivision includes tangible personal property sold with the system that is used primarily to store or facilitate the storage of the electrical or heat energy produced by the system, but does not include an uninterruptible power source that is designed primarily for computers. The exemption under this subdivision does not apply to tangible personal property designed for any use other than for a solar power system or wind energy system.

2. The sales price from the sale of and the storage, use, or other consumption of a waste energy system that produces usable electrical or heat energy directly from gas generated from anaerobic digestion of animal manure and other agricultural waste if the system is capable of continuously producing at least 200 watts of

alternating current or 600 British thermal units. A system described under this subdivision includes tangible personal property sold with the system that is used primarily to store or facilitate the storage of the electrical or heat energy produced by the system, but does not include an uninterruptible power source that is designed primarily for computers. The exemption under this subdivision does not apply to tangible personal property designed for any use other than for the waste energy system described in this subdivision.

SECTION 1430. 77.54 (56) (b) of the statutes is amended to read:

77.54 **(56)** (b) Except for the sale of electricity or energy that is exempt from taxation under sub. (30), ~~beginning on July 1, 2011,~~ the sales price from the sale of and the storage, use, or other consumption of electricity or heat energy produced by a ~~product~~ system described under par. ~~(a)~~ (ad).

SECTION 1431. 77.54 (62) of the statutes is repealed.

SECTION 1432. 77.54 (70) of the statutes is created to read:

77.54 **(70)** The sales price from the sale of and the storage, use, or other consumption of diapers, not including adult undergarments for incontinence.

SECTION 1433. 77.54 (71) of the statutes is created to read:

77.54 **(71)** The sales price from the sale of and the storage, use, or other consumption of usable marijuana, as defined in s. 139.97 (13), purchased by an individual who holds a valid certificate issued under s. 73.17 (4).

SECTION 1434. Subchapter V (title) of chapter 77 [precedes 77.70] of the statutes is amended to read:

CHAPTER 77

SUBCHAPTER V

COUNTY, MUNICIPALITY, AND

SPECIAL DISTRICT SALES AND

USE TAXES

SECTION 1435. 77.70 (title) of the statutes is amended to read:

77.70 (title) **Adoption by county or municipal ordinance.**

SECTION 1436. 77.70 of the statutes is renumbered 77.70 (1) and amended to read:

77.70 **(1)** ~~Any~~ Except as provided in sub. (2), any county desiring to impose county sales and use taxes under this subchapter may do so by the adoption of an ordinance, stating its purpose and referring to this subchapter. The rate of the tax imposed under this ~~section~~ subsection is 0.5 percent of the sales price or purchase price. Except as provided in s. 66.0621 (3m), the county sales and use taxes under this subsection may be imposed only for the purpose of directly reducing the property tax levy and only in their entirety as provided in this subchapter. That ordinance shall be effective on ~~the first day of January, the first day of April, the first day of July or the first day of October~~ January 1, April 1, July 1, or October 1. A certified copy of that ordinance shall be delivered to the secretary of revenue at least 120 days prior to its effective date. The repeal of any such ordinance shall be effective on December 31. A certified copy of a repeal ordinance shall be delivered to the secretary of revenue at least 120 days before the effective date of the repeal. Except as provided under s. 77.60 (9), the department of revenue may not issue any assessment nor act on any claim for a refund or any claim for an adjustment under s. 77.585 after the end of the calendar year that is 4 years after the year in which the county has enacted a repeal ordinance under this ~~section~~ subsection.

SECTION 1437. 77.70 (2) of the statutes is created to read:

77.70 **(2)** In addition to the taxes imposed under sub. (1), a county may, by ordinance, impose a sales and use tax under this subchapter at the rate of 0.5 percent of the sales price or purchase price. An ordinance enacted under this subsection may not take effect unless approved by the majority of the electors of the county at a referendum. The revenue from the taxes imposed under this subsection may be used for any purpose designated by the county board or specified in the ordinance or in the referendum approving the ordinance. The taxes imposed under this subsection may be imposed only in their entirety as provided in this subchapter. If approved at a referendum, the ordinance shall be effective on January 1, April 1, July 1, or October 1. A certified copy of that ordinance shall be delivered to the secretary of revenue at least 120 days prior to its effective date. The repeal of any such ordinance shall be effective on December 31. A certified copy of a repeal ordinance shall be delivered to the secretary of revenue at least 120 days before the effective date of the repeal. Except as provided under s. 77.60 (9), the department of revenue may not issue any assessment nor act on any claim for a refund or any claim for an adjustment under s. 77.585 after the end of the calendar year that is 4 years after the year in which the county has enacted a repeal ordinance under this subsection.

SECTION 1438. 77.70 (3) of the statutes is created to read:

77.70 **(3)** A municipality with a population exceeding 30,000, as determined by the 2020 federal decennial census or under s. 16.96 for 2020, may, by ordinance, impose a sales and use tax under this subchapter at the rate of 0.5 percent of the sales price or purchase price. An ordinance enacted under this subsection may not take effect unless approved by the majority of the electors of the municipality at a referendum. The revenue from the taxes imposed under this subsection may be used for any purpose designated by the governing body of the municipality or specified in

the ordinance or in the referendum approving the ordinance. The taxes imposed under this subsection may be imposed only in their entirety as provided in this subchapter. If approved at a referendum, the ordinance shall be effective on January 1, April 1, July 1, or October 1. A certified copy of that ordinance shall be delivered to the secretary of revenue at least 120 days prior to its effective date. The repeal of any such ordinance shall be effective on December 31. A certified copy of a repeal ordinance shall be delivered to the secretary of revenue at least 120 days before the effective date of the repeal. Except as provided under s. 77.60 (9), the department of revenue may not issue any assessment nor act on any claim for a refund or any claim for an adjustment under s. 77.585 after the end of the calendar year that is 4 years after the year in which the municipality has enacted a repeal ordinance under this subsection.

SECTION 1439. 77.71 (intro.) of the statutes is amended to read:

77.71 Imposition of county, municipality, and special district sales and use taxes. (intro.) Whenever a ~~county~~ sales and use tax ordinance is adopted under s. 77.70 or a ~~special district~~ resolution is adopted under s. 77.705 or 77.706, the following taxes are imposed:

SECTION 1440. 77.71 (1) of the statutes is amended to read:

77.71 **(1)** For the privilege of selling, licensing, leasing, or renting tangible personal property and the items, property, and goods specified under s. 77.52 (1) (b), (c), and (d), and for the privilege of selling, licensing, performing, or furnishing services a sales tax is imposed upon retailers at the rates under s. 77.70 in the case of a county or municipality tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the sales price from the sale, license, lease, or rental of tangible personal property and the items, property, and goods specified under s.

77.52 (1) (b), (c), and (d), except property taxed under sub. (4), sold, licensed, leased, or rented at retail in the county, municipality, or special district, or from selling, licensing, performing, or furnishing services described under s. 77.52 (2) in the county, municipality, or special district.

SECTION 1441. 77.71 (2) of the statutes is amended to read:

77.71 **(2)** An excise tax is imposed at the rates under s. 77.70 in the case of a county or municipality tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the purchase price upon every person storing, using, or otherwise consuming in the county, municipality, or special district tangible personal property, or items, property, or goods specified under s. 77.52 (1) (b), (c), or (d), or services if the tangible personal property, item, property, good, or service is subject to the state use tax under s. 77.53, except that a receipt indicating that the tax under sub. (1), (3), (4), or (5) has been paid relieves the buyer of liability for the tax under this subsection and except that if the buyer has paid a similar local tax in another state on a purchase of the same tangible personal property, item, property, good, or service that tax shall be credited against the tax under this subsection and except that for motor vehicles that are used for a purpose in addition to retention, demonstration, or display while held for sale in the regular course of business by a dealer the tax under this subsection is imposed not on the purchase price but on the amount under s. 77.53 (1m).

SECTION 1442. 77.71 (4) of the statutes is amended to read:

77.71 **(4)** An excise tax is imposed at the rates under s. 77.70 in the case of a county or municipality tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the purchase price upon every person storing, using, or otherwise consuming a motor vehicle, boat, recreational vehicle, as defined in s.

340.01 (48r), or aircraft if that property must be registered or titled with this state and if that property is to be customarily kept in a county or municipality that has in effect an ordinance under s. 77.70 or in a special district that has in effect a resolution under s. 77.705 or 77.706, except that if the buyer has paid a similar local sales tax in another state on a purchase of the same property, that tax shall be credited against the tax under this subsection. The lease or rental of a motor vehicle, boat, recreational vehicle, as defined in s. 340.01 (48r), or aircraft is not taxed under this subsection if the lease or rental does not require recurring periodic payments.

SECTION 1443. 77.71 (5) of the statutes is amended to read:

77.71 **(5)** An excise tax is imposed on the purchase price for the lease or rental of a motor vehicle, boat, recreational vehicle, as defined in s. 340.01 (48r), or aircraft at the rates under s. 77.70 in the case of a county or municipality tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax upon every person storing, using, or otherwise consuming in the county or special district the motor vehicle, boat, recreational vehicle, as defined in s. 340.01 (48r), or aircraft if that property must be registered or titled with this state and if the lease or rental does not require recurring periodic payments, except that a receipt indicating that the tax under sub. (1) had been paid relieves the purchaser of liability for the tax under this subsection and except that if the purchaser has paid a similar local tax in another state on the same lease or rental of such motor vehicle, boat, recreational vehicle, as defined in s. 340.01 (48r), or aircraft, that tax shall be credited against the tax under this subsection.

SECTION 1444. 77.76 (3) of the statutes is renumbered 77.76 (3) (a) and amended to read:

77.76 **(3)** (a) From the appropriation under s. 20.835 (4) (g), the department of revenue shall distribute 98.25 percent of the county taxes reported for each enacting county, minus the county portion of the retailers' discounts, to the county and shall indicate the taxes reported by each taxpayer, no later than 75 days following the last day of the calendar quarter in which such amounts were reported. In this ~~subsection~~ paragraph, the "county portion of the retailers' discount" is the amount determined by multiplying the total retailers' discount by a fraction, the numerator of which is the gross county sales and use taxes payable and the denominator of which is the sum of the gross state and county sales and use taxes payable. The county taxes distributed shall be increased or decreased to reflect subsequent refunds, audit adjustments, and all other adjustments of the county taxes previously distributed. Interest paid on refunds of county sales and use taxes shall be paid from the appropriation under s. 20.835 (4) (g) at the rate paid by this state under s. 77.60 (1) (a). The county may retain the amount it receives or it may distribute all or a portion of the amount it receives to the towns, villages, cities, and school districts in the county. After receiving notice from the department of revenue, a county shall reimburse the department for the amount by which any refunds, including interest, of the county's sales and use taxes that the department pays or allows in a reporting period exceeds the amount of the county's sales and use taxes otherwise payable to the county under this ~~subsection~~ paragraph for the same or subsequent reporting period. Any county receiving a report under this ~~subsection~~ paragraph is subject to the duties of confidentiality to which the department of revenue is subject under s. 77.61 (5) and (6).

SECTION 1445. 77.76 (3) (b) of the statutes is created to read:

77.76 **(3)** (b) From the appropriation under s. 20.835 (4) (g), the department of revenue shall distribute 98.25 percent of the municipality taxes reported for each enacting municipality, minus the municipality portion of the retailers' discounts, to the municipality and shall indicate the taxes reported by each taxpayer, no later than 75 days following the last day of the calendar quarter in which such amounts were reported. In this paragraph, the "municipality portion of the retailers' discount" is the amount determined by multiplying the total retailers' discount by a fraction, the numerator of which is the gross municipality sales and use taxes payable and the denominator of which is the sum of the gross state and municipality sales and use taxes payable. The municipality taxes distributed shall be increased or decreased to reflect subsequent refunds, audit adjustments, and all other adjustments of the municipality taxes previously distributed. Interest paid on refunds of municipality sales and use taxes shall be paid from the appropriation under s. 20.835 (4) (g) at the rate paid by this state under s. 77.60 (1) (a). After receiving notice from the department of revenue, a municipality shall reimburse the department for the amount by which any refunds, including interest, of the municipality's sales and use taxes that the department pays or allows in a reporting period exceeds the amount of the municipality's sales and use taxes otherwise payable to the municipality under this paragraph for the same or subsequent reporting period. Any municipality receiving a report under this paragraph is subject to the duties of confidentiality to which the department of revenue is subject under s. 77.61 (5) and (6).

SECTION 1446. 77.76 (4) of the statutes is amended to read:

77.76 **(4)** There shall be retained by the state 1.5 percent of the taxes collected for taxes imposed by special districts under ss. 77.705 and 77.706 and 1.75 percent of the taxes collected for taxes imposed by counties or municipalities under s. 77.70

to cover costs incurred by the state in administering, enforcing, and collecting the tax. All interest and penalties collected shall be deposited and retained by this state in the general fund.

SECTION 1447. 79.01 (2d) of the statutes is renumbered 79.01 (2d) (intro.) and amended to read:

79.01 **(2d)** (intro.) There is established an account in the general fund entitled the "County and Municipal Aid Account." The total amount to be distributed ~~in 2011~~ to counties and municipalities from the county and municipal aid account is as follows:

(a) In 2011, $824,825,715 ~~and the total amount to be distributed to counties and municipalities in~~.

(b) Beginning in 2012~~, and in each year thereafter, from the county and municipal aid account is~~ and ending in 2020, $748,075,715.

SECTION 1448. 79.01 (2d) (c) of the statutes is created to read:

79.01 **(2d)** (c) In 2021, $763,137,230.

SECTION 1449. 79.01 (2d) (d) of the statutes is created to read:

79.01 **(2d)** (d) In 2022, and in each year thereafter, $778,499,974.

SECTION 1450. 79.035 (5) of the statutes is renumbered 79.035 (5) (a) and amended to read:

79.035 **(5)** (a) Except as provided in subs. (6), (7), and (8), for the ~~distribution~~ distributions beginning in 2013 and ~~subsequent years~~ ending in 2020, each county and municipality shall receive a payment under this section that is equal to the amount of the payment determined for the county or municipality under this section for 2012.

SECTION 1451. 79.035 (5) (a) of the statutes, as affected by 2019 Wisconsin Act 19, section 18, and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

79.035 **(5)** (a) Except as provided in subs. (7) and (8), for the distributions beginning in 2013 and ending in 2020, each county and municipality shall receive a payment under this section that is equal to the amount of the payment determined for the county or municipality under this section for 2012.

SECTION 1452. 79.035 (5) (b) of the statutes is created to read:

79.035 **(5)** (b) 1. Except as provided in subs. (6), (7), and (8), for the distribution in 2021, each county and municipality shall receive a payment under this section that is equal to the amount of the payment determined for the county or municipality under this section for 2020, increased by 2 percent.

2. Except as provided in subs. (6), (7), and (8), for the distribution in 2022 and subsequent years, each county and municipality shall receive a payment under this section that is equal to the amount of the payment determined for the county or municipality under this section for 2021, increased by 2 percent.

SECTION 1453. 79.035 (5) (b) of the statutes, as created by 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

79.035 **(5)** (b) 1. Except as provided in subs. (7) and (8), for the distribution in 2021, each county and municipality shall receive a payment under this section that is equal to the amount of the payment determined for the county or municipality under this section for 2020, increased by 2 percent.

2. Except as provided in subs. (7) and (8), for the distribution in 2022 and subsequent years, each county and municipality shall receive a payment under this section that is equal to the amount of the payment determined for the county or municipality under this section for 2021, increased by 2 percent.

SECTION 1454. 79.05 (2) (c) of the statutes is amended to read:

79.05 **(2)** (c) Its municipal budget; exclusive of principal and interest on long–term debt and exclusive of revenue sharing payments under s. 66.0305, payments of premiums under s. 66.0137 (5) (c) 1. and 1m., recycling fee payments under s. 289.645, expenditures of grant payments under s. 16.297 (1m), unreimbursed expenses related to an emergency declared under s. 323.10, expenditures from moneys received pursuant to P.L. 111–5, increased revenues resulting from a referendum under s. 66.0602 (4) to exceed the municipality's levy increase limit under s. 66.0602 (2), increased revenues resulting from a referendum under s. 77.994 (3) (b) 2. b. to increase the rate of the tax imposed under s. 77.994 (2), and expenditures made pursuant to a purchasing agreement with a school district whereby the municipality makes purchases on behalf of the school district; for the year of the statement under s. 79.015 increased over its municipal budget as adjusted under sub. (6); exclusive of principal and interest on long–term debt and exclusive of revenue sharing payments under s. 66.0305, payments of premiums under s. 66.0137 (5) (c) 1. and 1m., recycling fee payments under s. 289.645, expenditures of grant payments under s. 16.297 (1m), unreimbursed expenses related to an emergency declared under s. 323.10, expenditures from moneys received pursuant to P.L. 111–5, increased revenues resulting from a referendum under s. 66.0602 (4) to exceed the municipality's levy increase limit under s. 66.0602 (2), increased revenues resulting from a referendum under s. 77.994 (3) (b) 2. b. to increase the rate of the tax imposed under s. 77.994 (2), and expenditures made pursuant to a purchasing agreement with a school district whereby the municipality makes purchases on behalf of the school district; for the year before that year by less than

the sum of the inflation factor and the valuation factor, rounded to the nearest 0.10 percent.

SECTION 1455. 79.10 (11) (b) of the statutes is amended to read:

79.10 **(11)** (b) Before October 1, the department of administration shall determine the total funds available for distribution under the lottery and gaming credit in the following year and shall inform the joint committee on finance of that total. Total funds available for distribution shall be all moneys projected to be transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am)~~,~~ and (g) ~~and (jm)~~ and all existing and projected lottery proceeds and interest for the fiscal year of the distribution, less the amount estimated to be expended under ss. 20.455 (2) (r), 20.566 (2) (r), and 20.835 (2) (q) and less the required reserve under s. 20.003 (5). The joint committee on finance may revise the total amount to be distributed if it does so at a meeting that takes place before October 16. If the joint committee on finance does not schedule a meeting to take place before October 16, the total determined by the department of administration shall be the total amount estimated to be distributed under the lottery and gaming credit in the following year.

SECTION 1456. 84.01 (13) of the statutes is amended to read:

84.01 **(13)** ENGINEERING SERVICES. The department may engage such engineering, consulting, surveying, or other specialized services as it deems advisable. Any engagement of services under this subsection is exempt from ss. 16.70 to 16.75, 16.755 to 16.82, and 16.85 to 16.89, but ss. 16.528, 16.752, 16.753, and 16.754 apply to such engagement. Any engagement involving an expenditure of ~~$3,000~~ $100,000 or more shall be by formal contract approved by the governor. The department shall conduct a uniform cost–benefit analysis, as defined in s. 16.70 (3g), of each proposed engagement under this subsection that involves an estimated

expenditure of more than $300,000 in accordance with standards prescribed by rule of the department and consider and document the results of the analysis before the determination of whether to undertake the proposed engagement. The department shall review periodically, and before any renewal, the continued appropriateness of contracting pursuant to each engagement under this subsection that involves an estimated expenditure of more than $300,000.

SECTION 1457. 84.01 (35) (b) of the statutes is amended to read:

84.01 **(35)** (b) Except as provided in par. ~~(d)~~ (c), and notwithstanding any other provision of this chapter or ch. 82, 83, or 85, the department shall ~~give due consideration to establishing~~ ensure that bikeways and pedestrian ways are established in all new highway construction and reconstruction projects funded in whole or in part from state funds or federal funds appropriated under s. 20.395 or 20.866.

SECTION 1458. 84.01 (35) (c) of the statutes is created to read:

84.01 **(35)** (c) The department shall promulgate rules identifying exceptions to the requirement under par. (b), but these rules may provide for an exception only if any of the following applies:

2. The cost of establishing bikeways or pedestrian ways would be excessively disproportionate to the need or probable use of the bikeways or pedestrian ways. For purposes of this subdivision, cost is excessively disproportionate if it exceeds 20 percent of the total project cost. The rules may not allow an exception under this subdivision to be applied unless the secretary of transportation, or a designee of the secretary who has knowledge of the purpose and value of bicycle and pedestrian accommodations, reviews the applicability of the exception under this subdivision to the particular project at issue.

3. Establishing bikeways or pedestrian ways would have excessive negative impacts in a constrained environment.

4. There is an absence of need for the bikeways or pedestrian ways, as indicated by sparsity of population, traffic volume, or other factors.

5. The community where pedestrian ways are to be located refuses to accept an agreement to maintain them.

SECTION 1459. 84.01 (35) (d) (intro.) and 2. of the statutes are repealed.

SECTION 1460. 84.01 (35) (d) 1. of the statutes is renumbered 84.01 (35) (c) 1.

SECTION 1461. 84.014 (5m) (ag) 1. of the statutes is renumbered 84.014 (5m) (ag) 1m.

SECTION 1462. 84.014 (5m) (ag) 1e. of the statutes is created to read:

84.014 **(5m)** (ag) 1e. "I 94 east–west corridor" means all freeways, including related interchange ramps, roadways, and shoulders, encompassing I 94 in Milwaukee County from 70th Street to 16th Street, and all adjacent frontage roads and collector road systems.

SECTION 1463. 84.0145 (1) (a) of the statutes is renumbered 84.0145 (1) (am) and amended to read:

84.0145 **(1)** (am) "I 94 north–south corridor" has the meaning given in s. 84.014 (5m) (ag) ~~1.~~ 1m.

SECTION 1464. 84.0145 (1) (ae) of the statutes is created to read:

84.0145 **(1)** (ae) "I 94 east–west corridor project" has the meaning given in s. 84.014 (5m) (ag) 1e.

SECTION 1465. 84.0145 (3) (b) 3. of the statutes is created to read:

84.0145 **(3)** (b) 3. The I 94 east–west corridor project.

SECTION 1466. 84.06 (2) (a) of the statutes is amended to read:

84.06 **(2)** (a) All such highway improvements shall be executed by contract based on bids unless the department finds that another method as provided in sub. (3) or (4) would be more feasible and advantageous. Bids shall be advertised for in the manner determined by the department. Except as provided in s. 84.075, the contract shall be awarded to the lowest competent and responsible bidder as determined by the department. If the bid of the lowest competent bidder is determined by the department to be in excess of the estimated reasonable value of the work or not in the public interest, all bids may be rejected. The department shall, so far as reasonable, follow uniform methods of advertising for bids and may prescribe and require uniform forms of bids and contracts. Except as provided in par. (b), the secretary shall enter into the contract on behalf of the state. Every such contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.82, 16.87 and 16.89, but ss. 16.528, 16.752, 16.753, and 16.754 apply to the contract. Any such contract involving an expenditure of ~~$1,000~~ $250,000 or more shall not be valid until approved by the governor. The secretary may require the attorney general to examine any contract and any bond submitted in connection with the contract and report on its sufficiency of form and execution. The bond required by s. 779.14 (1m) is exempt from approval by the governor and shall be subject to approval by the secretary. This subsection also applies to contracts with private contractors based on bids for maintenance under s. 84.07.

SECTION 1467. 84.06 (3) of the statutes is amended to read:

84.06 **(3)** CONTRACTS WITH COUNTY OR MUNICIPALITY; DIRECT LABOR; MATERIALS. If the department finds that it would be more feasible and advantageous to have the improvement performed by the county in which the proposed improvement is located and without bids, the department may, by arrangement with the county highway

committee of the county, enter into a contract satisfactory to the department to have the work done by the county forces and equipment. In such contract the department may authorize the county to purchase, deliver, and store materials and may fix the rental rates of small tools and equipment. The contract shall be between the county and the state and shall not be based on bids, and may be entered into on behalf of the county by the county highway committee and on behalf of the state by the secretary. Such contract is exempted from s. 779.14 and from all provisions of chs. 16 and 230, except ss. 16.753 and 16.754. If the total estimated indebtedness to be incurred exceeds ~~$5,000~~ $100,000, the contract shall not be valid until approved by the governor. The provisions of this subsection relating to agreements between a county and the state shall also authorize and apply to such arrangements between a city, town, or a village and the state. In such cases, the governing body of the city, town, or village shall enter into the agreement on behalf of the municipality.

SECTION 1468. 84.06 (4) of the statutes is amended to read:

84.06 **(4)** SPECIAL CONTRACTS WITH RAILROADS AND UTILITIES. If an improvement undertaken by the department will cross or affect the property or facilities of a railroad or public utility company, the department may, upon finding that it is feasible and advantageous to the state, arrange to perform portions of the improvement work affecting such facilities or property or perform work of altering, rearranging, or relocating such facilities by contract with the railroad or public utility. Such contract shall be between the railroad company or public utility and the state and need not be based on bids. The contract may be entered into on behalf of the state by the secretary. Every such contract is exempted from s. 779.14 and from all provisions of chs. 16 and 230, except ss. 16.528, 16.752, 16.753, and 16.754. No such contract in which the total estimated debt to be incurred exceeds ~~$5,000~~

$100,000 shall be valid until approved by the governor. As used in this subsection, "public utility" means the same as in s. 196.01 (5), and includes a telecommunications carrier as defined in s. 196.01 (8m), and "railroad" means the same as in s. 195.02. "Property" as used in this subsection includes but is not limited to tracks, trestles, signals, grade crossings, rights–of–way, stations, pole lines, plants, substations, and other facilities. Nothing in this subsection shall be construed to relieve any railroad or public utility from any financial obligation, expense, duty, or responsibility otherwise provided by law relative to such property.

SECTION 1469. 84.07 (1b) of the statutes is amended to read:

84.07 **(1b)** EMERGENCY REPAIR AND PROTECTION OF STATE TRUNK HIGHWAYS. To accomplish prompt repair, protection or preservation of any state trunk highway which has been closed or is being jeopardized by extraordinary damage by flood, structure failure, slides, or other extraordinary condition of necessity and emergency, the department may, if it is deemed for the best interest of the state, proceed at once to repair or protect the highway with forces and services of private constructors and agencies, summarily engaged by the department and cause said work to be done by negotiated contract or agreement without calling for competitive bids, provided that any such contract or agreement involving an estimated expenditure in excess of ~~$10,000~~ $100,000 shall be subject to approval of the governor before it becomes effective.

SECTION 1470. 84.075 (title) of the statutes is amended to read:

84.075 (title) **Contracting with minority businesses ~~and~~; disabled veteran–owned businesses; lesbian, gay, bisexual, or transgender–owned businesses; and disability–owned businesses.**

SECTION 1471. 84.075 (1c) (a) of the statutes is renumbered 84.075 (1c) (ah).

SECTION 1472. 84.075 (1c) (ae) of the statutes is created to read:

84.075 **(1c)** (ae) "Disability–owned business" means a business certified by the department of administration under s. 16.289 (3).

SECTION 1473. 84.075 (1c) (br) of the statutes is created to read:

84.075 **(1c)** (br) "Lesbian, gay, bisexual, or transgender–owned business" means a business certified by the department of administration under s. 16.288 (3).

SECTION 1474. 84.075 (1m) (bg) of the statutes is created to read:

84.075 **(1m)** (bg) In purchasing services under s. 84.01 (13), in awarding construction contracts under s. 84.06, and in contracting with private contractors and agencies under s. 84.07, the department shall attempt to ensure that at least 1 percent of the total amount expended in each fiscal year is paid to contractors, subcontractors, and vendors that are lesbian, gay, bisexual, or transgender–owned businesses. In attempting to meet this goal, the department may award any contract to a lesbian, gay, bisexual, or transgender–owned business that submits a qualified responsible bid that is no more than 5 percent higher than the low bid unless doing so would violate the provisions of any federal law or regulation or any contract between the department and a federal agency or would otherwise result in a reduction of the amount of federal highway aid received by this state.

SECTION 1475. 84.075 (1m) (br) of the statutes is created to read:

84.075 **(1m)** (br) In purchasing services under s. 84.01 (13), in awarding construction contracts under s. 84.06, and in contracting with private contractors and agencies under s. 84.07, the department shall attempt to ensure that at least 1 percent of the total amount expended in each fiscal year is paid to contractors, subcontractors, and vendors that are disability–owned businesses. In attempting to meet this goal, the department may award any contract to a disability–owned

business that submits a qualified responsible bid that is no more than 5 percent higher than the low bid unless doing so would violate the provisions of any federal law or regulation or any contract between the department and a federal agency or would otherwise result in a reduction of the amount of federal highway aid received by this state.

SECTION 1476. 84.075 (1m) (c) of the statutes is amended to read:

84.075 **(1m)** (c) If a contractor, subcontractor, or vendor is both a minority business and a disabled veteran–owned business, lesbian, gay, bisexual, or transgender–owned business, or disability–owned business, the department may award a contract under par. (a) or under par. (b), (bg), or (br), but the qualified responsible bid must be no more than 5 percent higher than the low bid, as provided under pars. (a) ~~and,~~ (b), (bg), and (br).

SECTION 1477. 84.075 (2) of the statutes is amended to read:

84.075 **(2)** The contractor shall report to the department any amount of the contract paid to subcontractors and vendors which are minority businesses ~~or,~~ disabled veteran–owned businesses, lesbian, gay, bisexual, or transgender–owned businesses, or disability–owned businesses.

SECTION 1478. 84.075 (3) of the statutes is amended to read:

84.075 **(3)** The department shall at least semiannually, or more often if required by the department of administration, report to the department of administration the total amount of money it has paid to contractors, subcontractors, and vendors that are minority businesses ~~and,~~ that are disabled veteran–owned businesses, that are lesbian, gay, bisexual, or transgender–owned business, and that are disability–owned businesses under ss. 84.01 (13), 84.06, and 84.07 and the number of contacts with minority businesses ~~and,~~ disabled veteran–owned

businesses, lesbian, gay, bisexual, or transgender–owned businesses, and disability–owned businesses in connection with proposed purchases and contracts. ~~In its reports, the department shall include only amounts paid to businesses certified by the department of safety and professional services [department of administration] as minority businesses or disabled veteran–owned businesses.~~

SECTION 1479. 84.11 (4) of the statutes is amended to read:

84.11 **(4)** FINDING, DETERMINATION, AND ORDER. After such hearing the department shall make such investigation as it considers necessary in order to make a decision in the matter. If the department finds that the construction is necessary it shall determine the location of the project and whether the project is eligible for construction under this section. The department shall also determine the character and kind of bridge most suitable for such location and estimate separately the cost of the bridge portion and the entire project. The department shall make its finding, determination, and order, in writing, and file a certified copy thereof with the clerk of each county, city, village, and town in which any portion of the bridge project will be located and also with the ~~secretary of state and the~~ secretary of administration. The determination of the location of the project made by the department and set forth in its finding, determination, and order shall be conclusive as to such location and shall constitute full authority for laying out new streets or highways or for any relocations of highways made necessary for the construction of the project and for acquirement of any lands necessary for such streets or highways, relocation or construction. The estimate of cost made by the department shall be conclusive insofar as cost may determine eligibility of construction under this section.

SECTION 1480. 84.12 (4) of the statutes is amended to read:

84.12 **(4)** FINDING, DETERMINATION, AND ORDER. If the department finds that the construction is necessary, and that provision has been made or will be made by the adjoining state or its subdivisions to bear its or their portions of the cost of the project, the department, in cooperation with the state highway department of the adjoining state, shall determine the location thereof, the character and kind of bridge and other construction most suitable at such location, estimate the cost of the project, and determine the respective portions of the estimated cost to be paid by each state and its subdivisions. In the case of projects eligible to construction under sub. (1) (a) the department shall further determine the respective portions of the cost to be paid by this state and by its subdivisions which are required to pay portions of the cost. The department, after such hearing, investigation, and negotiations, shall make its finding, determination, and order in writing and file a certified copy thereof with the clerk of each county, city, village, or town in this state in which any part of the bridge project will be located, with ~~the secretary of state, and~~ the secretary of administration and with the state highway department of the adjoining state. The determination of the location set forth in the finding, determination, and order of the department shall be conclusive as to such location and shall constitute full authority for laying out new streets or highways or for any relocations of the highways made necessary for the construction of the project and for acquiring lands necessary for such streets or highways, relocation or construction.

SECTION 1481. 84.41 (3) of the statutes is created to read:

84.41 **(3)** EMPLOYMENT REGULATIONS. Employment regulations set forth in s. 103.50 pertaining to wages and hours shall apply to all projects constructed under s. 84.40 in the same manner as such laws apply to projects on other state highways.

Where applicable, the federal wages and hours law known as the Davis–Bacon act shall apply.

SECTION 1482. 84.54 of the statutes is repealed.

SECTION 1483. 84.555 (1m) of the statutes is amended to read:

84.555 **(1m)** Notwithstanding sub. (1) and ss. 84.51 and 84.59, the proceeds of general obligation bonds issued under s. 20.866 (2) (uum) are allocated for expenditure obligations under s. 84.95 and s. 84.014, the proceeds of general obligation bonds issued under s. 20.866 (2) (uup) and (uuv) may be used to fund expenditure obligations for the Marquette interchange reconstruction project under s. 84.014, for the reconstruction of the I 94 north–south corridor, as defined in s. 84.014 (5m) (ag) ~~1.~~ 1m., for the reconstruction of the Zoo interchange, as defined in s. 84.014 (5m) (ag) 2., for the reconstruction of the I 94 east–west corridor, as defined in s. 84.014 (5m) (ag) 1e., for southeast Wisconsin freeway megaprojects under s. 84.0145, and for high–cost state highway bridge projects under s. 84.017, and the proceeds of general obligation bonds issued under s. 20.866 (2) (uur) and (uuv) may be used to fund expenditure obligations for southeast Wisconsin freeway megaprojects under s. 84.0145.

SECTION 1484. 84.56 of the statutes is amended to read:

84.56 Additional funding for major highway projects. Notwithstanding ss. 84.51, 84.53, 84.555, and 84.59, major highway projects, as defined under s. 84.013 (1) (a), for the purposes of ss. 84.06 and 84.09, may be funded with the proceeds of general obligation bonds issued under s. 20.866 (2) (uus) and (uuv).

SECTION 1485. 84.57 (1) of the statutes is amended to read:

84.57 **(1)** Notwithstanding ss. 84.51, 84.53, 84.555, 84.59, and 84.95, and subject to sub. (2), state highway rehabilitation projects for the purposes specified

in s. 20.395 (6) (aq) may be funded with the proceeds of general obligation bonds issued under s. 20.866 (2) (uut) and (uuv).

SECTION 1486. 84.59 (6) of the statutes is amended to read:

84.59 **(6)** The building commission may contract revenue obligations when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Except as provided in this subsection, the principal amount of revenue obligations issued under this section may not exceed ~~$4,055,372,900~~ $4,359,650,700, excluding any obligations that have been defeased under a cash optimization program administered by the building commission, to be used for transportation facilities under s. 84.01 (28) and major highway projects for the purposes under ss. 84.06 and 84.09. ~~In addition to the foregoing limit on principal amount, the building commission may contract revenue obligations under this section up to $142,254,600, excluding any obligations that have been defeased under a cash optimization program administered by the building commission, to be used for transportation facilities under s. 84.01 (28) and major highway projects for the purposes under ss. 84.06 and 84.09.~~ In addition to the foregoing limits on principal amount, the building commission may contract revenue obligations under this section as the building commission determines is desirable to refund outstanding revenue obligations contracted under this section, to make payments under agreements or ancillary arrangements entered into under s. 18.55 (6) with respect to revenue obligations issued under this section, and to pay expenses associated with revenue obligations contracted under this section.

SECTION 1487. 85.0215 of the statutes is created to read:

85.0215 Local supplement. (1) In this section:

(a) "Eligible applicant" means a city, village, town, or county or a combination of these or an eligible entity, as defined under 23 USC 133 (h) (4) (B).

(b) "Eligible project" means a project eligible for funding under s. 84.12, 84.16, 84.18, or 86.31 (3) or (3t) or 23 USC 133 (h) (3).

(2) Funds provided under s. 20.395 (2) (fq) shall be distributed under this subsection as discretionary grants to reimburse eligible applicants for eligible projects. The department shall solicit and provide discretionary grants under this section until all funds appropriated under s. 20.395 (2) (fq) have been expended.

SECTION 1488. 85.09 (2) (a) of the statutes is amended to read:

85.09 **(2)** (a) The department of transportation shall have the first right to acquire, for present or future transportational or recreational purposes, any property used in operating a railroad or railway, including land and rails, ties, switches, trestles, bridges, and the like located on that property, that has been abandoned. The department of transportation may, in connection with abandoned rail property, assign this right to a state agency, the board of regents of the University of Wisconsin System, any county or municipality, or any transit commission. Acquisition by the department of transportation may be by gift, purchase, or condemnation in accordance with the procedure under s. 32.05~~, except that the power of condemnation may not be used to acquire property for the purpose of establishing or extending a recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a)~~. In addition to its property management authority under s. 85.15, the department of transportation may, subject to any prior action under s. 13.48 (14) (am) or 16.848 (1), lease and collect rents and fees for any use of rail property pending discharge of the department's duty to convey property that is not necessary for a public purpose. No

person owning abandoned rail property, including any person to whom ownership reverts upon abandonment, may convey or dispose of any abandoned rail property without first obtaining a written release from the department of transportation indicating that the first right of acquisition under this subsection will not be exercised or assigned. No railroad or railway may convey any rail property prior to abandonment if the rail property is part of a rail line shown on the railroad's system map as in the process of abandonment, expected to be abandoned, or under study for possible abandonment unless the conveyance or disposal is for the purpose of providing continued rail service under another company or agency. Any conveyance made without obtaining such release is void. The first right of acquisition of the department of transportation under this subsection does not apply to any rail property declared by the department to be abandoned before January 1, 1977. The department of transportation may acquire any abandoned rail property under this section regardless of the date of its abandonment.

SECTION 1489. 85.093 of the statutes is renumbered 85.093 (2) and amended to read:

85.093 **(2)** ~~The~~ Subject to sub. (3), the department may make grants to public or private applicants for intermodal freight facilities ~~that the department determines have a public purpose~~.

(4) In the 2019–21 fiscal biennium, a grant made under this section shall be paid from the appropriation under s. 20.395 (2) (bu). After July 1, 2021, a grant made under this section shall be paid from the appropriation under s. 20.866 (2) (uw).

(5) For the 2019–21 fiscal biennium, grants under this section cannot exceed $1,500,000.

SECTION 1490. 85.093 (1) of the statutes is created to read:

85.093 **(1)** The legislature finds and determines that intermodal freight facilities provide a vital connection between the freight rail industry and harbors and the commercial trucking industry in this state by allowing for the efficient movement of goods and supplies. The legislature further finds and determines that these facilities boost economic development and connect citizens of the state with products from across the world, and that supporting these facilities and thereby preserving and improving the development of freight rail service in the state are statewide responsibilities of statewide dimension. The legislature further finds that private capital and local government financial and technical resources are unable to fully meet the transportation and infrastructure needs of the state. It is therefore in the public interest, and it is the public policy of this state, to support the development of intermodal freight facilities through grants awarded under sub. (2).

SECTION 1491. 85.093 (3) of the statutes is created to read:

85.093 **(3)** The department may not make a grant under this section unless the grantee agrees to provide adequate intermodal freight services at the facility funded by the grant, subject to remedial transfer of the facility to the department. If, without the approval of the department, intermodal freight service is discontinued or inadequate at the facility or the grantee disposes of any portion of the facility, the intermodal freight facility for which financial assistance was provided under this section shall transfer to the ownership and control of the department. The department may elect to accept repayment from the grantee of the full amount of all grants received from the department for the facility in lieu of transfer under this subsection.

SECTION 1492. 85.20 (4m) (a) 6. cm. of the statutes is amended to read:

85.20 **(4m)** (a) 6. cm. From the appropriation under s. 20.395 (1) (ht), the department shall pay ~~$64,193,900 for aid payable for calendar years 2015 to 2019 and~~ $65,477,800 for aid payable for calendar ~~year~~ years 2020 and 2021, $67,114,700 for calendar year 2022, and $68,792,600 for calendar year 2023 and thereafter, to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses of $80,000,000 or more. If the eligible applicant that receives aid under this subd. 6. cm. is served by more than one urban mass transit system, the eligible applicant may allocate the aid between the urban mass transit systems in any manner the eligible applicant considers desirable.

SECTION 1493. 85.20 (4m) (a) 6. d. of the statutes is amended to read:

85.20 **(4m)** (a) 6. d. From the appropriation under s. 20.395 (1) (hu), the department shall pay ~~$16,868,000 for aid payable for calendar years 2015 to 2019 and~~ $17,205,400 for aid payable for calendar ~~year~~ years 2020 and 2021, $17,635,500 for calendar year 2022, and $18,076,400 for calendar year 2023 and thereafter, to the eligible applicant that pays the local contribution required under par. (b) 1. for an urban mass transit system that has annual operating expenses in excess of $20,000,000 but less than $80,000,000. If the eligible applicant that receives aid under this subd. 6. d. is served by more than one urban mass transit system, the eligible applicant may allocate the aid between the urban mass transit systems in any manner the eligible applicant considers desirable.

SECTION 1494. 85.20 (4m) (a) 7. b. of the statutes is amended to read:

85.20 **(4m)** (a) 7. b. For the purpose of making allocations under subd. 7. a., the amounts for aids are ~~$24,486,700 in calendar years 2015 to 2019 and~~ $24,976,400 in calendar ~~year~~ years 2020 and 2021, $25,600,800 in calendar year 2022, and

$26,240,800 in calendar year 2023 and thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

SECTION 1495. 85.20 (4m) (a) 8. b. of the statutes is amended to read:

85.20 **(4m)** (a) 8. b. For the purpose of making allocations under subd. 8. a., the amounts for aids are ~~$5,188,900 in calendar years 2015 to 2019 and~~ $5,292,700 in calendar ~~year~~ years 2020 and 2021, $5,425,000 in calendar year 2022, and $5,560,600 in calendar year 2023 and thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

SECTION 1496. 85.203 of the statutes is created to read:

85.203 Transit capital assistance grants. (1) In this section:

(a) "Eligible applicant" has the meaning given in s. 85.20 (1) (b).

(b) "Public transit vehicle" means any vehicle used for providing transportation service to the general public that is eligible for replacement under settlement guidelines, as defined in s. 16.047 (1) (b).

(2) The department shall administer a transit capital assistance grant program. From the appropriation under s. 20.395 (1) (bt), the department shall award grants to eligible applicants for the replacement of public transit vehicles. The department shall establish criteria for awarding grants under this section.

SECTION 1497. 85.215 of the statutes is amended to read:

85.215 Tribal elderly transportation grant program. The department shall award grants to federally recognized American Indian tribes or bands to assist in providing transportation services for elderly persons. Grants awarded under this section shall be paid from the appropriation under s. 20.395 (1) ~~(ck)~~ (ct). The

department shall prescribe the form, nature, and extent of the information that shall be contained in an application for a grant under this section. The department shall establish criteria for evaluating applications and for awarding grants under this section.

SECTION 1498. 85.25 (2) (c) 2m. of the statutes is amended to read:

85.25 **(2)** (c) 2m. A disabled veteran–owned business, as defined in s. 84.075 (1c) ~~(a)~~ (ah).

SECTION 1499. 85.25 (2) (c) 3. of the statutes is created to read:

85.25 **(2)** (c) 3. A lesbian, gay, bisexual, or transgender–owned business certified by the department of administration under s. 16.288 (3).

SECTION 1500. 85.25 (2) (c) 4. of the statutes is created to read:

85.25 **(2)** (c) 4. A disability–owned business certified by the department of administration under s. 16.289 (3).

SECTION 1501. 85.53 of the statutes is created to read:

85.53 Electric vehicle infrastructure program. (1) The legislature finds and determines that the use of electric vehicles benefits all residents of the state. The legislature further finds and determines that current infrastructure supporting the use of electric vehicles in Wisconsin is insufficient and that the funding of projects authorized under this section is therefore a valid governmental function serving a proper public purpose. The legislature finds that private capital and local government financial and technical resources are unable to fully meet the transportation and infrastructure needs of the state. It is the intent of this section to promote the public good by improving the accessibility of the state for electric vehicles.

(2) The department shall develop and administer an electric vehicle infrastructure program.

(3) From the appropriation under s. 20.866 (2) (usd), the department shall provide funding for electric vehicle infrastructure projects. The department, in consultation with the department of administration, shall determine appropriate locations for electric vehicle infrastructure projects under this section.

SECTION 1502. 85.61 (1) of the statutes is amended to read:

85.61 **(1)** The secretary of transportation and the administrator of the elections commission shall enter into an agreement to match personally identifiable information on the official registration list maintained by the commission under s. 6.36 (1) and the information specified in ~~s.~~ ss. 6.256 (2) and 6.34 (2m) with personally identifiable information in the operating record file database under ch. 343 and vehicle registration records under ch. 341 to the extent required to enable the secretary of transportation and the administrator of the elections commission to verify the accuracy of the information provided for the purpose of voter registration. Notwithstanding ss. 110.09 (2), 342.06 (1) (eg), and 343.14 (2j), but subject to s. 343.14 (2p) (b), the agreement shall provide for the transfer of electronic information under s. 6.256 (2) to the commission on a continuous basis, no less often than weekly.

SECTION 1503. 86.195 (2) (ag) 4. of the statutes is amended to read:

86.195 **(2)** (ag) 4. STH 11 from ~~STH 81~~ CTH "N" west of Monroe to ~~I 43~~ STH 50 at Delavan.

SECTION 1504. 86.195 (2) (ag) 7. of the statutes is amended to read:

86.195 **(2)** (ag) 7. STH 16 from ~~STH 67 at~~ Wisconsin Avenue west of Oconomowoc to I 94 at Waukesha.

SECTION 1505. 86.195 (2) (ag) 8. of the statutes is amended to read:

86.195 **(2)** (ag) 8. STH 21 from I 94 north of Tomah to CTH "Z" in the town of Strongs Prairie in Adams County and from STH 13 north of the village of Friendship in Adams County to ~~USH~~ I 41 at Oshkosh.

SECTION 1506. 86.195 (2) (ag) 11. of the statutes is amended to read:

86.195 **(2)** (ag) 11. STH 29 from ~~USH~~ I 41 at Green Bay to I 94 ~~west~~ northwest of Elk Mound.

SECTION 1507. 86.195 (2) (ag) 12. of the statutes is amended to read:

86.195 **(2)** (ag) 12. STH 33 from ~~USH~~ I 41 at Allenton to STH 32 at Port Washington.

SECTION 1508. 86.195 (2) (ag) 13. of the statutes is amended to read:

86.195 **(2)** (ag) 13. STH 36 from STH ~~50~~ 120 at Springfield to STH 100 ~~at~~ southwest of Milwaukee.

SECTION 1509. 86.195 (2) (ag) 14. of the statutes is amended to read:

86.195 **(2)** (ag) 14. STH 50 from ~~STH 120~~ USH 12 at Lake Geneva to STH 32 at Kenosha.

SECTION 1510. 86.195 (2) (ag) 15. of the statutes is amended to read:

86.195 **(2)** (ag) 15. ~~STH~~ USH 53 from I 94 at Eau Claire to I 535 at Superior.

SECTION 1511. 86.195 (2) (ag) 16m. of the statutes is amended to read:

86.195 **(2)** (ag) 16m. STH 172 from I 43 southeast of Green Bay to ~~USH~~ I 41 at Ashwaubenon.

SECTION 1512. 86.195 (2) (ag) 19. of the statutes is amended to read:

86.195 **(2)** (ag) 19. USH 8 from USH 51 ~~southeast~~ east of ~~Bradley~~ Heafford Junction to ~~STH 47~~ USH 45 at Monico.

SECTION 1513. 86.195 (2) (ag) 22. of the statutes is amended to read:

86.195 **(2)** (ag) 22. USH 12 from ~~I 90~~ CTH "N" east of Madison to I 90 ~~north~~ south of Wisconsin Dells.

SECTION 1514. 86.195 (2) (ag) 24. of the statutes is amended to read:

86.195 **(2)** (ag) 24. USH 41 from ~~STH 181 at Milwaukee to~~ the state line in Kenosha County to the state line in Marinette County.

SECTION 1515. 86.195 (2) (ag) 25. of the statutes is amended to read:

86.195 **(2)** (ag) 25. USH 45 from ~~USH~~ I 41 at Richfield to STH 28 at Kewaskum.

SECTION 1516. 86.195 (2) (ag) 26. of the statutes is amended to read:

86.195 **(2)** (ag) 26. USH 45 from ~~USH~~ I 41 at ~~Appleton~~ Oshkosh to USH 8 at Monico.

SECTION 1517. 86.195 (2) (ag) 27. of the statutes is amended to read:

86.195 **(2)** (ag) 27. USH 51 from STH ~~78 north of Portage~~ 29 south of Wausau to USH 2 at Hurley.

SECTION 1518. 86.195 (2) (ag) 29. of the statutes is amended to read:

86.195 **(2)** (ag) 29. ~~USH~~ STH 64 from the state line in St. Croix County to East Jct USH 63 east of New Richmond.

SECTION 1519. 86.195 (2) (ag) 30. of the statutes is amended to read:

86.195 **(2)** (ag) 30. ~~USH 78~~ 1 39 from ~~I 90 south of Portage~~ the state line in Rock County to ~~USH 51 north of Portage~~ STH 29 south of Wausau.

SECTION 1520. 86.195 (2) (ag) 31. of the statutes is amended to read:

86.195 **(2)** (ag) 31. USH 141 from I 43 ~~at~~ northwest of Green Bay to the state line in Marinette County.

SECTION 1521. 86.195 (2) (ag) 33. of the statutes is amended to read:

86.195 **(2)** (ag) 33. STH 441 between the Roland Kampo Bridge and ~~USH~~ I 41 in Appleton, designated as the tri–county expressway, in Calumet, Outagamie and Winnebago counties.

SECTION 1522. 86.195 (2) (ag) 34. of the statutes is amended to read:

86.195 **(2)** (ag) 34. USH 53 from I 90 at ~~La Crosse~~ Onalaska to STH 35 north of Holmen.

SECTION 1523. 86.195 (2) (ag) 36. of the statutes is amended to read:

86.195 **(2)** (ag) 36. USH 12 from CTH "P" ~~in Walworth County~~ southeast of Whitewater to Tri County Road in Rock County.

SECTION 1524. 86.195 (2) (ag) 37. of the statutes is created to read:

86.195 **(2)** (ag) 37. STH 35 from CTH "M" at River Falls to I 94 east of Hudson.

SECTION 1525. 86.195 (2) (ag) 38. of the statutes is created to read:

86.195 **(2)** (ag) 38. USH 51 from STH 19 north of Madison to CTH "V" at DeForest.

SECTION 1526. 86.195 (2) (c) of the statutes is amended to read:

86.195 **(2)** (c) A person who requests the erection or installation of a sign under par. (a) or (b) shall pay to the department an annual permit fee of ~~$40~~ $80 to cover administrative costs and the cost of inspection of the signs erected or installed under this section. In addition, the person requesting a sign under par. (a) or (b) shall pay a fee for the manufacture, installation and maintenance of the specific information sign and the installation and maintenance of the business sign.

SECTION 1527. 86.195 (3) (b) 2. of the statutes is amended to read:

86.195 **(3)** (b) 2. Regular operation at least 5 days a week~~, opening for service no later than 10 a.m. and remaining open until at least 7 p.m.~~;

SECTION 1528. 86.195 (5) (b) of the statutes is amended to read:

86.195 **(5)** (b) *Number of signs permitted.* ~~No more than 4 specific information signs for each category of motorist service may be erected~~ The department may not authorize the erection of a number of signs along an approach to an interchange or intersection that exceeds the number of signs authorized by the manual on uniform traffic control devices adopted by the department under s. 84.02 (4) (e). No specific information sign may contain more than 6 business signs.

SECTION 1529. 86.195 (5) (c) of the statutes is amended to read:

86.195 **(5)** (c) *Conformity with discrimination laws.* Each business identified as a motorist service on a specific information sign shall, as a condition of eligibility for erection, installation and maintenance of a sign under this section, give written assurance to the department that the business conforms with all applicable laws concerning the provisions of public accommodations without regard to race, religion, color, sex ~~or,~~ national origin, or status as a holder or nonholder of a license under s. 343.03 (3r).

SECTION 1530. 86.195 (6) (a) of the statutes is amended to read:

86.195 **(6)** (a) Specific information signs and business signs shall have a blue reflectorized background with a white reflectorized border and white reflectorized legend. ~~Sign panels may be illuminated.~~

SECTION 1531. 86.30 (2) (a) 3. of the statutes is amended to read:

86.30 **(2)** (a) 3. For each mile of road or street under the jurisdiction of a municipality as determined under s. 86.302, the mileage aid payment shall be ~~$2,389 in calendar year 2019 and~~ $2,628 in calendar ~~year~~ years 2020 and 2021, $2,681 in calendar year 2022, and $2,734 in calendar year 2023 and thereafter.

SECTION 1532. 86.30 (9) (b) of the statutes is amended to read:

86.30 **(9)** (b) For the purpose of calculating and distributing aids under sub. (2), the amounts for aids to counties are ~~$111,093,800 in calendar year 2019 and~~ $122,203,200 in calendar ~~year~~ years 2020 and 2021, $124,647,300 in calendar year 2022, and $127,140,200 in calendar year 2023 and thereafter. These amounts, to the extent practicable, shall be used to determine the statewide county average cost–sharing percentage in the particular calendar year.

SECTION 1533. 86.30 (9) (c) of the statutes is amended to read:

86.30 **(9)** (c) For the purpose of calculating and distributing aids under sub. (2), the amounts for aids to municipalities are ~~$348,639,300 in calendar year 2019 and~~ $383,503,200 in calendar ~~year~~ years 2020 and 2021, $391,173,300 in calendar year 2022, and $398,996,800 in calendar year 2023 and thereafter. These amounts, to the extent practicable, shall be used to determine the statewide municipal average cost–sharing percentage in the particular calendar year.

SECTION 1534. 86.303 (5) (i) 3. of the statutes is created to read:

86.303 **(5)** (i) 3. The amount of reduction may not exceed $100 for each working day after July 31 that the financial reports are actually submitted.

SECTION 1535. 86.31 (3s) of the statutes is repealed.

SECTION 1536. 86.35 of the statutes is created to read:

86.35 Local road aids for critical infrastructure. (1) In this section:

(a) "Eligible applicant" means a city, village, town, or county.

(b) "Eligible project" means a project that satisfies the requirements of sub. (3).

(2) The department shall develop and administer a local road aids for critical infrastructure program.

(3) A project is eligible for funding under this section if all of the following apply:

(a) The project is for the reconstruction of a culvert or bridge to a higher standard durability.

(b) The culvert or bridge under par. (a) is owned by the eligible applicant that is applying for the grant.

(c) The culvert or bridge under par. (a) is at risk of being damaged by future extreme storm water events.

(4) (a) From the appropriation under s. 20.866 (2) (usb), the department shall award grants to reimburse eligible applicants for moneys expended on eligible projects.

(b) The department shall promulgate rules prescribing the form, nature, and extent of information that shall be contained in applications for grants under this section and shall establish criteria for evaluating applications and for awarding grants under this section. The criteria for awarding grants under this section shall prioritize grants for eligible projects most at risk from future extreme storm water events.

(c) The amount of a grant awarded under this section may not exceed 50 percent of the cost of the project.

SECTION 1537. 86.51 of the statutes is repealed.

SECTION 1538. 91.10 (title) of the statutes is amended to read:

91.10 (title) **County plan required; planning and implementation grants.**

SECTION 1539. 91.10 (7) of the statutes is created to read:

91.10 **(7)** (a) From the appropriation under s. 20.115 (7) (tm), the department may award implementation grants to counties for implementing a county's certified farmland preservation plan.

(b) The department shall enter into a contract with a county to which it awards a planning grant under par. (a) before the department distributes any grant funds to the county. In the contract, the department shall identify the costs that are eligible for reimbursement through the grant.

(c) The department may distribute grant funds under this subsection only after the county shows that it has incurred costs that are eligible for reimbursement under par. (b).

SECTION 1540. 92.14 (3) (a) 4m. of the statutes is created to read:

92.14 **(3)** (a) 4m. County land conservation personnel who primarily focus on climate change and climate change resiliency.

SECTION 1541. 92.14 (5r) of the statutes is amended to read:

92.14 **(5r)** ANNUAL GRANT REQUEST. Every land conservation committee shall prepare annually a grant request that describes the land and water resource staffing needs and activities to be undertaken or funded by the county under this chapter and ss. 281.65 and 281.66 and the funding needed for those purposes. The grant request shall specifically state any request for funding for climate change personnel under sub. (3) (a) 4m. The grant request shall be consistent with the county's plan under s. 92.10. The land conservation committee shall submit the grant request to the department.

SECTION 1542. 93.01 (14m) of the statutes is created to read:

93.01 **(14m)** "Regenerative agricultural practice" means an agricultural management technique designed to build soil health and crop resiliency, improve water and nutrient retention, or sequester carbon, primarily by managing the organic matter content of soil. "Regenerative agricultural practice" includes

diversifying crop rotations and using no–till planting, managed grazing, cover cropping, and composting.

SECTION 1543. 93.06 (1qm) of the statutes is amended to read:

93.06 **(1qm)** LOANS AND GRANTS FOR RURAL DEVELOPMENT. ~~Make~~ Provide grants, make loans, and charge interest and origination fees and take security for those loans~~,~~ as required to receive federal funding for the development of rural business enterprises or for rural economic development.

SECTION 1544. 93.425 of the statutes is created to read:

93.425 Wisconsin initiative for agricultural exports. (1) The department shall consult with the center for international agribusiness marketing and establish and administer an agricultural exports program to promote the export of this state's agricultural and agribusiness products.

(2) In establishing and administering the program under this section, not more than 50 percent of the funds from the appropriation under s. 20.115 (3) (d) may be used for promoting dairy product exports and not more than 50 percent of the funds from the appropriation under s. 20.115 (3) (d) may be used for promoting vegetable, meat, and fish product exports.

SECTION 1545. 93.48 of the statutes is renumbered 93.63, and 93.63 (1), as renumbered, is amended to read:

93.63 **(1)** The department may award grants from the appropriation under s. 20.115 (4) ~~(am)~~ (f) to individuals or organizations to fund projects that are designed to increase the sale of agricultural products grown in this state that are purchased in close proximity to where they are produced. The department may not award a grant under this section unless the applicant contributes matching funds equal to at

least 50 percent of the costs of the project. The department shall promulgate rules for the program under this section.

SECTION 1546. 93.485 of the statutes is created to read:

93.485 Water stewardship certification grant program. The department may award grants from the appropriation under s. 20.115 (4) (cm) to agricultural producers to reimburse the amounts that a producer pays to the Alliance for Water Stewardship to obtain a certification of water stewardship. The department shall award grants under this section directly to the agricultural producer. Grants under this section may not be used to reimburse any costs of operational changes needed to obtain the certification of water stewardship.

SECTION 1547. 93.49 (1), (2), (3) (b) and (c), (4) and (5) of the statutes are renumbered 93.61 (1), (2), (3) (b) and (c), (4) and (5).

SECTION 1548. 93.49 (3) (a) of the statutes is renumbered 93.61 (3) (a) (intro.) and amended to read:

93.61 **(3)** (a) (intro.) From the appropriation under s. 20.115 (4) ~~(as)~~ (f), the department shall provide grants to school districts, in coordination with the department of public instruction, and to nonprofit organizations, farmers, and any other entities for the creation and expansion of farm to school programs. The department shall give preference to the following types of proposals:

2. Proposals that are innovative or that provide models that other school districts can adopt.

SECTION 1549. 93.525 of the statutes is created to read:

93.525 Meat processing tuition grants. (1) From the appropriation under s. 20.115 (3) (f), the department shall provide grants to universities, colleges, and

technical colleges located in this state that have programs in meat processing to reimburse tuition costs of students enrolled in a meat processing program.

(2) Each tuition reimbursement made with a grant received under this section shall reimburse a student for not more than 80 percent of the first $9,375 of the tuition cost for enrolling in a meat processing program.

SECTION 1550. 93.53 of the statutes is created to read:

93.53 Food waste reduction grants. (1) The department shall provide grants for food waste reduction pilot projects that have an objective of preventing food waste, redirecting surplus food to hunger relief organizations, and composting food waste. In awarding grants under this section, the department shall give preference to proposals that serve census tracts for which the median household income is below the statewide median household income and in which no grocery store is located.

(2) The department shall promulgate rules for the administration of this section.

SECTION 1551. 93.60 of the statutes is created to read:

93.60 Food security and Wisconsin products grant program. (1) GRANTS. The department may award grants from the appropriation under s. 20.115 (4) (f) to nonprofit food banks, nonprofit food pantries, and other nonprofit organizations that provide food assistance for the purpose of purchasing food products that are made or grown in this state.

(2) RULES. The department may promulgate rules to administer this section.

SECTION 1552. 93.61 (3) (a) 1. of the statutes is created to read:

93.61 **(3)** (a) 1. Proposals from school districts in which a high percentage of pupils satisfy the income eligibility criteria under 42 USC 1758 (b) (1) for a free or reduced–price meal.

SECTION 1553. 93.62 of the statutes is created to read:

93.62 Farm to fork program. (1) DEFINITION. In this section, "farm to fork program" means a program to connect entities that are not school districts and that have cafeterias to nearby farms to provide locally produced fresh fruits and vegetables, dairy products, and other nutritious, locally produced foods in meals and snacks; to help the public develop healthy eating habits; to provide nutritional and agricultural education; and to improve farmers' incomes and direct access to markets.

(2) GRANTS. (a) The department may award grants from the appropriation under s. 20.115 (4) (f) to businesses, universities, hospitals, and other entities that are not school districts and that have cafeterias for the creation and expansion of farm to fork programs. The department shall give preference to proposals that are innovative or that provide models that other entities can adopt.

(b) In awarding grants under this section, the department shall promote agricultural development and farm profitability by supporting the development and adoption of practices and agribusiness opportunities that involve the production of value–added agricultural products, as defined under s. 93.65 (1).

(c) The department may award grants under this subsection for projects that do any of the following:

1. Create, expand, diversify, or promote production, processing, marketing, and distribution of food produced in this state for sale to entities in this state other than school districts.

2. Create, expand, or renovate facilities, including purchases of equipment for the facilities, that would ensure the use of food produced in this state in locations in this state other than schools.

3. Provide, expand, or promote training for food service personnel, farmers, and distributors.

4. Provide, expand, or promote nutritional and agricultural education.

(d) The department shall consult with interested persons to establish grant priorities for each fiscal year.

(3) REPORTS. At least annually, the department shall report to the legislature under s. 13.172 (2) and to the secretary on the needs and opportunities for farm to fork programs.

(4) RULES. The department may promulgate rules to administer this section.

SECTION 1554. 93.64 of the statutes is created to read:

93.64 Small farm diversity grant program. (1) GRANTS. The department may award grants from the appropriation under s. 20.115 (4) (f) to agricultural producers that have been in operation for at least one year and that, in the year prior to applying for a grant, earned less than $350,000 in gross cash farm income. Grants awarded under this section shall be in an amount no less than $5,000 and no more than $50,000. The recipient of a grant under this section shall provide matching funds of 30 percent of the amount of the grant.

(2) ELIGIBLE COSTS. Grants awarded under this section may be used to pay for any of the following:

(a) Costs to develop a new agricultural product or increase production of an agricultural product where market opportunities exist, including business planning, feasibility research, engineering, and architectural designs.

(b) Start–up costs for new agricultural production operations.

(c) Research and development of uses for food, feed, and fiber products that are innovative and add value to agricultural products.

(d) Developing on–farm processing of agricultural commodities.

(e) Developing an agritourism venue.

(3) PRIORITY. The department, in awarding grants under this section, shall give preference to applications that do any of the following:

(a) Develop a business plan with market research and income projections including new and innovative plans for marketing.

(b) Demonstrate a high probability of increased revenue, job creation, or enhanced viability.

(c) Feature research that is innovative as well as commercially plausible.

(d) Demonstrate a high probability of rapid commercialization.

(e) Demonstrate a commitment for funding from other private or public sources or from the applicant.

(4) REPORTS. The recipient of a grant under this section shall submit annual reports to the department documenting grant money expenses and results.

(5) RULES. The department may promulgate rules to administer this section.

SECTION 1555. 93.65 of the statutes is created to read:

93.65 Value–added agricultural practices. (1) DEFINITION. In this section, "value–added agricultural product" means a farm product that satisfies any of the following:

(a) The product has undergone a change in physical state.

(b) The product is produced in a manner that enhances its value.

(c) The product is physically segregated in a manner that enhances its value.

(d) The product is a source of farm–based or ranch–based renewable energy.

(e) The product is aggregated and marketed as a locally produced farm product.

(2) VALUE-ADDED PRODUCTS. The department may provide education and technical assistance related to promoting and implementing agricultural practices that produce value–added agricultural products, including by doing all of the following:

(a) *Assistance for organic farming practices.* Providing education and technical assistance related to organic farming practices, including business and market development assistance; collaborating with organic producers, industry participants, and local organizations that coordinate organic farming; and stimulating interest and investment in organic production. The department may award grants from the appropriation under s. 20.115 (4) (f) to organic producers, industry participants, and local organizations that coordinate organic farming. The department may award a grant to an organic producer, industry participant, or local organization under this paragraph for any of the following purposes:

1. Providing education and technical assistance related to implementing organic farming practices.

2. Helping to create organic farming plans.

3. Assisting farmers to transition to organic farming.

(b) *Grazing grants.* Awarding grants from the appropriation under s. 20.115 (4) (f) to appropriate entities to provide education and training to farmers about best practices related to grazing.

(c) *Promotion.* Helping producers market value–added agricultural products, including products produced through the use of a practice described in s. 93.67.

(3) RULES. The department may promulgate rules to administer this section.

SECTION 1556. 93.66 of the statutes is created to read:

93.66 Grants for hiring farm business consultants. The department may award grants from the appropriation under s. 20.115 (4) (f) to county agriculture agents of the University of Wisconsin–Extension to help farm operators hire business consultants and attorneys to examine their farm business plans and create a farm succession plan. The department may promulgate rules to administer this section.

SECTION 1557. 93.67 of the statutes is created to read:

93.67 Technical assistance on resource conservation. (1) TECHNICAL ASSISTANCE. The department may provide technical assistance to farmers related to increasing or maintaining agricultural yields while promoting soil health, water quality, and regenerative agricultural practices, including by doing all of the following:

(a) Connecting farmers with technologies or practices that address water quality and other environmental sustainability goals, including technologies or practices developed by the University of Wisconsin System, private sector businesses, and other agricultural producers.

(b) Developing technical resources to assist farmers in promoting soil health, water quality, and regenerative agricultural practices.

(c) Awarding grants under sub. (2).

(2) GRANTS. The department may award grants from the appropriation under s. 20.115 (4) (f) to local governments, nongovernmental organizations, federally recognized American Indian tribes or bands, businesses, and individuals for developing technologies and strategies that support conservation efforts on working lands and for developing market–based solutions to environmental and resource

challenges in modern farming systems. The department may not award a grant under this section of more than $25,000.

(3) RULES. The department may promulgate rules to administer this section.

SECTION 1558. 93.68 of the statutes is created to read:

93.68 Grants for meat processing facilities. (1) DEFINITION. In this section, "meat processing facility" means a plant or premises where animals are slaughtered for human consumption, or where meat or meat products are processed, but does not include rendering plants.

(2) GRANTS. The department may award grants from the appropriation under s. 20.115 (4) (f) to meat processing facilities for the purpose of promoting the growth of the meat industry in this state.

(3) RULES. The department may promulgate rules to administer this section.

SECTION 1559. 93.74 of the statutes is created to read:

93.74 Planning grants for regional biodigesters. (1) GRANT PROGRAM. From the appropriation under s. 20.115 (7) (u), the department shall provide planning grants for establishing regional biodigesters.

(2) RULES. The department shall promulgate rules for the administration of this section.

SECTION 1560. 93.75 of the statutes is created to read:

93.75 Regenerative agriculture practices. (1) The department shall provide grants from the appropriation under s. 20.115 (7) (qf) to provide cost–sharing for the following purposes:

(a) Conducting soil tests and other carbon sequestration analyses.

(b) Updating nutrient management software.

(c) Studying the feasibility of a statewide carbon market.

(d) Assessing the market value of carbon sequestration.

(e) For agricultural producers, implementing regenerative agricultural practices.

(2) In conjunction with grants provided under sub. (1), the department shall do all of the following:

(a) Evaluate the potential of existing tools to accurately and efficiently calculate carbon credits generated by producer–led watershed protection grant recipients under s. 93.59 and document the suitability of various carbon credit calculators for use in this state.

(b) Identify opportunities and facilitate groups of agricultural producers to work together to generate carbon credits.

(c) Provide technical assistance to farmers and agricultural agencies and professionals regarding the processes of carbon credit generation and associated risks of market participation to aid them in choosing to collaborate with carbon credit project developers on a verified project in the future.

(d) Study the feasibility of a statewide carbon market and assess the market value of carbon sequestration.

(3) The department may promulgate rules to administer the program under this section.

SECTION 1561. 93.76 of the statutes is created to read:

93.76 Conservation grants. The department shall provide grants from the appropriation under s. 20.115 (7) (qf) to local governments, nongovernmental organizations, federally recognized American Indian tribes or bands, businesses, and individuals for any of the following purposes:

(1) To develop and provide education and training to farmers about best practices related to grazing and pasture maintenance.

(2) To provide cost–sharing incentive payments to farmers to develop and adopt regenerative agricultural practices.

(3) The department may promulgate rules to administer the program under this section.

SECTION 1562. 93.77 of the statutes is created to read:

93.77 Nitrogen optimization pilot program. (1) In this section, "eligible university entities" means the College of Agricultural and Life Sciences at the University of Wisconsin–Madison, the Center for Watershed Science and Education at the University of Wisconsin–Stevens Point, and the University of Wisconsin–Extension.

(2) The department shall award grants from the appropriation under s. 20.115 (7) (cm) to agricultural producers and eligible university entities as provided under this section.

(3) An agricultural producer may apply for and receive a grant to implement a project with the potential to reduce nitrate loading to groundwater in the area. The agricultural producer receiving a grant under this subsection shall collaborate with one or more eligible university entities under sub. (4).

(4) The eligible university entities shall collaborate with an agricultural producer that receives a grant under sub. (3) to monitor the grant project on–site and to use information gathered from the project to research nitrate loading reduction methods with a goal of making recommendations to agricultural producers to optimize nitrogen usage while improving water quality in this state.

(5) The department may not make a grant to an agricultural producer and the eligible university entities collaborating with the agricultural producer in an amount that totals more than $125,000. No more than 50 percent of this total amount may be awarded to the collaborating eligible university entities.

SECTION 1563. 94.55 (2t) of the statutes is repealed.

SECTION 1564. 94.56 of the statutes is created to read:

94.56 Marijuana producers and processors. (1) DEFINITIONS. In this section:

(a) "Labor peace agreement" means an agreement between a person applying for a permit under this section and a labor organization, as defined in s. 5.02 (8m), that does all of the following:

1. Prohibits labor organizations and its members from engaging in picketing, work stoppages, boycotts, and any other economic interference with persons doing business in this state.

2. Prohibits the applicant from disrupting the efforts of the labor organization to communicate with and to organize and represent the applicant's employees.

3. Provides the labor organization access at reasonable times to areas in which the applicant's employees work for the purpose of meeting with employees to discuss their right to representation, employment rights under state law, and terms and conditions of employment.

(b) "Marijuana" has the meaning given in s. 961.70 (3).

(c) "Marijuana processor" has the meaning given in s. 139.97 (6).

(d) "Marijuana producer" has the meaning given in s. 139.97 (7).

(e) "Usable marijuana" has the meaning given in s. 139.97 (13).

(f) "Permittee" means a marijuana producer or marijuana processor who is issued a permit under this section.

(2) PERMIT REQUIRED. (a) No person may operate in this state as a marijuana producer or marijuana processor without a permit from the department. A person who acts as a marijuana producer and a marijuana processor shall obtain a separate permit for each activity. A person is not required to obtain a permit under this section if the person produces or processes only industrial hemp and holds a valid license under s. 94.55.

(b) This subsection applies to any of the following if they hold 5 percent or more of the stock of any corporation applying for a permit under this section

1. Officers of the corporation.

2. Directors of the corporation.

3. Agents of the corporation.

4. Stockholders of the corporation.

(c) Subject to ss. 111.321, 111.322, and 111.335, a permit under this section may not be granted to any person to whom any of the following applies:

1. The person has been convicted of a violent misdemeanor, as defined in s. 941.29 (1g) (b), at least 3 times.

2. The person has been convicted of a violent felony, as defined in s. 941.29 (1g) (a), unless pardoned.

3. During the preceding 3 years, the person has been committed under s. 51.20 for being drug dependent.

4. The person chronically and habitually uses alcohol beverages or other substances to the extent that his or her normal faculties are impaired. A person is presumed to chronically and habitually use alcohol beverages or other substances to

the extent that his or her normal faculties are impaired if, within the preceding 3 years, any of the following applies:

a. The person has been committed for involuntary treatment under s. 51.45 (13).

b. The person has been convicted of a violation of s. 941.20 (1) (b).

c. In 2 or more cases arising out of separate incidents, a court has found the person to have committed a violation of s. 346.63 or a local ordinance in conformity with that section; a violation of a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63; or a violation of the law of another jurisdiction, as defined in s. 340.01 (41m), that prohibits use of a motor vehicle while intoxicated, while under the influence of a controlled substance, a controlled substance analog, or a combination thereof, with an excess or specified range of alcohol concentration, or while under the influence of any drug to a degree that renders the person incapable of safely driving, as those or substantially similar terms are used in that jurisdiction's laws.

5. The person has income that comes principally from gambling or has been convicted of 2 or more gambling offenses.

6. The person has been convicted of crimes relating to prostitution.

7. The person has been convicted of crimes relating to loaning money or anything of value to persons holding licenses or permits pursuant to ch. 125.

8. The person is under the age of 21.

9. The person has not been a resident of this state continuously for at least 90 days prior to the application date.

(cm) An applicant with 20 or more employees may not receive a permit under this section unless the applicant certifies to the department that the applicant has

entered into a labor peace agreement and will abide by the terms of the agreement as a condition of maintaining a valid permit under this section. The applicant shall submit to the department a copy of the page of the labor peace agreement that contains the signatures of the union representative and the applicant.

(cn) The department shall use a competitive scoring system to determine which applicants are eligible to receive a permit under this section. The department shall issue permits to the highest scoring applicants that it determines will best protect the environment; provide stable, family–supporting jobs to local residents; ensure worker and consumer safety; operate secure facilities; and uphold the laws of the jurisdictions in which they operate. The department may deny a permit to an applicant with a low score as determined under this paragraph. The department may request that the applicant provide any information or documentation that the department deems necessary for purposes of making a determination under this paragraph.

(d) 1. Before the department issues a new or renewed permit under this section, the department shall give notice of the permit application to the governing body of the municipality where the permit applicant intends to operate the premises of a marijuana producer or marijuana processor. No later than 30 days after the department submits the notice, the governing body of the municipality may file with the department a written objection to granting or renewing the permit. At the municipality's request, the department may extend the period for filing objections.

2. A written objection filed under subd. 1. shall provide all the facts on which the objection is based. In determining whether to grant or deny a permit for which an objection has been filed under this paragraph, the department shall give substantial weight to objections from a municipality based on chronic illegal activity

associated with the premises for which the applicant seeks a permit or the premises of any other operation in this state for which the applicant holds or has held a valid permit or license, the conduct of the applicant's patrons inside or outside the premises of any other operation in this state for which the applicant holds or has held a valid permit or license, and local zoning ordinances. In this subdivision, "chronic illegal activity" means a pervasive pattern of activity that threatens the public health, safety, and welfare of the municipality, including any crime or ordinance violation, and that is documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar law enforcement agency records.

(e) After denying a permit, the department shall immediately notify the applicant in writing of the denial and the reasons for the denial. After making a decision to grant or deny a permit for which a municipality has filed an objection under par. (d), the department shall immediately notify the governing body of the municipality in writing of its decision and the reasons for the decision.

(f) 1. The department's denial of a permit under this section is subject to judicial review under ch. 227.

2. The department's decision to grant a permit under this section regardless of an objection filed under par. (d) is subject to judicial review under ch. 227.

(g) The department shall not issue a permit under this section to any person who does not hold a valid certificate under s. 73.03 (50).

(3) FEES; TERM. (a) Each person who applies for a permit under this section shall submit with the application a $250 fee. A permit issued under this section is valid for one year and may be renewed, except that the department may revoke or suspend a permit prior to its expiration. A person is not entitled to a refund of the

fees paid under this subsection if the person's permit is denied, revoked, or suspended.

(b) A permittee shall annually pay to the department a fee for as long as the person holds a valid permit under this section. The annual fee for a marijuana processor permittee is $2,000. The annual fee for a marijuana producer permittee is one of the following, unless the department, by rule, establishes a higher amount:

1. If the permittee plants, grows, cultivates, or harvests not more than 1,800 marijuana plants, $1,800.

2. If the permittee plants, grows, cultivates, or harvests more than 1,800 but not more than 3,600 marijuana plants, $2,900.

3. If the permittee plants, grows, cultivates, or harvests more than 3,600 but not more than 6,000 marijuana plants, $3,600.

4. If the permittee plants, grows, cultivates, or harvests more than 6,000 but not more than 10,200 marijuana plants, $5,100.

5. If the permittee plants, grows, cultivates, or harvests more than 10,200 marijuana plants, $7,100 plus $800 for every 3,600 marijuana plants over 10,200.

(4) SCHOOLS. The department may not issue a permit under this section to operate as a marijuana producer within 500 feet of the perimeter of the grounds of any elementary or secondary school.

(5) EDUCATION AND AWARENESS CAMPAIGN. The department shall develop and make available training programs for marijuana producers on how to safely and efficiently plant, grow, cultivate, harvest, and otherwise handle marijuana, and for marijuana processors on how to safely and efficiently produce and handle marijuana products and test marijuana for contaminants. The department shall conduct an awareness campaign to inform potential marijuana producers and marijuana

processors of the availability and viability of marijuana as a crop or product in this state.

(6) RULES. The department shall promulgate rules necessary to administer and enforce this section, including rules relating to the inspection of the plants, facilities, and products of permittees; training requirements for employees of permittees; and the competitive scoring system for determining which applicants are eligible to receive a permit under this section.

(7) PENALTIES. (a) Any person who violates sub. (2), fails to pay the required fee under sub. (3), or violates any of the requirements established by the rules promulgated under sub. (6) shall be fined not less than $100 nor more than $500 or imprisoned not more than 6 months or both.

(b) In addition to the penalties imposed under par. (a), the department shall revoke the permit of any person convicted of any violation described under par. (a) and not issue another permit to that person for a period of 2 years following the revocation.

SECTION 1565. 94.57 of the statutes is created to read:

94.57 Testing laboratories. The department shall register entities as tetrahydrocannabinols testing laboratories. The laboratories may possess or manufacture tetrahydrocannabinols or drug paraphernalia and shall perform the following services:

(1) Test marijuana produced for the medical use of tetrahydrocannabinols for potency and for mold, fungus, pesticides, and other contaminants.

(2) Collect information on research findings and conduct research related to the medical use of tetrahydrocannabinols, including research that identifies potentially unsafe levels of contaminants.

(3) Provide training on the following:

(a) The safe and efficient cultivation, harvesting, packaging, labeling, and distribution of marijuana for the medical use of tetrahydrocannabinols.

(b) Security and inventory accountability procedures.

(c) The most recent research on the use of tetrahydrocannabinols.

SECTION 1566. 100.145 of the statutes is created to read:

100.145 Recreational marijuana logotype. The department shall design an official logotype appropriate for including on a label affixed to recreational marijuana under s. 139.973 (10) (a).

SECTION 1567. 100.182 (4m) of the statutes is created to read:

100.182 **(4m)** The department may promulgate rules to implement this section.

SECTION 1568. 100.2091 of the statutes is created to read:

100.2091 Broadband; discrimination prohibited. (1) No broadband service provider may deny access to broadband service to any group of potential residential customers because of the race or income of the residents in the area in which the group resides.

(2) It is a defense to an alleged violation of sub. (1) based on income if, no later than 3 years after the date on which the broadband service provider began providing broadband service in this state, at least 30 percent of the households with access to the broadband service provider's broadband service in the area in which a group of potential residential customers resides are low–income households.

(3) The department may enforce this section and may promulgate rules to implement and administer this section. The department of justice may represent the department in an action to enforce this section. If the court finds that a broadband service provider has not complied with this section, the court shall order the

broadband service provider to comply with this section within a reasonable amount of time and, notwithstanding s. 814.14 (1), shall award costs, including reasonable attorney fees, to the department of justice.

(4) Any person that is affected by a failure to comply with this section may bring an action to enforce this section. If a court finds that a broadband service provider has not complied with this section, the court shall order the broadband service provider to comply with this section within a reasonable amount of time and, notwithstanding s. 814.14 (1), shall award costs, including reasonable attorney fees, to the person affected.

SECTION 1569. 100.2092 of the statutes is created to read:

100.2092 Broadband service subscriber rights. (1) RIGHTS. (a) A broadband service provider shall repair broadband service within 72 hours after a subscriber reports a service interruption or requests the repair if the service interruption is not the result of a major system–wide or large area emergency, such as a natural disaster.

(b) Upon notification by a subscriber of a service interruption, a broadband service provider shall give the subscriber a credit for one day of broadband service if broadband service is interrupted for more than 4 hours in one day and the interruption is caused by the broadband service provider.

(c) Upon notification by a subscriber of a service interruption, a broadband service provider shall give the subscriber a credit for each hour that broadband service is interrupted if broadband service is interrupted for more than 4 hours in one day and the interruption is not caused by the broadband service provider.

(d) Prior to entering into a service agreement with a subscriber, a broadband service provider shall disclose that a subscriber has a right to a credit for notifying the broadband service provider of a service interruption.

(e) A broadband service provider shall provide broadband service that satisfies minimum standards established by the department by rule.

(f) A broadband service provider shall give a subscriber at least 30 days' advance written notice before instituting a rate increase.

(g) A broadband service provider shall give a subscriber at least 7 days' advance written notice of any scheduled routine maintenance that causes a service slowdown, interruption, or outage.

(h) A broadband service provider shall give a subscriber at least 10 days' advance written notice of disconnecting service, unless the disconnection is requested by the subscriber.

(i) Prior to entering into a service agreement with a subscriber, a broadband service provider shall disclose the factors that may cause the actual broadband speed experience to vary, including the number of users and device limitations.

(j) A broadband service provider shall provide broadband service to a subscriber as described in point of sale advertisements and representations made to the subscriber.

(k) A broadband service provider shall give a subscriber at least 10 days' advance written notice of a change in a factor that might cause the originally disclosed speed experience to vary.

(L) A broadband service provider shall allow a subscriber to terminate a contract and receive a full refund without fees if the provider sells a service that does not satisfy the requirements established under par. (e) and the broadband service

provider does not satisfy the requirements established under par. (e) within one month of written notification from the subscriber.

(2) ADVERTISING. A broadband service provider shall disclose the factors that may cause the actual broadband speed experience of a subscriber to vary, including the number of users and device limitations, in each advertisement of the speed of the provider's service, including in all of the following types of advertisements:

(a) Television and other commercials.

(b) Internet and email advertisements.

(c) Print advertisements and bill inserts.

(d) Any other advertising method or solicitation for the sale of new or upgraded broadband service.

(3) RULES. The department may promulgate rules to implement and administer this section.

(4) PENALTY; ENFORCEMENT. (a) A person who violates this section may be required to forfeit not more than $1,000 for each violation and not more than $10,000 for each occurrence. Failure to give a notice required under sub. (1) (f) to more than one subscriber shall be considered one violation.

(b) The department or a district attorney may institute civil proceedings under this section.

SECTION 1570. 100.311 of the statutes is created to read:

100.311 Unfair drug pricing practices. (1) In this section:

(a) "Drug" has the meaning given in s. 450.01 (10).

(b) "Unfair drug pricing practice" means a drug pricing practice that causes or is likely to cause substantial injury to consumers that is not reasonably avoidable by

consumers themselves and not outweighed by countervailing benefits to consumers or to competition.

(2) No person may engage in unfair drug pricing practices.

(3) The department may promulgate rules to implement this section.

(4) Any district attorney, after informing the department, or the department may seek a temporary or permanent injunction in circuit court to restrain any violation of this section. Prior to entering a final judgment the court may award damages to any person suffering monetary loss because of a violation. The department may subpoena any person or require the production of any document to aid in investigating alleged violations of this section.

SECTION 1571. 101.123 (1) (ac) 2. of the statutes is amended to read:

101.123 **(1)** (ac) 2. A juvenile detention facility, as defined in s. 938.02 (10r), a secured residential care center for children and youth, as defined in s. 938.02 (15g), or a juvenile correctional facility, as defined in s. 938.02 (10p)~~, except a juvenile correctional facility authorized under s. 938.533 (3) (b), 938.538 (4) (b), or 938.539 (5) if the facility is a private residence in which the juvenile is placed and no one is employed there to ensure that the juvenile remains in custody~~.

SECTION 1572. 101.123 (1) (h) (intro.) of the statutes is amended to read:

101.123 **(1)** (h) (intro.) "Smoking" means ~~burning~~ any of the following:

1m. Burning or holding, or inhaling or exhaling smoke from, any of the following items containing tobacco:

SECTION 1573. 101.123 (1) (h) 1. of the statutes is renumbered 101.123 (1) (h) 1m. a.

SECTION 1574. 101.123 (1) (h) 2. of the statutes is renumbered 101.123 (1) (h) 1m. b.

SECTION 1575. 101.123 (1) (h) 2m. of the statutes is created to read:

101.123 **(1)** (h) 2m. Inhaling or exhaling vapor from a vapor product.

SECTION 1576. 101.123 (1) (h) 3. of the statutes is renumbered 101.123 (1) (h) 1m. c.

SECTION 1577. 101.123 (1) (h) 4. of the statutes is renumbered 101.123 (1) (h) 1m. d.

SECTION 1578. 101.123 (1) (j) of the statutes is renumbered 101.123 (1) (bc) and amended to read:

101.123 **(1)** (bc) "~~Type 1 juvenile~~ Juvenile correctional facility" has the meaning given in s. 938.02 ~~(19)~~ (10p).

SECTION 1579. 101.123 (1) (k) of the statutes is created to read:

101.123 **(1)** (k) 1. "Vapor product" has the meaning given in s. 139.75 (14).

SECTION 1580. 101.123 (2) (d) 3. of the statutes is amended to read:

101.123 **(2)** (d) 3. Anywhere on the grounds of a ~~Type 1~~ juvenile correctional facility.

SECTION 1581. 101.147 of the statutes is created to read:

101.147 Construction contractor registration. (1) (a) Except as provided in par. (b), no person may hold himself or herself out or act as a construction contractor unless that person is registered as a construction contractor by the department.

(b) The registration requirement under par. (a) does not apply to any of the following:

1. A person who engages in construction on property owned or leased by that person.

2. A state agency or local governmental unit.

3. A person who engages in construction in the course of his or her employment by a state agency or local governmental unit.

(2) An application for a registration under this section shall require the applicant to submit all of the following:

(a) The applicant's name, contact information, and physical address for the business principal.

(b) If the applicant is a corporation, limited liability company, limited partnership, or limited liability partnership and is not organized under ch. 178, 179, 180, 181, or 183, evidence that the applicant is registered, or has obtained a certificate of authority or registration, to transact business in this state under s. 178.1003, 179.87, 180.1503, 181.1503, or 183.1004, as applicable.

(c) Evidence of compliance with the requirements under ss. 108.17 to 108.205.

(d) Evidence of compliance with s. 102.28 (2).

(e) An acknowledgment of worker classification laws and penalties to ensure that registered construction contractors are aware of their obligations.

(3) The department may directly assess a forfeiture by issuing an order against any person who violates this section.

(4) The department shall, with the advice of the department of workforce development, promulgate rules to administer and enforce this section.

SECTION 1582. 101.19 (1g) (m) of the statutes is created to read:

101.19 **(1g)** (m) Registering construction contractors under s. 101.147.

SECTION 1583. 101.91 (5m) of the statutes is amended to read:

101.91 **(5m)** "Manufactured home community" means any plot or plots of ground upon which 3 or more manufactured homes that are occupied for dwelling or sleeping purposes are located. "Manufactured home community" does not include a

farm where the occupants of the manufactured homes are the ~~father, mother, son, daughter, brother or sister~~ parents, children, or siblings of the farm owner or operator or where the occupants of the manufactured homes work on the farm.

SECTION 1584. 102.07 (5) (b) of the statutes is amended to read:

102.07 **(5)** (b) The parents, spouse, child, brother, sister, son–in–law, daughter–in–law, ~~father–in–law, mother–in–law~~ parent–in–law, brother–in–law, or sister–in–law of a farmer shall not be deemed the farmer's employees.

SECTION 1585. 102.07 (5) (c) of the statutes is amended to read:

102.07 **(5)** (c) A shareholder–employee of a family farm corporation shall be deemed a "farmer" for purposes of this chapter and shall not be deemed an employee of a farmer. A "family farm corporation" means a corporation engaged in farming all of whose shareholders are related as lineal ancestors or lineal descendants, whether by blood or by adoption, or as spouses, brothers, sisters, uncles, aunts, cousins, sons–in–law, daughters–in–law, ~~fathers–in–law, mothers–in–law~~ parents–in–law, brothers–in–law, or sisters–in–law of such lineal ancestors or lineal descendants.

SECTION 1586. 102.15 (title) of the statutes is amended to read:

102.15 (title) **Rules of procedure; transcripts; electronic delivery.**

SECTION 1587. 102.15 (4) of the statutes is created to read:

102.15 **(4)** The department, division, or commission may not electronically deliver any information, notice, filing, or other document required to be provided by the department, division, or commission under this chapter unless the department, division, or commission receives the written consent of the interested party to receive such electronic delivery.

SECTION 1588. 102.17 (1) (a) 1. of the statutes is amended to read:

102.17 **(1)** (a) 1. Upon the filing with the department by any party in interest of any application in writing stating the general nature of any claim as to which any dispute or controversy may have arisen, the department shall electronically deliver or mail a copy of the application to all other parties in interest, and the insurance carrier shall be considered a party in interest. The department or the division may bring in additional parties by service of a copy of the application by electronic delivery or by mail.

SECTION 1589. 102.17 (1) (a) 2. of the statutes is amended to read:

102.17 **(1)** (a) 2. Subject to subd. 3., the division shall cause notice of hearing on the application to be given to each interested party by service of that notice on the interested party personally or by electronic delivery or by mailing a copy of that notice to the interested party's last–known address at least 10 days before the hearing. If a party in interest is located without this state, and has no post–office address within this state, the copy of the application and copies of all notices shall be filed with the department of financial institutions and shall also be sent by registered or certified mail to the last–known post–office address of the party. Such filing ~~and,~~ mailing, and electronic delivery shall constitute sufficient service, with the same effect as if served upon a party located within this state.

SECTION 1590. 102.17 (1) (ct) 2. of the statutes is amended to read:

102.17 **(1)** (ct) 2. If the department denies an application or revokes a license under subd. 1., the department shall electronically deliver or mail a notice of denial or revocation to the applicant or license holder. The notice shall include a statement of the facts that warrant the denial or revocation and a statement that the applicant or license holder may, within 30 days after the date on which the notice of denial or revocation is delivered electronically or mailed, file a written request with the

department to have the determination that the applicant or license holder is liable for delinquent contributions reviewed at a hearing under s. 108.227 (5) (a).

SECTION 1591. 102.18 (1) (e) of the statutes is amended to read:

102.18 **(1)** (e) Except as provided in s. 102.21, if the department or the division orders a party to pay an award of compensation, the party shall pay the award no later than 21 days after the date on which the order is electronically delivered or mailed to the last–known address of the party, unless the party files a petition for review under sub. (3). This paragraph applies to all awards of compensation ordered by the department or the division, whether the award results from a hearing, the default of a party, or a compromise or stipulation confirmed by the department or the division.

SECTION 1592. 102.18 (3) of the statutes is amended to read:

102.18 **(3)** A party in interest may petition the commission for review of an examiner's decision awarding or denying compensation if the department, the division, or the commission receives the petition within 21 days after the department or the division electronically delivered or mailed a copy of the examiner's findings and order to the last–known addresses of the parties in interest. The commission shall dismiss a petition that is not filed within those 21 days unless the petitioner shows that the petition was filed late for a reason that was beyond the petitioner's control. If no petition is filed within those 21 days, the findings or order shall be considered final unless set aside, reversed, or modified by the examiner within that time. If the findings or order are set aside by the examiner, the status shall be the same as prior to the setting aside of the findings or order. If the findings or order are reversed or modified by the examiner, the time for filing a petition commences on the date on which notice of the reversal or modification is delivered electronically or

mailed to the last–known addresses of the parties in interest. The commission shall either affirm, reverse, set aside, or modify the findings or order, in whole or in part, or direct the taking of additional evidence. The commission's action shall be based on a review of the evidence submitted.

SECTION 1593. 102.23 (1) (b) of the statutes is amended to read:

102.23 **(1)** (b) In such an action a complaint shall be served with an authenticated copy of the summons. The complaint need not be verified, but shall state the grounds upon which a review is sought. Service upon a commissioner or agent authorized by the commission to accept service constitutes complete service on all parties, but there shall be left with the person so served as many copies of the summons and complaint as there are defendants, and the commission shall deliver electronically or mail one copy to each other defendant.

SECTION 1594. 102.26 (3) (b) 3. of the statutes is amended to read:

102.26 **(3)** (b) 3. The claimant may request the insurer or self–insured employer to pay any compensation that is due the claimant by depositing the payment directly into an account maintained by the claimant at a financial institution. If the insurer or self–insured employer agrees to the request, the insurer or self–insured employer may deposit the payment by direct deposit, electronic funds transfer, or any other money transfer technique approved by the department or the division. The claimant may revoke a request under this subdivision at any time by providing appropriate written notice to the insurer or self–insured employer. If a claimant requests payment by check under this chapter, the insurer or self–insured employer shall make the payment by check.

SECTION 1595. 102.26 (3) (d) and (e) of the statutes are created to read:

102.26 **(3)** (d) Except as provided in par. (e), an award to an employer made under this chapter shall be paid by electronic money transfer to the employer. Payment may be made by direct deposit, electronic funds transfer, automated clearinghouse transfer, or any other secure electronic money transfer procedure.

(e) If an employer cannot receive payments as provided in par. (d), elects to not receive payments as set forth in par. (d), or if the insurer, self–insured employer, or 3rd–party payer does not have the capacity to issue payments as set forth in par. (d), the payment shall be made by other means acceptable to the employer and payer.

SECTION 1596. 102.28 (6) of the statutes is amended to read:

102.28 **(6)** REPORTS BY EMPLOYER. Every employer shall upon request of the department report to it the number of employees and the nature of their work and also the name of the insurance company with whom the employer has insured liability under this chapter and the number and date of expiration of such policy. Failure to furnish such report within 10 days from the making of a request by secure electronic delivery or certified mail shall constitute presumptive evidence that the delinquent employer is violating sub. (2).

SECTION 1597. 102.35 (1) of the statutes is amended to read:

102.35 **(1)** Every employer and every insurance company that fails to keep the records or to make the reports required by this chapter or that knowingly falsifies such records or makes false reports shall pay a work injury supplemental benefit surcharge to the state of not less than $10 nor more than $100 for each offense. The department may waive or reduce a surcharge imposed under this subsection if the employer or insurance company that violated this subsection requests a waiver or reduction of the surcharge within 45 days after the date on which notice of the surcharge is electronically delivered or mailed to the employer or insurance company

and shows that the violation was due to mistake or an absence of information. A surcharge imposed under this subsection is due within 30 days after the date on which notice of the surcharge is electronically delivered or mailed to the employer or insurance company. Interest shall accrue on amounts that are not paid when due at the rate of 1 percent per month. All surcharges and interest payments received under this subsection shall be deposited in the fund established under s. 102.65.

SECTION 1598. 102.43 (9) (e) of the statutes is amended to read:

102.43 **(9)** (e) The employee's employment with the employer has been suspended or terminated due to misconduct, as defined in s. 108.04 (5), ~~or substantial fault, as defined in s. 108.04 (5g) (a),~~ by the employee connected with the employee's work.

SECTION 1599. 102.51 (1) (a) 1. of the statutes is amended to read:

102.51 **(1)** (a) 1. A ~~wife~~ married person upon ~~a husband~~ his or her spouse with whom he or she is living at the time of ~~his~~ the spouse's death.

SECTION 1600. 102.51 (1) (a) 2. of the statutes is repealed.

SECTION 1601. 102.565 (2) of the statutes is amended to read:

102.565 **(2)** Upon application of any employer or employee the department or the division may direct any employee of the employer or an employee who, in the course of his or her employment, has been exposed to toxic or hazardous substances or conditions to submit to examination by one or more physicians appointed by the department or the division to determine whether the employee has developed any abnormality or condition under sub. (1), and the degree of that abnormality or condition. The cost of the medical examination shall be borne by the person making application. The physician conducting the examination shall submit the results of the examination to the department or the division, which shall submit copies of the

reports to the employer and employee, who shall have an opportunity to rebut the reports if a request to submit a rebuttal is made to the department or the division within 10 days after the department or the division electronically delivers or mails the report to the parties. The department or the division shall make its findings as to whether it is inadvisable for the employee to continue in his or her employment.

SECTION 1602. 102.75 (1m) of the statutes is amended to read:

102.75 **(1m)** The moneys collected under subs. (1) and (1g) and under ss. 102.28 (2) and 102.31 (7), together with all accrued interest, shall constitute a separate nonlapsible fund designated as the worker's compensation operations fund. Moneys in the fund may be expended only as provided in ss. 20.427 (1) (ra) and 20.445 (1) (ra), (rb), ~~and~~ (rp), and (rr) and may not be used for any other purpose of the state.

SECTION 1603. 102.835 (12) of the statutes is amended to read:

102.835 **(12)** NOTICE BEFORE LEVY. If no proceeding for review ~~permitted~~ allowed by law is pending, the department shall make a demand to the debtor for payment of the debt which is subject to levy and give notice that the department may pursue legal action for collection of the debt against the debtor. The department shall make the demand for payment and give the notice at least 10 days prior to the levy, personally ~~or,~~ by any type of mail service which requires a signature of acceptance, at the address of the debtor as it appears on the records of the department, or by secure electronic delivery that requires a unique verifiable signature. The demand for payment and notice shall include a statement of the amount of the debt, including costs and fees, and the name of the debtor who is liable for the debt. The debtor's failure to accept or receive the notice does not prevent the department from making the levy. Notice prior to levy is not required for a subsequent levy on any debt of the same debtor within one year after the date of service of the original levy.

SECTION 1604. 102.835 (13) (a) of the statutes is amended to read:

102.835 **(13)** (a) The department shall serve the levy upon the debtor and 3rd party by personal service or by any type of electronic delivery or mail service which requires a signature of acceptance or unique verifiable signature.

SECTION 1605. 102.835 (13) (c) of the statutes is amended to read:

102.835 **(13)** (c) The department representative who serves the levy shall certify service of process on the notice of levy form and the person served shall acknowledge receipt of the certification by signing and dating it. If service is made by mail, the return receipt is the certificate of service of the levy. If service is made by electronic delivery, an electronic delivery receipt, as approved by the department, is the certificate of service of the levy.

SECTION 1606. 102.85 (1) (a) of the statutes is amended to read:

102.85 **(1)** (a) ~~An~~ For each act occurring before the date of the first determination of a violation of this subsection, an employer who fails to comply with s. 102.16 (3) or 102.28 (2) for less than 11 days shall forfeit not less than $100 ~~nor~~ and not more than $1,000.

SECTION 1607. 102.85 (1) (b) of the statutes is amended to read:

102.85 **(1)** (b) ~~An~~ For each act occurring after the date of the first or second determination of a violation of this subsection, an employer who fails to comply with s. 102.16 (3) or 102.28 (2) for more than 10 days shall forfeit not less than $10 ~~nor~~ and not more than $100 for each day on which the employer fails to comply with s. 102.16 (3) or 102.28 (2).

SECTION 1608. 102.85 (1) (c) of the statutes is created to read:

102.85 **(1)** (c) For each act occurring after the date of the 3rd determination of a violation of this subsection, the employer shall be assessed a penalty in the amount

of $3,000 for each act, or 3 times the amount of the premium that would have been payable, whichever is greater.

SECTION 1609. 102.85 (1) (d) of the statutes is created to read:

102.85 **(1)** (d) For each act occurring after the date of the 4th determination of a violation of this subsection, the employer shall be assessed a penalty in the amount of $4,000 for each act, or 4 times the amount of the premium that would have been payable, whichever is greater.

SECTION 1610. 102.85 (2) (intro.) of the statutes is amended to read:

102.85 **(2)** (intro.) ~~An~~ For each act occurring after the date of the first determination under this subsection, an employer who is required to provide worker's compensation insurance coverage under this chapter shall forfeit not less than $100 ~~nor~~ and not more than $1,000 if the employer does any of the following:

SECTION 1611. 102.85 (2j) of the statutes is created to read:

102.85 **(2j)** For each act occurring after the date of the 3rd determination under sub. (2), an employer who is required to provide worker's compensation insurance coverage under this chapter shall forfeit $3,000 per violation.

SECTION 1612. 102.85 (2k) of the statutes is created to read:

102.85 **(2k)** For each act occurring after the date of the 4th determination under sub. (2), an employer who is required to provide worker's compensation insurance coverage under this chapter shall forfeit $4,000 per violation.

SECTION 1613. 102.87 (1) (b) of the statutes is amended to read:

102.87 **(1)** (b) The citation may be served on the defendant by registered mail with a return receipt requested or by electronic delivery, which requires a unique verifiable signature of the defendant.

SECTION 1614. 103.005 (4m) of the statutes is created to read:

103.005 **(4m)** (a) The department shall design and make available to employers a notice regarding worker classification laws, requirements for employers and employees, and penalties for noncompliance.

(b) All employers shall post, in one or more conspicuous places where notices to employees are customarily posted, the notice designed by the department under par. (a). Any employer who violates this paragraph shall forfeit not more than $100 for each offense.

(c) The department shall establish and maintain on the department's Internet site information regarding worker classification laws, requirements for employers and employees, penalties for noncompliance, and contact information at each state agency that administers worker classification laws.

SECTION 1615. 103.005 (12) (a) of the statutes is amended to read:

103.005 **(12)** (a) If any employer, employee, owner, or other person violates chs. 103 to 106, or fails or refuses to perform any duty required under chs. 103 to 106, within the time prescribed by the department, for which no penalty has been specifically provided, or fails, neglects or refuses to obey any lawful order given or made by the department or any judgment or decree made by any court in connection with chs. 103 to 106, for each such violation, failure or refusal, the employer, employee, owner or other person shall forfeit not less than $10 nor more than $100 for each offense. This paragraph does not apply to any person that fails to provide any information to the department to assist the department in determining prevailing wage rates or prevailing hours of labor under s. 103.49 (3) (a) or (am) or 103.50 (3) or (4).

SECTION 1616. 103.007 of the statutes is repealed.

SECTION 1617. 103.10 (1) (a) (intro.) of the statutes is renumbered 103.10 (1) (a) and amended to read:

103.10 **(1)** (a) "Child" means a natural, adopted, or foster child, a stepchild, or a legal ward ~~to whom any of the following applies:~~.

SECTION 1618. 103.10 (1) (a) 1. of the statutes is repealed.

SECTION 1619. 103.10 (1) (a) 2. of the statutes is repealed.

SECTION 1620. 103.10 (1) (a) 3. of the statutes is created to read:

103.10 **(1)** (a) 3. The individual is 18 years of age or older, suffers from a chronic condition, and requires family caregiving.

SECTION 1621. 103.10 (1) (ao) of the statutes is created to read:

103.10 **(1)** (ao) "Chronic condition" means a health condition, illness, impairment, or physical or mental condition that involves any of the following:

1. A condition or disease that is persistent or otherwise long–lasting in its effects.

2. A condition or disease that lasts for at least 3 months.

3. A condition or disease that requires the individual to have assistance with one or more essential daily activities.

4. Outpatient care that requires continuing treatment or supervision by a health care provider.

SECTION 1622. 103.10 (1) (ap) of the statutes is created to read:

103.10 **(1)** (ap) "Covered active duty" means any of the following:

1. In the case of a member of a regular component of the U.S. armed forces, duty during the deployment of the member with the U.S. armed forces to a foreign country.

2. In the case of a member of a reserve component of the U.S. armed forces, duty during the deployment of the member with the U.S. armed forces to a foreign country

under a call or order to active duty under a provision of law specified in 10 USC 101 (a) (13) (B).

SECTION 1623. 103.10 (1) (b) of the statutes is amended to read:

103.10 **(1)** (b) Except as provided in ~~sub. (1m) (b) 2. and~~ s. 452.38, "employee" means an individual employed in this state by an employer, except the employer's ~~parent,~~ child, spouse, domestic partner, ~~or child~~ parent, grandparent, grandchild, or sibling.

SECTION 1624. 103.10 (1) (c) of the statutes is amended to read:

103.10 **(1)** (c) Except as provided in sub. (1m) (b) 3., "employer" means a person engaging in any activity, enterprise or business in this state employing at least ~~50~~ 25 individuals on a permanent basis. "Employer" includes the state and any office, department, independent agency, authority, institution, association, society or other body in state government created or authorized to be created by the constitution or any law, including the legislature and the courts.

SECTION 1625. 103.10 (1) (dg) of the statutes is created to read:

103.10 **(1)** (dg) "Family caregiving" means providing care or assistance without remuneration to a family member who suffers from a chronic condition and includes all of the following:

1. Providing direct treatment to an individual with a chronic condition.

2. Attending training and educational courses on duties and responsibilities for caring for an individual with a chronic condition.

3. Attending discharge planning meetings for an individual with a chronic condition.

4. Attending care planning meetings for an individual with a chronic condition.

5. Attending appointments with health care providers for an individual with a chronic condition.

SECTION 1626. 103.10 (1) (dr) of the statutes is created to read:

103.10 **(1)** (dr) "Grandchild" means the child of a child.

SECTION 1627. 103.10 (1) (dt) of the statutes is created to read:

103.10 **(1)** (dt) "Grandparent" means the parent of a parent.

SECTION 1628. 103.10 (1) (em) of the statutes is created to read:

103.10 **(1)** (em) "Medical isolation" means any of the following:

1. When a health care professional, a local health officer, or the department of health services advises that the individual seclude herself or himself from others when the individual is awaiting the result of a diagnostic test for a communicable disease or when the individual is infected with a communicable disease.

2. When a local health officer or the department of health services advises that an individual isolate or quarantine under s. 252.06.

3. When an individual's employer advises that the individual not come to the workplace due to a concern that the individual may have been exposed to or infected with a communicable disease.

SECTION 1629. 103.10 (1) (gm) of the statutes is created to read:

103.10 **(1)** (gm) "Sibling" means a brother, sister, half brother, half sister, stepbrother, or stepsister, whether by blood, marriage, or adoption.

SECTION 1630. 103.10 (1) (h) of the statutes is amended to read:

103.10 **(1)** (h) "Spouse" means ~~an employee's legal husband or wife~~ the person to whom an employee is legally married.

SECTION 1631. 103.10 (2) (c) of the statutes is amended to read:

103.10 **(2)** (c) This section only applies to an employee who has been employed by the same employer for more than 52 consecutive weeks and who worked for the employer for at least ~~1,000~~ 680 hours during the preceding 52–week period.

SECTION 1632. 103.10 (3) (a) 1. of the statutes is amended to read:

103.10 **(3)** (a) 1. In a 12–month period no employee may take more than 6 weeks of family leave under par. (b) 1. ~~and~~, 2., 4., 4m., and 5.

SECTION 1633. 103.10 (3) (a) 2m. of the statutes is created to read:

103.10 **(3)** (a) 2m. In a 12–month period no employee may take more than 2 weeks of family leave for the reasons specified under par. (b) 6.

SECTION 1634. 103.10 (3) (b) 3. of the statutes is amended to read:

103.10 **(3)** (b) 3. To care for the employee's child, spouse, domestic partner, ~~or~~ parent, grandparent, grandchild, or sibling, if the child, spouse, domestic partner, ~~or~~ parent, grandparent, grandchild, or sibling has a serious health condition.

SECTION 1635. 103.10 (3) (b) 4. of the statutes is created to read:

103.10 **(3)** (b) 4. Because of any qualifying exigency, as determined by the department by rule, arising out of the fact that the spouse, child, domestic partner, parent, grandparent, grandchild, or sibling of the employee is on covered active duty or has been notified of an impending call or order to covered active duty.

SECTION 1636. 103.10 (3) (b) 4m. of the statutes is created to read:

103.10 **(3)** (b) 4m. For family caregiving for the employee's child, spouse, domestic partner, sibling, parent, grandparent, or grandchild, if the child, spouse, domestic partner, sibling, parent, grandparent, or grandchild has a chronic condition.

SECTION 1637. 103.10 (3) (b) 5. of the statutes is created to read:

103.10 **(3)** (b) 5. Because a child care center, child care provider, or school that the employee's child, grandchild, or sibling attends is experiencing an unforeseen or unexpected short–term closure.

SECTION 1638. 103.10 (3) (b) 6. of the statutes is created to read:

103.10 **(3)** (b) 6. To care for the employee's child, spouse, domestic partner, parent, grandparent, grandchild, or sibling, if the child, spouse, domestic partner, parent, grandparent, grandchild, or sibling is in medical isolation.

SECTION 1639. 103.10 (4) (a) of the statutes is amended to read:

103.10 **(4)** (a) Subject to pars. (b) and (c), an employee who is in medical isolation or has a serious health condition which makes the employee unable to perform his or her employment duties may take medical leave for the period during which he or she is unable to perform those duties.

SECTION 1640. 103.10 (6) (b) of the statutes is amended to read:

103.10 **(6)** (b) If an employee intends to take family leave because of the planned medical treatment ~~or,~~ supervision, or family caregiving of a child, spouse, domestic partner, sibling, ~~or~~ parent, grandparent, or grandchild, or intends to take medical leave because of the planned medical treatment or supervision of the employee, the employee shall do all of the following:

1. Make a reasonable effort to schedule the medical treatment ~~or,~~ supervision, or family caregiving so that it does not unduly disrupt the employer's operations, subject to the approval of the health care provider of the child, spouse, domestic partner, sibling, parent, grandparent, grandchild, or employee.

2. Give the employer advance notice of the medical treatment ~~or,~~ supervision, or family caregiving in a reasonable and practicable manner.

SECTION 1641. 103.10 (6) (c) of the statutes is created to read:

103.10 **(6)** (c) If the employee intends to take family leave under sub. (3) (b) 4. that is foreseeable because the spouse, child, domestic partner, parent, grandparent, grandchild, or sibling of the employee is on covered active duty or has been notified of an impending call or order to covered active duty, the employee shall provide notice of that intention to the employer in a reasonable and practicable manner.

SECTION 1642. 103.10 (7) (a) of the statutes is amended to read:

103.10 **(7)** (a) If an employee requests family leave for a reason described in sub. (3) (b) 3. or 4m. or requests medical leave due to a serious health condition, the employer may require the employee to provide certification, as described in par. (b), issued by the health care provider or Christian Science practitioner of the child, spouse, domestic partner, sibling, parent, grandparent, grandchild, or employee, whichever is appropriate.

SECTION 1643. 103.10 (7) (b) (intro.) of the statutes is amended to read:

103.10 **(7)** (b) (intro.) No employer may require certification under this paragraph stating more than the following:

SECTION 1644. 103.10 (7) (b) 1. of the statutes is amended to read:

103.10 **(7)** (b) 1. That the child, spouse, domestic partner, sibling, parent, grandparent, grandchild, or employee has a serious health condition or a chronic condition.

SECTION 1645. 103.10 (7) (b) 2. of the statutes is amended to read:

103.10 **(7)** (b) 2. The date the serious health condition or chronic condition commenced and its probable duration.

SECTION 1646. 103.10 (7) (b) 3. of the statutes is amended to read:

103.10 **(7)** (b) 3. Within the knowledge of the health care provider or Christian Science practitioner, the medical facts regarding the serious health condition or chronic condition.

SECTION 1647. 103.10 (7) (d) of the statutes is created to read:

103.10 **(7)** (d) If an employee requests family leave under sub. (3) (b) 4., the employer may require the employee to provide certification that the spouse, child, domestic partner, parent, grandparent, grandchild, or sibling of the employee is on covered active duty or has been notified of an impending call or order to covered active duty issued at such time and in such manner as the department may prescribe by rule, and the employee shall provide a copy of that certification to the employer in a timely manner.

SECTION 1648. 103.10 (7) (e) of the statutes is created to read:

103.10 **(7)** (e) If an employee requests family leave under sub. (3) (b) 5., the employer may require the employee to provide certification that the child care center, child care provider, or school that the employee's child attends is experiencing an unforeseen or unexpected short–term closure. The department may prescribe by rule the form and content of the certification.

SECTION 1649. 103.10 (7) (f) of the statutes is created to read:

103.10 **(7)** (f) If an employee requests family leave under sub. (3) (b) 6., or medical leave due to medical isolation, the employer may require the employee to provide certification issued by a local public health official, the department of health services, or a health care provider or Christian Science practitioner of the child, spouse, domestic partner, parent, grandparent, grandchild, sibling, or employee, whichever is appropriate, except that no employer may require certification under this paragraph if the sole reason for the medical isolation is due to the employer's

request under sub. (1) (em) 3. No employer may require certification under this paragraph stating more than the following:

1. That the child, spouse, domestic partner, parent, grandparent, grandchild, sibling, or employee is is medical isolation.

2. The date the medical isolation commenced and its probable duration.

SECTION 1650. 103.10 (10) of the statutes is amended to read:

103.10 **(10)** ALTERNATIVE EMPLOYMENT. Nothing in this section prohibits an employer and an employee with a serious health condition or in medical isolation from mutually agreeing to alternative employment for the employee while the serious health condition or medical isolation lasts. No period of alternative employment, with the same employer, reduces the employee's right to family leave or medical leave.

SECTION 1651. 103.10 (12) (b) of the statutes is amended to read:

103.10 **(12)** (b) An employee who believes his or her employer has violated sub. (11) (a) or (b) may, within ~~30~~ 300 days after the violation occurs or the employee should reasonably have known that the violation occurred, whichever is later, file a complaint with the department alleging the violation. Except as provided in s. 230.45 (1m), the department shall investigate the complaint and shall attempt to resolve the complaint by conference, conciliation or persuasion. If the complaint is not resolved and the department finds probable cause to believe a violation has occurred, the department shall proceed with notice and a hearing on the complaint as provided in ch. 227. The hearing shall be held within 60 days after the department receives the complaint.

SECTION 1652. 103.10 (12) (c) of the statutes is amended to read:

103.10 **(12)** (c) If 2 or more health care providers disagree about any of the information required to be certified under sub. (7) (b), the department may appoint another health care provider to examine the child, spouse, domestic partner, parent, grandparent, grandchild, sibling, or employee and render an opinion as soon as possible. The department shall promptly notify the employee and the employer of the appointment. The employer and the employee shall each pay 50 percent of the cost of the examination and opinion.

SECTION 1653. 103.10 (14) (a) of the statutes is renumbered 103.10 (14).

SECTION 1654. 103.10 (14) (b) of the statutes is repealed.

SECTION 1655. 103.12 of the statutes is repealed.

SECTION 1656. 103.155 of the statutes is created to read:

103.155 Public service loan forgiveness program information. All public employers, including a local unit of government, school district, sewer district, drainage district, long–term care district, and other public or quasi–public corporations, in the state shall provide to their employees the information collected under s. 224.30 (6) regarding public service loan forgiveness programs. An employer may provide the information electronically or by other means.

SECTION 1657. 103.165 (3) (a) 3. of the statutes is amended to read:

103.165 **(3)** (a) 3. The decedent's ~~father or mother~~ parent or parents if the decedent leaves no surviving spouse, domestic partner under ch. 770, or children.

SECTION 1658. 103.36 of the statutes is repealed.

SECTION 1659. 103.49 of the statutes is created to read:

103.49 Wage rate on state work. (1) DEFINITIONS. In this section:

(a) "Area" means the county in which a proposed project of public works that is subject to this section is located or, if the department determines that there is

insufficient wage data in that county, "area" means those counties that are contiguous to that county or, if the department determines that there is insufficient wage data in those counties, "area" means those counties that are contiguous to those counties or, if the department determines that there is insufficient wage data in those counties, "area" means the entire state or, if the department is requested to review a determination under sub. (3) (c), "area" means the city, village, or town in which a proposed project of public works that is subject to this section is located.

(am) "Bona fide economic benefit" means an economic benefit for which an employer makes irrevocable contributions to a trust or fund created under 29 USC 186 (c) or to any other bona fide plan, trust, program, or fund no less often than quarterly or, if an employer makes annual contributions to such a bona fide plan, trust, program, or fund, for which the employer irrevocably escrows moneys at least quarterly based on the employer's expected annual contribution.

(b) "Hourly basic rate of pay" means the hourly wage paid to any employee, excluding any contributions or payments for health insurance benefits, vacation benefits, pension benefits, and any other bona fide economic benefits, whether paid directly or indirectly.

(bg) "Insufficient wage data" means less than 500 hours of work performed in a particular trade or occupation on projects that are similar to a proposed project of public works that is subject to this section.

(bj) "Minor service or maintenance work" means a project of public works that is limited to minor crack filling, chip or slurry sealing, or other minor pavement patching, not including overlays, that has a projected life span of no longer than 5 years; cleaning of drainage or sewer ditches or structures; or any other limited, minor

work on public facilities or equipment that is routinely performed to prevent breakdown or deterioration.

(br) "Multiple–trade project of public works" means a project of public works in which no single trade accounts for 85 percent or more of the total labor cost of the project.

(c) "Prevailing hours of labor" for any trade or occupation in any area means 10 hours per day and 40 hours per week and may not include any hours worked on a Saturday or Sunday or on any of the following holidays:

1. January 1.

2. The last Monday in May.

3. July 4.

4. The first Monday in September.

5. The 4th Thursday in November.

6. December 25.

7. The day before if January 1, July 4, or December 25 falls on a Saturday.

8. The day following if January 1, July 4, or December 25 falls on a Sunday.

(d) 1. Except as provided in subd. 2., "prevailing wage rate" for any trade or occupation engaged in the erection, construction, remodeling, repairing, or demolition of any project of public works in any area means the hourly basic rate of pay, plus the hourly contribution for health insurance benefits, vacation benefits, pension benefits, and any other bona fide economic benefit, paid directly or indirectly for a majority of the hours worked in the trade or occupation on projects in the area.

2. If there is no rate at which a majority of the hours worked in the trade or occupation on projects in the area is paid, "prevailing wage rate" for any trade or occupation engaged in the erection, construction, remodeling, repairing, or

demolition of any project of public works in any area means the average hourly basic rate of pay, weighted by the number of hours worked, plus the average hourly contribution, weighted by the number of hours worked, for health insurance benefits, vacation benefits, pension benefits, and any other bona fide economic benefit, paid directly or indirectly for all hours worked at the hourly basic rate of pay of the highest–paid 51 percent of hours worked in that trade or occupation on projects in that area.

(em) "Single–trade project of public works" means a project of public works in which a single trade accounts for 85 percent or more of the total labor cost of the project.

(f) "State agency" means any office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, including the legislature and the courts. "State agency" also includes the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, and the Wisconsin Aerospace Authority.

(fm) "Supply and installation contract" means a contract under which the material is installed by the supplier, the material is installed by means of simple fasteners or connectors such as screws or nuts and bolts, and no other work is performed on the site of the project of public works, and the total labor cost to install the material does not exceed 20 percent of the total cost of the contract.

(g) "Truck driver" includes an owner–operator of a truck.

(1m) APPLICABILITY. Subject to sub. (3g), this section applies to any project of public works erected, constructed, repaired, remodeled, or demolished for the state or a state agency, including all of the following:

(a) A project erected, constructed, repaired, remodeled, or demolished by one state agency for another state agency under any contract or under any statute specifically authorizing cooperation between state agencies.

(b) A project in which the completed facility is leased, purchased, lease purchased, or otherwise acquired by, or dedicated to, the state in lieu of the state or a state agency contracting for the erection, construction, repair, remodeling, or demolition of the facility.

(c) A sanitary sewer or water main project in which the completed sanitary sewer or water main is acquired by, or dedicated to, the state for ownership or maintenance by the state.

(2) PREVAILING WAGE RATES AND HOURS OF LABOR. Any contract made for the erection, construction, remodeling, repairing, or demolition of any project of public works to which the state or any state agency is a party shall contain a stipulation that no individual performing the work described in sub. (2m) may be allowed to work a greater number of hours per day or per week than the prevailing hours of labor, except that any such individual may be allowed or required to work more than such prevailing hours of labor per day and per week if he or she is paid for all hours worked in excess of the prevailing hours of labor at a rate of at least 1.5 times his or her hourly basic rate of pay; nor may he or she be paid less than the prevailing wage rate determined under sub. (3) in the same or most similar trade or occupation in the area in which the project of public works is situated. The notice published for the purpose of securing bids for the project must contain a reference to the prevailing wage rates determined under sub. (3) and the prevailing hours of labor. Except as otherwise provided in this subsection, if any contract or subcontract for a project of public works that is subject to this section is entered into, the prevailing wage rates determined

under sub. (3) and the prevailing hours of labor shall be physically incorporated into and made a part of the contract or subcontract. For a minor subcontract, as determined by the department, the department shall prescribe by rule the method of notifying the minor subcontractor of the prevailing wage rates and prevailing hours of labor applicable to the minor subcontract. The prevailing wage rates and prevailing hours of labor applicable to a contract or subcontract may not be changed during the time that the contract or subcontract is in force.

(2m) COVERED EMPLOYEES. (a) Subject to par. (b), any person subject to this section shall pay all of the following employees the prevailing wage rate determined under sub. (3) and may not allow such employees to work a greater number of hours per day or per week than the prevailing hours of labor, unless the person pays for all hours worked in excess of the prevailing hours of labor at a rate of at least 1.5 times the employees' hourly basic rate of pay:

1. All laborers, workers, mechanics, and truck drivers employed on the site of a project of public works that is subject to this section.

2. All laborers, workers, mechanics, and truck drivers employed in the manufacturing or furnishing of materials, articles, supplies, or equipment on the site of a project of public works that is subject to this section or from a facility dedicated exclusively, or nearly so, to a project of public works that is subject to this section by a contractor, subcontractor, agent, or other person performing any work on the site of the project.

(b) A laborer, worker, mechanic, or truck driver who is employed to process, manufacture, pick up, or deliver materials or products from a commercial establishment that has a fixed place of business from which the establishment supplies processed or manufactured materials or products or from a facility that is

not dedicated exclusively, or nearly so, to a project of public works that is subject to this section is not entitled to receive the prevailing wage rate determined under sub. (3) or to receive at least 1.5 times his or her hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor unless any of the following applies:

1. The laborer, worker, mechanic, or truck driver is employed to go to the source of mineral aggregate such as sand, gravel, or stone and deliver that mineral aggregate to the site of a project of public works that is subject to this section by depositing the material directly in final place, from the transporting vehicle or through spreaders from the transporting vehicle.

2. The laborer, worker, mechanic, or truck driver is employed to go to the site of a project that is subject to this section, pick up excavated material or spoil from the site of the project of public works, and transport that excavated material or spoil away from the site of the project.

(c) A person that is subject to this section shall pay a truck driver who is an owner–operator of a truck separately for his or her work and for the use of his or her truck.

(3) INVESTIGATION; DETERMINATION. (a) Before a state agency issues a request for bids for any work to which this section applies, the state agency having the authority to prescribe the specifications shall apply to the department to determine the prevailing wage rate for each trade or occupation required in the work under contemplation in the area in which the work is to be done. The department shall conduct investigations and hold public hearings as necessary to define the trades or occupations that are commonly employed on projects that are subject to this section and to inform itself of the prevailing wage rates in all areas of the state for those trades or occupations, in order to determine the prevailing wage rate for each trade

or occupation. The department shall issue its determination within 30 days after receiving the request and shall file the determination with the requesting state agency. A state agency that has contracted for a project of public works subject to this section shall post the prevailing wage rates determined by the department, the prevailing hours of labor, and the provisions of subs. (2) and (6m) in at least one conspicuous place on the site of the project that is easily accessible by employees working on the project.

(am) The department shall, by January 1 of each year, compile the prevailing wage rates for each trade or occupation in each area. The compilation shall, in addition to the current prevailing wage rates, include future prevailing wage rates when those prevailing wage rates can be determined for any trade or occupation in any area and shall specify the effective date of those future prevailing wage rates. If a project of public works extends into more than one area, the department shall determine only one standard of prevailing wage rates for the entire project.

(ar) In determining prevailing wage rates under par. (a) or (am), the department may not use data from projects that are subject to this section, s. 66.0903, 103.50, or 229.8275, or 40 USC 3142 unless the department determines that there is insufficient wage data in the area to determine those prevailing wage rates, in which case the department may use data from projects that are subject to this section, s. 66.0903, 103.50, or 229.8275, or 40 USC 3142. In determining prevailing wage rates under par. (a) or (am), the department may not use data from any construction work performed by a state agency or a local governmental unit, as defined in s. 66.0903 (1) (d).

(b) Any person may request a recalculation of any portion of an initial determination within 30 days after the initial determination date if the person

submits evidence with the request showing that the prevailing wage rate for any given trade or occupation included in the initial determination does not represent the prevailing wage rate for that trade or occupation in the area. The evidence shall include wage rate information reflecting work performed by individuals working in the contested trade or occupation in the area during the current survey period. The department shall affirm or modify the initial determination within 15 days after the date on which the department receives the request for recalculation.

(c) In addition to the recalculation under par. (b), the state agency that requested the determination under this subsection may request a review of any portion of a determination within 30 days after the date of issuance of the determination if the state agency submits evidence with the request showing that the prevailing wage rate for any given trade or occupation included in the determination does not represent the prevailing wage rate for that trade or occupation in the city, village, or town in which the proposed project of public works is located. That evidence shall include wage rate information for the contested trade or occupation on at least 3 similar projects located in the city, village, or town where the proposed project of public works is located on which some work has been performed during the current survey period and that were considered by the department in issuing its most recent compilation under par. (am). The department shall affirm or modify the determination within 15 days after the date on which the department receives the request for review.

(3g) NONAPPLICABILITY. This section does not apply to any of the following:

(a) A single–trade project of public works for which the estimated project cost of completion is less than $48,000 or a multiple–trade project of public works for which the estimated project cost of completion is less than $100,000.

(b) Work performed on a project of public works for which the state or the state agency contracting for the project is not required to compensate any contractor, subcontractor, contractor's or subcontractor's agent, or individual for performing the work.

(c) Minor service or maintenance work, warranty work, or work under a supply and installation contract.

(f) A public highway, street, or bridge project.

(g) A project of public works involving the erection, construction, repair, remodeling, or demolition of a residential property containing 2 dwelling units or less.

(h) A road, street, bridge, sanitary sewer, or water main project that is a part of a development in which not less than 90 percent of the lots contain or will contain 2 dwelling units or less, as determined by the local governmental unit at the time of approval of the development, and that, on completion, is acquired by, or dedicated to, the state for ownership or maintenance by the state.

(4r) COMPLIANCE. (a) When the department finds that a state agency has not requested a determination under sub. (3) (a) or that a state agency, contractor, or subcontractor has not physically incorporated a determination into a contract or subcontract as required under sub. (2) or has not notified a minor subcontractor of a determination in the manner prescribed by the department by rule promulgated under sub. (2), the department shall notify the state agency, contractor or subcontractor of the noncompliance and shall file the determination with the state agency, contractor, or subcontractor within 30 days after the notice.

(b) Upon completion of a project of public works and before receiving final payment for his or her work on the project, each agent or subcontractor shall furnish

the contractor with an affidavit stating that the agent or subcontractor has complied fully with the requirements of this section. A contractor may not authorize final payment until the affidavit is filed in proper form and order.

(c) Upon completion of a project of public works and before receiving final payment for his or her work on the project, each contractor shall file with the state agency authorizing the work an affidavit stating that the contractor has complied fully with the requirements of this section and that the contractor has received an affidavit under par. (b) from each of the contractor's agents and subcontractors. A state agency may not authorize a final payment until the affidavit is filed in proper form and order. If a state agency authorizes a final payment before an affidavit is filed in proper form and order or if the department determines, based on the greater weight of the credible evidence, that any person performing the work specified in sub. (2m) has been or may have been paid less than the prevailing wage rate or less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor and requests that the state agency withhold all or part of the final payment, but the state agency fails to do so, the state agency is liable for all back wages payable up to the amount of the final payment.

(5) RECORDS; INSPECTION; ENFORCEMENT. (a) Each contractor, subcontractor, or contractor's or subcontractor's agent that performs work on a project of public works that is subject to this section shall keep full and accurate records clearly indicating the name and trade or occupation of every individual performing the work described in sub. (2m) and an accurate record of the number of hours worked by each of those individuals and the actual wages paid for the hours worked.

(b) The department shall enforce this section. The department may demand and examine, and every contractor, subcontractor, and contractor's and

subcontractor's agent shall keep, and furnish upon request by the department, copies of payrolls and other records and information relating to the wages paid to individuals performing the work described in sub. (2m) for work to which this section applies. The department may inspect records in the manner provided in this chapter. Every contractor, subcontractor, or agent performing work on a project of public works that is subject to this section is subject to the requirements of this chapter relating to the examination of records. Section 111.322 (2m) applies to discharge and other discriminatory acts arising in connection with any proceeding under this section.

(c) If requested by any person, the department shall inspect the payroll records of any contractor, subcontractor, or agent performing work on a project of public works that is subject to this section as provided in this paragraph to ensure compliance with this section. On receipt of such a request, the department shall request that the contractor, subcontractor, or agent submit to the department a certified record of the information specified in par. (a), other than personally identifiable information relating to an employee of the contractor, subcontractor, or agent, for no longer than a 4–week period. The department may request a contractor, subcontractor, or agent to submit those records no more than once per calendar quarter for each project of public works on which the contractor, subcontractor, or agent is performing work. The department may not charge a requester a fee for obtaining that information. Certified records submitted to the department under this paragraph are open for public inspection and copying under s. 19.35 (1).

(6m) LIABILITY AND PENALTIES. (ag) 1. A contractor, subcontractor, or contractor's or subcontractor's agent who fails to pay the prevailing wage rate determined by the department under sub. (3) or who pays less than 1.5 times the

hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor is liable to any affected employee in the amount of his or her unpaid wages or his or her unpaid overtime compensation and in an additional amount as liquidated damages as provided in subd. 2. or 3., whichever is applicable.

2. If the department determines upon inspection under sub. (5) (b) or (c) that a contractor, subcontractor, or contractor's or subcontractor's agent has failed to pay the prevailing wage rate determined by the department under sub. (3) or has paid less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor, the department shall order the contractor to pay to any affected employee the amount of his or her unpaid wages or his or her unpaid overtime compensation and an additional amount equal to 100 percent of the amount of those unpaid wages or that unpaid overtime compensation as liquidated damages within a period specified by the department in the order.

3. In addition to or in lieu of recovering the liability specified in subd. 1. as provided in subd. 2., any employee for and on behalf of that employee and other employees similarly situated may commence an action to recover that liability in any court of competent jurisdiction. If the court finds that a contractor, subcontractor, or contractor's or subcontractor's agent has failed to pay the prevailing wage rate determined by the department under sub. (3) or has paid less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor, the court shall order the contractor, subcontractor, or agent to pay to any affected employee the amount of his or her unpaid wages or his or her unpaid overtime compensation and an additional amount equal to 100 percent of the amount of those unpaid wages or that unpaid overtime compensation as liquidated damages.

5. No employee may be a party plaintiff to an action under subd. 3. unless the employee consents in writing to become a party and the consent is filed in the court in which the action is brought. Notwithstanding s. 814.04 (1), the court shall, in addition to any judgment awarded to the plaintiff, allow reasonable attorney fees and costs to be paid by the defendant.

(am) Except as provided in pars. (b), (d), and (f), any contractor, subcontractor, or contractor's or subcontractor's agent who violates this section may be fined not more than $200 or imprisoned for not more than 6 months or both. Each day that a violation continues is a separate offense.

(b) Whoever induces an individual who seeks to be or is employed on any project of public works that is subject to this section to give up, waive, or return any part of the wages to which the individual is entitled under the contract governing the project, or who reduces the hourly basic rate of pay normally paid to an individual for work on a project that is not subject to this section during a week in which the individual works both on a project of public works that is subject to this section and on a project that is not subject to this section, by threat not to employ, by threat of dismissal from employment, or by any other means is guilty of an offense under s. 946.15 (1).

(c) Any individual who is employed on a project of public works that is subject to this section who knowingly allows a contractor, subcontractor, or contractor's or subcontractor's agent to pay him or her less than the prevailing wage rate set forth in the contract governing the project, who gives up, waives, or returns any part of the compensation to which he or she is entitled under the contract, or who gives up, waives, or returns any part of the compensation to which he or she is normally entitled for work on a project that is not subject to this section during a week in which

the individual works both on a project of public works that is subject to this section and on a project that is not subject to this section, is guilty of an offense under s. 946.15 (2).

(d) Whoever induces any individual who seeks to be or is employed on any project of public works that is subject to this section to allow any part of the wages to which the individual is entitled under the contract governing the project to be deducted from the individual's pay is guilty of an offense under s. 946.15 (3), unless the deduction would be allowed under 29 CFR 3.5 or 3.6 from an individual who is working on a project that is subject to 40 USC 3142.

(e) Any individual who is employed on a project of public works that is subject to this section who knowingly allows any part of the wages to which he or she is entitled under the contract governing the project to be deducted from his or her pay is guilty of an offense under s. 946.15 (4), unless the deduction would be allowed under 29 CFR 3.5 or 3.6 from an individual who is working on a project that is subject to 40 USC 3142.

(f) Paragraph (am) does not apply to any person who fails to provide any information to the department to assist the department in determining prevailing wage rates under sub. (3) (a) or (am).

(7) DEBARMENT. (a) Except as provided under pars. (b) and (c), the department shall distribute to all state agencies a list of all persons that the department has found to have failed to pay the prevailing wage rate determined under sub. (3) or has found to have paid less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor at any time in the preceding 3 years. The department shall include with any name the address of the person and shall specify when the person failed to pay the prevailing wage rate and when the person paid less

than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor. A state agency may not award any contract to the person unless otherwise recommended by the department or unless 3 years have elapsed from the date the department issued its findings or date of final determination by a court of competent jurisdiction, whichever is later.

(b) The department may not include in a notification under par. (a) the name of any person on the basis of having subcontracted a contract for a project of public works to a person that the department has found to have failed to pay the prevailing wage rate determined under sub. (3) or has found to have paid less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor.

(c) This subsection does not apply to any contractor, subcontractor, or agent who in good faith commits a minor violation of this section, as determined on a case–by–case basis through administrative hearings with all rights to due process afforded to all parties or who has not exhausted or waived all appeals.

(d) Any person submitting a bid on a project of public works that is subject to this section shall, on the date the person submits the bid, identify any construction business in which the person, or a shareholder, officer, or partner of the person if the person is a business, owns or has owned at least a 25 percent interest on the date the person submits the bid or at any other time within 3 years preceding the date the person submits the bid, if the business has been found to have failed to pay the prevailing wage rate determined under sub. (3) or to have paid less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor.

(e) The department shall promulgate rules to administer this subsection.

SECTION 1660. 103.50 of the statutes is created to read:

103.50 Highway contracts. (1) DEFINITIONS. In this section:

(a) "Area" means the county in which a proposed project that is subject to this section is located or, if the department determines that there is insufficient wage data in that county, "area" means those counties that are contiguous to that county or, if the department determines that there is insufficient wage data in those counties, "area" means those counties that are contiguous to those counties or, if the department determines that there is insufficient wage data in those counties, "area" means the entire state.

(b) "Hourly basic rate of pay" has the meaning given in s. 103.49 (1) (b).

(bg) "Insufficient wage data" has the meaning given in s. 103.49 (1) (bg).

(c) "Prevailing hours of labor" has the meaning given in s. 103.49 (1) (c).

(d) 1. Except as provided in subd. 2., "prevailing wage rate" for any trade or occupation in any area means the hourly basic rate of pay, plus the hourly contribution for health insurance benefits, vacation benefits, pension benefits, and any other bona fide economic benefit, paid directly or indirectly, for a majority of the hours worked in the trade or occupation in the area.

2. If there is no rate at which a majority of the hours worked in the trade or occupation in the area is paid, "prevailing wage rate" means the average hourly basic rate of pay, weighted by the number of hours worked, plus the average hourly contribution, weighted by the number of hours worked, for health insurance benefits, vacation benefits, pension benefits, and any other bona fide economic benefit, paid directly or indirectly for all hours worked at the hourly basic rate of pay of the highest–paid 51 percent of hours worked in that trade or occupation in that area.

(e) "Truck driver" has the meaning given in s. 103.49 (1) (g).

(2) PREVAILING WAGE RATES AND HOURS OF LABOR. No contractor, subcontractor, agent, or other person performing any work on a project under a contract based on bids as provided in s. 84.06 (2) to which the state is a party for the construction or improvement of any highway may do any of the following:

(a) Pay an individual performing the work described in sub. (2m) less than the prevailing wage rate in the area in which the work is to be done determined under sub. (3).

(b) Allow an individual performing the work described in sub. (2m) to work a greater number of hours per day or per week than the prevailing hours of labor, unless the contractor, subcontractor, or contractor or subcontractor's agent pays the individual for all hours worked in excess of the prevailing hours of labor at a rate of at least 1.5 times the individual's hourly basic rate of pay.

(2g) NONAPPLICABILITY. This section does not apply to a single–trade project of public works, as defined in s. 103.49 (1) (em), for which the estimated project cost of completion is less than $48,000 or a multiple–trade project of public works, as defined in s. 103.49 (1) (br), for which the estimated project cost of completion is less than $100,000.

(2m) COVERED EMPLOYEES. (a) Subject to par. (b), any person subject to this section shall pay all of the following employees the prevailing wage rate determined under sub. (3) and may not allow such employees to work a greater number of hours per day or per week than the prevailing hours of labor, unless the person pays for all hours worked in excess of the prevailing hours of labor at a rate of at least 1.5 times the employees' hourly basic rate of pay:

1. All laborers, workers, mechanics, and truck drivers employed on the site of a project that is subject to this section.

2. All laborers, workers, mechanics, and truck drivers employed in the manufacturing or furnishing of materials, articles, supplies, or equipment on the site of a project that is subject to this section or from a facility dedicated exclusively, or nearly so, to a project that is subject to this section by a contractor, subcontractor, agent, or other person performing any work on the site of the project.

(b) A laborer, worker, mechanic, or truck driver who is employed to process, manufacture, pick up, or deliver materials or products from a commercial establishment that has a fixed place of business from which the establishment supplies processed or manufactured materials or products or from a facility that is not dedicated exclusively, or nearly so, to a project that is subject to this section is not entitled to receive the prevailing wage rate determined under sub. (3) or to receive at least 1.5 times his or her hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor unless any of the following applies:

1. The laborer, worker, mechanic, or truck driver is employed to go to the source of mineral aggregate such as sand, gravel, or stone and deliver that mineral aggregate to the site of a project that is subject to this section by depositing the material directly in final place, from the transporting vehicle or through spreaders from the transporting vehicle.

2. The laborer, worker, mechanic, or truck driver is employed to go to the site of a project that is subject to this section, pick up excavated material or spoil from the site of the project, and transport that excavated material or spoil away from the site of the project and return to the site of the project.

(c) A contractor, subcontractor, agent, or other person performing work on a project subject to this section shall pay a truck driver who is an owner–operator of a truck separately for his or her work and for the use of his or her truck.

(3) INVESTIGATIONS; DETERMINATIONS. The department shall conduct investigations and hold public hearings necessary to define the trades or occupations that are commonly employed in the highway construction industry and to inform the department of the prevailing wage rates in all areas of the state for those trades or occupations, in order to ascertain and determine the prevailing wage rates accordingly.

(4) CERTIFICATION OF PREVAILING WAGE RATES. The department of workforce development shall, by May 1 of each year, certify to the department of transportation the prevailing wage rates in each area for all trades or occupations commonly employed in the highway construction industry. The certification shall, in addition to the current prevailing wage rates, include future prevailing wage rates when such prevailing wage rates can be determined for any such trade or occupation in any area and shall specify the effective date of those future prevailing wage rates. The certification shall also include wage rates for work performed on Sundays or the holidays specified in s. 103.49 (1) (c) and shift differentials based on the time of day or night when work is performed. If a construction project extends into more than one area, the department shall determine only one standard of prevailing wage rates for the entire project.

(4m) WAGE RATE DATA. In determining prevailing wage rates for projects that are subject to this section, the department shall use data from projects that are subject to this section, s. 66.0903 or 103.49, or 40 USC 3142. In determining prevailing wage rates for those projects, the department may not use data from any construction work that is performed by a state agency or a local governmental unit, as defined in s. 66.0903 (1) (d).

(5) APPEALS TO GOVERNOR. If the department of transportation considers any determination of the department of workforce development of the prevailing wage rates in an area to be incorrect, it may appeal to the governor, whose determination is final.

(6) CONTENTS OF CONTRACTS. The department of transportation shall include a reference to the prevailing wage rates determined under sub. (3) and the prevailing hours of labor in the notice published for the purpose of securing bids for a project. Except as otherwise provided in this subsection, if any contract or subcontract for a project that is subject to this section is entered into, the prevailing wage rates determined under sub. (3) and the prevailing hours of labor shall be physically incorporated into and made a part of the contract or subcontract. For a minor subcontract, as determined by the department of workforce development, that department shall prescribe by rule the method of notifying the minor subcontractor of the prevailing wage rates and prevailing hours of labor applicable to the minor subcontract. The prevailing wage rates and prevailing hours of labor applicable to a contract or subcontract may not be changed during the time that the contract or subcontract is in force. The department of transportation shall post the prevailing wage rates determined by the department, the prevailing hours of labor, and the provisions of subs. (2) and (7) in at least one conspicuous place that is easily accessible to the employees on the site of the project.

(7) PENALTIES. (a) Except as provided in pars. (b), (d), and (f), any contractor, subcontractor, or contractor's or subcontractor's agent who violates this section may be fined not more than $200 or imprisoned for not more than 6 months or both. Each day that a violation continues is a separate offense.

(b) Whoever induces any individual who seeks to be or is employed on any project that is subject to this section to give up, waive, or return any part of the wages to which the individual is entitled under the contract governing the project, or who reduces the hourly basic rate of pay normally paid to an individual for work on a project that is not subject to this section during a week in which the individual works both on a project that is subject to this section and on a project that is not subject to this section, by threat not to employ, by threat of dismissal from employment, or by any other means is guilty of an offense under s. 946.15 (1).

(c) Any individual employed on a project that is subject to this section who knowingly allows a contractor, subcontractor, or contractor's or subcontractor's agent to pay him or her less than the prevailing wage rate set forth in the contract governing the project, who gives up, waives, or returns any part of the compensation to which he or she is entitled under the contract, or who gives up, waives, or returns any part of the compensation to which he or she is normally entitled for work on a project that is not subject to this section during a week in which the individual works both on a project that is subject to this section and on a project that is not subject to this section, is guilty of an offense under s. 946.15 (2).

(d) Whoever induces any individual who seeks to be or is employed on any project that is subject to this section to allow any part of the wages to which the individual is entitled under the contract governing the project to be deducted from the individual's pay is guilty of an offense under s. 946.15 (3), unless the deduction would be allowed under 29 CFR 3.5 or 3.6 from an individual who is working on a project that is subject to 40 USC 3142.

(e) Any individual employed on a project that is subject to this section who knowingly allows any part of the wages to which he or she is entitled under the

contract governing the project to be deducted from his or her pay is guilty of an offense under s. 946.15 (4), unless the deduction would be allowed under 29 CFR 3.5 or 3.6 from an individual who is working on a project that is subject to 40 USC 3142.

(f) Paragraph (a) does not apply to any individual who fails to provide any information to the department to assist the department in determining prevailing wage rates under sub. (3) or (4).

(8) ENFORCEMENT AND PROSECUTION. The department of transportation shall require adherence to subs. (2), (2m), and (6). The department of transportation may demand and examine, and every contractor, subcontractor, and contractor's or subcontractor's agent shall keep and furnish upon request by the department of transportation, copies of payrolls and other records and information relating to compliance with this section. Upon request of the department of transportation or upon complaint of alleged violation, the district attorney of the county in which the work is located shall investigate as necessary and prosecute violations in a court of competent jurisdiction. Section 111.322 (2m) applies to discharge and other discriminatory acts arising in connection with any proceeding under this section.

SECTION 1661. 103.503 (title) of the statutes is amended to read:

103.503 (title) **Substance abuse prevention on public works and public utility projects; registration required.**

SECTION 1662. 103.503 (1) (a) of the statutes is amended to read:

103.503 **(1)** (a) "Accident" means an incident caused, contributed to, or otherwise involving an employee that resulted or could have resulted in death, personal injury, or property damage and that occurred while the employee was performing the work described in s. 66.0903 (4)~~, 2013 stats.,~~ or ~~s. 16.856~~ 103.49 (2m)~~,~~

~~2015 stats.,~~ on a project of public works or while the employee was performing work on a public utility project.

SECTION 1663. 103.503 (1) (e) of the statutes is amended to read:

103.503 **(1)** (e) "Employee" means a laborer, worker, mechanic, or truck driver who performs the work described in s. 66.0903 (4)~~, 2013 stats.,~~ or ~~s. 16.856~~ 103.49 (2m)~~, 2015 stats.,~~ on a project of public works or on a public utility project.

SECTION 1664. 103.503 (1) (g) of the statutes is repealed and recreated to read:

103.503 **(1)** (g) "Project of public works" means a project of public works that is subject to s. 66.0903 or 103.49.

SECTION 1665. 103.503 (2) of the statutes is amended to read:

103.503 **(2)** SUBSTANCE ABUSE PROHIBITED. No employee may use, possess, attempt to possess, distribute, deliver, or be under the influence of a drug, or use or be under the influence of alcohol, while performing the work described in s. 66.0903 (4)~~, 2013 stats.,~~ or ~~s. 16.856~~ 103.49 (2m)~~, 2015 stats.,~~ on a project of public works or while performing work on a public utility project. An employee is considered to be under the influence of alcohol for purposes of this subsection if he or she has an alcohol concentration that is equal to or greater than the amount specified in s. 885.235 (1g) (d).

SECTION 1666. 103.503 (2m) of the statutes is created to read:

103.503 **(2m)** REGISTRATION REQUIRED. (a) Every employer that is subject to this section shall register with the department in the manner prescribed by the department by rule.

(b) The department shall charge a fee for a registration under this section. The department shall, by rule, establish a tiered fee structure, and fees shall be set at a

level necessary to pay the costs of the department that are attributable to administering and enforcing this section.

(c) Any person in violation of par. (a) shall forfeit no less than $10,000 and not more than $25,000 for each occurrence.

SECTION 1667. 103.503 (3) (a) 2. of the statutes is amended to read:

103.503 **(3)** (a) 2. A requirement that employees performing the work described in s. 66.0903 (4)~~, 2013 stats.,~~ or ~~s. 16.856~~ 103.49 (2m)~~, 2015 stats.,~~ on a project of public works or performing work on a public utility project submit to random, reasonable suspicion, and post–accident drug and alcohol testing and to drug and alcohol testing before commencing work on the project, except that testing of an employee before commencing work on a project is not required if the employee has been participating in a random testing program during the 90 days preceding the date on which the employee commenced work on the project.

SECTION 1668. 103.503 (6) of the statutes is created to read:

103.503 **(6)** DEPARTMENT TO ADMINISTER. (a) The department shall administer and enforce this section.

(b) The department shall promulgate any rules necessary to implement this section, including rules to establish compliance with the registration requirement under sub. (2m).

SECTION 1669. 103.805 (1) of the statutes is amended to read:

103.805 **(1)** The department or a permit officer shall collect a fee in the amount of $10 for issuing permits under ss. 103.25 and 103.71 and certificates of age under s. 103.75. A person designated to issue permits and certificates of age who is not on the payroll of the division administering this chapter may retain $2.50 of that fee as compensation for the person's services and shall forward $7.50 of that fee to the

department~~, which shall deposit that amount forwarded in the general fund and credit $5 of that amount forwarded to the appropriation account under s. 20.445 (1) (gk). A person designated to issue permits and certificates of age who is on the payroll of the division administering this chapter shall forward that fee to the department, which~~. The department shall deposit ~~that fee~~ all fees collected by or forwarded to the department under this section in the general fund and credit ~~$5 of that fee~~ those amounts to the appropriation account under s. 20.445 (1) (gk). ~~The~~ A permit officer shall account for all fees collected as the department prescribes.

SECTION 1670. 104.001 (3) of the statutes is created to read:

104.001 **(3)** This section does not affect an ordinance that, subject to s. 66.0903, requires an employee of a county, city, village, or town, an employee who performs work under a contract for the provision of services to a county, city, village, or town, or an employee who performs work that is funded by financial assistance from a county, city, village, or town to be paid at a minimum wage rate specified in the ordinance.

SECTION 1671. 104.001 (4) of the statutes is created to read:

104.001 **(4)** This section does not affect the requirement that employees employed on a public works project contracted for by a city, village, town, or county be paid at the prevailing wage rate, as defined in s. 66.0903 (1) (g), as required under s. 66.0903.

SECTION 1672. 104.01 (1h) of the statutes is created to read:

104.01 **(1h)** "Consumer price index" means the average of the consumer price index over each 12–month period for all urban consumers, U.S. city average, all items, not seasonally adjusted, as determined by the bureau of labor statistics of the U.S. department of labor.

SECTION 1673. 104.035 (1) (a) of the statutes is renumbered 104.035 (1) (a) (intro.) and amended to read:

104.035 **(1)** (a) *Minimum rates.* (intro.) Except as provided in subs. (2) to ~~(8)~~ (8m), the minimum wage is as follows:

1. For wages earned prior to the effective date of this subdivision .... [LRB inserts date], $7.25 per hour.

SECTION 1674. 104.035 (1) (a) 2. of the statutes is created to read:

104.035 **(1)** (a) 2. For wages earned on or after the effective date of this subdivision .... [LRB inserts date], and prior to January 1, 2023, $8.60 per hour.

SECTION 1675. 104.035 (1) (a) 3. of the statutes is created to read:

104.035 **(1)** (a) 3. For wages earned on or after January 1, 2023, and prior to January 1, 2024, $9.40.

SECTION 1676. 104.035 (1) (a) 4. of the statutes is created to read:

104.035 **(1)** (a) 4. For wages earned on or after January 1, 2024, and prior to January 1, 2025, $10.15.

SECTION 1677. 104.035 (2) (a) of the statutes is renumbered 104.035 (2) (a) (intro.) and amended to read:

104.035 **(2)** (a) *Minimum rates.* (intro.) Except as provided in subs. (2m) to ~~(8)~~ (8m), the minimum wage for a minor employee is as follows:

1. For wages earned prior to the effective date of this subdivision .... [LRB inserts date], $7.25 per hour.

SECTION 1678. 104.035 (2) (a) 2. of the statutes is created to read:

104.035 **(2)** (a) 2. For wages earned on or after the effective date of this subdivision .... [LRB inserts date], and prior to January 1, 2023, $8.60 per hour.

SECTION 1679. 104.035 (2) (a) 3. of the statutes is created to read:

104.035 **(2)** (a) 3. For wages earned on or after January 1, 2023, and prior to January 1, 2024, $9.40.

SECTION 1680. 104.035 (2) (a) 4. of the statutes is created to read:

104.035 **(2)** (a) 4. For wages earned on or after January 1, 2024, and prior to January 1, 2025, $10.15.

SECTION 1681. 104.035 (2m) (a) of the statutes is renumbered 104.035 (2m) (a) (intro.) and amended to read:

104.035 **(2m)** (a) *Minimum rates.* (intro.) Except as provided in subs. (3) to ~~(8)~~ (8m), the minimum wage for an opportunity employee is as follows:

1. For wages earned prior to the effective date of this subdivision .... [LRB inserts date], $5.90 per hour.

SECTION 1682. 104.035 (2m) (a) 2. of the statutes is created to read:

104.035 **(2m)** (a) 2. For wages earned on or after the effective date of this subdivision .... [LRB inserts date], and prior to January 1, 2023, $6.71 per hour.

SECTION 1683. 104.035 (2m) (a) 3. of the statutes is created to read:

104.035 **(2m)** (a) 3. For wages earned on or after January 1, 2023, and prior to January 1, 2024, $7.32.

SECTION 1684. 104.035 (2m) (a) 4. of the statutes is created to read:

104.035 **(2m)** (a) 4. For wages earned on or after January 1, 2024, and prior to January 1, 2025, $7.93.

SECTION 1685. 104.035 (3) (a) (intro.) of the statutes is amended to read:

104.035 **(3)** (a) *Minimum rates.* (intro.) Except as provided in subs. (4) to ~~(8)~~ (8m), if an employer of a tipped employee establishes by the employer's payroll records that, when adding the tips received by the tipped employee in a week to the wages paid to the tipped employee in that week, the tipped employee receives not less

than the applicable minimum wage specified in sub. (1), (2), or (2m), the minimum wage for the tipped employee is as follows:

SECTION 1686. 104.035 (3) (a) 1. of the statutes is amended to read:

104.035 **(3)** (a) 1. For wages earned by a tipped employee who is not an opportunity employee prior to the effective date of this subdivision .... [LRB inserts date], $2.33 per hour.

SECTION 1687. 104.035 (3) (a) 1d. of the statutes is created to read:

104.035 **(3)** (a) 1d. For wages earned by a tipped employee who is not an opportunity employee, on or after the effective date of this subdivision .... [LRB inserts date] and prior to January 1, 2023, $2.65 per hour.

SECTION 1688. 104.035 (3) (a) 1h. of the statutes is created to read:

104.035 **(3)** (a) 1h. For wages earned by a tipped employee who is not an opportunity employee, on or after January 1, 2023, and prior to January 1, 2024, $2.89 per hour.

SECTION 1689. 104.035 (3) (a) 1p. of the statutes is created to read:

104.035 **(3)** (a) 1p. For wages earned by a tipped employee who is not an opportunity employee, on or after January 1, 2024, and prior to January 1, 2025, $3.13 per hour.

SECTION 1690. 104.035 (3) (a) 2. of the statutes is amended to read:

104.035 **(3)** (a) 2. For wages earned by a tipped employee who is an opportunity employee prior to the effective date of this subdivision .... [LRB inserts date], $2.13 per hour.

SECTION 1691. 104.035 (3) (a) 2d. of the statutes is created to read:

104.035 **(3)** (a) 2d. For wages earned by a tipped employee who is an opportunity employee, on or after the effective date of this subdivision .... [LRB inserts date], and prior to January 1, 2023, $2.42 per hour.

SECTION 1692. 104.035 (3) (a) 2h. of the statutes is created to read:

104.035 **(3)** (a) 2h. For wages earned by a tipped employee who is an opportunity employee, on or after January 1, 2023, and prior to January 1, 2024, $2.64 per hour.

SECTION 1693. 104.035 (3) (a) 2p. of the statutes is created to read:

104.035 **(3)** (a) 2p. For wages earned by a tipped employee who is an opportunity employee, on or after January 1, 2024, and prior to January 1, 2025, $2.86 per hour.

SECTION 1694. 104.035 (4) (a) of the statutes is renumbered 104.035 (4) (a) (intro.) and amended to read:

104.035 **(4)** (a) *Minimum rates.* (intro.) Except as provided in subs. (7) ~~and (8)~~ to (8m), the minimum wage for an agricultural employee is as follows:

1. For wages earned prior to the effective date of this subdivision .... [LRB inserts date], $7.25 per hour.

SECTION 1695. 104.035 (4) (a) 2. of the statutes is created to read:

104.035 **(4)** (a) 2. For wages earned on or after the effective date of this subdivision .... [LRB inserts date], and prior to January 1, 2023, $8.60 per hour.

SECTION 1696. 104.035 (4) (a) 3. of the statutes is created to read:

104.035 **(4)** (a) 3. For wages earned on or after January 1, 2023, and prior to January 1, 2024, $9.40 per hour.

SECTION 1697. 104.035 (4) (a) 4. of the statutes is created to read:

104.035 **(4)** (a) 4. For wages earned on or after January 1, 2024, and prior to January 1, 2025, $10.15 per hour.

SECTION 1698. 104.035 (5) of the statutes is renumbered 104.035 (5) (intro.) and amended to read:

104.035 **(5)** CAMP COUNSELORS. (intro.) ~~The~~ Except as provided in sub. (8m), the minimum wage for a counselor at a seasonal recreational or educational camp, including a day camp, is as follows:

(a) Prior to the effective date of this paragraph .... [LRB inserts date], $350 per week if meals and lodging are not furnished, $265 per week if only meals are furnished, and $210 per week if both meals and lodging are furnished.

SECTION 1699. 104.035 (5) (b) of the statutes is created to read:

104.035 **(5)** (b) On or after the effective date of this paragraph .... [LRB inserts date], and prior to January 1, 2023, $398.28 per week if meals and lodging are not furnished, $284.48 per week if only meals are furnished, and $238.97 per week if both meals and lodging are furnished.

SECTION 1700. 104.035 (5) (c) of the statutes is created to read:

104.035 **(5)** (c) On or after January 1, 2023, and prior to January 1, 2024, $434.48 per week if meals and lodging are not furnished, $310.34 per week if only meals are furnished, and $260.69 per week if both meals and lodging are furnished.

SECTION 1701. 104.035 (5) (d) of the statutes is created to read:

104.035 **(5)** (d) On or after January 1, 2024, and prior to January 1, 2025, $470.69 per week if meals and lodging are not furnished, $336.21 per week if only meals are furnished, and $282.41 per week if both meals and lodging are furnished.

SECTION 1702. 104.035 (6) of the statutes is renumbered 104.035 (6) (intro.) and amended to read:

104.035 **(6)** GOLF CADDIES. (intro.) ~~The~~ Except as provided in sub. (8m), the minimum wage for a golf caddy is as follows:

(a) Prior to the effective date of this paragraph .... [LRB inserts date], $10.50 for caddying 18 holes and $5.90 for caddying 9 holes.

SECTION 1703. 104.035 (6) (b) of the statutes is created to read:

104.035 **(6)** (b) On or after the effective date of this paragraph .... [LRB inserts date], and prior to January 1, 2023, $11.95 for caddying 18 holes and $6.71 for caddying 9 holes.

SECTION 1704. 104.035 (6) (c) of the statutes is created to read:

104.035 **(6)** (c) On or after January 1, 2023, and prior to January 1, 2024, $13.03 for caddying 18 holes and $7.32 for caddying 9 holes.

SECTION 1705. 104.035 (6) (d) of the statutes is created to read:

104.035 **(6)** (d) On or after January 1, 2024, and prior to January 1, 2025, $14.12 for caddying 18 holes and $7.93 for caddying 9 holes.

SECTION 1706. 104.035 (8m) of the statutes is created to read:

104.035 **(8m)** MINIMUM WAGE ADJUSTMENTS. Effective on January 1, 2025, and effective on each January 1 thereafter, the department shall revise the minimum wages established under subs. (1) to (6). The department shall determine the revised minimum wages by calculating the percentage difference between the consumer price index for the 12–month period ending on the last day of the last month for which that information is available and the consumer price index for the 12–month period ending on the last day of the month 12 months prior to that month, adjusting the minimum wage then in effect by that percentage difference. The department shall annually have the revised amount published in the Wisconsin Administrative Register and on the department's Internet site.

SECTION 1707. 106.04 of the statutes is created to read:

106.04 Employment of apprentices on state public works projects. (1) DEFINITION. In this section, "project" means a project of public works that is subject to s. 103.49 or 103.50 in which work is performed by employees employed in trades that are apprenticeable under this subchapter.

(2) WAIVER. If the department grants an exception or modification to any requirement in any contract for the performance of work on a project relating to the employment and training of apprentices, the department shall post that information on its Internet site, together with a detailed explanation for granting the exception or modification.

SECTION 1708. 106.125 of the statutes is amended to read:

106.125 Early college credit program. On behalf of the school board of a school district, on behalf of a governing board of a charter school under s. 118.40 (2r) or (2x), and on behalf of the governing body of a participating private school, as defined in s. 118.55 (1) (c), the department of workforce development shall pay to the department of public instruction the costs of tuition for a pupil who attends an institution of higher education under the program under s. 118.55 as provided under s. 118.55 (5) (e) 2. and 3.

SECTION 1709. 106.13 (2r) of the statutes is amended to read:

106.13 **(2r)** ~~From the appropriation under s. 20.445 (1) (a), the~~ The department shall develop curricula for youth apprenticeship programs for occupational areas approved under sub. (2m).

SECTION 1710. 106.26 (1) of the statutes is amended to read:

106.26 **(1)** FINDINGS AND PURPOSE. The legislature finds that, for many workers and persons seeking employment ~~in outlying suburban and sparsely populated and~~

~~developed areas~~, conventional, fixed–route mass transit systems do not provide adequate transportation service. The purpose of the employment transit assistance program under this section is to correct this deficiency in access to employment locations and to stimulate the development of innovative transit service methods.

SECTION 1711. 106.26 (2) (d) of the statutes is amended to read:

106.26 **(2)** (d) "Project" means a project designed to improve access to jobs, including part–time jobs and Wisconsin works employment positions, as defined in s. 49.141 (1) (r), ~~located in outlying suburban and sparsely populated and developed areas that are not adequately served by a mass transit system~~ and to develop innovative transit service methods.

SECTION 1712. 106.27 (1p) of the statutes is created to read:

106.27 **(1p)** GREEN JOBS TRAINING PROGRAM. (a) In this subsection, "green jobs" means jobs that produce goods or provide services that benefit the environment or conserve natural resources.

(b) From the appropriation under s. 20.445 (1) (bp), the department shall award grants to public or private organizations for the development and implementation of green jobs training programs. As a condition of receiving a grant under this subsection, the department may require a public or private organization to provide matching funds at a percentage to be determined by the department.

SECTION 1713. 106.27 (1q) of the statutes is created to read:

106.27 **(1q)** PANDEMIC WORKFORCE TRAINING PROGRAM. From the appropriation under s. 20.445 (1) (bq), the department shall award grants to public or private organizations for the development and implementation of pandemic workforce training programs that emphasize training, skill development, and economic recovery for individuals and businesses. The grants may be used for virtual and

in–person job training, employment navigators or coaches, skill assessment, transportation, soft skill development, career or talent search services, and other programs to return employees to the labor market. As a condition of receiving a grant under this subsection, the department may require a public or private organization to provide matching funds at a percentage to be determined by the department.

SECTION 1714. 106.27 (2g) (a) 1. of the statutes is amended to read:

106.27 **(2g)** (a) 1. Promulgate rules prescribing procedures and criteria for awarding grants under ~~sub~~ subs. (1), (1p), and (1q) and the information with respect to those grants that must be contained in the reports required under subd. 3.

SECTION 1715. 106.27 (2g) (a) 2. of the statutes is amended to read:

106.27 **(2g)** (a) 2. Receive and review applications for grants under subs. (1), (1g), ~~and~~ (1j) (am), (1p), and (1q) and prescribe the form, nature, and extent of the information that must be contained in an application for a grant under sub. (1), (1g), ~~or~~ (1j) (am), (1p) or (1q).

SECTION 1716. 106.27 (3) of the statutes is amended to read:

106.27 **(3)** ANNUAL REPORT. Annually, by December 31, the department shall submit a report to the governor and the cochairpersons of the joint committee on finance providing an account of the department's activities and expenditures under this section during the preceding fiscal year and detailing the amounts allocated to and expended for each of the programs, grants, and services specified in s. 20.445 (1) (b) ~~and,~~ (bm), (bp), and (bq) for that fiscal year. The report shall include information on the number of unemployed and underemployed workers and incumbent employees who participate in training programs under sub. (1) ~~or,~~ (1j), (1p), or (1q); the number of unemployed workers who obtain gainful employment, underemployed workers who obtain new employment, and incumbent employees who receive

increased compensation after participating in such a training program; and the wages earned by those workers and employees both before and after participating in such a training program. The report shall also include information on the extent to which waiting lists for enrollment in courses and programs provided by technical colleges in high–demand fields are reduced as a result of grants under sub. (1g) (a), on the number of students who participate in certification or training programs under sub. (1) (a) or (e) or (1g) (b), on the building modifications funded under sub. (1) (f) and the effect of those building modifications on the school districts' technical education programs, and on the number of persons with disabilities who participate in employment enhancement activities under sub. (1g) (c). In addition, the report shall provide information on the number of student interns who are placed with employers as a result of the coordination activities conducted under sub. (1r) or the grants awarded under sub. (1) (d).

SECTION 1717. 106.274 of the statutes is created to read:

106.274 Worker connection program. (1) WORKER CONNECTION PROGRAM. The department shall, from the appropriation under 20.445 (1) (cm), establish and administer a worker connection program that helps participants prepare for and enter jobs in high–growth employment sectors by pairing participants with achievement coaches who guide participants through the workforce system and partner with employers in high–growth employment sectors.

(2) IMPLEMENTATION. The department shall promulgate rules to administer this section.

SECTION 1718. 106.28 of the statutes is created to read:

106.28 Health care recruitment initiative. (1) In this section, "nurse aide" has the meaning given in s. 146.40 (1) (d).

(2) The department shall, from the appropriation under s. 20.445 (1) (bv) and in coordination with local workforce development boards established under 29 USC 3122, do all of the following:

(a) Undertake a statewide recruitment initiative to promote and connect individuals with instructional programs for nurse aides approved by the department of health services under s. 146.40 and nurse aide employment opportunities and to promote other health care provider employment opportunities.

(b) Create a free, 4–hour course that individuals may take to explore career opportunities within the field of human services or health care delivery.

SECTION 1719. 106.29 of the statutes is created to read:

106.29 Pandemic recovery grants. (1) In this section, "pandemic" means the 2019 novel coronavirus pandemic.

(2) The department shall, from the appropriation under s. 20.445 (1) (bw), establish and operate a program to provide grants to local workforce development boards established under 29 USC 3122 to fund pandemic recovery efforts. The grants shall emphasize training, skill development, and economic recovery for individuals and businesses. The grants may be used for virtual and in–person job training, employment navigators or coaches, skill assessment, transportation, soft skill development, career or talent search services, and other programs to return employees to the labor market.

SECTION 1720. 106.38 (4) (a) 2m. of the statutes is amended to read:

106.38 **(4)** (a) 2m. Submit an application to the program ~~no later than 7 years~~ at any time after the date of discharge from military service.

SECTION 1721. 106.50 (1) of the statutes is amended to read:

106.50 **(1)** INTENT. It is the intent of this section to render unlawful discrimination in housing. It is the declared policy of this state that all persons shall have an equal opportunity for housing regardless of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, status as a holder or nonholder of a license under s. 343.03 (3r), status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, age, or ancestry and it is the duty of the political subdivisions to assist in the orderly prevention or removal of all discrimination in housing through the powers granted under ss. 66.0125 and 66.1011. The legislature hereby extends the state law governing equal housing opportunities to cover single–family residences that are owner–occupied. The legislature finds that the sale and rental of single–family residences constitute a significant portion of the housing business in this state and should be regulated. This section shall be considered an exercise of the police powers of the state for the protection of the welfare, health, peace, dignity, and human rights of the people of this state.

SECTION 1722. 106.50 (1m) (h) of the statutes is amended to read:

106.50 **(1m)** (h) "Discriminate" means to segregate, separate, exclude, or treat a person or class of persons unequally in a manner described in sub. (2), (2m), or (2r) because of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, status as a holder or nonholder of a license under s. 343.03 (3r), status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, age, or ancestry.

SECTION 1723. 106.50 (1m) (nm) of the statutes is amended to read:

106.50 **(1m)** (nm) "Member of a protected class" means a group of natural persons, or a natural person, who may be categorized because of sex, race, color,

disability, sexual orientation, religion, national origin, marital status, family status, status as a holder or nonholder of a license under s. 343.03 (3r), status as a victim of domestic abuse, sexual abuse, or stalking, lawful source of income, age, or ancestry.

SECTION 1724. 106.50 (5m) (f) 1. of the statutes is amended to read:

106.50 **(5m)** (f) 1. Nothing in this section prohibits an owner or agent from requiring that a person who seeks to buy or rent housing supply information concerning family status, and marital, financial, and business status but not concerning race, color, disability, sexual orientation, ancestry, national origin, religion, creed, status as a holder or nonholder of a license under s. 343.03 (3r), status as a victim of domestic abuse, sexual assault, or stalking, or, subject to subd. 2., age.

SECTION 1725. 106.50 (6) (f) 1. of the statutes is amended to read:

106.50 **(6)** (f) 1. After the department issues a charge under par. (c) 2., the department shall serve the charge, along with a written notice of hearing, specifying the nature and acts of discrimination which appear to have been committed, and requiring the respondent to answer the charge at a hearing before an examiner. The notice shall specify a time of hearing, not less than 10 days after service of the charge, and a place of hearing ~~within the county in which the violation is alleged to have occurred~~. The department shall designate the place of hearing, which may include a remote, web–based, or in–person hearing in a location accessible and in proximity to the parties.

SECTION 1726. 106.52 (3) (a) 1. of the statutes is amended to read:

106.52 **(3)** (a) 1. Deny to another or charge another a higher price than the regular rate for the full and equal enjoyment of any public place of accommodation or amusement because of sex, race, color, creed, disability, sexual orientation,

national origin, or ancestry or because a person holds or does not hold a license under s. 343.03 (3r).

SECTION 1727. 106.52 (3) (a) 2. of the statutes is amended to read:

106.52 **(3)** (a) 2. Give preferential treatment to some classes of persons in providing services or facilities in any public place of accommodation or amusement because of sex, race, color, creed, sexual orientation, national origin, or ancestry or because a person holds or does not hold a license under s. 343.03 (3r).

SECTION 1728. 106.52 (3) (a) 3. of the statutes is amended to read:

106.52 **(3)** (a) 3. Directly or indirectly publish, circulate, display or mail any written communication which the communicator knows is to the effect that any of the facilities of any public place of accommodation or amusement will be denied to any person by reason of sex, race, color, creed, disability, sexual orientation, national origin, or ancestry or because a person holds or does not hold a license under s. 343.03 (3r) or that the patronage of a person is unwelcome, objectionable or unacceptable for any of those reasons.

SECTION 1729. 106.52 (3) (a) 4. of the statutes is amended to read:

106.52 **(3)** (a) 4. Refuse to furnish or charge another a higher rate for any automobile insurance because of race, color, creed, disability, national origin, or ancestry or because a person holds or does not hold a license under s. 343.03 (3r).

SECTION 1730. 106.52 (3) (a) 5. of the statutes is amended to read:

106.52 **(3)** (a) 5. Refuse to rent, charge a higher price than the regular rate or give preferential treatment, because of sex, race, color, creed, sexual orientation, national origin, or ancestry or because a person holds or does not hold a license under s. 343.03 (3r), regarding the use of any private facilities commonly rented to the public.

SECTION 1731. 106.52 (4) (a) 4. of the statutes is amended to read:

106.52 **(4)** (a) 4. If the department finds probable cause to believe that any act prohibited under sub. (3) has been or is being committed, the department may endeavor to eliminate the act by conference, conciliation and persuasion. If the department determines that such conference, conciliation and persuasion has not eliminated the alleged act prohibited under sub. (3), the department shall issue and serve a written notice of hearing, specifying the nature and acts prohibited under sub. (3) which appear to have been committed, and requiring the person named, in this subsection called the "respondent", to answer the complaint at a hearing before an examiner. The notice shall specify a time of hearing, not less than 10 days after service of the complaint, and a place of hearing ~~within the county in which the violation of sub. (3) is alleged to have occurred~~. The department shall designate the place of hearing, which may include a remote, web–based, or in–person hearing in a location accessible and in proximity to the parties. The attorney of record for any party may issue a subpoena to compel the attendance of a witness or the production of evidence. A subpoena issued by an attorney must be in substantially the same form as provided in s. 805.07 (4) and must be served in the manner provided in s. 805.07 (5). The attorney shall, at the time of issuance, send a copy of the subpoena to the appeal tribunal or other representative of the department responsible for conducting the proceeding. The testimony at the hearing shall be recorded by the department. In all hearings before an examiner, except those for determining probable cause, the burden of proof is on the party alleging an act prohibited under sub. (3). If, after the hearing, the examiner finds by a fair preponderance of the evidence that the respondent has violated sub. (3), the examiner shall make written findings and order such action by the respondent as will effectuate the purpose of this

subsection and sub. (3). The department shall serve a certified copy of the examiner's findings and order on the respondent and complainant. The order shall have the same force as other orders of the department and shall be enforced as provided in this subsection, except that the enforcement of the order is automatically stayed upon the filing of a petition for review with the commission. If the examiner finds that the respondent has not engaged in an act prohibited under sub. (3) as alleged in the complaint, the department shall serve a certified copy of the examiner's findings on the complainant and the respondent together with an order dismissing the complaint. If the complaint is dismissed, costs in an amount not to exceed $100 plus actual disbursements for the attendance of witnesses may be assessed against the department in the discretion of the department.

SECTION 1732. 108.02 (18r) of the statutes is created to read:

108.02 **(18r)** MARIJUANA. "Marijuana" has the meaning given in s. 111.32 (11m).

SECTION 1733. 108.02 (26m) of the statutes is repealed.

SECTION 1734. 108.04 (2) (a) (intro.) of the statutes is amended to read:

108.04 **(2)** (a) (intro.) Except as provided in ~~pars.~~ par. (b) ~~to (bd)~~, sub. (16) (am) and (b), and s. 108.062 (10) and (10m) and as otherwise expressly provided, a claimant is eligible for benefits as to any given week only if all of the following apply:

SECTION 1735. 108.04 (2) (a) 3. of the statutes is repealed and recreated to read:

108.04 **(2)** (a) 3. The claimant conducts a reasonable search for suitable work during that week and provides verification of that search to the department. The search for suitable work must include at least 4 actions per week that constitute a reasonable search as prescribed by rule of the department. In addition, the department may, by rule, require a claimant to take more than 4 reasonable work search actions in any week. The department shall require a uniform number of

reasonable work search actions for similar types of claimants. This subdivision does not apply to a claimant if the department determines that the claimant is currently laid off from employment with an employer but there is a reasonable expectation of reemployment of the individual by that employer. In determining whether the claimant has a reasonable expectation of reemployment by an employer, the department shall request the employer to verify the claimant's employment status and shall consider all of the following:

a. The history of layoffs and reemployments by the employer.

b. Any information that the employer furnished to the claimant or the department concerning the claimant's anticipated reemployment date.

c. Whether the claimant has recall rights with the employer under the terms of any applicable collective bargaining agreement.

SECTION 1736. 108.04 (2) (b) of the statutes is repealed and recreated to read:

108.04 **(2)** (b) The department may, by rule, establish waivers from the registration for work requirement under par. (a) 2. and the work search requirement under par. (a) 3.

SECTION 1737. 108.04 (2) (bb) of the statutes is repealed.

SECTION 1738. 108.04 (2) (bd) of the statutes is repealed.

SECTION 1739. 108.04 (2) (bm) of the statutes is amended to read:

108.04 **(2)** (bm) A claimant is ineligible to receive benefits for any week for which there is a determination that the claimant failed to comply with the registration for work and work search requirements under par. (a) 2. or 3. or failed to provide verification to the department that the claimant complied with those requirements, unless the department has waived those requirements under par. (b)~~,~~

~~(bb), or (bd)~~ or s. 108.062 (10m). If the department has paid benefits to a claimant for any such week, the department may recover the overpayment under s. 108.22.

SECTION 1740. 108.04 (2) (h) of the statutes is amended to read:

108.04 **(2)** (h) A claimant shall, when the claimant first files a claim for benefits under this chapter and during each subsequent week the claimant files for benefits under this chapter, inform the department whether he or she is receiving social security disability insurance payments, as defined in ~~sub. (12) (f) 2m~~ s. 108.05 (7m) (b). If the claimant is receiving social security disability insurance payments, the claimant shall, in the manner prescribed by the department, report to the department the amount of the social security disability insurance payments.

SECTION 1741. 108.04 (3) of the statutes is repealed.

SECTION 1742. 108.04 (5g) of the statutes is repealed.

SECTION 1743. 108.04 (5m) of the statutes is created to read:

108.04 **(5m)** DISCHARGE FOR USE OF MARIJUANA. (a) Notwithstanding sub. (5), "misconduct," for purposes of sub. (5), does not include the employee's use of marijuana off the employer's premises during nonworking hours or a violation of the employer's policy concerning such use, unless termination of the employee because of that use is permitted under s. 111.35.

(b) Notwithstanding sub. (5g), "substantial fault," for purposes of sub. (5g), does not include the employee's use of marijuana off the employer's premises during nonworking hours or a violation of the employer's policy concerning such use, unless termination of the employee because of that use is permitted under s. 111.35.

SECTION 1744. 108.04 (7) (e) of the statutes is amended to read:

108.04 **(7)** (e) Paragraph (a) does not apply if the department determines that the employee accepted work that the employee could have failed to accept under sub.

(8) and terminated the work on the same grounds and within the first ~~30 calendar days~~ 10 weeks after starting the work, or that the employee accepted work that the employee could have refused under sub. (9) and terminated the work within the first ~~30 calendar days~~ 10 weeks after starting the work. For purposes of this paragraph, an employee has the same grounds for voluntarily terminating work if the employee could have failed to accept the work under sub. (8) (d) to (em) when it was offered, regardless of the reason articulated by the employee for the termination.

SECTION 1745. 108.04 (7) (t) 1. of the statutes is repealed.

SECTION 1746. 108.04 (7) (t) 2. of the statutes is amended to read:

108.04 **(7)** (t) 2. The employee's spouse was required by ~~the U.S. armed forces~~ his or her employing unit to relocate to a place to which it is impractical for the employee to commute.

SECTION 1747. 108.04 (8) (a) of the statutes is amended to read:

108.04 **(8)** (a) ~~Except as provided in par. (b), if~~ If an employee fails, without good cause, to accept suitable work when offered, the employee is ineligible to receive benefits until the employee earns wages after the week in which the failure occurs equal to at least 6 times the employee's weekly benefit rate under s. 108.05 (1) in employment or other work covered by the unemployment insurance law of any state or the federal government. For purposes of requalification, the employee's weekly benefit rate shall be that rate which would have been paid had the failure not occurred. This paragraph does not preclude an employee from establishing a benefit year during a period in which the employee is ineligible to receive benefits under this paragraph if the employee qualifies to establish a benefit year under s. 108.06 (2) (a). ~~Except as provided in par. (b), the~~ The department shall charge to the fund's balancing account any benefits otherwise chargeable to the account of an employer

that is subject to the contribution requirements under ss. 108.17 and 108.18 whenever an employee of that employer fails, without good cause, to accept suitable work offered by that employer.

SECTION 1748. 108.04 (8) (b) of the statutes is repealed.

SECTION 1749. 108.04 (8) (d) (intro.) of the statutes is amended to read:

108.04 **(8)** (d) (intro.) With respect to the first ~~6~~ 10 weeks after the employee became unemployed, "suitable work," for purposes of par. (a), means work to which all of the following apply:

SECTION 1750. 108.04 (8) (dm) of the statutes is amended to read:

108.04 **(8)** (dm) With respect to the ~~7th~~ 11th week after the employee became unemployed and any week thereafter, "suitable work," for purposes of par. (a), means any work that the employee is capable of performing, regardless of whether the employee has any relevant experience or training, that pays wages that are above the lowest quartile of wages for similar work in the labor market area in which the work is located, as determined by the department.

SECTION 1751. 108.04 (11) (bm) of the statutes is amended to read:

108.04 **(11)** (bm) The department shall apply any ineligibility under par. (be) against benefits and weeks of eligibility for which the claimant would otherwise be eligible after the week of concealment and within 6 years after the date of an initial determination issued under s. 108.09 finding that a concealment occurred. ~~The claimant shall not receive waiting period credit under s. 108.04 (3) for the period of ineligibility applied under par. (be).~~ If no benefit rate applies to the week for which the claim is made, the department shall use the claimant's benefit rate for the claimant's next benefit year beginning after the week of concealment to determine the amount of the benefit reduction.

SECTION 1752. 108.04 (12) (f) 1m. and 2m. of the statutes are renumbered 108.05 (7m) (a) and (b) and amended to read:

108.05 **(7m)** (a) The intent of the legislature in enacting this ~~paragraph~~ subsection is to prevent the payment of duplicative government benefits for the replacement of lost earnings or income, regardless of an individual's ability to work.

(b) In this ~~paragraph~~ subsection, "social security disability insurance payment" means a payment of social security disability insurance benefits under 42 USC ch. 7 subch. II.

SECTION 1753. 108.04 (12) (f) 3. of the statutes is repealed.

SECTION 1754. 108.04 (12) (f) 4. of the statutes is renumbered 108.05 (7m) (e).

SECTION 1755. 108.05 (1) (am) of the statutes is created to read:

108.05 **(1)** (am) On or before June 30 of each year, the department shall calculate, from quarterly wage reports under s. 108.205 for the prior calendar year, the state's annual average weekly wage in employment covered under this chapter.

SECTION 1756. 108.05 (1) (cm) of the statutes is created to read:

108.05 **(1)** (cm) The department shall set the maximum weekly benefit amount as follows:

1. For benefits paid for a week of total unemployment that commences on or after January 5, 2014, but before January 2, 2022, $370.

2. For benefits paid for a week of total unemployment that commences on or after January 2, 2022, but before January 1, 2023, $409.

3. For benefits paid for a week of total unemployment that commences on or after January 1, 2023, but before January 7, 2024, $409 or 50 percent of the state's annual average weekly wage, rounded up to the nearest dollar, whichever is greater.

4. For benefits paid for a week of total unemployment that commences on or after January 7, 2024, the department shall set an annual maximum weekly benefit amount that takes effect on the 1st Sunday in January of each calendar year and that is equal to the greater of the following:

a. Seventy–five percent of the state's annual average weekly wage, rounded up to the nearest dollar.

b. The maximum benefit amount in effect in the previous calendar year.

SECTION 1757. 108.05 (1) (r) of the statutes is renumbered 108.05 (1) (r) (intro.) and amended to read:

108.05 **(1)** (r) (intro.) Except as provided in s. 108.062 (6) (a), each eligible employee shall be paid benefits for each week of total unemployment ~~that commences on or after January 5, 2014,~~ at ~~the~~ a weekly benefit rate ~~specified in this paragraph. Unless sub. (1m) applies, the weekly benefit rate shall~~ equal to 4 percent of the employee's base period wages that were paid during that quarter of the employee's base period in which the employee was paid the highest total wages, rounded down to the nearest whole dollar, except ~~that, if that amount~~ as provided under sub. (1m), and unless one of the following applies:

1. If the employee's weekly benefit rate calculated under this paragraph is less than $54, no benefits are payable to the employee ~~and, if that amount.~~

2. If the employee's weekly benefit rate is more than ~~$370~~ the maximum weekly benefit amount under par. (cm), the employee's weekly benefit rate shall be ~~$370 and except that, if~~ the maximum weekly benefit amount under par. (cm).

3. If the employee's benefits are exhausted during any week under s. 108.06 (1), the employee shall be paid the remaining amount of benefits payable to the employee under s. 108.06 (1).

(s) The department shall publish on its Internet site a weekly benefit rate schedule of quarterly wages and the corresponding weekly benefit rates as calculated in accordance with this ~~paragraph~~ subsection.

SECTION 1758. 108.05 (3) (a) of the statutes is amended to read:

108.05 **(3)** (a) Except as provided in pars. (c)~~,~~ and (d) ~~and (dm)~~ and s. 108.062, if an eligible employee earns wages in a given week, the first $30 of the wages shall be disregarded and the employee's applicable weekly benefit payment shall be reduced by 67 percent of the remaining amount, except that no such employee is eligible for benefits if the employee's benefit payment would be less than $5 for any week. For purposes of this paragraph, "wages" includes any salary reduction amounts earned that are not wages and that are deducted from the salary of a claimant by an employer pursuant to a salary reduction agreement under a cafeteria plan, within the meaning of 26 USC 125, and any amount that a claimant would have earned in available work under s. 108.04 (1) (a) which is treated as wages under s. 108.04 (1) (bm), but excludes any amount that a claimant earns for services performed as a volunteer fire fighter, volunteer emergency medical services practitioner, or volunteer emergency medical responder. In applying this paragraph, the department shall disregard discrepancies of less than $2 between wages reported by employees and employers.

SECTION 1759. 108.05 (3) (dm) of the statutes is repealed.

SECTION 1760. 108.05 (7m) (title), (c) and (d) of the statutes are created to read:

108.05 **(7m)** (title) SOCIAL SECURITY DISABILITY INSURANCE PAYMENTS.

(c) If a monthly social security disability insurance payment is issued to a claimant, the department shall reduce benefits otherwise payable to the claimant for a given week in accordance with par. (d). This subsection does not apply to a lump

sum social security disability insurance payment in the nature of a retroactive payment or back pay.

(d) The department shall allocate a monthly social security disability insurance payment by allocating to each week the fraction of the payment attributable to that week.

SECTION 1761. 108.05 (9) of the statutes is amended to read:

108.05 **(9)** ROUNDING OF BENEFIT AMOUNTS. Notwithstanding sub. (1), benefits payable for a week of unemployment as a result of applying sub. (1m), (3) ~~or,~~ (7)<u>, or (7m)</u> or s. 108.04 (11) or (12), 108.06 (1), 108.13 (4) or (5) or 108.135 shall be rounded down to the next lowest dollar.

SECTION 1762. 108.05 (10) (intro.) of the statutes is amended to read:

108.05 **(10)** DEDUCTIONS FROM BENEFIT PAYMENTS. (intro.) After calculating the benefit payment due to be paid for a week under subs. (1) to ~~(7)~~ <u>(7m)</u>, the department shall make deductions from that payment to the extent that the payment is sufficient to make the following payments in the following order:

SECTION 1763. 108.133 of the statutes is repealed.

SECTION 1764. 108.14 (2e) of the statutes is amended to read:

108.14 **(2e)** The department ~~may~~ <u>shall</u> provide a secure means of electronic interchange between itself and employing units, claimants, and other persons that~~,~~ ~~upon request to and with prior approval by the department, may~~ <u>shall</u> be used for departmental transmission or receipt of any document specified by the department that is related to the administration of this chapter in lieu of any other means of submission or receipt specified in this chapter. <u>The secure means of electronic interchange shall be used by employing units, claimants, and other persons unless a person demonstrates good cause for not being able to use the secure means of</u>

electronic interchange. The department shall determine by rule what constitutes good cause, for purposes of this subsection. Subject to s. 137.25 (2) and any rules promulgated thereunder, the department may permit the use of the use of electronic records and electronic signatures for any document specified by the department that is related to the administration of this chapter. If a due date is established by statute for the receipt of any document that is submitted electronically to the department under this subsection, then that submission is timely only if the document is submitted by midnight of the statutory due date.

SECTION 1765. 108.14 (8n) (e) of the statutes is amended to read:

108.14 **(8n)** (e) The department shall charge this state's share of any benefits paid under this subsection to the account of each employer by which the employee claiming benefits was employed in the applicable base period, in proportion to the total amount of wages he or she earned from each employer in the base period, except that if s. 108.04 (1) (f), (5), (7) (a), (c), (cg), (e), (L), (q), (s), or (t), (7m), or (8) (a) ~~or (b),~~ or 108.07 (3), (3r), or (5) (am) 2.~~, or 108.133 (3) (f)~~ would have applied to employment by such an employer who is subject to the contribution requirements of ss. 108.17 and 108.18, the department shall charge the share of benefits based on employment with that employer to the fund's balancing account, or, if s. 108.04 (1) (f) or (5) or 108.07 (3) would have applied to an employer that is not subject to the contribution requirements of ss. 108.17 and 108.18, the department shall charge the share of benefits based on that employment in accordance with s. 108.07 (5) (am) 1. and 2. The department shall also charge the fund's balancing account with any other state's share of such benefits pending reimbursement by that state.

SECTION 1766. 108.14 (26m) of the statutes is created to read:

108.14 **(26m)** (a) The department shall allocate all available federal funding for the purpose specified in s. 108.19 (1e) (d) before allocating any general purpose revenue for that purpose.

(b) If federal funding is received for the purpose specified in s. 108.19 (1e) (d) prior to July 1, 2023, the secretary of administration may, to the extent permitted under federal law, lapse from the appropriation under s. 20.445 (1) (nc) to the general fund an amount not to exceed the amounts in the schedule under s. 20.445 (1) (ar) or the amount of federal funding received, whichever is less. This paragraph does not apply with respect to amounts received as administrative grants by the state under 42 USC 502 or to amounts received by this state under section 903 (d) of the federal Social Security Act, as amended, 42 USC 1103.

SECTION 1767. 108.141 (7) (a) of the statutes is amended to read:

108.141 **(7)** (a) The department shall charge the state's share of each week of extended benefits to each employer's account in proportion to the employer's share of the total wages of the employee receiving the benefits in the employee's base period, except that if the employer is subject to the contribution requirements of ss. 108.17 and 108.18 the department shall charge the share of extended benefits to which s. 108.04 (1) (f), (5), (7) (a), (c), (cg), (e), (L), (q), (s), or (t), (7m), or (8) (a) ~~or (b),~~ or 108.07 (3), (3r), or (5) (am) 2.~~, or 108.133 (3) (f)~~ applies to the fund's balancing account.

SECTION 1768. 108.16 (6m) (a) of the statutes is amended to read:

108.16 **(6m)** (a) The benefits thus chargeable under s. 108.04 (1) (f), (5), (5g), (7) (h), (8) (a) ~~or (b)~~, (13) (c) or (d) or (16) (e), 108.07 (3), (3r), (5) (am) 2. and (bm) 3. a., (5m), and (6), ~~108.133 (3) (f),~~ 108.14 (8n) (e), 108.141, 108.151, or 108.152 or sub. (6) (e) or (7) (a) and (b).

SECTION 1769. 108.16 (6m) (a) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

108.16 **(6m)** (a) The benefits thus chargeable under s. 108.04 (1) (f), (5), ~~(5g),~~ (7) (h), (8) (a), (13) (c) or (d) or (16) (e), 108.07 (3), (3r), (5) (am) 2. and (bm) 3. a., (5m), and (6), 108.14 (8n) (e), 108.141, 108.151, or 108.152 or sub. (6) (e) or (7) (a) and (b).

SECTION 1770. 108.17 (2) (b) of the statutes is amended to read:

108.17 **(2)** (b) The department ~~may~~ shall electronically provide a means whereby an employer that files its employment and wage reports electronically may determine the amount of contributions due for payment by the employer under s. 108.18 for each quarter. If an employer that is subject to a contribution requirement files its employment and wage reports under s. 108.205 (1) electronically, in the manner prescribed by the department for purposes of this paragraph, the department may require the employer to determine electronically the amount of contributions due for payment by the employer under s. 108.18 for each quarter. In such case, the employer is excused from filing contribution reports under par. (a). The employer shall pay the amount due for each quarter by the due date specified in par. (a).

SECTION 1771. 108.17 (2b) of the statutes is amended to read:

108.17 **(2b)** The department shall prescribe a form and methodology for filing contribution reports under sub. (2) electronically. Each employer ~~of 25 or more employees, as determined under s. 108.22 (1) (ae),~~ that does not use an employer agent to file its contribution reports under this section shall file its contribution reports electronically in the manner and form prescribed by the department, unless the employer demonstrates good cause for not being able to file contribution reports electronically. The department shall determine by rule what constitutes good cause,

for purposes of this subsection. Each employer that becomes subject to an electronic reporting requirement under this subsection shall file its initial report under this subsection for the quarter during which the employer becomes subject to the reporting requirement. Once an employer becomes subject to a reporting requirement under this subsection, it shall continue to file its reports under this subsection unless that requirement is waived by the department.

SECTION 1772. 108.17 (7) (a) of the statutes is amended to read:

108.17 **(7)** (a) Each employer ~~whose net total contributions paid or payable under this section for any 12–month period ending on June 30 are at least $10,000~~ shall pay all contributions under this section by means of electronic funds transfer beginning with the next calendar year, unless the employer demonstrates good cause for not being able to pay contributions by electronic funds transfer. The department shall determine by rule what constitutes good cause, for purposes of this subsection. Once an employer becomes subject to an electronic payment requirement under this paragraph, the employer shall continue to make payment of all contributions by means of electronic funds transfer unless that requirement is waived by the department.

SECTION 1773. 108.19 (1s) (a) 5. of the statutes is repealed.

SECTION 1774. 108.205 (2) of the statutes is amended to read:

108.205 **(2)** Each employer ~~of 25 or more employees, as determined under s. 108.22 (1) (ae),~~ that does not use an employer agent to file its reports under this section shall file the quarterly report under sub. (1) electronically in the manner and form prescribed by the department, unless the employer demonstrates good cause for not being able to file reports electronically. The department shall determine by rule what constitutes good cause, for purposes of this subsection. An employer that

becomes subject to an electronic reporting requirement under this subsection shall file its initial report under this subsection for the quarter during which the employer becomes subject to the reporting requirement. Once an employer becomes subject to the reporting requirement under this subsection, the employer shall continue to file its quarterly reports under this subsection unless that requirement is waived by the department.

SECTION 1775. 108.221 (1) (a) of the statutes is renumbered 108.221 (1) (a) (intro.) and amended to read:

108.221 **(1)** (a) (intro.) Any employer ~~described in s. 108.18 (2) (c) or engaged in the painting or drywall finishing of buildings or other structures~~ who knowingly and intentionally provides false information to the department for the purpose of misclassifying or attempting to misclassify an individual who is an employee of the employer as a nonemployee shall, for each incident, be assessed a penalty by the department as follows:

1. For each act occurring before the date of the first determination of a violation of this subsection, the employer shall be assessed a penalty in the amount of $500 for each employee who is misclassified~~, but not to exceed $7,500 per incident~~.

SECTION 1776. 108.221 (1) (a) 2. of the statutes is created to read:

108.221 **(1)** (a) 2. For each act occurring after the date of the first determination of a violation of this subsection, the employer shall be assessed a penalty in the amount of $1,000 for each employee who is misclassified.

SECTION 1777. 108.221 (2) of the statutes is renumbered 108.221 (2) (intro.) and amended to read:

108.221 **(2)** (intro.) Any employer ~~described in s. 108.18 (2) (c) or engaged in the painting or drywall finishing of buildings or other structures~~ who, through coercion, requires an individual to adopt the status of a nonemployee shall be assessed a penalty by the department as follows:

(a) For each act occurring before the date of the first determination of a violation of this subsection, the employer shall be assessed a penalty in the amount of $1,000 for each individual so coerced~~, but not to exceed $10,000 per calendar year~~.

SECTION 1778. 108.221 (2) (b) of the statutes is created to read:

108.221 **(2)** (b) For each act occurring after the date of the first determination of a violation of this subsection, the employer shall be assessed a penalty in the amount of $2,000 for each individual so coerced.

SECTION 1779. 109.03 (1) (b) of the statutes is amended to read:

109.03 **(1)** (b) School district and private school employees who voluntarily request payment over a 12–month period for personal services performed during the school year, unless~~, with respect to private school employees,~~ the employees are covered under a valid collective bargaining agreement which precludes this method of payment.

SECTION 1780. 109.09 (1) of the statutes is amended to read:

109.09 **(1)** The department shall investigate and attempt equitably to adjust controversies between employers and employees ~~as to~~ regarding alleged wage claims. The department may receive and investigate any wage claim that is filed with the department, or received by the department under s. 109.10 (4), no later than 2 years after the date the wages are due. The department may, after receiving a wage claim, investigate any wages due from the employer against whom the claim is filed to any employee during the period commencing 2 years before the date the claim is

filed. The department shall enforce this chapter and ~~s.~~ ss. 66.0903, ~~2013 stats., s. 103.49, 2013 stats., s. 229.8275, 2013 stats., and s. 16.856, 2015 stats., and ss.~~ 103.02, 103.49, 103.82, ~~and~~ 104.12, and 229.8275. In pursuance of this duty, the department may sue the employer on behalf of the employee to collect any wage claim or wage deficiency and ss. 109.03 (6) and 109.11 (2) and (3) shall apply to such actions. Except for actions under s. 109.10, the department may refer such an action to the district attorney of the county in which the violation occurs for prosecution and collection and the district attorney shall commence an action in the circuit court having appropriate jurisdiction. Any number of wage claims or wage deficiencies against the same employer may be joined in a single proceeding, but the court may order separate trials or hearings. In actions that are referred to a district attorney under this subsection, any taxable costs recovered by the district attorney shall be paid into the general fund of the county in which the violation occurs and used by that county to meet its financial responsibility under s. 978.13 (2) (b) for the operation of the office of the district attorney who prosecuted the action.

SECTION 1781. 109.09 (3) of the statutes is repealed.

SECTION 1782. 111.01 of the statutes is created to read:

111.01 Declaration of policy. The public policy of the state as to employment relations and collective bargaining, in the furtherance of which this subchapter is enacted, is declared to be as follows:

(1) It recognizes that there are 3 major interests involved, namely: the public, the employee, and the employer. These 3 interests are to a considerable extent interrelated. It is the policy of the state to protect and promote each of these interests with due regard to the situation and to the rights of the others.

(2) Industrial peace, regular and adequate income for the employee, and uninterrupted production of goods and services are promotive of all of these interests. They are largely dependent upon the maintenance of fair, friendly, and mutually satisfactory employment relations and the availability of suitable machinery for the peaceful adjustment of whatever controversies may arise. It is recognized that certain employers, including farmers, farmer cooperatives, and unincorporated farmer cooperative associations, in addition to their general employer problems, face special problems arising from perishable commodities and seasonal production that require adequate consideration. It is also recognized that whatever may be the rights of disputants with respect to each other in any controversy regarding employment relations, they should not be permitted, in the conduct of their controversy, to intrude directly into the primary rights of 3rd parties to earn a livelihood, transact business, and engage in the ordinary affairs of life by any lawful means and free from molestation, interference, restraint, or coercion.

(3) Negotiations of terms and conditions of work should result from voluntary agreement between employer and employee. For the purpose of such negotiation an employee has the right, if the employee desires, to associate with others in organizing and bargaining collectively through representatives of the employee's own choosing, without intimidation or coercion from any source.

(4) It is the policy of the state, in order to preserve and promote the interests of the public, the employee, and the employer alike, to establish standards of fair conduct in employment relations and to provide a convenient, expeditious, and impartial tribunal by which these interests may have their respective rights and obligations adjudicated. While limiting individual and group rights of aggression

and defense, the state substitutes processes of justice for the more primitive methods of trial by combat.

SECTION 1783. 111.04 (1) and (2) of the statutes are consolidated, renumbered 111.04 and amended to read:

111.04 Rights of employees. Employees shall have the right of self–organization and the right to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in lawful, concerted activities for the purpose of collective bargaining or other mutual aid or protection. ~~**(2)**~~ Employees shall also have the right to refrain from ~~self–organization; forming, joining, or assisting labor organizations; bargaining collectively through representatives; or engaging in activities for the purpose of collective bargaining or other mutual aid or protection~~ such activities.

SECTION 1784. 111.04 (3) of the statutes is repealed.

SECTION 1785. 111.06 (1) (c) of the statutes is amended to read:

111.06 **(1)** (c) To encourage or discourage membership in any labor organization, employee agency, committee, association, or representation plan by discrimination in regard to hiring, tenure, or other terms or conditions of employment except in a collective bargaining unit where an all–union agreement is in effect. An employer may enter into an all–union agreement with the voluntarily recognized representative of the employees in a collective bargaining unit, where at least a majority of such employees voting have voted affirmatively, by secret ballot, in favor of the all–union agreement in a referendum conducted by the commission, except that where the bargaining representative has been certified by either the commission or the national labor relations board as the result of a representation election, no referendum is required to authorize the entry into an all–union

agreement. An authorization of an all–union agreement continues, subject to the right of either party to the all–union agreement to petition the commission to conduct a new referendum on the subject. Upon receipt of the petition, if the commission determines there is reasonable ground to believe that the employees concerned have changed their attitude toward the all–union agreement, the commission shall conduct a referendum. If the continuance of the all–union agreement is supported on a referendum by a vote at least equal to that provided in this paragraph for its initial authorization, it may continue, subject to the right to petition for a further vote by the procedure under this paragraph. If the continuance of the all–union agreement is not supported on a referendum, it terminates at the expiration of the contract of which it is then a part or at the end of one year from the date of the announcement by the commission of the result of the referendum, whichever is earlier. The commission shall declare any all–union agreement terminated whenever it finds that the labor organization involved has unreasonably refused to receive as a member any employee of such employer. An interested person may, as provided in s. 111.07, request the commission to perform this duty.

SECTION 1786. 111.06 (1) (e) of the statutes is amended to read:

111.06 **(1)** (e) To bargain collectively with the representatives of less than a majority of the employer's employees in a collective bargaining unit, or to enter into an all–union agreement except in the manner provided in par. (c).

SECTION 1787. 111.06 (1) (i) of the statutes is amended to read:

111.06 **(1)** (i) To deduct labor organization dues or assessments from an employee's earnings, unless the employer has been presented with an individual order therefor, signed by the employee personally, and terminable at the end of any year of its life by the employee giving to the employer at least 30 days' written notice

of the termination~~. This paragraph applies to the extent permitted under federal law~~ unless there is an all–union agreement in effect. The employer shall give notice to the labor organization of receipt of a notice of termination.

SECTION 1788. 111.31 (1) of the statutes is amended to read:

111.31 **(1)** The legislature finds that the practice of unfair discrimination in employment against properly qualified individuals by reason of their age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, gender expression, gender identity, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious matters or political matters, substantially and adversely affects the general welfare of the state. Employers, labor organizations, employment agencies, and licensing agencies that deny employment opportunities and discriminate in employment against properly qualified individuals solely because of their age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, gender expression, gender identity, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious matters or political matters, deprive those individuals of the earnings that are necessary to maintain a just and decent standard of living.

SECTION 1789. 111.31 (1) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

111.31 **(1)** The legislature finds that the practice of unfair discrimination in employment against properly qualified individuals by reason of their age, race,

creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, gender expression, gender identity, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious matters or political matters, substantially and adversely affects the general welfare of the state. Employers, labor organizations, employment agencies, and licensing agencies that deny employment opportunities and discriminate in employment against properly qualified individuals solely because of their age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, gender expression, gender identity, arrest record, conviction record, military service, status as a holder or nonholder of a license under s. 343.03 (3r), use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious matters or political matters, deprive those individuals of the earnings that are necessary to maintain a just and decent standard of living.

SECTION 1790. 111.31 (2) of the statutes is amended to read:

111.31 **(2)** It is the intent of the legislature to protect by law the rights of all individuals to obtain gainful employment and to enjoy privileges free from employment discrimination because of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, gender expression, gender identity, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious matters or political matters, and to encourage the full, nondiscriminatory utilization of the

productive resources of the state to the benefit of the state, the family, and all the people of the state. It is the intent of the legislature in promulgating this subchapter to encourage employers to evaluate an employee or applicant for employment based upon the individual qualifications of the employee or applicant rather than upon a particular class to which the individual may belong.

SECTION 1791. 111.31 (2) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

111.31 **(2)** It is the intent of the legislature to protect by law the rights of all individuals to obtain gainful employment and to enjoy privileges free from employment discrimination because of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, gender expression, gender identity, arrest record, conviction record, military service, status as a holder or nonholder of a license under s. 343.03 (3r), use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious matters or political matters, and to encourage the full, nondiscriminatory utilization of the productive resources of the state to the benefit of the state, the family, and all the people of the state. It is the intent of the legislature in promulgating this subchapter to encourage employers to evaluate an employee or applicant for employment based upon the individual qualifications of the employee or applicant rather than upon a particular class to which the individual may belong.

SECTION 1792. 111.31 (3) of the statutes is amended to read:

111.31 **(3)** In the interpretation and application of this subchapter, and otherwise, it is declared to be the public policy of the state to encourage and foster to the fullest extent practicable the employment of all properly qualified individuals

regardless of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, gender expression, gender identity, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious matters or political matters. Nothing in this subsection requires an affirmative action program to correct an imbalance in the work force. This subchapter shall be liberally construed for the accomplishment of this purpose.

SECTION 1793. 111.31 (3) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

111.31 **(3)** In the interpretation and application of this subchapter, and otherwise, it is declared to be the public policy of the state to encourage and foster to the fullest extent practicable the employment of all properly qualified individuals regardless of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, gender expression, gender identity, arrest record, conviction record, military service, status as a holder or nonholder of a license under s. 343.03 (3r), use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious matters or political matters. Nothing in this subsection requires an affirmative action program to correct an imbalance in the work force. This subchapter shall be liberally construed for the accomplishment of this purpose.

SECTION 1794. 111.32 (7j) of the statutes is created to read:

111.32 **(7j)** "Gender expression" means an individual's actual or perceived gender–related appearance, behavior, or expression, regardless of whether these traits are stereotypically associated with the individual's assigned sex at birth.

SECTION 1795. 111.32 (7k) of the statutes is created to read:

111.32 **(7k)** "Gender identity" means an individual's internal understanding of the individual's gender, or the individual's perceived gender identity.

SECTION 1796. 111.32 (9m) of the statutes is created to read:

111.32 **(9m)** "Lawful product" includes marijuana.

SECTION 1797. 111.32 (11m) of the statutes is created to read:

111.32 **(11m)** "Marijuana" means all parts of the plants of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, including tetrahydrocannabinols.

SECTION 1798. 111.32 (12) of the statutes is amended to read:

111.32 **(12)** "Marital status" means the status of being married, single, divorced, separated, or ~~widowed~~ a surviving spouse.

SECTION 1799. 111.321 of the statutes is amended to read:

111.321 Prohibited bases of discrimination. Subject to ss. 111.33 to 111.365, no employer, labor organization, employment agency, licensing agency, or other person may engage in any act of employment discrimination as specified in s. 111.322 against any individual on the basis of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, gender expression, gender identity, arrest record, conviction record, military service, use or nonuse of lawful products off the employer's premises during nonworking hours, or declining

to attend a meeting or to participate in any communication about religious matters or political matters.

SECTION 1800. 111.321 of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

111.321 Prohibited bases of discrimination. Subject to ss. 111.33 to 111.365, no employer, labor organization, employment agency, licensing agency, or other person may engage in any act of employment discrimination as specified in s. 111.322 against any individual on the basis of age, race, creed, color, disability, marital status, sex, national origin, ancestry, sexual orientation, gender expression, gender identity, arrest record, conviction record, military service, status as a holder or nonholder of a license under s. 343.03 (3r), use or nonuse of lawful products off the employer's premises during nonworking hours, or declining to attend a meeting or to participate in any communication about religious matters or political matters.

SECTION 1801. 111.322 (2m) (a) of the statutes is amended to read:

111.322 **(2m)** (a) The individual files a complaint or attempts to enforce any right under s. 103.02, 103.10, 103.11, 103.13, 103.28, 103.32, 103.34, 103.455, 103.50, 104.12, 109.03, 109.07, 109.075, 146.997, or 995.55, or ss. 101.58 to 101.599 or 103.64 to 103.82.

SECTION 1802. 111.322 (2m) (b) of the statutes is amended to read:

111.322 **(2m)** (b) The individual testifies or assists in any action or proceeding held under or to enforce any right under s. 103.02, 103.10, 103.11, 103.13, 103.28, 103.32, 103.34, 103.455, 103.50, 104.12, 109.03, 109.07, 109.075, 146.997, or 995.55, or ss. 101.58 to 101.599 or 103.64 to 103.82.

SECTION 1803. 111.322 (2m) (c) of the statutes is created to read:

111.322 **(2m)** (c) The individual files a complaint or attempts to enforce a right under s. 66.0903, 103.49, or 229.8275 or testifies or assists in any action or proceeding under s. 66.0903, 103.49, or 229.8275.

SECTION 1804. 111.335 (3) (a) of the statutes is renumbered 111.335 (3) (ar).

SECTION 1805. 111.335 (3) (ae) of the statutes is created to read:

111.335 **(3)** (ae) 1. Employment discrimination because of conviction record includes, but is not limited to, requesting an applicant, employee, member, licensee, or any other individual, on an application form or otherwise, to supply information regarding a crime the record of which has been expunged under s. 973.015. A request to supply information regarding criminal convictions shall not be construed as a request to supply information regarding a crime the record of which has been expunged under s. 973.015.

2. Notwithstanding par. (ar) 1., it is employment discrimination because of conviction record for an employer or licensing agency to engage in any act of employment discrimination specified in s. 111.322 on the basis of a conviction the record of which has been expunged under s. 973.015. This subdivision does not apply to the extent that its application conflicts with federal law.

SECTION 1806. 111.335 (3) (ag) of the statutes is created to read:

111.335 **(3)** (ag) 1. Employment discrimination because of conviction record includes a prospective employer requesting an applicant for employment, on an application form or otherwise, to supply information regarding the conviction record of the applicant, or otherwise inquiring into or considering the conviction record of an applicant for employment, before the applicant has been selected for an interview by the prospective employer.

2. Subdivision 1. does not prohibit a prospective employer from notifying applicants for employment that, subject to this section and ss. 111.321 and 111.322, an individual with a particular conviction record may be disqualified by law or under the employer's policies from employment in particular positions.

SECTION 1807. 111.335 (4) (b) of the statutes is amended to read:

111.335 **(4)** (b) It is employment discrimination because of conviction record for a licensing agency to refuse to license any individual under sub. (3) ~~(a)~~ (ar) 1. or to bar or terminate an individual from licensing under sub. (3) ~~(a)~~ (ar) 1. because the individual was adjudicated delinquent under ch. 938 for an offense other than an exempt offense.

SECTION 1808. 111.335 (4) (c) 1. (intro.) of the statutes is amended to read:

111.335 **(4)** (c) 1. (intro.) If a licensing agency refuses to license an individual under sub. (3) ~~(a)~~ (ar) 1. or bars or terminates an individual from licensing under sub. (3) ~~(a)~~ (ar) 1., the licensing agency shall, subject to subd. 2., do all of the following:

SECTION 1809. 111.335 (4) (e) of the statutes is amended to read:

111.335 **(4)** (e) A state licensing agency that may refuse to license individuals under sub. (3) ~~(a)~~ (ar) 1. or that may bar or terminate an individual from licensure under sub. (3) ~~(a)~~ (ar) 1. shall publish on the agency's Internet site a document indicating the offenses or kinds of offenses that may result in such a refusal, bar, or termination.

SECTION 1810. 111.335 (4) (f) 1. of the statutes is amended to read:

111.335 **(4)** (f) 1. A state licensing agency that may refuse to license individuals under sub. (3) ~~(a)~~ (ar) 1. or that may bar or terminate individuals from licensing under sub. (3) ~~(a)~~ (ar) 1. shall allow an individual who does not possess a license to, without submitting a full application and without paying the fees applicable to

applicants, apply to the agency for a determination of whether the individual would be disqualified from obtaining the license due to his or her conviction record.

SECTION 1811. 111.35 (2) (e) of the statutes is amended to read:

111.35 **(2)** (e) Conflicts with any federal or state statute, rule or regulation. This paragraph does not apply with respect to violations concerning marijuana or tetrahydrocannabinols under 21 USC 841 to 865.

SECTION 1812. 111.36 (title) of the statutes is amended to read:

111.36 (title) **Sex, sexual orientation, gender expression, gender identity; exceptions and special cases.**

SECTION 1813. 111.36 (1) (br) of the statutes is amended to read:

111.36 **(1)** (br) Engaging in harassment that consists of unwelcome verbal or physical conduct directed at another individual because of that individual's gender, gender expression, or gender identity, other than the conduct described in par. (b), and that has the purpose or effect of creating an intimidating, hostile or offensive work environment or has the purpose or effect of substantially interfering with that individual's work performance. Under this paragraph, substantial interference with an employee's work performance or creation of an intimidating, hostile or offensive work environment is established when the conduct is such that a reasonable person under the same circumstances as the employee would consider the conduct sufficiently severe or pervasive to interfere substantially with the person's work performance or to create an intimidating, hostile or offensive work environment.

SECTION 1814. 111.36 (1) (c) of the statutes is amended to read:

111.36 **(1)** (c) Discriminating against any ~~woman~~ individual on the basis of pregnancy, childbirth, ~~maternity~~ parental leave or related medical conditions by

engaging in any of the actions prohibited under s. 111.322, including, but not limited to, actions concerning fringe benefit programs covering illnesses and disability.

SECTION 1815. 111.36 (1) (d) 1. of the statutes is amended to read:

111.36 **(1)** (d) 1. ~~For any employer, labor organization, licensing agency or employment agency or other person to refuse~~ Refusing to hire, employ, admit or license~~, or to bar or terminate~~ any individual; barring or terminating from employment, membership, or licensure any individual~~,~~; or ~~to discriminate~~ discriminating against ~~an~~ any individual in promotion, in compensation, or in the terms, conditions, or privileges of employment because of the individual's sexual orientation,; ~~or~~ gender expression, or gender identity.

SECTION 1816. 111.36 (1) (d) 2. of the statutes is amended to read:

111.36 **(1)** (d) 2. ~~For any employer, labor organization, licensing agency or employment agency or other person to discharge~~ Discharging or otherwise ~~discriminate~~ discriminating against any person because ~~he or she~~ the person has opposed any discriminatory practices under this paragraph or because ~~he or she~~ the person has made a complaint, testified or assisted in any proceeding under this paragraph.

SECTION 1817. 111.36 (4) of the statutes is created to read:

111.36 **(4)** Notwithstanding s. 111.322, it is not employment discrimination for an employer to require an employee to adhere to reasonable workplace appearance, grooming, and dress standards not precluded by other provisions of state or federal law, provided that an employer shall allow an employee to appear or dress consistently with the employee's gender identity or gender expression.

SECTION 1818. 111.39 (4) (b) of the statutes is amended to read:

111.39 **(4)** (b) If the department finds probable cause to believe that any discrimination has been or is being committed, that unfair honesty testing has occurred or is occurring or that unfair genetic testing has occurred or is occurring, it may endeavor to eliminate the practice by conference, conciliation or persuasion. If the department does not eliminate the discrimination, unfair honesty testing or unfair genetic testing, the department shall issue and serve a written notice of hearing, specifying the nature of the discrimination that appears to have been committed or unfair honesty testing or unfair genetic testing that has occurred, and requiring the person named, in this section called the "respondent", to answer the complaint at a hearing before an examiner. The notice shall specify a time of hearing not less than 30 days after service of the complaint, and a place of hearing ~~within either the county of the respondent's residence or the county in which the discrimination, unfair honesty testing or unfair genetic testing appears to have occurred~~. The department shall designate the place of hearing, which may include a remote, web–based, or in–person hearing in a location accessible and in proximity to the parties. The testimony at the hearing shall be recorded or taken down by a reporter appointed by the department.

SECTION 1819. 111.39 (4) (d) of the statutes is amended to read:

111.39 **(4)** (d) The department shall serve a certified copy of the findings and order on the respondent, the order to have the same force as other orders of the department and be enforced as provided in s. 103.005. The department shall also serve a certified copy of the findings and order on the complainant, together with a notice advising the complainant about the right to seek, and the time for seeking, review by the commission under sub. (5); about the right to bring, and the time for bringing, an action for judicial review under s. 111.395; and about the right to bring,

and the time for bringing, an action under s. 111.397 (1) (a). Any person aggrieved by noncompliance with the order may have the order enforced specifically by suit in equity. If the examiner finds that the respondent has not engaged in discrimination, unfair honesty testing, or unfair genetic testing as alleged in the complaint, the ~~department shall serve a certified~~ copy of the examiner's findings served on the complainant~~, together with~~ shall be accompanied by an order dismissing the complaint.

SECTION 1820. 111.39 (5) (b) of the statutes is amended to read:

111.39 **(5)** (b) If ~~no petition is filed~~ the respondent or complainant does not file a petition under par. (a) within 21 days from the date that a copy of the findings and order of the examiner is ~~mailed to the last–known address of the respondent~~ served on that party, the findings and order shall be considered final for purposes of enforcement under sub. (4) (d). If a timely petition is filed, the commission, on review, may either affirm, reverse, or modify the findings or order in whole or in part~~,~~ or set aside the findings and order and remand to the department for further proceedings. Such actions shall be based on a review of the evidence submitted. If the commission is satisfied that a respondent or complainant has been prejudiced because of exceptional delay in the receipt of a copy of any findings and order ~~it~~, the commission may extend the time another 21 days for filing the petition with the department.

SECTION 1821. 111.39 (5) (d) of the statutes is created to read:

111.39 **(5)** (d) The commission shall serve a certified copy of the commission's decision on the respondent. The commission shall also serve a certified copy of the commission's decision on the complainant, together with a notice advising the complainant about the right to bring, and the time for bringing, an action for judicial

review under s. 111.395 and about the right to bring, and the time for bringing, an action under s. 111.397 (1) (a).

SECTION 1822. 111.397 of the statutes is created to read:

111.397 Civil action. (1) (a) Except as provided in this paragraph, the department or an individual alleged or found to have been discriminated against or subjected to unfair honesty testing or unfair genetic testing may bring an action in circuit court requesting the relief described in sub. (2) (a) against an employer, labor organization, or employment agency that is alleged or found to have engaged in that discrimination, unfair honesty testing, or unfair genetic testing. The department or an individual alleged or found to have been discriminated against or subjected to unfair honesty testing or unfair genetic testing may not bring an action under this paragraph against a local governmental unit, as defined in s. 19.42 (7u), or against an employer, labor organization, or employment agency that employs fewer than 15 individuals for each working day in each of 20 or more calendar weeks in the current or preceding year.

(b) If a petition for judicial review of the findings and order of the commission concerning the same violation as the violation giving rise to the action under par. (a) is filed, the circuit court shall consolidate the proceeding for judicial review and the action under par. (a).

(c) An individual alleged or found to have been discriminated against or subjected to unfair honesty testing or unfair genetic testing is not required to file a complaint under s. 111.39 or seek review under s. 111.395 in order for the department or the individual to bring an action under par. (a).

(d) An action under par. (a) shall be commenced within 300 days after the alleged discrimination, unfair honesty testing, or unfair genetic testing occurred.

(2) (a) Subject to pars. (b) and (c), in an action under sub. (1) (a), if the circuit court finds that discrimination, unfair honesty testing, or unfair genetic testing has occurred, or if such a finding has been made by an examiner or the commission and not been further appealed, the circuit court may order any relief that an examiner would be empowered to order under s. 111.39 (4) (c) after a hearing on a complaint filed under s. 111.39. In addition, the circuit court shall order the defendant to pay to the individual discriminated against or subjected to unfair honesty testing or unfair genetic testing any other compensatory damages, and punitive damages under s. 895.043 that the circuit court or jury finds appropriate, plus reasonable costs and attorney fees incurred in the action. If any relief was ordered under s. 111.39 or 111.395, the circuit court shall specify whether the relief ordered under this paragraph is in addition to or replaces the relief ordered under s. 111.39 or 111.395. The sum of the amount of compensatory damages for future economic losses and for pain and suffering, emotional distress, mental anguish, loss of enjoyment of life, and other noneconomic losses and the amount of punitive damages that a circuit court may order may not exceed the following:

1. In the case of a defendant that employs 100 or fewer employees for each working day in each of 20 or more calendar weeks in the current or preceding year, $50,000.

2. In the case of a defendant that employs more than 100 but fewer than 201 employees for each working day in each of 20 or more calendar weeks in the current or preceding year, $100,000.

3. In the case of a defendant that employs more than 200 but fewer than 501 employees for each working day in each of 20 or more calendar weeks in the current or preceding year, $200,000.

4. In the case of a defendant that employs more than 500 employees for each working day in each of 20 or more calendar weeks in the current or preceding year, $300,000.

(b) If the circuit court orders a payment under par. (a) because of a violation of s. 111.321, 111.37, or 111.372 by an individual employed by an employer, the employer of that individual is liable for the payment.

(c) 1. In this paragraph, "consumer price index" means the average of the consumer price index for all urban consumers, U.S. city average, as determined by the bureau of labor statistics of the federal department of labor.

2. Except as provided in this subdivision, beginning on July 1, 2022, and on each July 1 after that, the department shall adjust the amounts specified in par. (a) 1., 2., 3., and 4. by calculating the percentage difference between the consumer price index for the 12–month period ending on December 31 of the preceding year and the consumer price index for the 12–month period ending on December 31 of the year before the preceding year and adjusting those amounts by that percentage difference. The department shall publish the adjusted amounts calculated under this subdivision in the Wisconsin Administrative Register, and the adjusted amounts shall apply to actions commenced under sub. (1) (a) beginning on July 1 of the year of publication. This subdivision does not apply if the consumer price index for the 12–month period ending on December 31 of the preceding year did not increase over the consumer price index for the 12–month period ending on December 31 of the year before the preceding year.

SECTION 1823. 111.70 (1) (a) of the statutes is amended to read:

111.70 **(1)** (a) "Collective bargaining" means the performance of the mutual obligation of a municipal employer, through its officers and agents, and the

representative of its municipal employees in a collective bargaining unit, to meet and confer at reasonable times, in good faith, with the intention of reaching an agreement, or to resolve questions arising under such an agreement, with respect to wages, hours, and conditions of employment for public safety employees ~~or~~, for transit employees ~~and~~, or for municipal employees in a collective bargaining unit that contains a frontline worker; with respect to wages for general municipal employees~~,~~ who are in a collective bargaining unit that does not contain a frontline worker; and with respect to a requirement of the municipal employer for a municipal employee to perform law enforcement and fire fighting services under s. 60.553, 61.66, or 62.13 (2e), except as provided in sub. (4) (mb) and (mc) and s. 40.81 (3) and except that a municipal employer shall not meet and confer with respect to any proposal to diminish or abridge the rights guaranteed to any public safety employees under ch. 164. Collective bargaining includes the reduction of any agreement reached to a written and signed document.

SECTION 1824. 111.70 (1) (f) of the statutes is amended to read:

111.70 **(1)** (f) "Fair–share agreement" means an agreement between a municipal employer and a labor organization that represents public safety employees ~~or~~, transit employees, or a frontline worker under which all or any of the public safety employees or transit employees in the collective bargaining unit or all or any of the employees in a collective bargaining unit containing a frontline worker are required to pay their proportionate share of the cost of the collective bargaining process and contract administration measured by the amount of dues uniformly required of all members.

SECTION 1825. 111.70 (1) (fd) of the statutes is created to read:

111.70 **(1)** (fd) "Frontline worker" means a municipal employee who is determined to be a frontline worker under sub. (4) (bm) 2.

SECTION 1826. 111.70 (1) (fm) of the statutes is amended to read:

111.70 **(1)** (fm) "General municipal employee" means a municipal employee who is not a public safety employee ~~or,~~ a transit employee, or a frontline worker.

SECTION 1827. 111.70 (1) (n) of the statutes is amended to read:

111.70 **(1)** (n) "Referendum" means a proceeding conducted by the commission in which public safety employees or transit employees in a collective bargaining unit or municipal employees in a collective bargaining unit containing a frontline worker may cast a secret ballot on the question of authorizing a labor organization and the employer to continue a fair–share agreement.

SECTION 1828. 111.70 (1) (p) of the statutes is amended to read:

111.70 **(1)** (p) "Transit employee" means a municipal employee who is determined to be a transit employee under sub. (4) (bm) 1.

SECTION 1829. 111.70 (2) of the statutes is renumbered 111.70 (2) (a) and amended to read:

111.70 **(2)** (a) Municipal employees have the right of self–organization, and the right to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in lawful, concerted activities for the purpose of collective bargaining or other mutual aid or protection. Municipal employees have the right to refrain from any and all such activities. A general municipal employee may not be covered by a fair–share agreement unless the general municipal employee is in a collective bargaining unit containing a frontline worker. Unless the general municipal employee is covered by a fair–share agreement, a general municipal employee has the right to refrain from paying dues

while remaining a member of a collective bargaining unit. A public safety employee ~~or,~~ a transit employee, ~~however,~~ or a municipal employee in a collective bargaining unit containing a frontline worker may be covered by a fair–share agreement and be required to pay dues in the manner provided in ~~a~~ the fair–share agreement; a fair–share agreement ~~covering a public safety employee or a transit employee~~ must contain a provision requiring the municipal employer to deduct the amount of dues as certified by the labor organization from the earnings of the employee affected by the fair–share agreement and to pay the amount deducted to the labor organization. A fair–share agreement ~~covering a public safety employee or transit employee~~ is subject to the right of the municipal employer or a labor organization to petition the commission to conduct a referendum. Such petition must be supported by proof that at least 30 percent of the employees in the collective bargaining unit desire that the fair–share agreement be terminated. Upon so finding, the commission shall conduct a referendum. If the continuation of the agreement is not supported by at least the majority of the eligible employees, it shall terminate. The commission shall declare any fair–share agreement suspended upon such conditions and for such time as the commission decides whenever it finds that the labor organization involved has refused on the basis of race, color, sexual orientation, gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k), creed, or sex to receive as a member any ~~public safety employee or transit~~ eligible municipal employee ~~of the municipal employer~~ in the bargaining unit involved, and such agreement is subject to this duty of the commission. Any of the parties to such agreement or any ~~public safety employee or transit~~ municipal employee covered by the agreement may come before the commission, as provided in s. 111.07, and ask the performance of this duty.

SECTION 1830. 111.70 (2) (b) of the statutes is created to read:

111.70 **(2)** (b) General municipal employees who are not in a collective bargaining unit containing a frontline worker have the right to have their municipal employer consult with them, through a representative of their own choosing, with no intention of reaching an agreement, with respect to wages, hours, and conditions of employment. The right may be exercised when the municipal employer proposes or implements policy changes affecting wages, hours, or conditions of employment or, if no policy changes are proposed or implemented, at least quarterly.

SECTION 1831. 111.70 (3) (a) 3. of the statutes is amended to read:

111.70 **(3)** (a) 3. To encourage or discourage a membership in any labor organization by discrimination in regard to hiring, tenure, or other terms or conditions of employment; but the prohibition shall not apply to a fair–share agreement ~~that covers public safety employees or transit employees~~.

SECTION 1832. 111.70 (3) (a) 5. of the statutes is amended to read:

111.70 **(3)** (a) 5. To violate any collective bargaining agreement previously agreed upon by the parties with respect to wages, hours, and conditions of employment affecting public safety employees ~~or,~~ transit employees, or municipal employees in a collective bargaining unit containing a frontline worker, including an agreement to arbitrate questions arising as to the meaning or application of the terms of a collective bargaining agreement or to accept the terms of such arbitration award, where previously the parties have agreed to accept such award as final and binding upon them or to violate any collective bargaining agreement affecting a collective bargaining unit containing only general municipal employees, that was previously agreed upon by the parties with respect to wages.

SECTION 1833. 111.70 (3) (a) 6. of the statutes is amended to read:

111.70 **(3)** (a) 6. To deduct labor organization dues from the earnings of a public safety employee ~~or,~~ a transit employee, or a municipal employee who is in a collective bargaining unit containing a frontline worker unless the municipal employer has been presented with an individual order therefor, signed by the employee personally, and terminable by at least the end of any year of its life or earlier by the ~~public safety employee or transit~~ municipal employee giving at least 30 days' written notice of such termination to the municipal employer and to the representative organization, except when a fair–share agreement is in effect.

SECTION 1834. 111.70 (3) (a) 9. of the statutes is amended to read:

111.70 **(3)** (a) 9. If the collective bargaining unit contains a public safety employee ~~or,~~ transit employee, or frontline worker, after a collective bargaining agreement expires and before another collective bargaining agreement takes effect, to fail to follow any fair–share agreement in the expired collective bargaining agreement.

SECTION 1835. 111.70 (3g) of the statutes is amended to read:

111.70 **(3g)** WAGE DEDUCTION PROHIBITION. A municipal employer may not deduct labor organization dues from the earnings of a general municipal employee, unless the general municipal employee is in a collective bargaining unit that contains a frontline worker, or from the earnings of a supervisor.

SECTION 1836. 111.70 (4) (bm) (title) of the statutes is amended to read:

111.70 **(4)** (bm) (title) *Transit employee or frontline worker determination.*

SECTION 1837. 111.70 (4) (bm) of the statutes is renumbered 111.70 (4) (bm) 1.

SECTION 1838. 111.70 (4) (bm) 2. of the statutes is created to read:

111.70 **(4)** (bm) 2. The commission shall determine that a municipal employee is a frontline worker if the commission finds that the municipal employee has regular

job duties that include interacting with members of the public or with large populations of people or that directly involve the maintenance of public works. The commission may not determine that a public safety employee or a transit employee is a frontline worker.

SECTION 1839. 111.70 (4) (cg) (title), 1., 2., 3., 4. and 5. of the statutes are amended to read:

111.70 **(4)** (cg) (title) *Methods for peaceful settlement of disputes; transit employees and municipal employees in a collective bargaining unit containing a frontline worker.* 1. 'Notice of commencement of contract negotiations.' To advise the commission of the commencement of contract negotiations involving a collective bargaining unit containing transit employees or a collective bargaining unit containing a frontline worker, whenever either party requests the other to reopen negotiations under a binding collective bargaining agreement, or the parties otherwise commence negotiations if no collective bargaining agreement exists, the party requesting negotiations shall immediately notify the commission in writing. Upon failure of the requesting party to provide notice, the other party may provide notice to the commission. The notice shall specify the expiration date of the existing collective bargaining agreement, if any, and shall provide any additional information the commission may require on a form provided by the commission.

2. 'Presentation of initial proposals; open meetings.' The meetings between parties to a collective bargaining agreement or proposed collective bargaining agreement under this subchapter that involve a collective bargaining unit containing a transit employee or a frontline worker and that are held to present initial bargaining proposals, along with supporting rationale, are open to the public. Each party shall submit its initial bargaining proposals to the other party in writing.

Failure to comply with this subdivision does not invalidate a collective bargaining agreement under this subchapter.

3. 'Mediation.' The commission or its designee shall function as mediator in labor disputes involving transit employees or municipal employees in a collective bargaining unit containing a frontline worker upon request of one or both of the parties, or upon initiation of the commission. The function of the mediator is to encourage voluntary settlement by the parties. No mediator has the power of compulsion.

4. 'Grievance arbitration.' Parties to a dispute pertaining to the meaning or application of the terms of a written collective bargaining agreement involving a collective bargaining unit containing a transit employee or a frontline worker may agree in writing to have the commission or any other appropriate agency serve as arbitrator or may designate any other competent, impartial, and disinterested person to serve as an arbitrator.

5. 'Voluntary impasse resolution procedures.' In addition to the other impasse resolution procedures provided in this paragraph, a municipal employer that employs a transit employee or a municipal employee in a collective bargaining unit containing a frontline worker and a labor organization may at any time, as a permissive subject of bargaining, agree in writing to a dispute settlement procedure, including binding interest arbitration, which is acceptable to the parties for resolving an impasse over terms of any collective bargaining agreement under this subchapter. The parties shall file a copy of the agreement with the commission. If the parties agree to any form of binding interest arbitration, the arbitrator shall give weight to the factors enumerated under subds. 7. and 7g.

SECTION 1840. 111.70 (4) (cg) 6. a. of the statutes is amended to read:

111.70 **(4)** (cg) 6. a. If, in any collective bargaining unit containing transit employees or a frontline worker, a dispute has not been settled after a reasonable period of negotiation and after mediation by the commission under subd. 3. and other settlement procedures, if any, established by the parties have been exhausted, and the parties are deadlocked with respect to any dispute between them over wages, hours, or conditions of employment to be included in a new collective bargaining agreement, either party, or the parties jointly, may petition the commission, in writing, to initiate compulsory, final, and binding arbitration, as provided in this paragraph. At the time the petition is filed, the petitioning party shall submit in writing to the other party and the commission its preliminary final offer containing its latest proposals on all issues in dispute. Within 14 calendar days after the date of that submission, the other party shall submit in writing its preliminary final offer on all disputed issues to the petitioning party and the commission. If a petition is filed jointly, both parties shall exchange their preliminary final offers in writing and submit copies to the commission when the petition is filed.

SECTION 1841. 111.70 (4) (cg) 7r. d., e. and f. of the statutes are amended to read:

111.70 **(4)** (cg) 7r. d. Comparison of wages, hours, and conditions of employment of the ~~transit~~ municipal employees involved in the arbitration proceedings with the wages, hours, and conditions of employment of other employees performing similar services.

e. Comparison of the wages, hours, and conditions of employment of the ~~transit~~ municipal employees involved in the arbitration proceedings with the wages, hours, and conditions of employment of other employees generally in public employment in the same community and in comparable communities.

f. Comparison of the wages, hours, and conditions of employment of the ~~transit~~ municipal employees involved in the arbitration proceedings with the wages, hours, and conditions of employment of other employees in private employment in the same community and in comparable communities.

SECTION 1842. 111.70 (4) (cg) 7r. h. of the statutes is amended to read:

111.70 **(4)** (cg) 7r. h. The overall compensation presently received by the ~~transit~~ municipal employees involved in the arbitration proceedings, including direct wage compensation, vacation, holidays, and excused time, insurance and pensions, medical and hospitalization benefits, the continuity and stability of employment, and all other benefits received.

SECTION 1843. 111.70 (4) (cg) 8m. of the statutes is amended to read:

111.70 **(4)** (cg) 8m. 'Term of agreement; reopening of negotiations.' Except for the initial collective bargaining agreement between the parties and except as the parties otherwise agree, every collective bargaining agreement covering transit employees or a frontline worker shall be for a term of 2 years, but in no case may a collective bargaining agreement for any collective bargaining unit ~~consisting of transit employees~~ subject to this paragraph be for a term exceeding 3 years. No arbitration award involving transit employees or a frontline worker may contain a provision for reopening of negotiations during the term of a collective bargaining agreement, unless both parties agree to such a provision. The requirement for agreement by both parties does not apply to a provision for reopening of negotiations with respect to any portion of an agreement that is declared invalid by a court or administrative agency or rendered invalid by the enactment of a law or promulgation of a federal regulation.

SECTION 1844. 111.70 (4) (d) 1. of the statutes is amended to read:

111.70 **(4)** (d) 1. A representative chosen for the purposes of collective bargaining by a majority of the ~~public safety employees or transit~~ municipal employees voting in a collective bargaining unit shall be the exclusive representative of all employees in the unit for the purpose of collective bargaining. ~~A representative chosen for the purposes of collective bargaining by at least 51 percent of the general municipal employees in a collective bargaining unit shall be the exclusive representative of all employees in the unit for the purpose of collective bargaining.~~ Any individual employee, or any minority group of employees in any collective bargaining unit, shall have the right to present grievances to the municipal employer in person or through representatives of their own choosing, and the municipal employer shall confer with the employee in relation thereto, if the majority representative has been afforded the opportunity to be present at the conferences. Any adjustment resulting from these conferences may not be inconsistent with the conditions of employment established by the majority representative and the municipal employer.

SECTION 1845. 111.70 (4) (d) 2. a. of the statutes is amended to read:

111.70 **(4)** (d) 2. a. The commission shall determine the appropriate collective bargaining unit for the purpose of collective bargaining and shall whenever possible avoid fragmentation by maintaining as few collective bargaining units as practicable in keeping with the size of the total municipal workforce. The commission may decide whether, in a particular case, the municipal employees in the same or several departments, divisions, institutions, crafts, professions, or other occupational groupings constitute a collective bargaining unit. Before making its determination, the commission may provide an opportunity for the municipal employees concerned to determine, by secret ballot, whether they desire to be established as a separate

collective bargaining unit. The commission may not decide, however, that any group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both professional employees and nonprofessional employees, unless a majority of the professional employees vote for inclusion in the unit. The commission may not decide that any group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both school district employees and general municipal employees who are not school district employees. The commission may not ~~decide that any group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both public safety employees and general municipal employees, if the group includes both transit employees and general municipal employees, or if the group includes both transit employees and public safety employees~~ place public safety employees in a collective bargaining unit with employees who are not public safety employees or place transit employees in a collective bargaining unit with employees who are not transit employees. The commission may place frontline workers in a collective bargaining unit with municipal employees who are not frontline workers if the commission determines it is appropriate; if the commission places in a collective bargaining unit frontline workers and municipal employees who are not frontline workers, the collective bargaining unit is treated as if all employees in the collective bargaining unit are frontline workers. The commission may not decide that any group of municipal employees constitutes an appropriate collective bargaining unit if the group includes both craft employees and noncraft employees unless a majority of the craft employees vote for inclusion in the unit. The commission shall place the professional employees who are assigned to perform any services at a charter school, as defined in s. 115.001 (1), in a separate collective bargaining unit from a unit that

includes any other professional employees whenever at least 30 percent of those professional employees request an election to be held to determine that issue and a majority of the professional employees at the charter school who cast votes in the election decide to be represented in a separate collective bargaining unit.

SECTION 1846. 111.70 (4) (d) 3. a. and c. of the statutes are consolidated and renumbered 111.70 (4) (d) 3.

SECTION 1847. 111.70 (4) (d) 3. b. of the statutes is repealed.

SECTION 1848. 111.70 (4) (mb) (intro.) of the statutes is amended to read:

111.70 **(4)** (mb) *Prohibited subjects of bargaining; general municipal employees.* (intro.) The municipal employer is prohibited from bargaining collectively with a collective bargaining unit containing ~~a~~ only general municipal ~~employee~~ employees with respect to any of the following:

SECTION 1849. 111.70 (4) (mbb) of the statutes is amended to read:

111.70 **(4)** (mbb) *Consumer price index change.* For purposes of determining compliance with par. (mb), the commission shall provide, upon request, to a municipal employer or to any representative of a collective bargaining unit containing ~~a~~ only general municipal ~~employee~~ employees, the consumer price index change during any 12–month period. The commission may get the information from the department of revenue.

SECTION 1850. 111.70 (4) (p) of the statutes is amended to read:

111.70 **(4)** (p) *Permissive subjects of collective bargaining; public safety ~~and~~ employees, transit employees, and municipal employees in a collective bargaining unit containing a frontline worker.* A municipal employer is not required to bargain with public safety employees ~~or,~~ transit employees, or municipal employees in a collective bargaining unit containing a frontline worker on subjects reserved to

management and direction of the governmental unit except insofar as the manner of exercise of such functions affects the wages, hours, and conditions of employment of the public safety employees ~~or~~ in a collective bargaining unit, of the transit employees in a collective bargaining unit, or of the municipal employees in the collective bargaining unit containing a frontline worker, whichever is appropriate.

SECTION 1851. 111.70 (7m) (c) 1. a. of the statutes is amended to read:

111.70 **(7m)** (c) 1. a. Any labor organization that represents public safety employees ~~or,~~ transit employees, or a frontline worker which violates sub. (4) (L) may not collect any dues under a collective bargaining agreement or under a fair–share agreement from any employee covered by either agreement for a period of one year. At the end of the period of suspension, any such agreement shall be reinstated unless the labor organization is no longer authorized to represent the ~~public safety employees or transit~~ municipal employees covered by the collective bargaining agreement or fair–share agreement or the agreement is no longer in effect.

SECTION 1852. 111.81 (1) of the statutes is renumbered 111.81 (1s) and amended to read:

111.81 **(1s)** "Collective bargaining" means the performance of the mutual obligation of the state as an employer, by its officers and agents, and the representatives of its employees, to meet and confer at reasonable times, in good faith, with respect to the subjects of bargaining provided in s. 111.91 (1), ~~with respect to~~ for public safety employees, with respect to the subjects of bargaining provided in s. 111.91 (1w) for employees in a collective bargaining unit containing a frontline worker, and with respect to the subjects of bargaining provided in s. 111.91 (3), ~~with respect to~~ for general employees who are in a collective bargaining unit that does not contain a frontline worker, with the intention of reaching an agreement, or to resolve

questions arising under such an agreement. The duty to bargain, however, does not compel either party to agree to a proposal or require the making of a concession. Collective bargaining includes the reduction of any agreement reached to a written and signed document.

SECTION 1853. 111.81 (1d) of the statutes is created to read:

111.81 **(1d)** "Authority" means a body created under subch. II of ch. 114 or ch. 231, 232, 233, 234, 237, 238, or 279.

SECTION 1854. 111.81 (7) (ag) of the statutes is created to read:

111.81 **(7)** (ag) An employee of an authority.

SECTION 1855. 111.81 (8) of the statutes is amended to read:

111.81 **(8)** "Employer" means the state of Wisconsin and includes an authority.

SECTION 1856. 111.81 (9) of the statutes is amended to read:

111.81 **(9)** "Fair–share agreement" means an agreement between the employer and a labor organization representing public safety employees or a frontline worker under which all of the public safety employees in the collective bargaining unit or all of the employees in a collective bargaining unit containing a frontline worker are required to pay their proportionate share of the cost of the collective bargaining process and contract administration measured by the amount of dues uniformly required of all members.

SECTION 1857. 111.81 (9b) of the statutes is created to read:

111.81 **(9b)** "Frontline worker" means an employee who is determined to be a frontline worker under s. 111.817.

SECTION 1858. 111.81 (9g) of the statutes is amended to read:

111.81 **(9g)** "General employee" means an employee who is not a public safety employee or a frontline worker.

SECTION 1859. 111.81 (12) (intro.) of the statutes is amended to read:

111.81 **(12)** (intro.) "Labor organization" means any employee organization whose purpose is to represent employees in collective bargaining with the employer, or its agents, on matters that are subject to collective bargaining under s. 111.91 (1), (1w), or (3), whichever is applicable; but the term shall not include any organization:

SECTION 1860. 111.81 (12) (b) of the statutes is amended to read:

111.81 **(12)** (b) Which discriminates with regard to the terms or conditions of membership because of race, color, creed, sex, age, sexual orientation, gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k), or national origin.

SECTION 1861. 111.81 (12m) of the statutes is amended to read:

111.81 **(12m)** "Maintenance of membership agreement" means an agreement between the employer and a labor organization representing public safety employees or a frontline worker which requires that all of the public safety employees or employees who are in a collective bargaining unit containing a frontline worker whose dues are being deducted from earnings under s. 20.921 (1) or 111.84 (1) (f) at the time the agreement takes effect shall continue to have dues deducted for the duration of the agreement, and that dues shall be deducted from the earnings of all ~~public safety~~ such employees who are hired on or after the effective date of the agreement.

SECTION 1862. 111.81 (16) of the statutes is amended to read:

111.81 **(16)** "Referendum" means a proceeding conducted by the commission in which public safety employees in a collective bargaining unit or all employees in a collective bargaining unit containing a frontline worker may cast a secret ballot on the question of directing the labor organization and the employer to enter into a

fair–share or maintenance of membership agreement or to terminate such an agreement.

SECTION 1863. 111.815 (1) of the statutes is amended to read:

111.815 **(1)** In the furtherance of this subchapter, the state shall be considered as a single employer and employment relations policies and practices throughout the state service shall be as consistent as practicable. The division shall negotiate and administer collective bargaining agreements. To coordinate the employer position in the negotiation of agreements, the division shall maintain close liaison with the legislature relative to the negotiation of agreements and the fiscal ramifications of those agreements. Except with respect to the collective bargaining units specified in s. 111.825 (1r) and (1t), the division is responsible for the employer functions of the executive branch under this subchapter, and shall coordinate its collective bargaining activities with operating state agencies on matters of agency concern and with operating authorities on matters of authority concern. The legislative branch shall act upon those portions of tentative agreements negotiated by the division that require legislative action. With respect to the collective bargaining units specified in s. 111.825 (1r), the Board of Regents of the University of Wisconsin System is responsible for the employer functions under this subchapter. With respect to the collective bargaining units specified in s. 111.825 (1t), the chancellor of the University of Wisconsin–Madison is responsible for the employer functions under this subchapter. With respect to the collective bargaining unit specified in s. 111.825 (1r) (ef), the governing board of the charter school established by contract under s. 118.40 (2r) (cm), 2013 stats., is responsible for the employer functions under this subchapter.

SECTION 1864. 111.817 of the statutes is created to read:

111.817 Duty of commission; determination of frontline workers. The commission shall determine that an employee is a frontline worker if the commission finds that the employee has regular job duties that include interacting with members of the public or with large populations of people or that directly involve the maintenance of public works. The commission may not determine that a public safety employee is a frontline worker.

SECTION 1865. 111.82 of the statutes is renumbered 111.82 (1) and amended to read:

111.82 **(1)** Employees have the right of self–organization and the right to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing under this subchapter, and to engage in lawful, concerted activities for the purpose of collective bargaining or other mutual aid or protection. Employees also have the right to refrain from any or all of such activities. A general employee may not be covered by a fair–share agreement unless the general employee is in a collective bargaining unit containing a frontline worker. Unless the general employee is covered by a fair–share agreement, a general employee has the right to refrain from paying dues while remaining a member of a collective bargaining unit.

SECTION 1866. 111.82 (2) of the statutes is created to read:

111.82 **(2)** General employees who are not in a collective bargaining unit containing a frontline worker have the right to have their employer consult with them, through a representative of their own choosing, with no intention of reaching an agreement, with respect to wages, hours, and conditions of employment. The right may be exercised when the employer proposes or implements policy changes affecting wages, hours, or conditions of employment or, if no policy changes are proposed or implemented, at least quarterly.

SECTION 1867. 111.825 (1) (intro.) of the statutes is amended to read:

111.825 **(1)** (intro.) It is the legislative intent that in order to foster meaningful collective bargaining, units must be structured in such a way as to avoid excessive fragmentation whenever possible. In accordance with this policy, collective bargaining units for employees in the classified service of the state and for employees of authorities are structured on a statewide basis with one collective bargaining unit for each of the following occupational groups:

SECTION 1868. 111.825 (3) of the statutes is amended to read:

111.825 **(3)** The commission shall assign employees to the appropriate collective bargaining units set forth in subs. (1), (1r), (1t), and (2). The commission may place frontline workers in a collective bargaining unit with employees who are not frontline workers if the commission determines it is appropriate; if the commission places in a collective bargaining unit frontline workers and employees who are not frontline workers, the collective bargaining unit is treated as if all employees in the collective bargaining unit are frontline workers and may bargain as provided in s. 111.91 (1w).

SECTION 1869. 111.825 (5) of the statutes is amended to read:

111.825 **(5)** Although supervisors are not considered employees for purposes of this subchapter, the commission may consider a petition for a statewide collective bargaining unit of professional supervisors or a statewide unit of nonprofessional supervisors in the classified service, but the representative of supervisors may not be affiliated with any labor organization representing employees. For purposes of this subsection, affiliation does not include membership in a national, state, county or municipal federation of national or international labor organizations. The certified representative of supervisors who are not public safety employees or

frontline workers may not bargain collectively with respect to any matter other than wages as provided in s. 111.91 (3), ~~and~~ the certified representative of supervisors who are public safety employees may not bargain collectively with respect to any matter other than wages and fringe benefits as provided in s. 111.91 (1), and the certified representative of supervisors who are frontline workers may bargain as provided in s. 111.91 (1w).

SECTION 1870. 111.83 (1) of the statutes is amended to read:

111.83 **(1)** Except as provided in sub. (5), a ~~representative chosen for the purposes of collective bargaining by at least 51 percent of the general employees in a collective bargaining unit shall be the exclusive representative of all of the employees in such unit for the purposes of collective bargaining. A~~ representative chosen for the purposes of collective bargaining by a majority of the ~~public safety~~ employees voting in a collective bargaining unit shall be the exclusive representative of all of the employees in such unit for the purposes of collective bargaining. Any individual employee, or any minority group of employees in any collective bargaining unit, may present grievances to the employer in person, or through representatives of their own choosing, and the employer shall confer with the employee or group of employees in relation thereto if the majority representative has been afforded the opportunity to be present at the conference. Any adjustment resulting from such a conference may not be inconsistent with the conditions of employment established by the majority representative and the employer.

SECTION 1871. 111.83 (3) (a) of the statutes is renumbered 111.83 (3).

SECTION 1872. 111.83 (3) (b) of the statutes is repealed.

SECTION 1873. 111.83 (4) of the statutes is amended to read:

111.83 **(4)** Whenever an election has been conducted under sub. (3) ~~(a)~~ in which the name of more than one proposed representative appears on the ballot and results in no conclusion, the commission may, if requested by any party to the proceeding within 30 days from the date of the certification of the results of the election, conduct a runoff election. In that runoff election, the commission shall drop from the ballot the name of the representative who received the least number of votes at the original election. The commission shall drop from the ballot the privilege of voting against any representative if the least number of votes cast at the first election was against representation by any named representative.

SECTION 1874. 111.84 (1) (d) of the statutes is amended to read:

111.84 **(1)** (d) To refuse to bargain collectively on matters set forth in s. 111.91 (1), (1w), or (3), whichever is appropriate, with a representative of a majority of its employees in an appropriate collective bargaining unit. Where the employer has a good faith doubt as to whether a labor organization claiming the support of a majority of its employees in appropriate collective bargaining unit does in fact have that support, it may file with the commission a petition requesting an election as to that claim. It is not deemed to have refused to bargain until an election has been held and the results thereof certified to it by the commission. A violation of this paragraph includes, but is not limited to, the refusal to execute a collective bargaining agreement previously orally agreed upon.

SECTION 1875. 111.84 (1) (f) of the statutes is amended to read:

111.84 **(1)** (f) To deduct labor organization dues from the earnings of a public safety employee or an employee who is in a collective bargaining unit containing a frontline worker, unless the employer has been presented with an individual order therefor, signed by the ~~public safety~~ employee personally, and terminable by at least

the end of any year of its life or earlier by the ~~public safety~~ employee giving at least 30 but not more than 120 days' written notice of such termination to the employer and to the representative labor organization, except if there is a fair–share or maintenance of membership agreement in effect. The employer shall give notice to the labor organization of receipt of such notice of termination.

SECTION 1876. 111.84 (2) (c) of the statutes is amended to read:

111.84 **(2)** (c) To refuse to bargain collectively on matters set forth in s. 111.91 (1), (1w), or (3), whichever is appropriate, with the duly authorized officer or agent of the employer which is the recognized or certified exclusive collective bargaining representative of employees specified in s. 111.81 (7) (a) or (ag) in an appropriate collective bargaining unit or with the certified exclusive collective bargaining representative of employees specified in s. 111.81 (7) (ar) to (f) in an appropriate collective bargaining unit. Such refusal to bargain shall include, but not be limited to, the refusal to execute a collective bargaining agreement previously orally agreed upon.

SECTION 1877. 111.85 (1) of the statutes is amended to read:

111.85 **(1)** (a) No fair–share or maintenance of membership agreement ~~covering public safety employees~~ under this subchapter may become effective unless authorized by a referendum. The commission shall order a referendum whenever it receives a petition supported by proof that at least 30 percent of the public safety employees in a collective bargaining unit or at least 30 percent of the employees in a collective bargaining unit containing a frontline worker desire that a fair–share or maintenance of membership agreement be entered into between the employer and a labor organization. A petition may specify that a referendum is requested on a

maintenance of membership agreement only, in which case the ballot shall be limited to that question.

(b) For a fair–share agreement to be authorized, at least two–thirds of the eligible public safety employees voting in a referendum shall vote in favor of the agreement or at least two–thirds of the employees in a collective bargaining unit containing a frontline worker shall vote in favor of the agreement. For a maintenance of membership agreement to be authorized, at least a majority of the eligible public safety employees voting in a referendum shall vote in favor of the agreement or at least a majority of the employees in a collective bargaining unit containing a frontline worker shall vote in favor of the agreement. In a referendum on a fair–share agreement, if less than two–thirds but more than one–half of the eligible ~~public safety~~ employees vote in favor of the agreement, a maintenance of membership agreement is authorized.

(c) If a fair–share or maintenance of membership agreement is authorized in a referendum ordered under par. (a), the employer shall enter into such an agreement with the labor organization named on the ballot in the referendum. Each fair–share or maintenance of membership agreement shall contain a provision requiring the employer to deduct the amount of dues as certified by the labor organization from the earnings of the ~~public safety~~ employees affected by the agreement and to pay the amount so deducted to the labor organization. Unless the parties agree to an earlier date, the agreement shall take effect 60 days after certification by the commission that the referendum vote authorized the agreement. The employer shall be held harmless against any claims, demands, suits and other forms of liability made by ~~public safety~~ the employees affected by the agreement or by local labor organizations which may arise for actions taken by the employer in

compliance with this section. All such lawful claims, demands, suits, and other forms of liability are the responsibility of the labor organization entering into the agreement.

(d) Under each fair–share or maintenance of membership agreement, ~~a public safety~~ an employee affected by the agreement who has religious convictions against dues payments to a labor organization based on teachings or tenets of a church or religious body of which he or she is a member shall, on request to the labor organization, have his or her dues paid to a charity mutually agreed upon by the ~~public safety~~ employee and the labor organization. Any dispute concerning this paragraph may be submitted to the commission for adjudication.

SECTION 1878. 111.85 (2) of the statutes is amended to read:

111.85 **(2)** (a) Once authorized under sub. (1), a fair–share or maintenance of membership agreement ~~covering public safety employees~~ shall continue in effect, subject to the right of the employer or labor organization concerned to petition the commission to conduct a new referendum. Such petition must be supported by proof that at least 30 percent of the public safety employees in the collective bargaining unit or at least 30 percent of the employees in a collective bargaining unit containing a frontline worker desire that the fair–share or maintenance of membership agreement be discontinued. Upon so finding, the commission shall conduct a new referendum. If the continuance of the fair–share or maintenance of membership agreement is approved in the referendum by at least the percentage of eligible voting ~~public safety~~ employees required for its initial authorization, it shall be continued in effect, subject to the right of the employer or labor organization to later initiate a further vote following the procedure prescribed in this subsection. If the continuation of the agreement is not supported in any referendum, it ~~is deemed~~

~~terminated~~ terminates at the termination of the collective bargaining agreement, or one year from the date of the certification of the result of the referendum, whichever is earlier.

(b) The commission shall declare any fair–share or maintenance of membership agreement suspended upon such conditions and for such time as the commission decides whenever it finds that the labor organization involved has refused on the basis of race, color, sex, sexual orientation, gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k), or creed to receive as a member any ~~public safety~~ employee in the collective bargaining unit involved, and the agreement shall be made subject to the findings and orders of the commission. Any of the parties to the agreement, or any ~~public safety~~ employee covered thereby, may come before the commission, as provided in s. 111.07, and petition the commission to make such a finding.

SECTION 1879. 111.85 (4) of the statutes is amended to read:

111.85 **(4)** The commission may, under rules adopted for that purpose, appoint as its agent an official of a state agency or authority whose ~~public safety~~ employees are entitled to vote in a referendum to conduct a referendum ~~provided for herein~~ under this section.

SECTION 1880. 111.86 (2) of the statutes is amended to read:

111.86 **(2)** The division shall charge a state department ~~or,~~ agency, or authority the employer's share of the cost related to grievance arbitration under sub. (1) for any arbitration that involves one or more employees of the state department ~~or,~~ agency, or authority. Each state department ~~or,~~ agency, or authority so charged shall pay the amount that the division charges from the appropriation account or accounts used

to pay the salary of the grievant. Funds received under this subsection shall be credited to the appropriation account under s. 20.505 (1) (ks).

SECTION 1881. 111.88 (1) of the statutes is amended to read:

111.88 **(1)** If a dispute has not been settled after a reasonable period of negotiation and after the settlement procedures, if any, established by the parties have been exhausted, the representative which has been certified by the commission after an election, or, in the case of a representative of employees specified in s. 111.81 (7) (a) or (ag), has been duly recognized by the employer, as the exclusive representative of employees in an appropriate collective bargaining unit, and the employer, its officers and agents, after a reasonable period of negotiation, are deadlocked with respect to any dispute between them arising in the collective bargaining process, the parties jointly, may petition the commission, in writing, to initiate fact–finding under this section, and to make recommendations to resolve the deadlock.

SECTION 1882. 111.90 (1) of the statutes is amended to read:

111.90 **(1)** Carry out the statutory mandate and goals assigned to a state agency or authority by the most appropriate and efficient methods and means and utilize personnel in the most appropriate and efficient manner possible.

SECTION 1883. 111.90 (2) of the statutes is amended to read:

111.90 **(2)** Manage the employees of a state agency or authority; hire, promote, transfer, assign or retain employees in positions within the agency or authority; and in that regard establish reasonable work rules.

SECTION 1884. 111.91 (1w) of the statutes is created to read:

111.91 **(1w)** (a) Except as provided in pars. (b) and (c), with regard to a collective bargaining unit that contains at least one frontline worker, matters subject to

collective bargaining to the point of impasse are wage rates, consistent with sub. (2), the assignment and reassignment of classifications to pay ranges, determination of an incumbent's pay status resulting from position reallocation or reclassification, and pay adjustments upon temporary assignment of classified employees to duties of a higher classification or downward reallocations of a classified employee's position; fringe benefits consistent with sub. (2); hours and conditions of employment.

(b) With regard to a collective bargaining unit that contains at least one frontline worker, the employer is not required to bargain on management rights under s. 111.90, except that procedures for the adjustment or settlement of grievances or disputes arising out of any type of disciplinary action referred to in s. 111.90 (3) shall be a subject of bargaining.

(c) The employer is prohibited from bargaining on matters contained in sub. (2) with a collective bargaining unit that contains at least one frontline worker.

SECTION 1885. 111.91 (2) (intro.) of the statutes is amended to read:

111.91 **(2)** (intro.) The employer is prohibited from bargaining with a collective bargaining unit under s. 111.825 (1) (g) or with a collective bargaining unit that contains a frontline worker with respect to all of the following:

SECTION 1886. 111.91 (3) (intro.) of the statutes is amended to read:

111.91 **(3)** (intro.) The employer is prohibited from bargaining with a collective bargaining unit containing ~~a~~ only general ~~employee~~ employees with respect to any of the following:

SECTION 1887. 111.91 (3q) of the statutes is amended to read:

111.91 **(3q)** For purposes of determining compliance with sub. (3), the commission shall provide, upon request, to the employer or to any representative of

a collective bargaining unit containing ~~a~~ only general ~~employee~~ employees, the consumer price index change during any 12–month period. The commission may get the information from the department of revenue.

SECTION 1888. 111.91 (4) of the statutes is amended to read:

111.91 **(4)** The administrator of the division, in connection with the development of tentative collective bargaining agreements to be submitted under s. 111.92 (1) (a) 1., shall endeavor to obtain tentative agreements with each recognized or certified labor organization representing employees or supervisors of employees specified in s. 111.81 (7) (a) or (ag) and with each certified labor organization representing employees specified in s. 111.81 (7) (b) to (e) which do not contain any provision for the payment to any employee of a cumulative or noncumulative amount of compensation in recognition of or based on the period of time an employee has been employed by the state.

SECTION 1889. 111.92 (3) (a) of the statutes is amended to read:

111.92 **(3)** (a) Agreements covering a collective bargaining unit specified under s. 111.825 (1) (g) or a collective bargaining unit containing a frontline worker shall coincide with the fiscal year or biennium.

SECTION 1890. 111.92 (3) (b) of the statutes is amended to read:

111.92 **(3)** (b) No agreements covering a collective bargaining unit containing ~~a~~ only general ~~employee~~ employees may be for a period that exceeds one year, and each agreement must coincide with the fiscal year. Agreements covering a collective bargaining unit containing ~~a~~ only general ~~employee~~ employees may not be extended.

SECTION 1891. 111.93 (3) (a) of the statutes is amended to read:

111.93 **(3)** (a) If a collective bargaining agreement exists between the employer and a labor organization representing employees in a collective bargaining unit

under s. 111.825 (1) (g) or in a collective bargaining unit containing a frontline worker, the provisions of that agreement shall supersede the provisions of civil service and other applicable statutes, ~~as well as~~ rules and policies of the University of Wisconsin–Madison and the board of regents of the University of Wisconsin System, and policies or determinations of an authority, that are related to wages, fringe benefits, hours, and conditions of employment, whether or not the matters contained in those statutes, rules, ~~and~~ policies, and determinations are set forth in the collective bargaining agreement.

SECTION 1892. 111.93 (3) (b) of the statutes is amended to read:

111.93 **(3)** (b) If a collective bargaining agreement exists between the employer and a labor organization representing only general employees in a collective bargaining unit, the provisions of that agreement shall supersede the provisions of civil service and other applicable statutes, as well as rules and policies of the board of regents of the University of Wisconsin System, related to wages, whether or not the matters contained in those statutes, rules, and policies are set forth in the collective bargaining agreement.

SECTION 1893. 114.09 (2) (bm) 1. (intro.) of the statutes is amended to read:

114.09 **(2)** (bm) 1. (intro.) Except as provided in subd. 1. a. or b., the court shall order the person violating sub. (1) (b) 1. or 1m. to submit to and comply with an assessment by an approved public treatment facility as defined in s. 51.45 (2) (c) for examination of the person's use of alcohol, tetrahydrocannabinols, controlled substances, or controlled substance analogs and development of an airman safety plan for the person. The court shall notify the person, the department, and the proper federal agency of the assessment order. The assessment order shall:

SECTION 1894. 114.09 (2) (bm) 4. of the statutes is amended to read:

114.09 **(2)** (bm) 4. The assessment report shall order compliance with an airman safety plan. The report shall inform the person of the fee provisions under s. 46.03 (18) (f). The safety plan may include a component that makes the person aware of the effect of his or her offense on a victim and a victim's family. The safety plan may include treatment for the person's misuse, abuse, or dependence on alcohol, tetrahydrocannabinols, controlled substances, or controlled substance analogs. If the plan requires inpatient treatment, the treatment shall not exceed 30 days. An airman safety plan under this paragraph shall include a termination date consistent with the plan that shall not extend beyond one year. The county department under s. 51.42 shall assure notification of the department of transportation and the person of the person's compliance or noncompliance with assessment and treatment.

SECTION 1895. 114.138 of the statutes is created to read:

114.138 Airport sound mitigation. (1) The department shall develop and administer an airport sound mitigation grant program.

(2) From the appropriation under s. 20.395 (4) (fa), the department shall award grants for airport sound mitigation projects that mitigate the impact of airport sound on structures located near airports that include a military base or installation. The department shall prescribe the form, nature, and extent of information that shall be contained in applications for grants under this subsection and shall establish criteria for evaluating applications and for awarding grants under this subsection. The department shall give highest priority in awarding grants under this subsection to projects involving schools and child care centers and secondary priority to projects involving private residences. A project that is eligible for participation in an airport sound mitigation project under a federal airport sound mitigation grant is not eligible for a grant under this subsection.

(3) If the department does not receive an application for a grant under sub. (2) for 2 consecutive fiscal years, the program shall be terminated.

SECTION 1896. 115.28 (7) (b) of the statutes is amended to read:

115.28 **(7)** (b) Subject to the same rules and laws concerning qualifications of applicants and granting and revocation of licenses or certificates under par. (a), the state superintendent shall grant certificates and licenses to teachers in private schools and tribal schools, except that teaching experience requirements for such certificates and licenses may be fulfilled by teaching experience in public, private, or tribal schools. An applicant is not eligible for a license or certificate unless the state superintendent finds that the private school or tribal school in which the applicant taught offered an adequate educational program during the period of the applicant's teaching therein. ~~Private~~ Except as provided under ss. 115.7915 (2) (i), 118.60 (2) (a) 6m., and 119.23 (2) (a) 6m., private schools are not obligated to employ only licensed or certified teachers.

SECTION 1897. 115.28 (10m) of the statutes is repealed.

SECTION 1898. 115.28 (10o) of the statutes is repealed.

SECTION 1899. 115.28 (28) of the statutes is created to read:

115.28 **(28)** RECOLLECTION WISCONSIN. Annually distribute the amount appropriated under s. 20.255 (3) (dg) to Wisconsin Library Services, Inc., to support the digitization of historic materials in public libraries throughout the state.

SECTION 1900. 115.28 (45) of the statutes is amended to read:

115.28 **(45)** GRANTS FOR BULLYING PREVENTION. From the appropriation under s. 20.255 (3) (eb), beginning in the 2021–22 school year, annually award ~~grants~~ a grant to ~~a~~ the nonprofit organization~~, as defined in s. 108.02 (19),~~ that received a grant under this subsection in the 2019–20 and 2020–21 school years to provide

training and an online bullying prevention curriculum for pupils in grades kindergarten to 8.

SECTION 1901. 115.28 (54s) of the statutes is created to read:

115.28 **(54s)** CLIMATE CHANGE; MODEL ACADEMIC STANDARDS. If the state superintendent adopts model academic standards for any of the following subjects, incorporate an understanding of climate, the interconnected nature of climate change, the potential local and global impacts of climate change, and individual and societal actions that may mitigate the harmful effects of climate change into the model academic standards for that subject:

(a) Science.

(b) Mathematics.

(c) Social studies.

(d) English language arts.

(e) Agriculture.

(f) Food and natural resources.

(g) Environmental literacy and sustainability.

(h) Nutrition education.

SECTION 1902. 115.28 (63) (d) of the statutes is created to read:

115.28 **(63)** (d) Social and emotional learning.

SECTION 1903. 115.28 (66) of the statutes is created to read:

115.28 **(66)** GENERAL EDUCATIONAL DEVELOPMENT TEST FEE PAYMENTS. (a) Subject to pars. (b) and (c), from the appropriation under s. 20.255 (3) (bm), pay to GED Testing Service LLC the $30 testing service fee for an eligible individual who takes a content area test given under the general educational development test. In this

subsection, "eligible individual" means an individual who satisfies all of the following conditions before taking the content area test:

1. The individual meets the eligibility requirements promulgated by the department by rule for a high school equivalency diploma or certificate of general educational development.

2. The individual takes and receives a passing score on a practice test for the content area that is developed by GED Testing Service LLC.

(b) For each eligible individual under par. (a), pay for no more than one testing service fee for each content area test taken in a calendar year.

(c) Pay the testing service fee for a content area test under par. (a) only if the eligible individual takes the test on or after January 1, 2022, at a testing site in Wisconsin that is approved by the state superintendent.

SECTION 1904. 115.28 (67) of the statutes is created to read:

115.28 **(67)** REPORT ON HOMELESS CHILDREN AND YOUTHS. Annually, submit to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), a report on the number of homeless children and youths, as defined in 42 USC 11434a (2), in the public schools of this state.

SECTION 1905. 115.28 (68) of the statutes is created to read:

115.28 **(68)** CITY YEAR MILWAUKEE. Annually distribute the amounts appropriated under s. 20.255 (3) (fv) to City Year, Inc., to support City Year Milwaukee.

SECTION 1906. 115.341 of the statutes is amended to read:

115.341 School breakfast program. (1) From the appropriation under s. 20.255 (2) (cm), the state superintendent shall reimburse each school board, each operator of a charter school under s. 118.40 (2r) or (2x), each operator of a residential

care center for children and youth, as defined in s. 115.76 (14g), the director of the program under s. 115.52, and the director of the center under s. 115.525 15 cents for each breakfast served at a school, as defined in 7 CFR 220.2, that meets the requirements of 7 CFR 220.8 ~~or 220.8a, whichever is applicable,~~ and shall reimburse each governing body of a private school or tribal school 15 cents for each breakfast served at the private school or tribal school that meets the requirements of 7 CFR 220.8 ~~or 220.8a, whichever is applicable~~.

(2) If the appropriation under s. 20.255 (2) (cm) in any fiscal year is insufficient to pay the full amount of aid under this section, the state superintendent shall prorate state aid payments among the school boards, operators, directors, and governing bodies ~~of private schools and tribal schools~~ entitled to the aid under sub. (1).

SECTION 1907. 115.341 (3) of the statutes is created to read:

115.341 **(3)** Notwithstanding sub. (1), the state superintendent may not reimburse the operator of a charter school under s. 118.40 (2r) or (2x), the operator of a residential care center for children and youth, as defined in s. 115.76 (14g), the director of the program under s. 115.52, the director of the center under s. 115.525, or the governing body of a private or tribal school for any breakfasts served at a school, as defined in 7 CFR 220.2, during the prior school year if the school ceased operations during that prior school year.

SECTION 1908. 115.342 of the statutes is created to read:

115.342 Supplemental nutrition aid. (1) DEFINITIONS. In this section:

(a) "Educational agency" means a school board, an operator of a charter school under s. 118.40 (2r) or (2x), a private school, a tribal school, an operator of a residential care center for children and youth, as defined in s. 115.76 (14g), the

director of the program under s. 115.52, and the director of the center under s. 115.525.

(b) "Eligible pupil" means a pupil who satisfies the income eligibility criteria for a reduced–price lunch under 42 USC 1758 (b) (1) (A).

(c) "Federal school breakfast program" means the program under 42 USC 1773.

(d) "Federal school lunch program" means the program under 42 USC 1751 to 1769j.

(e) "Reimbursement amount" means the national average payment rate for a school meal, as announced by the food and nutrition service of the federal department of agriculture in the federal register.

(f) "School meal" means a school lunch made available under the federal school lunch program, a meal supplement made available under the federal school lunch program, or a breakfast made available under the federal school breakfast program.

(2) ELIGIBILITY. An educational agency is eligible for payments under this section if the educational agency does not charge eligible pupils for school meals.

(3) ANNUAL PAYMENT. From the appropriation under s. 20.255 (2) (co), in the 2021–22 school year and each school year thereafter, the state superintendent shall pay to each educational agency the sum of the following amounts:

(a) The number of school lunches the educational agency provided to eligible pupils under the federal school lunch program in the previous school year multiplied by the difference between the reimbursement amount in the previous school year for a school lunch provided to an eligible pupil and the reimbursement amount in the previous school year for a school lunch provided to a pupil who satisfies the income eligibility for a free lunch under the federal school lunch program.

(b) The number of breakfasts the educational agency provided to eligible pupils under the federal school breakfast program in the previous school year multiplied by the difference between the reimbursement amount in the previous school year for a breakfast provided to an eligible pupil and the reimbursement amount in the previous school year for a breakfast provided to a pupil who satisfies the income eligibility for a free breakfast under the federal school breakfast program.

(c) The number of meal supplements the educational agency provided to eligible pupils under the federal school lunch program in the previous school year multiplied by the difference between the reimbursement amount in the previous school year for a reduced–price meal supplement provided to an eligible pupil and the reimbursement amount in the previous school year for a meal supplement provided to a pupil who satisfies the income eligibility for a free meal supplement under the federal school lunch program.

SECTION 1909. 115.35 (1) of the statutes is renumbered 115.35 (1) (a) (intro.) and amended to read:

115.35 **(1)** (a) (intro.) A critical health problems education program is established in the department. The program shall be a systematic and integrated program designed to provide appropriate learning experiences based on scientific knowledge of the human organism as it functions within its environment and designed to favorably influence the health, understanding, attitudes and practices of the individual child which will enable him or her to adapt to changing health problems of our society. The program shall be designed to educate youth with regard to critical health problems and shall include, but not be limited to, the following topics as the basis for comprehensive education curricula in all elementary and secondary schools: ~~controlled~~

1. Controlled substances, as defined in s. 961.01 (4); controlled substance analogs, as defined in s. 961.01 (4m); alcohol; and tobacco~~; mental.~~

2. Mental health~~; sexually.~~

3. Sexually transmitted diseases, including acquired immunodeficiency syndrome~~; human.~~

4. Human growth and development~~; and.~~

5. Other related health and safety topics as determined by the department.

(b) Participation in the human growth and development topic of the curricula described in par. (a) shall be entirely voluntary. The department may not require a school board to use a specific human growth and development curriculum.

SECTION 1910. 115.3615 of the statutes is renumbered 49.39 and amended to read:

49.39 Head start supplement. From the appropriation under s. ~~20.255~~ 20.437 (2) (eh), the ~~state superintendent~~ secretary shall distribute funds to agencies determined by the ~~state superintendent~~ secretary to be eligible for designation as head start agencies under 42 USC 9836 to provide comprehensive health, educational, nutritional, social, and other services to economically disadvantaged children and their families. The ~~state superintendent~~ secretary shall distribute the funds in a manner consistent with 42 USC 9831 to 9852 except that there is no matching fund requirement. The ~~state superintendent~~ secretary shall give preference in funding under this section to agencies that are receiving federal funds under 42 USC 9831 to 9852 and to agencies that operate full–time or early head start programs. Funds distributed under this section may be used to match available federal funds under 42 USC 9831 to 9852 only if the funds are used to secure additional federal funds for the purposes under this section.

SECTION 1911. 115.363 (2) (b) of the statutes is amended to read:

115.363 **(2)** (b) The school board shall pay to each nonprofit corporation with which it contracts under par. (a) an amount that is no more than the amount paid per pupil under s. 118.40 (2r) (e) ~~2m., 2n., or 2p.~~ 2q. in the current school year multiplied by the number of pupils participating in the program under the contract.

SECTION 1912. 115.364 (title) of the statutes is amended to read:

115.364 (title) ~~**Aid for school mental**~~ **Mental health** ~~**programs**~~ **and pupil wellness aid.**

SECTION 1913. 115.364 (1) (intro.) of the statutes is renumbered 115.364 (1) and amended to read:

115.364 **(1)** In this section~~:~~, "pupil services professional" means a school counselor, school social worker, school psychologist, or school nurse.

SECTION 1914. 115.364 (1) (a), (am), and (b) of the statutes are repealed.

SECTION 1915. 115.364 (2) (a) (intro.) and 1. of the statutes are consolidated, renumbered 115.364 (2) (a) and amended to read:

115.364 **(2)** (a) Beginning in the ~~2018–19~~ 2021–22 school year and annually thereafter, the state superintendent shall ~~do all of the following: 1. Subject~~, subject to par. (b), from the appropriation under s. 20.255 (2) (da), ~~pay to an eligible~~ reimburse a school ~~district~~ board, the operator of a charter school established under s. 118.40 (2r) or (2x), or the governing body of a private school participating in a program under s. 118.60 or 119.23 for an amount equal to ~~50 percent of the amount by which the school district increased its~~ expenditures made by the school board, operator, or governing body in the preceding school year to employ, hire, or retain ~~social workers over the amount it expended in the school year immediately preceding~~

~~the preceding school year to employ, hire, or retain social workers~~ pupil services professionals.

SECTION 1916. 115.364 (2) (a) 2. and 3. of the statutes are repealed.

SECTION 1917. 115.364 (2) (b) 1. of the statutes is renumbered 115.364 (2) (b) and amended to read:

115.364 **(2)** (b) If the appropriation under s. 20.255 (2) (da) in any fiscal year is insufficient to pay the full amount of aid under par. (a), the state superintendent shall prorate state aid payments among the school ~~districts, private schools, and independent charter schools~~ boards, operators of charter schools established under s. 118.40 (2r) and (2x), and governing bodies of private schools participating in programs under ss. 118.60 and 119.23 that are eligible for the aid.

SECTION 1918. 115.364 (2) (b) 2. of the statutes is repealed.

SECTION 1919. 115.367 (1) of the statutes is amended to read:

115.367 **(1)** GRANT PROGRAM. The department shall establish and administer a competitive program to award grants to school boards and operators of charter schools under s. 118.40 (2r) or (2x) for the purpose of collaborating with ~~community mental health agencies~~ mental health providers to provide mental health services to pupils. School boards and operators of charter schools under s. 118.40 (2r) and (2x) may apply for a grant under this section individually or as a consortium of school boards, charter schools, or both. For purposes of this subsection, a "consortium of school boards" includes a cooperative educational service agency.

SECTION 1920. 115.436 (2) (intro.) of the statutes is amended to read:

115.436 **(2)** (intro.) A school district is eligible for sparsity aid under this section if ~~it~~ the school district's membership in the previous school year divided by the school

district's area in square miles is less than 10 and the school district satisfies ~~all~~ one of the following criteria:

SECTION 1921. 115.436 (2) (b) of the statutes is created to read:

115.436 **(2)** (b) The school district's membership in the previous school year was greater than 745.

SECTION 1922. 115.436 (2) (c) of the statutes is repealed.

SECTION 1923. 115.436 (3) (a) of the statutes is renumbered 115.436 (3) (a) 1. and amended to read:

115.436 **(3)** (a) 1. Beginning in the 2018–19 school year, from the ~~appropriation~~ appropriations under s. 20.255 (2) (ae) and (r) and subject to par. (b), the department shall pay to each school district eligible for sparsity aid under sub. (2) (a) $400 multiplied by the school district's membership in the previous school year.

SECTION 1924. 115.436 (3) (a) 2. of the statutes is created to read:

115.436 **(3)** (a) 2. Beginning in the 2021–22 school year, from the appropriations under s. 20.255 (2) (ae) and (r) and subject to par. (b), the department shall pay to each school district eligible for sparsity aid under sub. (2) (b) $100 multiplied by the school district's membership in the previous school year.

SECTION 1925. 115.436 (3) (am) of the statutes is amended to read:

115.436 **(3)** (am) ~~Beginning in the 2017–18 school year, from~~ From the ~~appropriation~~ appropriations under s. 20.255 (2) (ae) and (r), the department shall, subject to par. (b), pay to each school district that received aid under this section in the previous school year but does not satisfy the number–of–pupils–per–square–mile requirement under sub. (2) ~~(a)~~ in the current school year 50 percent of the amount received by the school district under par. (a) 1. or 2. in the previous school year.

SECTION 1926. 115.436 (3) (b) of the statutes is amended to read:

115.436 **(3)** (b) If the ~~appropriation~~ total amount appropriated under s. 20.255 (2) (ae) and (r) in any fiscal year is insufficient to pay the full amount under pars. (a), (am), and (ap), the department shall prorate the payments among the school districts entitled to aid under this subsection.

SECTION 1927. 115.437 (1) of the statutes is renumbered 115.437 (1) (intro.) and amended to read:

115.437 **(1)** (intro.) In this section~~, "number~~:

(c) "Number of pupils enrolled" has the meaning given in s. 121.90 (1) (intro.) and includes 40 percent of the summer enrollment. "Number of pupils enrolled" does not include pupils described in the exception under s. 121.90 (1) ~~(f)~~ (g).

SECTION 1928. 115.437 (1) (a) of the statutes is created to read:

115.437 **(1)** (a) "Economically disadvantaged pupil" means a pupil that satisfies either the income eligibility criteria for a free or reduced–price lunch under 42 USC 1758 (b) (1) or other measures of poverty, as determined by the department.

SECTION 1929. 115.437 (1) (d) of the statutes is created to read:

115.437 **(1)** (d) "Rate of economically disadvantaged pupils" means the number of economically disadvantaged pupils enrolled in a school district divided by the number of pupils enrolled in the school district.

SECTION 1930. 115.437 (2) (a) of the statutes is renumbered 115.437 (2) (a) (intro.) and amended to read:

115.437 **(2)** (a) (intro.) ~~Except as provided in par. (b), annually~~ Annually, on the 4th Monday of March, the department shall pay to each school district an amount equal to the sum of all of the following:

1. The average of the number of pupils enrolled in the school district in the current and 2 preceding school years multiplied ~~by $75 in the 2013–14 school year, by $150 in the 2014–15 and 2015–16 school years, by $250 in the 2016–17 school year, by $450 in the 2017–18 school year, by $654 in the 2018–19 school year,~~ by ~~$679 and $63~~ $750 in the 2021–22 school year and in each school year thereafter.

(c) The department shall make the payments under this subsection from the appropriation under s. 20.255 (2) (aq).

SECTION 1931. 115.437 (2) (a) 2. of the statutes is created to read:

115.437 **(2)** (a) 2. In the 2021–22 school year and in each school year thereafter, the number of pupils enrolled in a school district multiplied by the school district's rate of economically disadvantaged pupils in the previous school year multiplied by $75.

SECTION 1932. 115.437 (2) (b) of the statutes is repealed.

SECTION 1933. 115.439 of the statutes is repealed.

SECTION 1934. 115.449 of the statutes is created to read:

115.449 Out-of-school time programs; grants. (1) Beginning in the 2022–23 school year, from the appropriation under s. 20.255 (2) (dk), the department shall award grants to school boards and organizations to support high–quality after–school programs and other out–of–school time programs that provide services to school–age children.

(2) The department shall award a grant under this section in an amount of not less than $80,000 and not more than $145,000 per school year and may award the grant for up to 5 school years. In each school year, the department shall award not less than 30 percent of all grant moneys to out–of–school time programs that serve pupils in the elementary grades.

(3) The department may promulgate rules to implement and administer this section.

SECTION 1935. 115.453 of the statutes is created to read:

115.453 Licenses to teach computer science; grant program. (1) In this section, "eligible employee" means a school district employee who holds a license or permit to teach issued by the department that does not authorize the employee to teach computer science.

(2) Beginning in the 2022–23 school year, the department shall award grants to school districts to provide assistance to eligible employees for the purpose of obtaining a license or permit that authorizes the eligible employee to teach computer science.

(3) In awarding grants under sub. (2), the department shall give priority to applications submitted by a school district that satisfies any of the following criteria:

(a) At least 50 percent of the school district's membership satisfy the income eligibility criteria for a free or reduced–price lunch under 42 USC 1758 (b) (1).

(b) At least 40 percent of the school district's membership identifies as a minority group pupil, as defined in s. 121.845 (2).

(4) The department may promulgate rules to establish and administer the program under this section

SECTION 1936. 115.457 of the statutes is created to read:

115.457 Energy efficiency projects; grants. (1) Beginning in the 2021–22 school year, the department shall award grants to school districts for energy efficiency projects in school buildings.

(2) In awarding grants under this section for the 2021–22 and 2022–23 school years, the department shall give preference to projects that relate to heating, ventilation, and air conditioning systems.

(3) The department, in consultation with the office of environmental justice, may promulgate rules to implement this section.

SECTION 1937. 115.76 (10) of the statutes is amended to read:

115.76 **(10)** "Local educational agency", except as otherwise provided, means the school district in which the child with a disability resides, the department of health services if the child with a disability resides in an institution or facility operated by the department of health services, or the department of corrections if the child with a disability resides in a ~~Type 1~~ juvenile correctional facility, as defined in s. 938.02 ~~(19)~~ (10p), or a Type 1 prison, as defined in s. 301.01 (5).

SECTION 1938. 115.76 (12) (a) 1. of the statutes is amended to read:

115.76 **(12)** (a) 1. A ~~biological~~ natural parent.

SECTION 1939. 115.76 (12) (a) 2. of the statutes is repealed.

SECTION 1940. 115.76 (12) (a) 3. of the statutes is repealed.

SECTION 1941. 115.76 (13) of the statutes is amended to read:

115.76 **(13)** "Person acting as a parent of a child" means a relative of the child or a private individual allowed to act as a parent of a child by the child's ~~biological~~ natural or adoptive parents or guardian, and includes the child's grandparent, neighbor, friend or private individual caring for the child with the explicit or tacit approval of the child's ~~biological~~ natural or adoptive parents or guardian. "Person acting as a parent of a child" does not include any person that receives public funds to care for the child if such funds exceed the cost of such care.

SECTION 1942. 115.77 (1) of the statutes is amended to read:

115.77 **(1)** In sub. (1m) (a) to (d), except as provided in s. 118.51 (12) ~~(b)~~, if a child with a disability is attending a public school in a nonresident school district under s. 118.50, 118.51, or 121.84 (1) (a) or (4), "local educational agency" means the school district that the child is attending.

SECTION 1943. 115.79 (1) (b) of the statutes is amended to read:

115.79 **(1)** (b) An educational placement is provided to implement a child's individualized education program. Except as provided in s. 118.51 (12) ~~(b)~~, if a child with a disability is attending a public school in a nonresident school district under s. 118.50, 118.51, or 121.84 (1) (a) or (4), the school board of the school district that the child is attending shall provide an educational placement for the child and shall pay tuition charges instead of the school district in which the child resides if required by the placement.

SECTION 1944. 115.7915 (1) (am) of the statutes is created to read:

115.7915 **(1)** (am) "Program cap" means the total number of children who attended eligible schools under the scholarship program under this section in the 2021–22 school year.

SECTION 1945. 115.7915 (2) (intro.) of the statutes is amended to read:

115.7915 **(2)** SCHOLARSHIP REQUIREMENTS. (intro.) Beginning in the 2016–17 school year, the department shall, subject to sub. (2m), provide to a child with a disability a scholarship under sub. (4m) (a) to attend an eligible school if all of the following apply:

SECTION 1946. 115.7915 (2) (b) of the statutes is amended to read:

115.7915 **(2)** (b) The governing body of the eligible school notified the department of its intent to participate in the program under this section as provided under sub. (3) (a).

SECTION 1947. 115.7915 (2) (cm) of the statutes is created to read:

115.7915 **(2)** (cm) For an eligible school that begins participating in the program under this section in the 2022–23 school year or any school year thereafter, the eligible school also participates in a parental choice program under s. 118.60 or 119.23 for the school year for which the scholarship is awarded.

SECTION 1948. 115.7915 (2) (f) of the statutes is amended to read:

115.7915 **(2)** (f) The child's parent or guardian on behalf of the child, or, for a child with a disability who has reached the age of 18 and has not been adjudicated incompetent, the child, submitted an application for a scholarship under this section as provided under sub. (3) (am) and on a form prepared by the department that includes the document developed by the department under sub. (4) to the eligible school that the child will attend. ~~A child's parent or guardian or a child with a disability who has reached the age of 18 may apply for a scholarship at any time during a school year and, subject to sub. (3) (b), a child may begin attending an eligible school under this section at any time during the school year.~~

SECTION 1949. 115.7915 (2) (g) of the statutes is repealed.

SECTION 1950. 115.7915 (2) (i) of the statutes is created to read:

115.7915 **(2)** (i) 1. Except as provided in subd. 2., beginning on July 1, 2024, all of the eligible school's teachers have a teaching license or permit issued by the department, except that a teacher employed by the eligible school who teaches only courses in rabbinical studies is not required to hold a license or permit to teach issued by the department.

2. Any teacher employed by the eligible school on July 1, 2024, who has been teaching for at least the 5 consecutive years immediately preceding July 1, 2024, and who does not satisfy the requirements under subd. 1. on July 1, 2024, applies to the

department on a form prepared by the department for a temporary, nonrenewable waiver from the requirements under subd. 1. The department shall promulgate rules to implement this subdivision, including the form of the application and the process by which the waiver application will be reviewed. The application form shall require the applicant to submit a plan for satisfying the requirements under subd. 1. No waiver granted under this subdivision is valid after July 1, 2029.

SECTION 1951. 115.7915 (2m) of the statutes is created to read:

115.7915 **(2m)** PROGRAM CAP. Beginning with the 2022–23 school year, the total number of children who may attend eligible schools under the scholarship program under this section during a school year may not exceed the program cap.

SECTION 1952. 115.7915 (3) (title) of the statutes is amended to read:

115.7915 **(3)** (title) PARTICIPATING SCHOOLS; ~~SELECTION OF PUPILS~~ APPLICATION PROCESS; WAITING LIST.

SECTION 1953. 115.7915 (3) (a) of the statutes is amended to read:

115.7915 **(3)** (a) The governing body of an eligible school that intends to participate in the program under this section shall notify the department of its intent by the first Monday in March of the previous school year. The governing body of the eligible school shall include in the notice under this paragraph the number of spaces the eligible school has available for children receiving a scholarship under this section.

SECTION 1954. 115.7915 (3) (am) of the statutes is created to read:

115.7915 **(3)** (am) The governing body of an eligible school that has submitted a notice of intent to participate under par. (a) may accept applications for scholarships under sub. (2) (f) for the following school year between the first weekday in April and the first Thursday in June.

SECTION 1955. 115.7915 (3) (b) of the statutes is repealed.

SECTION 1956. 115.7915 (3) (bm) of the statutes is amended to read:

115.7915 **(3)** (bm) Upon receipt of an application for a scholarship under ~~sub. (2) (f)~~ par. (am), the governing body of the eligible school shall determine whether the application satisfies the requirements under sub. (2), other than the requirement under sub. (2) (d), and shall request verification from the local education agency that developed the child's individualized education program or services plan that the child has an individualized education program or services plan in place that meets the requirement in sub. (2) (d). The governing body of the eligible school shall also notify the child's resident school board that, pending verification that the requirements of sub. (2) have been satisfied and subject to par. (d), the child will be awarded a scholarship under this section. The local education agency shall, within 5 business days of receiving a request under this paragraph, provide the governing body of the eligible school with a copy of the child's individualized education program or services plan.

SECTION 1957. 115.7915 (3) (c) of the statutes is amended to read:

115.7915 **(3)** (c) ~~The~~ By the 3rd Thursday in June immediately following the application period under par. (am), the governing body of ~~a private~~ an eligible school ~~participating in the program under this section~~ that received applications for scholarships under par. (am) shall ~~notify~~ report to the department ~~when it verifies that a child has~~ the names of children who applied under par. (am) to attend the eligible school for whom the governing body has received verification under par. (bm) that an individualized education program or services plan is in effect and ~~accepts the child's application to attend the private school under a scholarship awarded under~~

~~this section~~ the names of those applicants who have siblings who are already attending the eligible school.

SECTION 1958. 115.7915 (3) (d), (e), (f) and (g) of the statutes are created to read:

115.7915 **(3)** (d) After the end of the application period described under par. (am), upon receipt of the information under par. (c), the department shall determine the sum of all applicants for scholarships under this section and the number of scholarships awarded to children who are continuing to attend private schools under scholarships as provided under sub. (4m) (d). In determining the sum, the department shall count a child who has applied for more than one scholarship under this section only once. If the sum of all applicants and continuing scholarships exceeds the program cap, the department shall determine which applications to accept on a random basis, subject to the number of available spaces each eligible school specified in its notice under par. (a), except that the department shall give preference to the following in accepting applications for each eligible school, in the order of preference listed:

1. Children who attended a different eligible school under a scholarship under this section during the previous school year.

2. Siblings of pupils who are already attending the eligible school.

(e) No later than 60 days after the end of the application period described under par. (am), the department shall notify each applicant and each eligible school, in writing, whether the applicant has been approved to receive a scholarship to attend the eligible school under this section.

(f) If the sum under par. (d) exceeds the program cap, the department shall establish a waiting list in accordance with the preferences required under par. (d).

(g) The governing body of an eligible school shall notify the department whenever the governing body determines that a child awarded a scholarship under this section will not attend the eligible school under the scholarship. If, upon receiving notice under this paragraph, the department determines that the number of children attending eligible schools under scholarships under this section falls below the program cap, the department shall fill any available slot with a child selected from the waiting list established under par. (f), if such a waiting list exists.

SECTION 1959. 115.7915 (3m) of the statutes is created to read:

115.7915 **(3m)** TRANSFERS BETWEEN PARTICIPATING SCHOOLS. Notwithstanding sub. (3) (am), at any time during a school year, the governing body of a participating private school may accept an application from a child attending another private school under a scholarship to transfer the child's scholarship to the participating private school. The governing body may approve the child's request to transfer if the private school has an unfilled available space for a child receiving a scholarship under this section as specified in the private school's notice under sub. (3) (a). If the governing body approves the transfer request, the governing body shall notify the department. This subsection does not apply to a child who is reevaluated and determined to no longer be a child with a disability by the child's individualized education program team.

SECTION 1960. 115.7915 (4c) of the statutes is repealed.

SECTION 1961. 115.7915 (4m) (a) 2. b. of the statutes is amended to read:

115.7915 **(4m)** (a) 2. b. Beginning in the 2018–19 school year and ~~subject to subd. 3.,~~ ending in the 2020–21 school year, the sum of the scholarship amount under this subdivision for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the

change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive, or the amount under s. 115.7915 (4m) (a) 3., 2019 stats., if applicable.

SECTION 1962. 115.7915 (4m) (a) 2. c. of the statutes is created to read:

115.7915 **(4m)** (a) 2. c. Beginning in the 2021–22 school year, the sum of the scholarship amount under this subdivision for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

SECTION 1963. 115.7915 (4m) (a) 3. of the statutes is repealed.

SECTION 1964. 115.7915 (4m) (cm) of the statutes is repealed.

SECTION 1965. 115.7915 (4m) (f) 1. a. of the statutes is amended to read:

115.7915 **(4m)** (f) 1. a. Determine the ~~sum of the amount paid for each child~~ the number of children residing in the school district for whom a payment is made under par. (a) in that school year.

SECTION 1966. 115.7915 (4m) (f) 1. bm. of the statutes is created to read:

115.7915 **(4m)** (f) 1. bm. Multiply the number of pupils under subd. 1. a. by the per pupil amount calculated under par. (a) for that school year.

SECTION 1967. 115.7915 (4m) (f) 1. e. of the statutes is amended to read:

115.7915 **(4m)** (f) 1. e. Sum the amounts calculated under subd. 1. ~~a.,~~ bm., d., and dh.

SECTION 1968. 115.7915 (6) (L) of the statutes is created to read:

115.7915 **(6)** (L) Allow a child attending the private school under this section to refrain from participating in any religious activity if the child's parent submits to

the child's teacher or the private school's principal a written request that the child be exempt from such activities.

SECTION 1969. 115.81 (1) (b) of the statutes is amended to read:

115.81 **(1)** (b) "Responsible local educational agency" means the local educational agency that was responsible for providing a free, appropriate public education to the child before the placement of the child in a residential care center for children and youth except that if the child resided in an institution or facility operated by the department of health services, a ~~Type 1~~ juvenile correctional facility, as defined in s. 938.02 ~~(19)~~ (10p), or a Type 1 prison, as defined in s. 301.01 (5), before the placement of the child in a residential care center for children and youth, "responsible local educational agency" means the school district in which the residential care center for children and youth is located.

SECTION 1970. 115.882 of the statutes is renumbered 115.882 (intro.) and amended to read:

115.882 Payment of state aid; reimbursement rate. (intro.) ~~Funds appropriated under s. 20.255 (2) (b) shall be used first for the purpose of s. 115.88 (4).~~ Costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b) under ss. 115.88 (1m) to (3), (6), and (8), 115.93, and 118.255 (4) shall be reimbursed at ~~a rate set to distribute the full amount appropriated for reimbursement for the costs, not to exceed 100 percent.~~ the following rates:

SECTION 1971. 115.882 (1) and (2) of the statutes are created to read:

115.882 **(1)** In the 2021–22 school year, 45 percent of eligible costs.

(2) In the 2022–23 school year and in each school year thereafter, 50 percent of eligible costs.

SECTION 1972. 115.95 (2) of the statutes is amended to read:

115.95 **(2)** It is the policy of this state to provide equal educational opportunities by ensuring that necessary programs are available for limited–English proficient pupils while allowing each school district and charter school under s. 118.40 (2r) or (2x) maximum flexibility in establishing programs suited to its particular needs. To this end, this subchapter provides support for educating limited–English proficient pupils and establishes bilingual–bicultural education programs for pupils in school districts with specified concentrations of limited–English proficient pupils in the attendance areas of particular schools.

SECTION 1973. 115.95 (3) of the statutes is amended to read:

115.95 **(3)** It is the policy of this state to reimburse school districts, in substantial part, for the added costs of providing the programs established under this subchapter and to provide support to school districts and charter schools under s. 118.40 (2r) and (2x) for the added costs of educating limited–English proficient pupils.

SECTION 1974. 115.958 of the statutes is created to read:

115.958 Capacity-building grants for licensed educators. (1) A school board or the operator of a charter school established under s. 118.40 (2r) or (2x) may apply to the department for a grant for the school district or charter school to provide support and financial assistance to its staff and teachers in obtaining licensure or certification as bilingual teachers and teachers of English as a 2nd language.

(2) Beginning in the 2022–23 school year, from the appropriation under s. 20.255 (2) (ch), the department may award grants under sub. (1) to school districts and charter schools established under s. 118.40 (2r) and (2x) in amounts determined by the department.

(3) The department may promulgate rules to implement and administer this section.

SECTION 1975. 115.96 (title) of the statutes is amended to read:

115.96 (title) ~~**Establishment**~~ **Pupil counts; establishment of programs.**

SECTION 1976. 115.96 (1) of the statutes is amended to read:

115.96 **(1)** COUNT OF LIMITED–ENGLISH PROFICIENT PUPILS. Annually, on or before March 1, ~~each~~ a school board and the operator of a charter school established under s. 118.40 (2r) or (2x) shall conduct a count of the limited–English proficient pupils in the public schools of the district or in the charter school, assess the language proficiency of ~~such~~ the pupils, and classify ~~such~~ the pupils by language group, grade level, age, and English language proficiency. A school board or operator is eligible for state aid under s. 115.995 only if the school board or operator conducts the count under this subsection.

SECTION 1977. 115.97 (1) of the statutes is amended to read:

115.97 **(1)** A school board may combine pupils in attendance at separate schools in its bilingual–bicultural education program. ~~The school board shall be eligible for state aids under s. 115.995 if the number of limited–English proficient pupils served from the combined schools meets the requirements under sub. (2), (3) or (4).~~ A pupil shall be eligible for a bilingual–bicultural education program only until he or she is able to perform ordinary classwork in English. The bilingual–bicultural education program shall be designed to provide intensive instruction to meet this objective. Nothing in this subchapter shall be construed to authorize isolation of children of limited–English proficient ability or ethnic background for a substantial portion of the school day. Pupils who are not limited–English proficient pupils may participate in a bilingual–bicultural education program, except that a school board shall give

preference to limited–English proficient pupils in admitting pupils to such a program.

SECTION 1978. 115.97 (6) of the statutes is created to read:

115.97 **(6)** A school board that is required to establish a bilingual–bicultural education program under sub. (2), (3), or (4) is eligible for state aid under s. 115.995 only if the state superintendent is satisfied that the school board maintained the bilingual–bicultural education program in accordance with this subchapter.

SECTION 1979. 115.977 (2) of the statutes is amended to read:

115.977 **(2)** A school district may establish bilingual–bicultural education programs by contracting with other school districts or with a cooperative educational service agency. ~~If 10 or more pupils in kindergarten to grade 3, 20 or more in grades 4 to 8 or 20 or more in a high school program are enrolled in a program under a contract pursuant to this subsection, the school district offering the program is eligible for reimbursement under s. 115.995.~~

SECTION 1980. 115.993 (title) of the statutes is amended to read:

115.993 (title) ~~**Report**~~ **Reports on bilingual-bicultural education and pupil counts.**

SECTION 1981. 115.993 of the statutes is renumbered 115.993 (1) and amended to read:

115.993 **(1)** Annually, on or before August 15, the school board of a district operating a bilingual–bicultural education program under this subchapter shall report to the state superintendent the number of pupils, including both limited–English proficient pupils and other pupils, instructed the previous school year in bilingual–bicultural education programs, ~~an itemized statement on oath of all disbursements on account of~~ a summary of the costs incurred to operate the

bilingual–bicultural education program ~~operated~~ during the previous school year, and a copy of the estimated budget for ~~that~~ operating the bilingual–bicultural education program for the current school year.

SECTION 1982. 115.993 (2) of the statutes is created to read:

115.993 **(2)** Annually, on or before August 15, a school board and the operator of a charter school established under s. 118.40 (2r) or (2x) shall report to the state superintendent the number of limited–English proficient pupils enrolled in the school district or attending the charter school in the previous school year and the classification of those pupils by language group.

SECTION 1983. 115.993 (3) of the statutes is created to read:

115.993 **(3)** A school board or the operator of a charter school established under s. 118.40 (2r) or (2x) is eligible for state aid under s. 115.995 only if the school board or operator submits the reports required under this section.

SECTION 1984. 115.995 (intro.) of the statutes is renumbered 115.995 (1m) (intro.) and amended to read:

115.995 **(1m)** (intro.) ~~Upon~~ Subject to ss. 115.96 (1), 115.97 (6), and 115.993 (3), upon receipt of the ~~report~~ reports under s. 115.993~~, if the state superintendent is satisfied that the bilingual–bicultural education program for the previous school year was maintained in accordance with this subchapter~~ (1) and (2), the state superintendent shall ~~do all of~~, from the appropriation under s. 20.255 (2) (cc), pay the following amounts:

SECTION 1985. 115.995 (1) and (2) of the statutes are renumbered 115.995 (1m) (a) 1. and 2. and amended to read:

115.995 **(1m)** (a) 1. ~~From the appropriation under s. 20.255 (2) (cc), divide~~ Dividing proportionally, based upon costs reported under s. 115.993, 2019 stats., an

annual payment of $250,000 among school districts whose enrollments in the previous school year were at least 15 percent limited–English proficient pupils. Aid paid under this ~~subsection~~ subdivision does not reduce aid paid under ~~sub. (2)~~ subd. 2.

2. ~~Certify~~ Certifying to the department of administration in favor of the school ~~district~~ board a sum equal to a percentage of the amount expended on limited–English proficient pupils by the school ~~district~~ board during the preceding year for salaries of personnel participating in and attributable to bilingual–bicultural education programs under this subchapter, special books and equipment used in the bilingual–bicultural education programs, and other expenses approved by the state superintendent. The percentage shall be determined by dividing the amount in the appropriation under s. 20.255 (2) (cc) in the current school year less $250,000 by the total amount of aidable costs in the previous school year.

SECTION 1986. 115.995 (1m) (a) (intro.) of the statutes is created to read:

115.995 **(1m)** (a) (intro.) In the 2021–22 school year, to a school board that was required to establish a bilingual–bicultural education program under s. 115.97 for the previous school year, the amounts determined by doing all of the following:

SECTION 1987. 115.995 (1m) (b) of the statutes is created to read:

115.995 **(1m)** (b) Subject to sub. (3), beginning in the 2022–23 school year, to a school board or the operator of a charter school established under s. 118.40 (2r) or (2x), an amount calculated as follows:

1. If, in the previous school year, there was at least one limited–English proficient pupil enrolled in the school district or attending the charter school, $10,000.

2. If, in the previous school year, there were more than 20 limited–English proficient pupils enrolled in the school district or attending the charter school, subtract 20 from the total number of limited–English proficient pupils enrolled in the school district or attending the charter school.

3. Multiply the difference determined under subd. 2. by $500.

4. Add the product determined under subd. 3. to the amount under subd. 1.

SECTION 1988. 115.995 (2m) of the statutes is created to read:

115.995 **(2m)** Notwithstanding sub. (1m) (b), if a school board received a payment under sub. (1m) (a) in the 2021–22 school year, the state superintendent shall, subject to ss. 115.96 (1), 115.97 (6), and 115.993 (3) and upon receipt of the reports under s. 115.993 (1) and (2), from the appropriation under s. 20.255 (2) (cc), pay to the school board the following amounts:

(a) Subject to sub. (3), in the 2022–23 school year, the greater of the following amounts:

1. The sum determined under sub. (1m) (b) 4. for the 2022–23 school year.

2. An amount equal to the payment the school board received under sub. (1m) (a) in the 2020–21 school year.

(b) Subject to sub. (3), in the 2023–24 school year, the greater of the following amounts:

1. The sum determined under sub. (1m) (b) 4. for the 2023–24 school year.

2. An amount calculated as follows:

a. Subtract the amount determined under subd. 1. from the amount the school board received under sub. (1m) (a) in the 2020–21 school year.

b. Multiply the difference determined under subd. 2. a. by 0.5.

c. Add the product determined under subd. 2. b. to the amount determined under subd. 1.

SECTION 1989. 115.995 (3) of the statutes is created to read:

115.995 **(3)** If the appropriation under s. 20.255 (2) (cc) in any fiscal year is insufficient to pay the full amount of aid under sub. (1m) (b) or (2m), the state superintendent shall prorate the payments among the school boards and operators of charter schools established under s. 118.40 (2r) and (2x) entitled to receive the aid.

SECTION 1990. 115.996 of the statutes is renumbered 115.996 (intro.) and amended to read:

115.996 Report to the legislature. (intro.) Annually, on or before December 31, the state superintendent shall submit a report to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), on the status of bilingual–bicultural education programs established under this subchapter. The report shall include all of the following information:

(1) The number of pupils served in bilingual–bicultural education programs for each language group in each school district in which such programs are offered ~~and the cost of the program per pupil for each school district, language group, and program type~~.

(2) The ~~department shall also provide the~~ number of pupils in each school district and language group who as a result of participation in a bilingual–bicultural education program improved their English language ability to such an extent that the program is no longer necessary for such pupils.

SECTION 1991. 115.996 (3) of the statutes is created to read:

115.996 **(3)** The number of limited–English proficient pupils in each language group enrolled in each school district and attending each charter school established under s. 118.40 (2r) and (2x).

SECTION 1992. Subchapter IX (title) of chapter 115 [precedes 115.999] of the statutes is repealed.

SECTION 1993. 115.999 of the statutes is repealed.

SECTION 1994. 117.05 (1m) of the statutes is amended to read:

117.05 **(1m)** BOARD AND APPEAL PANEL MEETINGS. The state superintendent shall set the time and place for meetings of the board under ss. 117.10, 117.105 (2m) ~~and (4m)~~, 117.12 (5), and 117.132 and for meetings of appeal panels under ss. 117.12 (4) and 117.13.

SECTION 1995. 117.05 (2) (a) of the statutes is amended to read:

117.05 **(2)** (a) *Board.* The state superintendent shall appoint 7 members of the board to perform any review under ss. 117.10, 117.105 (2m) ~~and (4m)~~, 117.12 (5), and 117.132. The 7 members shall include the state superintendent or his or her designee on the board, 2 board members from school districts with small enrollments, 2 board members from school districts with medium enrollments, and 2 board members from school districts with large enrollments. Any action of the board under this chapter requires the affirmative vote of at least 4 of the 7 members appointed under this paragraph.

SECTION 1996. 117.05 (4) (a) (intro.) of the statutes is amended to read:

117.05 **(4)** (a) *Pending proceedings.* (intro.) A reorganization proceeding is pending from the date that a petition is filed under s. 117.105 (1) (a), 117.11 (2), or 117.12 (2) or a resolution is adopted under s. 117.08 (1), 117.09 (1), 117.10 (1), 117.105

(1) (b) ~~or (4m)~~, 117.13 (2), or 117.132 (2) until the date on which the latest of any of the following occurs:

SECTION 1997. 117.05 (4) (d) 1. of the statutes is amended to read:

117.05 **(4)** (d) 1. Except as provided in subd. 2., no petition may be filed or resolution adopted for the creation of a new school district under s. 117.105 (1) (a) or (b) before the 5th July 1 following the filing of a petition under s. 117.105 (1) (a) or the adoption of a resolution under s. 117.105 (1) (b) ~~or the date of an order issued under s. 117.105 (4m) (c)~~ for any reorganization that includes any of the same territory.

SECTION 1998. 117.05 (9) (a) 1m. of the statutes is repealed.

SECTION 1999. 117.105 (4m) of the statutes is repealed.

SECTION 2000. 117.20 (1) (a) of the statutes is amended to read:

117.20 **(1)** (a) Except as provided in par. (b), if a referendum is required under ss. 117.08 to 117.11, it shall be held on the Tuesday after the first Monday in November following receipt of the petition or adoption of the resolution under s. 117.08 (3) (a), 117.09 (3) (a), 117.10 (3) (a), or 117.11 (4) (a). If a referendum is required under s. 117.105 (3), it shall be held on the Tuesday after the first Monday in the 2nd November following receipt of the petition or adoption of the resolution under s. 117.105 (1). ~~If a referendum is required under s. 117.105 (4m), it shall be held on the Tuesday after the first Monday in November following the date an order is issued by the board under s. 117.105 (4m) (c).~~

SECTION 2001. 117.22 (2) (bm) of the statutes is amended to read:

117.22 **(2)** (bm) If an order of reorganization is issued under s. 117.105, the first election of school board members shall be held at the spring election following the referendum under s. 117.105 (3) ~~or (4m)~~.

SECTION 2002. 118.07 (6) of the statutes is created to read:

118.07 **(6)** (a) In this subsection:

1. "School premises" means all of the following:

a. Real property owned or rented by, or under the control of, a school board, including playgrounds, athletic facilities or fields, and any other property that is occupied by pupils on a regular basis.

b. Real property owned or rented by an operator or governing board of a charter school that is used for the operation of a charter school, including playgrounds, athletic facilities or fields, and any other property that is occupied on a regular basis by pupils attending the charter school.

c. Real property owned or rented by the governing body of a private school that is used for the operation of a private school, including playgrounds, athletic facilities or fields, and any other property that is occupied on a regular basis by pupils attending the private school.

2. "Vape" means to inhale or exhale vapor from a vapor product.

3. "Vapor product" has the meaning given in s. 139.75 (14).

(b) No individual may vape on school premises.

SECTION 2003. 118.125 (4) of the statutes is amended to read:

118.125 **(4)** TRANSFER OF RECORDS. No later than the next working day, a school district~~,~~ and a private school participating in the program under s. 118.60 or in the program under s. 119.23~~, and the governing body of a private school that, pursuant to s. 115.999 (3), 119.33 (2) (c) 3., or 119.9002 (3) (c), is responsible for the operation and general management of a school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119~~ shall transfer to another school, including a private or tribal school, or school district all

pupil records relating to a specific pupil if the transferring school district or private school has received written notice from the pupil if he or she is an adult or his or her parent or guardian if the pupil is a minor that the pupil intends to enroll in the other school or school district or written notice from the other school or school district that the pupil has enrolled or from a court that the pupil has been placed in a juvenile correctional facility, as defined in s. 938.02 (10p), or a secured residential care center for children and youth, as defined in s. 938.02 (15g). In this subsection, "school" and "school district" include any juvenile correctional facility, secured residential care center for children and youth, adult correctional institution, mental health institute, or center for the developmentally disabled that provides an educational program for its residents instead of or in addition to that which is provided by public, private, and tribal schools.

SECTION 2004. 118.134 (6) of the statutes is created to read:

118.134 **(6)** Regardless of whether or not an objection is made under sub. (1) or an order is issued under sub. (3), if a school board adopts a resolution to terminate the use of race–based nickname, logo, mascot, or team name that is associated with a federally recognized American Indian tribe or American Indians, in general, the state superintendent may award a grant to the school board for the costs associated with adopting and implementing a nickname, logo, mascot, or team name that is not race–based. The state superintendent may not award a grant under this subsection in an amount that exceeds the greater of $50,000 or a school board's actual costs to adopt and implement a nickname, logo, mascot, or team name. The state superintendent shall pay the awards under this subsection from the appropriation under s. 20.255 (2) (kg).

SECTION 2005. 118.16 (4) (e) of the statutes is amended to read:

118.16 **(4)** (e) ~~Except as provided under s. 119.55, a~~ A school board may establish one or more youth service centers for the counseling of children who are taken into custody under s. 938.19 (1) (d) 10. for being absent from school without an acceptable excuse under s. 118.15.

SECTION 2006. 118.163 (4) of the statutes is amended to read:

118.163 **(4)** A person who is ~~under 17 years of age~~ a minor on the date of disposition is subject to s. 938.342.

SECTION 2007. 118.19 (1) of the statutes is amended to read:

118.19 **(1)** Except as provided in subs. (1b) and (1c) and s. 118.40 (8) (b) 1. and 2., any person seeking to teach in a public school, including a charter school, ~~or~~ in a school or institution operated by a county or the state, in a private school participating in a parental choice program under s. 118.60 or 119.23, or in a private school participating in the program under s. 115.7915 shall first procure a license or permit from the department.

SECTION 2008. 118.19 (1b) of the statutes is amended to read:

118.19 **(1b)** An individual may teach an online course in a subject and level in a public school, including a charter school, in a private school participating in a parental choice program under s. 118.60 or 119.23, or in a private school participating in the program under s. 115.7915 without a license or permit from the department if the individual holds a valid license or permit to teach the subject and level in the state from which the online course is provided.

SECTION 2009. 118.19 (1c) (b) (intro.) of the statutes is amended to read:

118.19 **(1c)** (b) (intro.) A faculty member of an institution of higher education may teach in a public high school, including a charter school that operates only high school grades, in a private school participating in a parental choice program under

s. 118.60 or 119.23 that operates only high school grades, or in a private school participating in the program under s. 115.7915 that operates only high school grades without a license or permit from the department if the faculty member satisfies all of the following:

SECTION 2010. 118.19 (3) (a) of the statutes is amended to read:

118.19 **(3)** (a) No license to teach in any ~~public~~ school may be issued unless the applicant possesses a bachelor's degree including such professional training as the department by rule requires, except as permitted under par. (b) and ss. 115.28 (17) (a), 118.191, 118.1915, 118.192, 118.193, 118.194, and 118.197. Notwithstanding s. 36.11 (16), no teacher preparatory program in this state may be approved by the state superintendent under s. 115.28 (7) (a), unless each student in the program is required to complete student teaching consisting of full days for a full semester following the daily schedule and semester calendar of the cooperating school or the equivalent, as determined by the state superintendent. No license to teach in any ~~public~~ school may be granted to an applicant who completed a professional training program outside this state unless the applicant completed student teaching consisting of full days for a full semester following the daily schedule and semester calendar of the cooperating school or the equivalent, as determined by the state superintendent. The state superintendent may grant exceptions to the student teaching requirements under this paragraph when the midyear calendars of the institution offering the teacher preparatory program and the cooperating school differ from each other and would prevent students from attending classes at the institution in accordance with the institution's calendar. The state superintendent shall promulgate rules to implement this subsection. If for the purpose of granting a license to teach or for approving a teacher preparatory program the state

superintendent requires that an institution of higher education be accredited, the state superintendent shall accept accreditation by a regional or national institutional accrediting agency recognized by the U.S. department of education or by a programmatic accrediting organization.

SECTION 2011. 118.19 (3) (b) of the statutes is amended to read:

118.19 **(3)** (b) The state superintendent shall permanently certify any applicant to teach Wisconsin native American languages and culture who has successfully completed the university of Wisconsin–Milwaukee school of education approved Wisconsin native American languages and culture project certification program at any time between January 1, 1974, and December 31, 1977. ~~School districts shall~~ A school district, the governing body of a private school participating in a parental choice program under s. 118.60 or 119.23, or the governing body of a private school participating in the program under s. 115.7915 may not assign individuals certified under this paragraph to teach courses other than Wisconsin native American languages and culture~~,~~ unless they qualify under par. (a).

SECTION 2012. 118.19 (8) of the statutes is amended to read:

118.19 **(8)** The state superintendent may not grant to any person a license to teach unless the person has received instruction in the study of minority group relations, including instruction in the ~~history,~~ culture ~~and~~, tribal sovereignty, and contemporary and historical significant events of the federally recognized American Indian tribes and bands located in this state.

SECTION 2013. 118.19 (10) (b) 1. of the statutes is amended to read:

118.19 **(10)** (b) 1. Conduct a background investigation of each applicant for issuance or renewal of a license or permit, including a license or permit issued to a

pupil services professional, and for a faculty member seeking to teach in a ~~public~~ high school without a license or permit.

SECTION 2014. 118.191 (2) (a) of the statutes is amended to read:

118.191 **(2)** (a) Notwithstanding s. 118.19 (7) to (9), the department shall grant an initial teaching license to teach a technical education subject to an individual who is eligible for licensure under s. 118.19 (4) and (10), who scores at least 100 points on the point system under sub. (5), of which at least 25 points are from sub. (5) (a) 1. and at least 25 points are from sub. (5) (a) 2., and who agrees to complete during the term of the license a curriculum determined by the school board of the school district, by the governing body of the private school participating in a parental choice program under s. 118.60 or 119.23, or by the governing body of the private school participating in the program under s. 115.7915 in which the individual will teach.

SECTION 2015. 118.191 (2) (b) of the statutes is amended to read:

118.191 **(2)** (b) Notwithstanding s. 118.19 (7) to (9), the department shall grant an initial teaching license to teach a vocational education subject to an individual who is eligible for licensure under s. 118.19 (4) and (10), who scores at least 100 points on the point system under sub. (5m), of which at least 25 points are from sub. (5m) (a) 1. and at least 25 points are from sub. (5m) (a) 2., and who agrees to complete during the term of the license a curriculum determined by the school board of the school district, by the governing body of the private school participating in a parental choice program under s. 118.60 or 119.23, or by the governing body of the private school participating in the program under s. 115.7915 in which the individual will teach.

SECTION 2016. 118.191 (2m) of the statutes is amended to read:

118.191 **(2m)** An initial teaching license issued under sub. (2) authorizes an individual to teach only in the school district controlled by the school board, or in the private school controlled by the governing body, that determined the curriculum the individual agreed to complete in order to qualify for the initial teaching license.

SECTION 2017. 118.191 (3) of the statutes is amended to read:

118.191 **(3)** An initial teaching license issued under sub. (2) is valid for 3 years. An initial teaching license issued under sub. (2) is void if the license holder ceases to be employed as a teacher in the school district or private school in which the license holder is authorized to teach under sub. (2m).

SECTION 2018. 118.191 (4) of the statutes is amended to read:

118.191 **(4)** Upon the expiration of the 3–year term of an initial teaching license issued under sub. (2), the department shall issue to the license holder a professional teaching license to teach the technical education subject or vocational education subject if the individual successfully completed the curriculum that the individual agreed to under sub. (2), as determined by the school board of the school district, by the governing body of the private school participating in a parental choice program under s. 118.60 or 119.23, or by the governing body of the private school participating in the program under s. 115.7915 that established the curriculum. The department shall indicate on a professional teaching license issued under this subsection that the license was obtained under the experience–based licensure program under this section.

SECTION 2019. 118.192 (4) of the statutes is amended to read:

118.192 **(4)** A school board or private school participating in a parental choice program under s. 118.60 or 119.23 that employs a person who holds a professional

teaching permit shall ensure that no regularly licensed teacher is removed from his or her position as a result of the employment of persons holding permits.

SECTION 2020. 118.20 (1) of the statutes is amended to read:

118.20 **(1)** No discrimination because of sex, except where sex is a bona fide occupational qualification as defined in s. 111.36 (2), sexual orientation, as defined in s. 111.32 (13m), gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k), race, ~~nationality~~ national origin, or political or religious affiliation may be practiced in the employment of teachers or administrative personnel in public schools or in their assignment or reassignment. No questions of any nature or form relative to sex, except where sex is a bona fide occupational qualification as defined in s. 111.36 (2), sexual orientation, as defined in s. 111.32 (13m), gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k), race, ~~nationality~~ national origin, or political or religious affiliation may be asked applicants for teaching or administrative positions in the public schools either by public school officials or employees or by teachers agencies or placement bureaus.

SECTION 2021. 118.22 (4) of the statutes is created to read:

118.22 **(4)** A collective bargaining agreement under subch. IV of ch. 111 may modify, waive, or replace any of the provisions of this section as they apply to teachers in the collective bargaining unit, but neither the employer nor the bargaining agent for the employees is required to bargain such modification, waiver, or replacement.

SECTION 2022. 118.245 (1) of the statutes is amended to read:

118.245 **(1)** If a school board wishes to increase the total base wages of its general municipal employees, as defined in s. 111.70 (1) (fm), in an amount that exceeds the limit under s. 111.70 (4) (mb) 2., the school board shall adopt a resolution

to that effect. The resolution shall specify the amount by which the proposed total base wages increase will exceed the limit under s. 111.70 (4) (mb) 2. The resolution may not take effect unless it is approved in a referendum called for that purpose. The referendum shall occur in April for collective bargaining agreements that begin in July of that year. The results of a referendum apply to the total base wages only in the next collective bargaining agreement.

SECTION 2023. 118.30 (1g) (a) 3. of the statutes is amended to read:

118.30 **(1g)** (a) 3. The governing body of each private school participating in the program under s. 119.23 ~~and the governing body of a private school that, pursuant to s. 115.999 (3), 119.33 (2) (c) 3., or 119.9002 (3) (c), is responsible for the operation and general management of a school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119~~ shall adopt pupil academic standards in mathematics, science, reading and writing, geography, and history. The governing body of the private school may adopt the pupil academic standards issued by the governor as executive order no. 326, dated January 13, 1998.

SECTION 2024. 118.30 (1s) (intro.) of the statutes is amended to read:

118.30 **(1s)** (intro.) Annually, the governing body of each private school participating in the program under s. 119.23, other than a private school at which fewer than 20 pupils in grades 3 to 12 are attending the school under the program under s. 119.23, ~~and the governing body of a private school that, pursuant to s. 115.999 (3), 119.33 (2) (c) 3., or 119.9002 (3) (c), is responsible for the operation and general management of a school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119~~ shall do all of the following:

SECTION 2025. 118.33 (1) (f) 2. of the statutes is amended to read:

118.33 **(1)** (f) 2. The operator of a charter school under s. 118.40 (2r) or (2x) that operates high school grades ~~and an individual or group or a person that, pursuant to s. 115.999 (3), 119.33 (2) (c) 1. or 2., or 119.9002 (3) (a) or (b), is responsible for the operation and general management of a school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119 and that operates high school grades~~ shall develop and periodically review and revise a policy specifying criteria for granting a high school diploma. The criteria shall include the pupil's academic performance, successful completion of the civics test under sub. (1m) (a), and the recommendations of teachers.

SECTION 2026. 118.33 (1) (f) 2m. of the statutes is amended to read:

118.33 **(1)** (f) 2m. The governing body of each private school participating in the program under s. 119.23 ~~and the governing body of a private school that, pursuant to s. 115.999 (3), 119.33 (2) (c) 3., or 119.9002 (3) (c), is responsible for the operation and general management of a school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119~~ shall develop and periodically review and revise a policy specifying criteria for granting a high school diploma to pupils attending the private school under s. 119.23 ~~or the school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119~~. The criteria shall include the pupil's academic performance, successful completion of the civics test under sub. (1m) (a), and the recommendations of teachers.

SECTION 2027. 118.33 (1) (f) 3. of the statutes is amended to read:

118.33 **(1)** (f) 3. Neither a school board nor an operator of a charter school under s. 118.40 (2r) or (2x) ~~nor an individual or group or person that, pursuant to s. 115.999~~

~~(3), 119.33 (2) (c) 1. or 2., or 119.9002 (3) (a) or (b), is responsible for the operation and general management of a school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119~~ may grant a high school diploma to any pupil unless the pupil has satisfied the criteria specified in the school board's or charter school's policy under subd. 1. or 2. ~~Neither the~~ No governing body of a private school participating in the program under s. 119.23 ~~nor a governing body of a private school that, pursuant to s. 115.999 (3), 119.33 (2) (c) 3., or 119.9002 (3) (c), is responsible for the operation and general management of a school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119~~ may grant a high school diploma to any pupil attending the private school under s. 119.23 ~~or the school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119~~ unless the pupil has satisfied the criteria specified in the governing body's policy under subd. 2m. The governing body of a private school participating in the program under s. 118.60 may not grant a high school diploma to any pupil attending the private school under s. 118.60 unless the pupil has satisfied the criteria specified in the governing body's policy under subd. 2r.

SECTION 2028. 118.40 (1) of the statutes is amended to read:

118.40 **(1)** NOTICE TO STATE SUPERINTENDENT. Whenever a school board intends to establish a charter school, it shall notify the state superintendent of its intention. Whenever one of the entities under sub. (2r) (b) ~~or the director under sub. (2x)~~ intends to establish a charter school, it shall notify the state superintendent of its intention by February 1 of the previous school year. A notice under this subsection shall include a description of the proposed school.

SECTION 2029. 118.40 (2r) (b) 2. i. of the statutes is repealed.

SECTION 2030. 118.40 (2r) (d) 3. of the statutes is created to read:

118.40 **(2r)** (d) 3. Beginning in the 2022–23 school year, ensure that each charter school under this subsection includes in its curriculum instruction in the culture, tribal sovereignty, and contemporary and historical significant events of the federally recognized American Indian tribes and bands located in this state at least twice in the elementary grades and at least once in the high school grades.

SECTION 2031. 118.40 (2r) (e) 2p. (intro.) of the statutes is amended to read:

118.40 **(2r)** (e) 2p. (intro.) ~~In~~ Beginning in the 2015–16 school year and ~~in each~~ ending in the 2020–21 school year ~~thereafter~~, for a pupil attending a charter school established by or under a contract with an entity under par. (b) 1. a. to f., from the appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of the charter school an amount equal to the sum of the amount paid per pupil under this paragraph in the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, if positive. The change in the statewide categorical aid per pupil shall be determined as follows:

SECTION 2032. 118.40 (2r) (e) 2p. a. of the statutes is amended to read:

118.40 **(2r)** (e) 2p. a. Add the amounts appropriated in the current fiscal year under s. 20.255 (2), except s. 20.255 (2) (ac), (aw), (az), (bb), (da), (dj), (du), (fm), (fp), (fq), (fr), (fu), (k), and (m); and s. 20.505 (4) (es); and the amount, as determined by the secretary of administration, of the appropriation under s. 20.505 (4) (s) allocated for payments to telecommunications providers under contracts with school districts and cooperative educational service agencies under s. 16.971 (13).

SECTION 2033. 118.40 (2r) (e) 2q. of the statutes is created to read:

118.40 **(2r)** (e) 2q. Beginning in the 2021–22 school year and in each school year thereafter, from the appropriation under s. 20.255 (2) (fm), for a pupil attending a charter school established by or under a contract with an entity under par. (b) 1., the department shall pay to the operator of the charter school an amount equal to the sum of the amount paid per pupil under this paragraph in the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

SECTION 2034. 118.40 (2r) (f) of the statutes is repealed.

SECTION 2035. 118.40 (2r) (fm) 1. (intro.) of the statutes is amended to read:

118.40 **(2r)** (fm) 1. (intro.) Beginning in the 2018–19 school year, in addition to the payment under par. (e) and subject to subd. 3., for a pupil attending summer school at a charter school established by or under a contract with an entity under par. (b) 1. ~~a. to f.~~, the department shall pay to the operator of the charter school, in the manner described in par. (e) 3m., an amount determined as follows:

SECTION 2036. 118.40 (2r) (fm) 2. of the statutes is repealed.

SECTION 2037. 118.40 (2r) (g) 1. a. of the statutes is amended to read:

118.40 **(2r)** (g) 1. a. Determine the number of pupils residing in the school district for whom a payment is made under par. (e) to an operator of a charter school established under contract with an entity under par. (b) 1. e.~~, eg., or f.~~ to h. in that school year.

SECTION 2038. 118.40 (2r) (g) 1. b. of the statutes is amended to read:

118.40 **(2r)** (g) 1. b. Multiply the number of pupils under subd. 1. a. by the per pupil amount calculated under par. (e) ~~2p.~~ 2q. for that school year.

SECTION 2039. 118.40 (2r) (g) 1. bf. of the statutes is amended to read:

118.40 **(2r)** (g) 1. bf. Identify the pupils residing in the school district for whom a payment is made under par. (fm) to an operator of a charter school established under contract with an entity under par. (b) 1. e. ~~or f.~~ to h. in that school year.

SECTION 2040. 118.40 (2r) (g) 1. c. to dn. of the statutes are repealed.

SECTION 2041. 118.40 (2r) (g) 1. e. of the statutes is amended to read:

118.40 **(2r)** (g) 1. e. Sum the amounts determined under subd. 1. b., ~~,~~ and bn., ~~d., and dn.~~

SECTION 2042. 118.40 (2x) (title) of the statutes is amended to read:

118.40 **(2x)** (title) ~~OFFICE~~ CHARTER SCHOOLS AUTHORIZED BY THE FORMER OFFICE OF EDUCATIONAL OPPORTUNITY.

SECTION 2043. 118.40 (2x) (a) 1. of the statutes is amended to read:

118.40 **(2x)** (a) 1. "Director" means the ~~special assistant to the president of the University of Wisconsin System appointed under s. 36.09 (2) (c)~~ chancellor of the University of Wisconsin–Madison.

SECTION 2044. 118.40 (2x) (b) 1. of the statutes is amended to read:

118.40 **(2x)** (b) 1. ~~The~~ Beginning on the effective date of this subdivision .... [LRB inserts date], the director may not contract with a person to operate a charter school under this subsection. A contract entered into before the effective date of this subdivision .... [LRB inserts date], by the special assistant to the president of the University of Wisconsin System appointed under s. 36.09 (2) (c), 2019 stats., with a person to operate a charter school under this subsection remains in full force and effect, but the director may not renew or modify the contract. The director shall carry out the special assistant's obligations under the contract.

SECTION 2045. 118.40 (2x) (b) 2. i. of the statutes is repealed.

SECTION 2046. 118.40 (2x) (cm) (intro.) of the statutes is amended to read:

118.40 **(2x)** (cm) (intro.) ~~Notwithstanding par. (b) 1.,~~ Beginning on the effective date of this paragraph .... [LRB inserts date], the director may not enter into a contract to operate a recovery charter school under this paragraph. The director may not renew or modify a contract entered into under this paragraph before the effective date of this paragraph .... [LRB inserts date], by the special assistant to the president of the University of Wisconsin System appointed under s. 36.09 (2) (c), 2019 stats., to establish, as a pilot project, one recovery charter school, to be located in this state and that operates only high school grades, but the contract remains in full force and effect if the term of the contract is limited to 4 consecutive school years and the contract requires the charter school operator to do all of the following:

SECTION 2047. 118.40 (2x) (d) 3. of the statutes is created to read:

118.40 **(2x)** (d) 3. Beginning in the 2022–23 school year, ensure that each charter school established under this subsection includes in its curriculum instruction in the culture, tribal sovereignty, and contemporary and historical significant events of the federally recognized American Indian tribes and bands located in this state at least twice in the elementary grades and at least once in the high school grades.

SECTION 2048. 118.40 (2x) (g) of the statutes is created to read:

118.40 **(2x)** (g) All of the following apply to a charter school established under this subsection before the effective date of this paragraph .... [LRB inserts date]:

1. Unless the director revokes the charter school's charter under sub. (5), the operator of the charter school may continue to operate the charter school under the terms of the contract under par. (b) 1. or (cm) that is effective on the effective date

of this subdivision .... [LRB inserts date], for the remaining term of the contract, but the contract is not renewable for any additional term and may not be extended.

2. Unless the director revokes the charter school's charter under sub. (5), the operator of the charter school may enter into a contract under sub. (2m) or (2r) to operate the charter school.

SECTION 2049. 118.40 (3) (b) of the statutes is amended to read:

118.40 **(3)** (b) A contract under par. (a) or under sub. (2m), (2r), or (2x) may be for any term not exceeding 5 school years and, except as provided under sub. (2x) (g), may be renewed for one or more terms not exceeding 5 school years. The contract shall specify the amount to be paid to the charter school during each school year of the contract.

SECTION 2050. 118.40 (3) (h) of the statutes is amended to read:

118.40 **(3)** (h) A school board~~,~~ or an entity under sub. (2r)~~, or the director under sub. (2x)~~ may contract for the establishment of a charter school that enrolls only one sex or that provides one or more courses that enroll only one sex if the school board~~,~~ or entity under sub. (2r)~~, or the director under sub. (2x)~~ makes available to the opposite sex, under the same policies and criteria of admission, schools or courses that are comparable to each such school or course.

SECTION 2051. 118.40 (3m) (intro.) of the statutes is amended to read:

118.40 **(3m)** AUTHORIZING ENTITY DUTIES. (intro.) A school board~~,~~ and an entity under sub. (2r) (b)~~, and the director under sub. (2x)~~ shall do all of the following:

SECTION 2052. 118.40 (3m) (c) of the statutes is amended to read:

118.40 **(3m)** (c) Give preference in awarding contracts for the operation of charter schools ~~other than the charter school established under a contract with the~~

~~director under sub. (2x) (cm)~~ to those charter schools that serve children at risk, as defined in s. 118.153 (1) (a).

SECTION 2053. 118.40 (3m) (f) of the statutes is repealed.

SECTION 2054. 118.40 (3n) of the statutes is created to read:

118.40 **(3n)** DIRECTOR DUTIES. The director under sub. (2x) shall, in accordance with the terms of each charter school contract, monitor the performance and compliance with this section of each charter school established under a contract under sub. (2x).

SECTION 2055. 118.42 (3) (a) 4. of the statutes is amended to read:

118.42 **(3)** (a) 4. Implement changes in administrative and personnel structures that are consistent with applicable collective bargaining agreements under subch. IV of ch. 111.

SECTION 2056. 118.42 (5) of the statutes is amended to read:

118.42 **(5)** Nothing in this section alters or otherwise affects the rights or remedies afforded school districts and school district employees under federal or state law or under the terms of any applicable collective bargaining agreement under subch. IV of ch. 111.

SECTION 2057. 118.50 (2m) (a) 2. of the statutes is amended to read:

118.50 **(2m)** (a) 2. Beginning in the 2017–18 school year and ending in the 2020–21 school year, the sum of the per pupil amount under this paragraph for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

SECTION 2058. 118.50 (2m) (a) 3. of the statutes is created to read:

118.50 **(2m)** (a) 3. Beginning in the 2021–22 school year, the sum of the per pupil amount under this paragraph for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

SECTION 2059. 118.51 (1) (aj) of the statutes is repealed.

SECTION 2060. 118.51 (9) of the statutes is amended to read:

118.51 **(9)** APPEAL OF REJECTION. If the nonresident school board rejects an application under sub. (3) (a) or (7), the resident school board prohibits a pupil from attending public school in a nonresident school district under sub. (3m) (d) or the nonresident school board prohibits a pupil from attending public school in the nonresident school district under sub. (11), the pupil's parent may appeal the decision to the department within 30 days after the decision. If the nonresident school board provides notice that the special education or related service is not available under sub. (12) ~~(b)~~, the pupil's parent may appeal the required transfer to the department within 30 days after receipt of the notice. The department shall affirm the school board's decision unless the department finds that the decision was arbitrary or unreasonable.

SECTION 2061. 118.51 (12) (title) of the statutes is amended to read:

118.51 **(12)** (title) ~~NONRESIDENT SCHOOL DISTRICT STATEMENT OF EDUCATIONAL COSTS; SPECIAL~~ SPECIAL EDUCATION OR RELATED SERVICES.

SECTION 2062. 118.51 (12) (a) of the statutes is repealed.

SECTION 2063. 118.51 (12) (b) of the statutes is renumbered 118.51 (12).

SECTION 2064. 118.51 (16) (a) 1. of the statutes is amended to read:

118.51 **(16)** (a) 1. For each school district, the number of nonresident pupils attending public school in the school district under this section, other than pupils for whom a payment is made under sub. (17) (a)~~,~~ or (c)~~, or (cm)~~.

SECTION 2065. 118.51 (16) (a) 2. of the statutes is amended to read:

118.51 **(16)** (a) 2. For each school district, the number of resident pupils attending public school in a nonresident school district under this section, other than pupils for whom a payment is made under sub. (17) (a)~~,~~ or (c)~~, or (cm)~~.

SECTION 2066. 118.51 (16) (a) 3. b. of the statutes is amended to read:

118.51 **(16)** (a) 3. b. Beginning with the amount in the 2015–16 school year and ending with the amount in the 2020–21 school year, except as provided in subd. 3. c., ~~in each school year thereafter,~~ the sum of the amount determined under this subdivision for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

SECTION 2067. 118.51 (16) (a) 3. bm. of the statutes is created to read:

118.51 **(16)** (a) 3. bm. Beginning with the amount for the 2021–22 school year and in each school year thereafter, the sum of the amount determined under this subdivision for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

SECTION 2068. 118.51 (16) (c) of the statutes is amended to read:

118.51 **(16)** (c) If a pupil attends public school in a nonresident school district under this section for less than a full school term, the department shall prorate the state aid adjustments under this subsection and sub. (17) (c) ~~and (cm)~~ based on the number of days that school is in session and the pupil attends public school in the nonresident school district.

SECTION 2069. 118.51 (16) (d) of the statutes is amended to read:

118.51 **(16)** (d) The department shall ensure that the aid adjustments under par. (b) and sub. (17) (c) ~~and (cm)~~ do not affect the amount determined to be received by a school district as state aid under s. 121.08 for any other purpose.

SECTION 2070. 118.51 (17) (b) 2. c. of the statutes is amended to read:

118.51 **(17)** (b) 2. c. Beginning in the 2018–19 school year~~, and subject to subd. 3.~~ and ending in the 2020–21 school year, the per pupil transfer amount is the sum of the per pupil transfer amount for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive, or the amount under s. 118.51 (17) (b) 3., 2019 stats., if applicable.

SECTION 2071. 118.51 (17) (b) 2. cm. of the statutes is created to read:

118.51 **(17)** (b) 2. cm. Beginning in the 2021–22 school year, the per pupil transfer amount is the sum of the per pupil transfer amount for the previous school year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

SECTION 2072. 118.51 (17) (b) 3. of the statutes is repealed.

SECTION 2073. 118.51 (17) (bm) of the statutes is repealed.

SECTION 2074. 118.51 (17) (c) of the statutes is amended to read:

118.51 **(17)** (c) 1. ~~If~~ Beginning in the 2021–22 school year, if the number determined in par. (b) 1. a. is greater than the number determined in par. (b) 1. b. for a school district, ~~in the 2016–17, 2017–18, and 2018–19 school years,~~ the department shall increase that school district's state aid payment under s. 121.08 by an amount equal to the difference multiplied by ~~an~~ the amount under par. (b) 2. ~~a., b., or c.~~ for the applicable school year.

2. ~~If~~ Beginning in the 2021–22 school year, if the number determined in par. (b) 1. a. is less than the number determined in par. (b) 1. b. for a school district, ~~in the 2016–17, 2017–18, and 2018–19 school years,~~ the department shall decrease that school district's state aid payment under s. 121.08 by an amount equal to the difference multiplied by ~~an~~ the amount under par. (b) 2. ~~a., b., or c.~~ for the applicable school year. If the state aid payment under s. 121.08 is insufficient to cover the reduction, the department shall decrease other state aid payments made by the department to the school district by the remaining amount. If the state aid payment under s. 121.08 and other state aid payments made by the department to the school district are insufficient to cover the reduction, the department shall use the moneys appropriated under s. 20.255 (2) (cg) to pay the balance to school districts under subd. 1.

SECTION 2075. 118.51 (17) (cm) of the statutes is repealed.

SECTION 2076. 118.55 (3) (title) of the statutes is amended to read:

118.55 **(3)** (title) NOTIFICATION OF ~~SCHOOL BOARD~~ INTENT; DETERMINATION OF HIGH SCHOOL CREDIT; NOTIFICATION OF POSTSECONDARY CREDIT.

SECTION 2077. 118.55 (3) (a) of the statutes is amended to read:

118.55 **(3)** (a) A public school pupil who intends to enroll in an institution of higher education under this section shall notify the school board of the school district in which he or she is enrolled or the governing board of the charter school under s. 118.40 (2r) or (2x) that he or she attends and a pupil attending a private school who intends to enroll in an institution of higher education under this section shall notify the governing body of the private school he or she attends of that intention no later than March 1 if the pupil intends to enroll in the fall semester, and no later than October 1 if the pupil intends to enroll in the spring semester. The notice shall include the titles of the courses in which the pupil intends to enroll and the number of credits of each course, and shall specify whether the pupil will be taking the courses for high school or postsecondary credit.

SECTION 2078. 118.55 (3) (b) of the statutes is amended to read:

118.55 **(3)** (b) If the public school pupil specifies in the notice under par. (a) that he or she intends to take a course at an institution of higher education for high school credit, the school board or governing board of the charter school under s. 118.40 (2r) or (2x) shall determine whether the course is comparable to a course offered in the school district~~, and~~ or charter school, whether the course satisfies any ~~of the~~ high school graduation requirements ~~under s. 118.33~~, and the number of high school credits to award the pupil for the course, if any. If the pupil attending a private school specifies in the notice under par. (a) that he or she intends to take a course at an institution of higher education for high school credit, the governing body of the participating private school shall determine whether the course is comparable to a course offered at the private school, whether the course satisfies any requirements necessary for high school graduation, and the number of high school credits to award

the pupil for the course, if any. In cooperation with institutions of higher education, the state superintendent shall develop guidelines to assist school ~~districts~~ boards, governing boards of charter schools under s. 118.40 (2r) or (2x), and participating private schools in making the determinations. The school board, governing board, or governing body shall notify the pupil of its determinations, in writing, before the beginning of the semester in which the pupil will be enrolled. If the public school pupil disagrees with the ~~school board's~~ decision of a school board or governing board of a charter school under s. 118.40 (2r) or (2x) regarding comparability of courses, satisfaction of high school graduation requirements, or the number of high school credits to be awarded, the pupil may appeal the ~~school board's~~ decision to the state superintendent within 30 days after the decision. The state superintendent's decision shall be final and is not subject to review under subch. III of ch. 227. If the pupil attending a participating private school disagrees with any decision of a governing body under this paragraph, the pupil may appeal the decision to the governing body within 30 days after the decision.

SECTION 2079. 118.55 (4) (b) of the statutes is amended to read:

118.55 **(4)** (b) If an institution of higher education admits a pupil, it shall notify the school board of the school district in which the pupil is enrolled, the governing board of the charter school under s. 118.40 (2r) or (2x) the pupil attends, or the governing body of the pupil's participating private school, in writing, within 30 days after the beginning of classes at the institution of higher education. The notification shall include the course or courses in which the pupil is enrolled.

SECTION 2080. 118.55 (4) (c) of the statutes is amended to read:

118.55 **(4)** (c) If a pupil is not admitted to attend the course that he or she specified in the notice under sub. (3) (a) but is admitted to attend a different course,

the pupil shall immediately notify the school board of the school district in which he or she is enrolled, the governing board of the charter school under s. 118.40 (2r) or (2x) the pupil attends, or the governing body of the pupil's participating private school and the school board, governing board, or governing body shall inform the pupil of its determinations under sub. (3) (b) regarding the course to which the pupil was admitted as soon as practicable.

SECTION 2081. 118.55 (5) (intro.) of the statutes is amended to read:

118.55 **(5)** RESPONSIBILITY FOR AND DETERMINATION OF COSTS; PAYMENT AND REIMBURSEMENT FOR CERTAIN COSTS. (intro.) Subject to sub. (7t), the school board of the school district in which a pupil attending an institution of higher education under this section is enrolled, the governing board of the charter school under s. 118.40 (2r) or (2x) attended by a pupil who is attending an institution of higher education under this section, and the governing body of the participating private school attended by a pupil who is attending an institution of higher education under this section shall be responsible for the following amount:

SECTION 2082. 118.55 (5) (a) of the statutes is amended to read:

118.55 **(5)** (a) If the public high school pupil is taking a course for high school credit, regardless of whether the course is also taken for postsecondary credit, and if the course is not comparable to a course offered in the school district or at the charter school, 75 percent of the actual cost of tuition for the course, as determined under par. (d). If a private high school pupil attending a private school is taking a course for high school credit, regardless of whether the course is also taken for postsecondary credit, and if the course is not comparable to a course offered by the participating private school, 75 percent of the actual cost of tuition for the course, as determined under par. (d). If the pupil takes a course described under this paragraph

at a high school in a school district, at a charter school under s. 118.40 (2r) or (2x), or at a participating private school, the school board of the school district, the governing board of the charter school, or the governing body of the participating private school ~~shall be~~ is responsible for the costs of books and other necessary materials for the course.

SECTION 2083. 118.55 (5) (b) of the statutes is amended to read:

118.55 **(5)** (b) If the pupil is taking a course for postsecondary credit and if the course is not comparable to a course offered in the school district, at the charter school under s. 118.40 (2r) or (2x), or the participating private school, 25 percent of the actual cost of tuition for the course, as determined under par. (d).

SECTION 2084. 118.55 (5) (d) of the statutes is amended to read:

118.55 **(5)** (d) If a school board, the governing board of a charter school under s. 118.40 (2r) or (2x), or the governing body of a participating private school is required to pay tuition on behalf of a pupil under this subsection, the tuition charged for each credit assigned to the course may not exceed the following:

1. For an institution of higher education under sub. (1) (bm) 1., other than a University of Wisconsin college campus, as defined in s. 36.05 (6m), one–third of the amount that would be charged for each credit assigned to the course to an individual who is a resident of this state and who is enrolled in the educational institution as an undergraduate student. Subject to sub. (7t), neither the institution of higher education nor the school board ~~nor the~~, governing board, or governing body may charge any additional costs or fees to a pupil to attend a course under this section.

1m. For an institution of higher education under sub. (1) (bm) that is a University of Wisconsin college campus, as defined in s. 36.05 (6m), one–half of the amount that would be charged for each credit assigned to the course to an individual

who is a resident of this state and who is enrolled in the college campus as an undergraduate student. Subject to sub. (7t), neither the college campus nor the school board or governing board may charge any additional costs or fees to a pupil to attend a course under this section.

2. For an institution of higher education under sub. (1) (bm) 2., one–third of the amount that would be charged for each credit assigned to a similar course offered by the University of Wisconsin–Madison to an individual who is a resident of this state and who is enrolled at the University of Wisconsin–Madison as an undergraduate student. Subject to sub. (7t), neither the institution of higher education nor the school board or governing board may charge any additional costs or fees to a pupil to attend a course under this section.

SECTION 2085. 118.55 (5) (e) of the statutes is amended to read:

118.55 **(5)** (e) 1. Subject to sub. (7t), within 30 days after the end of the semester, the school board of the school district in which a pupil who attended an institution of higher education under this section was enrolled, the governing board of the charter school under s. 118.40 (2r) or (2x) attended by a pupil who attended an institution of higher education under this section, and the governing body of a participating private school attended by a pupil who attended the institution of higher education under this section shall pay the institution, on behalf of the pupil, the amount determined under par. (d) and shall submit an itemized report to the department of the amounts paid under this subdivision.

2. Subject to subd. 3., from the appropriation under s. 20.445 (1) (d), the secretary of the department of workforce development shall, on behalf of the school board of a school district in which a pupil who attended an institution of higher education under this section was enrolled, on behalf of the governing board of the

charter school under s. 118.40 (2r) or (2x) attended by a pupil who attended an institution of higher education under this section, and on behalf of the governing body of a participating private school and a pupil who attended the private school and who attended an institution of higher education under this section, pay to the department of public instruction the following amount:

a. For a pupil who took a course for high school credit, as described in par. (a), 25 percent of the actual cost of tuition for the course, as determined under par. (d). The department of public instruction shall reimburse the school board of the school district, governing board of the charter school, or the governing body of the private school the amount received from the department of workforce development under this subd. 2. a.

b. For a pupil who took a course for postsecondary credit, as described in par. (b), 50 percent of the actual cost of tuition for the course, as determined under par. (d). The department of public instruction shall reimburse the school board of the school district, governing board of the charter school, or the governing body of the private school the amount received from the department of workforce development under this subd. 2. b.

3. If the appropriation under s. 20.445 (1) (d) in any fiscal year is insufficient to reimburse all school districts, governing boards, and ~~all~~ governing bodies eligible for the full amount of reimbursable tuition costs under subd. 2., the secretary of the department of workforce development shall notify the state superintendent, who shall prorate the amount of the payments under subd. 2. among eligible school districts, governing boards, and governing bodies.

SECTION 2086. 118.55 (6) of the statutes is amended to read:

118.55 **(6)** RESPONSIBILITY OF PUPIL FOR TUITION AND FEES; INSTITUTION OF HIGHER EDUCATION. (a) Subject to sub. (7t), a pupil taking a course at an institution of higher education for high school credit under this section is not responsible for any portion of the tuition and fees for the course if the school board, the governing board of a charter school under s. 118.40 (2r) or (2x), the state superintendent on appeal under sub. (3) (b), the governing body of the participating private school, or the governing body on appeal under sub. (3) (b) has determined that the course is not comparable to a course offered in the school district, at the charter school, or at the participating private school, whichever is applicable.

(b) A pupil taking a course at an institution of higher education for high school credit under this section is responsible for the tuition and fees for the course if the school board, the governing board of a charter school under s. 118.40 (2r) or (2x), or the governing body of the participating private school has determined that the course is comparable to a course offered in the school district, at the charter school, or at the participating private school, unless the state superintendent or the governing body reverses the decision of the school board, governing board, or governing body, respectively, on appeal under sub. (3) (b).

(c) 1. Except as provided in subd. 2., a pupil taking a course under this section at an institution of higher education only for postsecondary credit is responsible for 25 percent of the actual cost of tuition for the course, as determined under sub. (5) (d). The school board of the school district in which the pupil attending an institution under this section is enrolled, the governing board of the charter school under s. 118.40 (2r) or (2x) attended by a pupil attending an institution of higher education under this section, and the governing body of a participating private school attended by a pupil attending an institution of higher education under this section shall

establish a written policy governing the timing and method for recovering from the pupil or the pupil's parent or guardian the pupil's share of tuition as specified in this subdivision.

2. The school board, governing board of the charter school under s. 118.40 (2r) or (2x), or the governing body of the participating private school shall waive the pupil's responsibility for costs under subd. 1. if the department determines that the cost of the course would pose an undue financial burden on the pupil's family.

SECTION 2087. 118.55 (7g) of the statutes is amended to read:

118.55 **(7g)** TRANSPORTATION. The parent or guardian of a pupil who is attending an institution of higher education or technical college under this section and is taking a course for high school credit may apply to the state superintendent for reimbursement of the cost of transporting the pupil between the high school or participating private school in which the pupil is enrolled and the institution of higher education or technical college that the pupil is attending if the pupil and the pupil's parent or guardian are unable to pay the cost of such transportation. The state superintendent shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) ~~(cy)~~ (cx). The state superintendent shall give preference under this subsection to those pupils who satisfy the income eligibility criteria for a free or reduced–price lunch under 42 USC 1758 (b) (1).

SECTION 2088. 118.55 (7t) of the statutes is amended to read:

118.55 **(7t)** LIMITATIONS ON PARTICIPATION AND PAYMENT. (a) A school board, governing board of a charter school under s. 118.40 (2r) or (2x), or ~~the~~ governing body of a participating private school may establish a written policy limiting the number of credits for which the school board, governing board, or governing body will pay

under sub. (5) and s. 38.12 (14) (d) to the equivalent of 18 postsecondary semester credits per pupil.

(c) If a pupil receives a failing grade in a course, or fails to complete a course, at an institution of higher education or technical college for which the school board, governing board of a charter school under s. 118.40 (2r) or (2x), or ~~the~~ governing body of a participating private school has made payment, the pupil's parent or guardian, or the pupil if he or she is an adult, shall reimburse the school board, governing board, or ~~the~~ governing body the amount paid on the pupil's behalf upon the request of the school board, governing board, or governing body. If a school board, governing board, or governing body that requests reimbursement of a payment made under this section is not reimbursed as requested, the pupil on whose behalf the payment was made is ineligible for any further participation in the program under this section. For the purposes of this paragraph, a grade that constitutes a failing grade for a course offered in the school district, at the charter school under s. 118.40 (2r) or (2x), or at the participating private school constitutes a failing grade for a course taken at an institution of higher education or technical college under this section.

SECTION 2089. 118.55 (8) (b) of the statutes is amended to read:

118.55 **(8)** (b) A school board, governing board of a charter school under s. 118.40 (2r) or (2x), or the governing body of a participating private school may enter into an agreement with an institution of higher education to facilitate the early college credit program under this section.

SECTION 2090. 118.55 (10) (d) of the statutes is created to read:

118.55 **(10)** (d) This section does not apply to a course for which a high school pupil attending a charter school under s. 118.40 (2r) or (2x) may earn postsecondary credit if all of the following apply:

1. The governing board of the charter school and one of the following have entered into an agreement before, on, or after the effective date of this subdivision .... [LRB inserts date], to provide a college credit in high school program to academically qualified pupils under which participating pupils may take the course for postsecondary credit:

a. The chancellor of a University of Wisconsin System institution.

b. The president of a private, nonprofit institution.

2. The instruction of pupils in the course takes place in the charter school building.

3. The individual who provides instruction in the course is any of the following:

a. For a course taught pursuant to an agreement under subd. 1. a., a high school teacher who is employed by the governing board of the charter school and certified or approved to provide the instruction by the participating University of Wisconsin System institution or a faculty member of the participating University of Wisconsin System institution.

b. For a course taught pursuant to an agreement under subd. 1. b., a high school teacher who is employed by the governing board of the charter school and certified or approved to provide the instruction by the participating private, nonprofit institution or a faculty member of the participating private, nonprofit institution.

SECTION 2091. 118.60 (2) (a) (intro.) of the statutes is amended to read:

118.60 **(2)** (a) (intro.) Subject to pars. (ag) ~~and,~~ (ar), and (bh), any pupil in grades kindergarten to 12 who resides ~~within~~ in an eligible school district may attend any private school under this section and, subject to pars. (ag), (ar), (be), (bh), (bm), and (bs), any pupil in grades kindergarten to 12 who resides in a school district, other

than an eligible school district or a 1st class city school district, may attend any private school under this section if all of the following apply:

SECTION 2092. 118.60 (2) (a) 2. a. of the statutes is amended to read:

118.60 **(2)** (a) 2. a. The pupil was enrolled in a public school in the previous school year. For purposes of this subd. 2. a., a pupil was enrolled in a public school in the previous school year if the pupil was counted in a school district's membership, as defined in s. 121.001 (5), or attended a charter school authorized under s. 118.40 (2r) or (2x), and the pupil did not attend a private school during the previous school year.

SECTION 2093. 118.60 (2) (a) 2. g. of the statutes is amended to read:

118.60 **(2)** (a) 2. g. If the pupil resides in a school district, other than ~~an eligible school district or~~ a 1st class city school district, the pupil was on a waiting list under sub. (3) (am) 4. or (ar) 4. in any previous school year.

SECTION 2094. 118.60 (2) (a) 6. a. of the statutes is amended to read:

118.60 **(2)** (a) 6. a. Except as provided in subd. 6. c. and d., all of the private school's teachers have a teaching license issued by the department or a bachelor's degree or a degree or educational credential higher than a bachelor's degree, including a ~~masters~~ master's or doctorate, from a nationally or regionally accredited institution of higher education. This subd. 6. a. does not apply after June 30, 2024.

SECTION 2095. 118.60 (2) (a) 6m. of the statutes is created to read:

118.60 **(2)** (a) 6m. a. Except as provided in subd. 6m. b., beginning on July 1, 2024, all of the private school's teachers have a teaching license or permit issued by the department.

b. Any teacher employed by the private school on July 1, 2024, who has been teaching for at least the 5 consecutive years immediately preceding July 1, 2024, and

who does not satisfy the requirements under subd. 6m. a. on July 1, 2024, applies to the department on a form prepared by the department for a temporary, nonrenewable waiver from the requirements under subd. 6m. a. The department shall promulgate rules to implement this subd. 6m. b., including the form of the application and the process by which the waiver application will be reviewed. The application form shall require the applicant to submit a plan for satisfying the requirements under subd. 6m. a. No waiver granted under this subd. 6m. b. is valid after July 1, 2029.

SECTION 2096. 118.60 (2) (be) 3. of the statutes is amended to read:

118.60 **(2)** (be) 3. Beginning with the 2026–27 school year, ~~there is no limit on the number of pupils who may attend private schools~~ the limits under this ~~section~~ paragraph do not apply.

SECTION 2097. 118.60 (2) (bh) of the statutes is created to read:

118.60 **(2)** (bh) 1. In this paragraph, "program cap" means any of the following:

a. For an eligible school district, the total number of pupils residing in the eligible school district who attended a private school under this section in the 2021–22 school year.

b. For all school districts, other than an eligible school district or a 1st class city school district, the total number of pupils residing in those school districts who attended a private school under this section in the 2021–22 school year.

2. a. Beginning with the 2022–23 school year, the total number of pupils residing in an eligible school district who may attend a private school under this section during a school year may not exceed the program cap under subd. 1. a.

b. Beginning with the 2022–23 school year, the total number of pupils residing in school districts, other than an eligible school district or a 1st class city school

district, who may attend a private school under this section during a school year may not exceed the program cap under subd. 1. b.

SECTION 2098. 118.60 (2) (c) 3. of the statutes is created to read:

118.60 **(2)** (c) 3. Notwithstanding par. (a) 6m., a teacher employed by a private school participating in the program under this section who teaches only courses in rabbinical studies is not required to hold a license or permit to teach issued by the department.

SECTION 2099. 118.60 (3) (a) (intro.) of the statutes is renumbered 118.60 (3) (a) and amended to read:

118.60 **(3)** (a) The pupil or the pupil's parent or guardian shall submit an application, on a form provided by the state superintendent, to the participating private school that the pupil wishes to attend. If more than one pupil from the same family applies to attend the same private school, the pupils may use a single application. No later than 60 days after the end of the application period during which an application is received ~~and subject to par. (ar)~~, the private school shall notify each applicant~~, in writing, whether his or her application has been accepted. If the private school rejects an application, the~~ who is not eligible under sub. (2) to attend the private school under this section that the application is rejected. The notice shall be in writing and shall include the reason. ~~Subject to par. (ar), a private school may reject an applicant only if it has reached its maximum general capacity or seating capacity. Except as provided in par. (ar), the state superintendent shall ensure that the private school determines which pupils to accept on a random basis, except that the private school may give preference to the following in accepting applications, in the order of preference listed:~~

SECTION 2100. 118.60 (3) (a) 1m. to 5. of the statutes are renumbered 118.60 (3) (am) 3. am. to e., and 118.60 (3) (am) 3. bm. and d., as renumbered, are amended to read:

118.60 **(3)** (am) 3. bm. Siblings of pupils described in subd. ~~1m.~~ 3. am.

d. Siblings of pupils described under subd. 3. c.

SECTION 2101. 118.60 (3) (am) of the statutes is created to read:

118.60 **(3)** (am) All of the following apply to applications to attend a private school under this section submitted by pupils who reside in an eligible school district:

1. A private school that has submitted a notice of intent to participate under sub. (2) (a) 3. a. may accept applications for a school year during application periods determined by the department from pupils who reside in an eligible school district. For each school year, the department shall establish one or more application periods under this subdivision, the first of which begins no earlier than the first weekday in February of the school year before the applicable school year, and the last of which ends no later than September 14 of the applicable school year.

2. Each private school that received applications under subd. 1. shall report to the department the number of pupils who applied under subd. 1. to attend the private school under this section and the names of those applicants who have siblings who also applied under subd. 1. to attend the private school under this section. The private school shall submit the report no later than 10 days after each application period described under subd. 1. during which the private school received applications.

3. After the end of each application period described under subd. 1., upon receipt of the information under subd. 2., the department shall determine the sum of all applicants for pupils residing in an eligible school district. In determining the

sum, the department shall count a pupil who has applied to attend more than one private school under the program only once. If, after the end of an application period described under subd. 1., the sum of all applicants for pupils residing in an eligible school district exceeds the program cap under sub. (2) (bh) 2. a., the department shall determine which applications submitted during the application period to accept on a random basis, except that the department shall give preference in accepting applications of pupils to the following applications, in the order of preference listed:

4. If the sum under subd. 3. exceeds the program cap under sub. (2) (bh) 2. a., the department shall establish a waiting list in accordance with the preferences required under subd. 3.

5. A private school that has accepted a pupil who resides in an eligible school district under this paragraph shall notify the department whenever the private school determines that a pupil will not attend the private school under this paragraph. If, upon receiving notice under this subdivision, the department determines that the number of pupils attending private schools under this section falls below the program cap under sub. (2) (bh) 2. a., the department shall fill any available slot with a pupil selected from the waiting list established under subd. 4., if such a waiting list exists.

SECTION 2102. 118.60 (3) (ar) (intro.) of the statutes is amended to read:

118.60 **(3)** (ar) (intro.) All of the following apply to applications to attend a private school under this section ~~only if the limitation under sub. (2) (be) applies to the school year for which the application is made~~ submitted by pupils who reside in a school district, other than an eligible school district or a 1st class city school district:

SECTION 2103. 118.60 (3) (ar) 3. of the statutes is renumbered 118.60 (3) (ar) 3. (intro.) and amended to read:

118.60 **(3)** (ar) 3. (intro.) ~~Annually~~ After the end of the application period described under subd. 1., upon receipt of the information under subd. 2., the department shall, for each school district, determine the sum of all applicants for pupils residing in that school district ~~under this paragraph~~ and the sum of all applicants for pupils residing in all school districts, other than an eligible school district or a 1st class city school district. In determining ~~the sum~~ those sums, the department shall count a pupil who has applied to attend more than one private school under the program only once. After determining ~~the sum of all applicants for pupils residing in a school district,~~ those sums, if any of the following applies, the department shall determine which applications to accept on a random basis, except that the department shall give preference in accepting applications of pupils to the applications ~~of pupils~~ described in par. ~~(a) 1m. to 5.~~ (am) 3. am. to e., in the order of preference listed ~~in that paragraph.~~ under par. (am) 3.:

SECTION 2104. 118.60 (3) (ar) 3. a. and b. of the statutes are created to read:

118.60 **(3)** (ar) 3. a. The sum of all applicants for pupils residing in a school district, other than an eligible school district or a 1st class city school district, exceeds the school district's pupil participation limit under sub. (2) (be).

b. The sum of all applicants for pupils residing in all school districts, other than an eligible school district or a 1st class city school district, exceeds the program cap under sub. (2) (bh) 2. b.

SECTION 2105. 118.60 (3) (ar) 4. of the statutes is renumbered 118.60 (3) (ar) 4. (intro.) and amended to read:

118.60 **(3)** (ar) 4. (intro.) ~~For each school district in which private schools received applications under subd. 1. that exceeded the school district's pupil participation limit under sub. (2) (be), the~~ The department shall establish a waiting

list in accordance with the preferences required under subd. 3. for each of the following:

SECTION 2106. 118.60 (3) (ar) 4. a. and b. of the statutes are created to read:

118.60 **(3)** (ar) 4. a. A school district, other than an eligible school district or a 1st class city school district, for which the sum described under subd. 3. a. exceeds the school district's pupil participation limit under sub. (2) (be).

b. All school districts, other than an eligible school district or a 1st class city school district, if the sum described under subd. 3. b. exceeds the program cap under sub. (2) (bh) 2. b.

SECTION 2107. 118.60 (3) (ar) 5. of the statutes is amended to read:

118.60 **(3)** (ar) 5. A private school that has accepted a pupil who resides in a school district, other than an eligible school district or a 1st class city school district, under this paragraph shall notify the department whenever the private school determines that a pupil will not attend the private school under this paragraph. If, upon receiving notice under this subdivision, the department determines that the number of pupils attending private schools under this section falls below a school district's pupil participation limit under sub. (2) (be), or below the program cap under sub. (2) (bh) 2. b., the department shall fill any available slot in that school district or program with a pupil selected from the ~~school district's~~ applicable waiting list established under subd. 4., if such a waiting list exists.

SECTION 2108. 118.60 (3) (b) of the statutes is amended to read:

118.60 **(3)** (b) If ~~a participating private school~~ the department rejects an applicant who resides ~~within~~ in an eligible school district because the private school to which the applicant applied has too few available spaces, the applicant may transfer his or her application to a participating private school that has space

available. An applicant who is rejected under this paragraph or an applicant who is on the waiting list under par. (am) 4. may, subject to sub. (2) (bh) 2. a., be admitted to a private school participating in the program under this section for the following school year, provided that the applicant continues to reside ~~within~~ in an eligible school district. The department may not require, in that following school year, the private school to submit financial information regarding the applicant or to verify the eligibility of the applicant to participate in the program under this section on the basis of family income.

SECTION 2109. 118.60 (3) (c) of the statutes is amended to read:

118.60 **(3)** (c) If ~~a participating private school~~ the department rejects an applicant who resides in a school district, other than an eligible school district or a 1st class city school district, because the private school to which the applicant applied has too few available spaces, the applicant may transfer his or her application to a participating private school that has space available. An applicant who is rejected under this paragraph or an applicant who is on ~~the~~ a waiting list under par. (ar) 4. a. or b. may, subject to sub. (2) (be) and (bh) 2. b., be admitted to a private school participating in the program under this section for the following school year, provided that the applicant continues to reside in a school district, other than an eligible school district or a 1st class city school district. The department may not require, in that following school year, the private school to submit financial information regarding the applicant or to verify the eligibility of the applicant to participate in the program under this section on the basis of family income.

SECTION 2110. 118.60 (4) (bg) 3. of the statutes is amended to read:

118.60 **(4)** (bg) 3. In the 2015–16 to 2020–21 school ~~year and in each school year thereafter~~ years, upon receipt from the pupil's parent or guardian of proof of the

pupil's enrollment in the private school during a school term, except as provided in subd. 5., the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fr), an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

SECTION 2111. 118.60 (4) (bg) 6. of the statutes is created to read:

118.60 **(4)** (bg) 6. Beginning in the 2021–22 school year and in each school year thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, except as provided in subd. 7., the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fr), an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

SECTION 2112. 118.60 (4) (bg) 7. of the statutes is created to read:

118.60 **(4)** (bg) 7. If the pupil described in subd. 6. is enrolled in a private school that enrolls pupils under the program in any grade between kindergarten to 8 and

also in any grade between 9 to 12, the state superintendent shall substitute for the amount described in subd. 6. the amount determined under subd. 4. a. to d., with the following modifications:

a. Multiply the number of pupils participating in the program who are enrolled in the private school in any grade between kindergarten to 8 by the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

b. Multiply the number of pupils participating in the program who are enrolled in the private school in any grade between 9 to 12 by the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

SECTION 2113. 118.60 (4v) (b) of the statutes is amended to read:

118.60 **(4v)** (b) If the department considers a pupil as a resident of an eligible school district under par. (a) for a school year, the department shall ensure that the pupil is not counted for that school year for purposes of determining whether a school district has exceeded its pupil participation limit under sub. (2) (be) and that the pupil is not counted for that school year for purposes of determining whether a program cap under sub. (2) (bh) 2. a. or b. has been exceeded.

SECTION 2114. 118.60 (7) (b) 2g. of the statutes is created to read:

118.60 **(7)** (b) 2g. Beginning in the 2022–23 school year, as part of the private school's curriculum, include instruction in the culture, tribal sovereignty, and contemporary and historical significant events of the federally recognized American Indian tribes and bands located in this state at least twice in the elementary grades and at least once in the high school grades.

SECTION 2115. 118.60 (11) (e) of the statutes is created to read:

118.60 **(11)** (e) Notwithstanding sub. (2) (be) and (bh) and s. 119.23 (2) (b), promulgate rules under par. (a) that are consistent with sub. (4v) and s. 119.23 (4v) to ensure that, if a pupil who accepted a space at a private school participating in a program under this section or under s. 119.23 changes the pupil's residence, the pupil will not be counted for purposes of determining whether the participation limit under sub. (2) (be) or the program cap under sub. (2) (bh) or s. 119.23 (2) (b) that applies to the pupil's new residence has been exceeded.

SECTION 2116. Subchapter I (title) of chapter 119 [precedes 119.01] of the statutes is repealed.

SECTION 2117. 119.02 (1) of the statutes is amended to read:

119.02 **(1)** "Board" means the board of school directors in charge of the public schools of a city of the 1st class ~~other than those public schools transferred to the opportunity schools and partnership programs under s. 119.33 or subch. II~~.

SECTION 2118. 119.02 (2g) of the statutes is repealed.

SECTION 2119. 119.02 (4) of the statutes is repealed.

SECTION 2120. 119.04 (1) of the statutes is amended to read:

119.04 **(1)** Subchapters IV, V, and VII of ch. 115, ch. 121, and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.363, 115.364, 115.365 (3), 115.366, 115.367, 115.38 (2), 115.415, 115.445,

115.449, 115.453, 115.457, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.196, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.25, 118.255, 118.258, 118.291, 118.292, 118.293, 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.137, 120.14, 120.20, 120.21 (3), and 120.25 are applicable to a 1st class city school district and board ~~but not, unless explicitly provided in this chapter or in the terms of a contract, to the commissioner or to any school transferred to an opportunity schools and partnership program~~.

SECTION 2121. 119.16 (1n) of the statutes is repealed.

SECTION 2122. 119.16 (2) of the statutes is amended to read:

119.16 **(2)** ESTABLISH SCHOOLS AND DISTRICTS. The board shall maintain the public schools in the city~~, other than those public schools transferred to the opportunity schools and partnership programs under s. 119.33 and subch. II,~~ and shall establish, organize, and maintain such schools as the board determines are necessary to accommodate the children entitled to instruction therein. The board shall divide the city into attendance districts for such schools.

SECTION 2123. 119.16 (8) (a) of the statutes is amended to read:

119.16 **(8)** (a) Annually before adopting its budget for the ensuing school year and at least 5 days before transmitting its completed budget under par. (b), the board shall hold a public hearing on the proposed school budget at a time and place fixed by the board. At least 45 days before the public hearing, the board shall notify the superintendent of schools ~~and the commissioner~~ of the date, time, and place of the

hearing. At least one week before the public hearing, the board shall publish a class 1 notice, under ch. 985, of the public hearing.

SECTION 2124. 119.16 (8) (b) of the statutes is amended to read:

119.16 **(8)** (b) The board shall transmit its completed budget to the common council on or before the first Monday in August of each year on forms furnished by the auditing officer of the city~~,~~ and shall include in the budget the information specified under s. 119.46 (1) for all public schools in the city under this chapter~~,~~ ~~including the schools transferred to the opportunity schools and partnership programs under s. 119.33 and subch. II. The board shall itemize those portions of the budget allocated to schools transferred to the opportunity schools and partnership programs under s. 119.33 and subch. II~~. Such completed budget shall be published with the budget summary under s. 65.04 (2) or 65.20 and budget under s. 65.05 (7).

SECTION 2125. 119.16 (9) of the statutes is amended to read:

119.16 **(9)** SCHOOL BUDGET. Annually, the board shall prepare a budget for each school in the school district operating under this chapter~~, other than the schools transferred to the opportunity schools and partnership programs under s. 119.33 and subch. II~~.

SECTION 2126. 119.16 (15) of the statutes is repealed.

SECTION 2127. 119.23 (2) (a) (intro.) of the statutes is amended to read:

119.23 **(2)** (a) (intro.) Subject to pars. (ag) ~~and~~, (ar), and (b), any pupil in grades kindergarten to 12 who resides within the city may attend any private school if all of the following apply:

SECTION 2128. 119.23 (2) (a) 6. a. of the statutes is amended to read:

119.23 **(2)** (a) 6. a. Except as provided in subd. 6. c., all of the private school's teachers have a teaching license issued by the department or a bachelor's degree or

a degree or educational credential higher than a bachelor's degree, including a ~~masters~~ master's or doctorate, from a nationally or regionally accredited institution of higher education. This subd. 6. a. does not apply after June 30, 2024.

SECTION 2129. 119.23 (2) (a) 6m. of the statutes is created to read:

119.23 **(2)** (a) 6m. a. Except as provided in subd. 6m. b., beginning on July 1, 2024, all of the private school's teachers have a teaching license or permit issued by the department.

b. Any teacher employed by the private school on July 1, 2024, who has been teaching for at least the 5 consecutive years immediately preceding July 1, 2024, and who does not satisfy the requirements under subd. 6m. a. on July 1, 2024, applies to the department on a form prepared by the department for a temporary, nonrenewable waiver from the requirements under subd. 6m. a. The department shall promulgate rules to implement this subd. 6m. b., including the form of the application and the process by which the waiver application will be reviewed. The application form shall require the applicant to submit a plan for satisfying the requirements under subd. 6m. a. No waiver granted under this subd. 6m. b. is valid after July 1, 2029.

SECTION 2130. 119.23 (2) (b) of the statutes is created to read:

119.23 **(2)** (b) 1. In this paragraph, "program cap" means the total number of pupils residing in the city who attended a private school under this section in the 2021–22 school year.

2. Beginning with the 2022–23 school year, the total number of pupils residing in the city who may attend a private school under this section during a school year may not exceed the program cap.

SECTION 2131. 119.23 (2) (c) 3. of the statutes is created to read:

119.23 **(2)** (c) 3. Notwithstanding par. (a) 6m., a teacher employed by a private school participating in the program under this section who teaches only courses in rabbinical studies is not required to hold a license or permit to teach issued by the department.

SECTION 2132. 119.23 (3) (a) (intro.) of the statutes is renumbered 119.23 (3) (a) and amended to read:

119.23 **(3)** (a) The pupil or the pupil's parent or guardian shall submit an application, on a form provided by the state superintendent, to the participating private school that the pupil wishes to attend. If more than one pupil from the same family applies to attend the same private school, the pupils may use a single application. No later than 60 days after the end of the application period during which an application is received, the private school shall notify each applicant~~, in writing, whether his or her application has been accepted. If the private school rejects an application, the~~ who is not eligible under sub. (2) to attend the private school under this section that the application is rejected. The notice shall be in writing and shall include the reason. ~~A private school may reject an applicant only if it has reached its maximum general capacity or seating capacity. The state superintendent shall ensure that the private school determines which pupils to accept on a random basis, except that the private school may give preference to the following in accepting applications, in order of preference listed:~~

SECTION 2133. 119.23 (3) (a) 1. to 5. of the statutes are renumbered 119.23 (3) (ar) 3. a. to e., and 119.23 (3) (ar) 3. b. and d., as renumbered, are amended to read:

119.23 **(3)** (ar) 3. b. Siblings of pupils described in subd. ~~1.~~ 3. a.

d. Siblings of pupils described in subd. 3. c.

SECTION 2134. 119.23 (3) (ar) of the statutes is created to read:

119.23 **(3)** (ar) All of the following apply to applications to attend a private school under this section submitted by pupils who reside in the city:

1. A private school that has submitted a notice of intent to participate under sub. (2) (a) 3. may accept applications for a school year during application periods determined by the department from pupils who reside in the city. For each school year, the department shall establish one or more application periods under this subdivision, the first of which begins no later than the first weekday in February of the school year before the applicable school year, and the last of which ends no later than September 14 of the applicable school year.

2. Each private school that received applications under subd. 1. shall report to the department the number of pupils who applied under subd. 1. to attend the private school under this section and the names of those applicants who have siblings who also applied under subd. 1. to attend the private school under this section. The private school shall submit the report no later than 10 days after each application period described under subd. 1. during which the private school received applications.

3. After the end of each application period described under subd. 1, upon receipt of the information under subd. 2., the department shall determine the sum of all applicants for pupils residing in the city. In determining the sum, the department shall count a pupil who has applied to attend more than one private school under the program only once. If, after the end of an application period described under subd. 1., the sum of all applicants for pupils residing in the city exceeds the program cap under sub. (2) (b), the department shall determine which applications submitted during the application period to accept on a random basis, except that the

department shall give preference in accepting applications of pupils to the following applications, in the order of preference listed:

4. If the sum under subd. 3. exceeds the program cap under sub. (2) (b), the department shall establish a waiting list in accordance with the preferences required under subd. 3.

5. A private school that has accepted a pupil who resides in the city under this paragraph shall notify the department whenever the private school determines that a pupil will not attend the private school under this paragraph. If, upon receiving notice under this subdivision, the department determines that the number of pupils attending private schools under this section falls below the program cap under sub. (2) (b), the department shall fill any available slot with a pupil selected from the waiting list established under subd. 4., if such a waiting list exists.

SECTION 2135. 119.23 (3) (b) of the statutes is amended to read:

119.23 **(3)** (b) If the private school rejects an applicant because ~~it~~ the private school has too few available spaces, the applicant may transfer his or her application to a participating private school that has space available. An applicant who is rejected under this paragraph or an applicant who is on the waiting list under par. (ar) 4. may, subject to sub. (2) (b), be admitted to a private school participating in the program under this section for the following school year, provided that the applicant continues to reside ~~within~~ in the city. The department may not require, in that following school year, the private school to submit financial information regarding the applicant or to verify the eligibility of the applicant to participate in the program under this section on the basis of family income.

SECTION 2136. 119.23 (4) (bg) 3. of the statutes is amended to read:

119.23 **(4)** (bg) 3. In the 2015–16 to 2020–21 school ~~year and in each school year thereafter~~ years, upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, except as provided in subd. 5., the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fu), an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the amount of statewide categorical aid per pupil between the previous school year and the current school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

SECTION 2137. 119.23 (4) (bg) 6. of the statutes is created to read:

119.23 **(4)** (bg) 6. Beginning in the 2021–22 school year and in each school year thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's enrollment in the private school during a school term, except as provided in subd. 7., the state superintendent shall pay to the private school in which the pupil is enrolled on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255 (2) (fu), an amount equal to the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

SECTION 2138. 119.23 (4) (bg) 7. of the statutes is created to read:

119.23 **(4)** (bg) 7. If the pupil described in subd. 6. is enrolled in a private school that enrolls pupils under the program in any grade between kindergarten to 8 and also in any grade between 9 to 12, the state superintendent shall substitute for the amount described in subd. 6. the amount determined under subd. 4. a. to d., with the following modifications:

a. Multiply the number of pupils participating in the program who are enrolled in the private school in any grade between kindergarten to 8 by the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

b. Multiply the number of pupils participating in the program who are enrolled in the private school in any grade between 9 to 12 by the sum of the maximum amount per pupil the state superintendent paid a private school under this section in the previous school year for the grade in which the pupil is enrolled; the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if positive; and the change in the per pupil amount under s. 115.437 (2) (a) between the previous school year and the current school year, if positive.

SECTION 2139. 119.23 (4v) (b) of the statutes is amended to read:

119.23 **(4v)** (b) If the department considers a pupil as a resident of the city under par. (a) for a school year, the department shall ensure that the pupil is not counted for that school year for purposes of determining whether a school district has exceeded its pupil participation limit under s. 118.60 (2) (be) and that the pupil is not

counted for that school year for purposes of determining whether a program cap under sub. (2) (b) or s. 118.60 (2) (bh) 2. a. or b. has been exceeded.

SECTION 2140. 119.23 (7) (b) 2g. of the statutes is created to read:

119.23 **(7)** (b) 2g. Beginning in the 2022–23 school year, as part of the private school's curriculum, include instruction in the culture, tribal sovereignty, and contemporary and historical significant events of the federally recognized American Indian tribes and bands located in this state at least twice in the elementary grades and at least once in the high school grades.

SECTION 2141. 119.23 (11) (e) of the statutes is created to read:

119.23 **(11)** (e) Notwithstanding sub. (2) (b) and s. 118.60 (2) (be) and (bh), promulgate rules under par. (a) that are consistent with sub. (4v) and s. 118.60 (4v) to ensure that, if a pupil who accepted a space at a private school participating in the program under this section or under s. 118.60 changes the pupil's residence, the pupil will not be counted for purposes of determining whether the participation limit under s. 118.60 (2) (be) or the program cap under sub. (2) (b) or s. 118.60 (2) (bh) that applies to the pupil's new residence has been exceeded.

SECTION 2142. 119.33 of the statutes is repealed.

SECTION 2143. 119.44 (2) (a) 5. of the statutes is repealed.

SECTION 2144. 119.46 (1) of the statutes is amended to read:

119.46 **(1)** As part of the budget transmitted annually to the common council under s. 119.16 (8) (b), the board shall report the amount of money required for the ensuing school year to operate all public schools in the city under this chapter~~,~~ ~~including the schools transferred to the superintendent of schools opportunity schools and partnership program under s. 119.33 and to the opportunity schools and partnership program under subch. II,~~ to repair and keep in order school buildings

and equipment, ~~including school buildings and equipment transferred to the superintendent of schools opportunity schools and partnership program under s. 119.33 and to the opportunity schools and partnership program under subch. II,~~ to make material improvements to school property, and to purchase necessary additions to school sites. The report shall specify the amount of net proceeds from the sale or lease of city–owned property used for school purposes deposited in the immediately preceding school year into the school operations fund as specified under s. 119.60 (2m) (c) or (5) and the net proceeds from the sale of an eligible school building deposited in the immediately preceding school year into the school operations fund as specified under s. 119.61 (5). The amount included in the report for the purpose of supporting the Milwaukee Parental Choice Program under s. 119.23 shall be reduced by the amount of aid received by the board under s. 121.136 ~~and by the amount specified in the notice received by the board under s. 121.137 (2)~~. The common council shall levy and collect a tax upon all the property subject to taxation in the city, which shall be equal to the amount of money required by the board for the purposes set forth in this subsection, at the same time and in the same manner as other taxes are levied and collected. Such taxes shall be in addition to all other taxes ~~which~~ that the city is authorized to levy. The taxes so levied and collected, any other funds provided by law and placed at the disposal of the city for the same purposes, and the moneys deposited in the school operations fund under ss. 119.60 (1), (2m) (c), and (5) and 119.61 (5) shall constitute the school operations fund.

SECTION 2145. 119.49 (4) of the statutes is amended to read:

119.49 **(4)** The common council shall levy and collect a tax upon all taxable property in the city, in the same manner and at the same time as other taxes are levied and collected, ~~which~~ that shall be sufficient to pay the interest on all school

bonds issued under this ~~subchapter which~~ chapter that are outstanding and to pay such part of the principal of such school bonds as becomes due during the ensuing school year.

SECTION 2146. 119.55 of the statutes is repealed.

SECTION 2147. 119.61 (1) (a) 4. of the statutes is amended to read:

119.61 **(1)** (a) 4. An individual or group that is pursuing a contract with an entity under s. 118.40 (2r) (b) ~~or the director under s. 118.40 (2x)~~ to operate a school as a charter school.

SECTION 2148. 119.61 (2) (b) of the statutes is amended to read:

119.61 **(2)** (b) The board shall submit a copy of the inventory required under par. (a) to ~~the commissioner,~~ the superintendent of schools, the city clerk, the department, and the joint committee on finance.

SECTION 2149. 119.61 (2) (c) of the statutes is amended to read:

119.61 **(2)** (c) In addition to the inventory required under par. (a), the board shall annually notify ~~the commissioner,~~ the superintendent of schools, the city clerk, the department, and the joint committee on finance any time a change is made to the use of a school building.

SECTION 2150. 119.61 (3) (a) of the statutes is amended to read:

119.61 **(3)** (a) If, within 60 days after receipt of the inventory required under sub. (2) (a) or of a notice under sub. (2) (c), ~~either the commissioner or~~ the superintendent of schools submits a letter of interest regarding an eligible school building, the common council shall immediately proceed to add ~~the commissioner or~~ the superintendent of schools~~, respectively,~~ as an agent of the board on any existing lease for the eligible school building between the common council and the board.

SECTION 2151. 119.61 (3) (b) of the statutes is amended to read:

119.61 **(3)** (b) If, no more than 60 days after providing ~~the commissioner and~~ the superintendent of schools with a copy of the inventory under sub. (2) (a) or of a notice under sub. (2) (c), ~~neither the commissioner nor~~ the superintendent of schools has not submitted a letter of interest under par. (a), the city clerk shall post a public notice on the city's Internet site. The city clerk shall include in the public notice under this subsection the address of and the information specified under sub. (2) (a) 1. and 8. for each school building identified on the inventory under sub. (2) (a), or on the notice under sub. (2) (c), that is an eligible school building. The city clerk shall include in the public notice a request for and instructions for submitting letters of interest from persons interested in purchasing an eligible school building.

SECTION 2152. 119.66 of the statutes is amended to read:

119.66 Interest in contracts forbidden. During the term for which elected or appointed and for 2 years after the expiration of the term, no member of the board may be employed by the board or by the department of employee trust funds in any capacity for which a salary or emolument is provided by the board or the department of employee trust funds. No board member, superintendent of schools, assistant superintendent, other assistant, teacher, or other employee of the board may have any interest in the purchase or sale of property by the city for the use or convenience of the schools. No contract made in violation of this section is valid. Any consideration paid by the city for a purchase or sale prohibited by this section may be recovered in an action at law in the name of the city. Any person violating this section shall be removed from any position held under this ~~subchapter~~ chapter.

SECTION 2153. Subchapter II (title) of chapter 119 [precedes 119.9000] of the statutes is repealed.

SECTION 2154. 119.9000 of the statutes is repealed.

SECTION 2155. 119.9001 of the statutes is repealed.

SECTION 2156. 119.9002 of the statutes is repealed.

SECTION 2157. 119.9003 of the statutes is repealed.

SECTION 2158. 119.9004 of the statutes is repealed.

SECTION 2159. 119.9005 of the statutes is repealed.

SECTION 2160. 120.12 (15) of the statutes is amended to read:

120.12 **(15)** SCHOOL HOURS. Establish rules scheduling the hours of a normal school day. The school board may differentiate between the various elementary and high school grades in scheduling the school day. This subsection does not eliminate a school district's duty under subch. IV of ch. 111 to bargain with its employees' collective bargaining representative over any calendaring proposal which is primarily related to wages, hours, or conditions of employment.

SECTION 2161. 120.13 (2) (g) of the statutes is amended to read:

120.13 **(2)** (g) Every self–insured plan under par. (b) shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.729, 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.798, 632.85, 632.853, 632.855, 632.862, 632.867, 632.87 (4) to (6), 632.871, 632.885, 632.89, 632.895 (9) to (17), 632.896, and 767.513 (4).

SECTION 2162. 120.13 (2) (g) of the statutes, as affected by 2021 Wisconsin Act .... (this act), section 2161, is amended to read:

120.13 **(2)** (g) Every self–insured plan under par. (b) shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.728, 632.729, 632.746 (1) and (10) (a) 2. and (b) 2., 632.747 (3), 632.798, 632.85, 632.853, 632.855, 632.862, 632.867, 632.87 (4) to (6), 632.871, 632.885, 632.89, 632.895 ~~(9)~~ (8) to (17), 632.896, and 767.513 (4).

SECTION 2163. 120.13 (2) (g) of the statutes, as affected by 2021 Wisconsin Act .... (this act), section 2162, is amended to read:

120.13 **(2)** (g) Every self–insured plan under par. (b) shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.728, 632.729, 632.746 (1) and (10) (a) 2. and (b) 2., 632.747 (3), 632.798, 632.85, 632.853, 632.855, 632.861, 632.862, 632.867, 632.87 (4) to (6), 632.871, 632.885, 632.89, 632.895 (8) to (17), 632.896, and 767.513 (4).

SECTION 2164. 120.18 (1) (gm) of the statutes is amended to read:

120.18 **(1)** (gm) Payroll and related benefit costs for all school district employees in the previous school year. ~~Payroll costs~~ Costs for represented employees shall be based upon the costs of wages of any collective bargaining agreements covering such employees for the previous school year. If, as of the time specified by the department for filing the report, the school district has not entered into a collective bargaining agreement for any portion of the previous school year with the recognized or certified representative of any of its employees, increased costs ~~of wages~~ reflected in the report shall be ~~equal to the maximum wage expenditure that is subject to collective bargaining under s. 111.70 (4) (mb) 2. for the employees~~ limited to the lower of the school district's offer or the representative's offer. The school district shall amend the annual report to reflect any change in such costs as a result of any collective bargaining agreement entered into between the date of filing the report and October 1. Any such amendment shall be concurred in by the certified public accountant licensed or certified under ch. 442 certifying the school district audit.

SECTION 2165. 120.18 (1) (o) of the statutes is repealed.

SECTION 2166. 121.004 (7) (c) 1. a. of the statutes is amended to read:

121.004 **(7)** (c) 1. a. A pupil enrolled in a ~~5–year–old~~ kindergarten program that requires full–day attendance by the pupil for 5 days a week, but not on any day of

the week that pupils enrolled in other grades in the school do not attend school, for an entire school term shall be counted as one pupil.

SECTION 2167. 121.004 (7) (c) 2. of the statutes is amended to read:

121.004 **(7)** (c) 2. In subd. 1. a. and b., "full–day" means the length of the school day for pupils in the first grade of the school district operating the 4–year–old or 5–year–old kindergarten program.

SECTION 2168. 121.004 (7) (cm) of the statutes is amended to read:

121.004 **(7)** (cm) A pupil enrolled in a 4–year–old kindergarten program, including a 4–year–old kindergarten program being phased in under s. 118.14 (3) (b), that provides the required number of hours of direct pupil instruction under s. 121.02 (1) (f) but requires less than full–day attendance by the pupil for 5 days a week shall be counted as 0.6 pupil if the program annually provides at least 87.5 additional hours of outreach activities. In this paragraph, "full–day" has the meaning given in par. (c) 2.

SECTION 2169. 121.02 (1) (L) 4. of the statutes is amended to read:

121.02 **(1)** (L) 4. Beginning September 1, ~~1991~~ 2022, as part of the social studies curriculum, include instruction in the ~~history,~~ culture ~~and,~~ tribal sovereignty, and contemporary and historical significant events of the federally recognized American Indian tribes and bands located in this state at least ~~twice~~ once in ~~the elementary~~ grades kindergarten to 2, once in grades 3 to 5, and ~~at least once~~ twice in ~~the high school~~ grades 6 to 8.

SECTION 2170. 121.02 (1) (L) 4m. of the statutes is created to read:

121.02 **(1)** (L) 4m. Beginning September 1, 2022, as part of the high school curriculum, include instruction in the culture, tribal sovereignty, and contemporary and historical significant events of the federally recognized American Indian tribes

and bands located in this state at least once in each of the high school grades. In at least one high school grade, the school board shall include the instruction required under this subdivision in the social studies curriculum.

SECTION 2171. 121.07 (2) (intro.) of the statutes is amended to read:

121.07 **(2)** MEMBERSHIP. (intro.) For the purposes of ss. 121.08, 121.09, 121.095, and 121.105, ~~and 121.137,~~ a school district's membership is the sum of all of the following:

SECTION 2172. 121.07 (2) (d) of the statutes is amended to read:

121.07 **(2)** (d) The number of pupils residing in the school district in the previous school year for whom a payment was made under s. 118.40 (2r) (e) to an operator of a charter school established under contract with an entity under s. 118.40 (2r) (b) 1. e.~~, eg., or f.~~ to h. in the previous school year.

SECTION 2173. 121.07 (2) (e) of the statutes is amended to read:

121.07 **(2)** (e) The number of pupils residing in the school district in the previous school year for whom a payment was made under s. 118.40 (2r) (f), 2019 stats., in the previous school year.

SECTION 2174. 121.07 (2) (e) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is repealed.

SECTION 2175. 121.075 of the statutes is created to read:

121.075 Two-thirds funding of partial school revenues; appropriation amount in odd fiscal years. (1) In this section:

(a) "Partial school revenues" means the sum of state school aids, property taxes levied for school districts, and aid paid to school districts under ss. 79.095 (4) and 79.096 (4), less all of the following:

1. The amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a school board's increasing the services that it provides by adding responsibility for providing a service transferred to it from another school board.

2. The amount of any revenue limit increase under s. 121.91 (4) (a) 3.

3. The amount of any revenue limit increase under s. 121.91 (4) (h).

4. The amount of any property taxes levied for the purpose of s. 120.13 (19).

5. An amount equal to the amount estimated to be paid under s. 119.23 (4) and (4m) multiplied by the applicable percentage in s. 121.08 (4) (b).

6. The amount by which the property tax levy for debt service on debt that has been approved by a referendum exceeds $490,000,000.

(b) "State school aids" means all of the following:

1. The amounts appropriated under s. 20.255 (1) (b) and (2), other than s. 20.255 (2) (aw), (az), (bb), (fm), (fp), (fq), (fr), (fs), (fu), (fv), (k), and (m).

2. The amount appropriated under s. 20.505 (4) (es).

3. The amount, as determined by the secretary of administration, of the appropriation under s. 20.505 (4) (s) allocated for payments to telecommunications providers under contracts with school districts and cooperative educational service agencies under s. 16.971 (13).

4. The amount appropriated under s. 20.437 (2) (eh).

(2) By May 15, 2022, and annually by May 15 thereafter, the department, the department of administration, and the legislative fiscal bureau shall jointly certify to the joint committee on finance an estimate of the amount necessary to appropriate under s. 20.255 (2) (ac) in the following school year to ensure that state school aids equal two–thirds of partial school revenues.

(3) By June 30, 2022, and biennially by June 30 thereafter, the joint committee on finance shall determine the amount appropriated under s. 20.255 (2) (ac) in the following school year.

SECTION 2176. 121.08 (4) (b) (intro.) and 1. of the statutes are consolidated, renumbered 121.08 (4) (b) and amended to read:

121.08 **(4)** (b) The amount of state aid that the school district operating under ch. 119 is eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall also be reduced by the amount calculated ~~as follows: 1. Multiply the amounts paid under s. 119.23 (4) and (4m) in the 2009–10 school year by 41.6 percent, and multiply~~ by multiplying the amounts paid under s. 119.23 (4) and (4m) in the 2010–11 to 2012–13 school years by 38.4 percent. Beginning in the 2013–14 school year, multiply the amounts paid under s. 119.23 (4) and (4m) in the current school year by a percentage determined by subtracting 3.2 percentage points from the percentage that was applied under this ~~subdivision~~ paragraph in the previous school year. This ~~subdivision~~ paragraph does not apply after the 2024–25 school year.

SECTION 2177. 121.08 (4) (b) 2. and 3. of the statutes are repealed.

SECTION 2178. 121.135 (2) (a) 1. of the statutes is amended to read:

121.135 **(2)** (a) 1. "Additional general aid" means the amount determined by calculating the percentage of a school district's shared costs that would be paid under s. 121.08 if its membership included each pupil who is a resident of the school district or is attending the school district under s. 118.51 and solely enrolled in a special education program provided by ~~a~~ the county children with disabilities education board that includes the school district in its program under s. 115.817 (2) and the school district's shared costs were increased by the costs of the county children with disabilities education board program for all pupils participating in the county

children with disabilities education board program who are residents of the school district or attending the school district under s. 118.51, and multiplying the costs of the county children with disabilities education board program by that percentage.

SECTION 2179. 121.137 of the statutes is repealed.

SECTION 2180. 121.15 (1m) (a) (intro.) and 3. of the statutes are consolidated, renumbered 121.15 (1m) (a) and amended to read:

121.15 **(1m)** (a) Notwithstanding subs. (1) and (1g), ~~a portion of state aid to school districts shall be distributed as follows: 3. Beginning~~ beginning in the 1999–2000 school year and ending in the 2020–21 school year, annually the state shall ~~pay~~ distribute a portion of state aid to school districts by paying to school districts, from the appropriation under s. 20.255 (2) (ac), $75,000,000 on the 4th Monday in July of the following school year.

SECTION 2181. 121.41 of the statutes is amended to read:

121.41 Driver education programs; fees. A school board, operator of a charter school authorized under s. 118.40 (2r) or (2x), cooperative educational service agency, or ~~the~~ technical college system board may establish and collect reasonable fees for any driver education program or part of a program which is neither required for nor credited toward graduation. The school board, operator of a charter school authorized under s. 118.40 (2r) or (2x), cooperative educational service agency, or ~~the~~ technical college system board may waive any fee established under this subsection for any indigent pupil.

SECTION 2182. 121.42 of the statutes is created to read:

121.42 Driver education programs; state aid. (1) In this section:

(a) "Driver education program" means an instructional program in driver education approved by the department and operated by a qualified driver education provider or driver school.

(b) "Driver school" has the meaning given in s. 343.60 (1).

(c) "Eligible pupil" means a pupil who met the income eligibility standard for a free or reduced–price lunch in the federal school lunch program under 42 USC 1758 (b) (1) in the previous school year.

(d) "Qualified driver education provider" means a school board, the operator of a charter school authorized under s. 118.40 (2r) or (2x), or a cooperative educational service agency.

(2) Beginning in the 2022–23 school year, the department shall pay to each qualified driver education provider and driver school the amount determined under sub. (3) if all of the following apply:

(a) The qualified driver education provider or driver school demonstrates to the department that for eligible pupils the qualified driver education provider or driver school waived at least 50 percent of the fees the qualified driver education provider or driver school otherwise charges pupils to enroll in and complete the driver education program.

(b) By October 1, 2022, and annually thereafter, the qualified driver education provider or driver school reports to the department all of the following:

1. The number of eligible pupils who enrolled in and successfully completed a driver education program operated by the qualified driver education provider or driver school in the previous school year.

2. The amount the qualified driver education provider or driver school charged a pupil who was not an eligible pupil to enroll in and complete the driver education program in the previous school year.

(3) The department shall calculate the amount paid to a qualified driver education provider or driver school under sub. (2) by multiplying the number of eligible pupils the qualified driver education provider or driver school reported under sub. (2) (b) 1. by 50 percent of the amount the qualified driver education provider or driver school reported under sub. (2) (b) 2.

(4) The department may promulgate rules to implement and administer this section.

SECTION 2183. 121.58 (2) (a) 4. of the statutes is amended to read:

121.58 **(2)** (a) 4. For each pupil so transported whose residence is more than 12 miles from the school attended, ~~$300~~ $365 per school year in the ~~2016–17~~ 2020–21 school year and ~~$365~~ $375 per school year thereafter.

SECTION 2184. 121.58 (4) of the statutes is amended to read:

121.58 **(4)** STATE AID FOR SUMMER CLASS TRANSPORTATION. Annually on or before October 1 of the year in which transportation is provided under s. 118.50 (3) (b) or 121.54 (4), or under s. 121.54 (10) if the transportation is provided by the nonresident school district that a pupil attends under s. 118.51 or 121.84 (4), the school district clerk shall file with the department a report, containing such information as the department requires, on transportation provided by the school board to and from summer classes. Upon receipt of such report and if the summer classes meet the requirements of s. 121.14 (1) (a) 1. or 2., state aid shall be paid for such transportation. A school district ~~which~~ that provides such transportation shall be paid state aid for such transportation at the rate of $10 per pupil transported to and

from public school whose residence is at least 2 miles and not more than 5 miles by the nearest traveled route from the public school attended, and $20 per pupil transported to and from public school whose residence is more than 5 miles by the nearest traveled route from the public school attended~~, if the pupil is transported 30 days or more. The state aid shall be reduced proportionately if the pupil is transported less than 30 days~~.

SECTION 2185. 121.59 (2) (intro.) of the statutes is amended to read:

121.59 **(2)** (intro.) Annually the department shall, subject to sub. (3), pay to each eligible school district the amount determined as follows:

SECTION 2186. 121.59 (2m) (a) (intro.), 1. and 2. of the statutes are renumbered 121.59 (2m) (intro.), (am) and (bm), and 121.59 (2m) (intro.) and (bm), as renumbered, are amended to read:

121.59 **(2m)** (intro.) ~~Beginning in the 2017–18 school year and in any school year thereafter, if a~~ If an eligible school district was eligible to receive aid under sub. (2) in the immediately preceding school year but is ineligible to receive aid in the current school year because the number under sub. (2) (d) is not a positive number, the state superintendent shall, subject to ~~par. (b)~~ sub. (3), pay to that eligible school district the amount determined as follows:

(bm) Multiply the amount under ~~subd. 1.~~ par. (am) by 0.5.

SECTION 2187. 121.59 (2m) (b) of the statutes is repealed.

SECTION 2188. 121.59 (3) of the statutes is amended to read:

121.59 **(3)** Aid under this section ~~shall be~~ is paid from the appropriation under s. 20.255 (2) (cq). If the appropriation under s. 20.255 (2) (cq) is insufficient to pay the full amount of aid under subs. (2) and (2m), the state superintendent shall

prorate the payments among the eligible school districts entitled to receive aid under this section.

SECTION 2189. 121.84 (4) (b) of the statutes is amended to read:

121.84 **(4)** (b) If a pupil attends school in a school district outside the pupil's school district of residence under par. (a), s. 118.51 (12) ~~(b)~~, (14), (16), and (17) apply to the pupil as if the pupil were attending school in a nonresident school district under s. 118.51. If the pupil is rejected as a result of s. 118.51 (12) ~~(b)~~, s. 118.51 (9) applies.

SECTION 2190. 121.90 (1) (h) of the statutes is created to read:

121.90 **(1)** (h) In determining a school district's revenue limit for the 2021–22, 2022–23, and 2023–24 school years, the number of pupils enrolled in the school district in the 2020–21 school year is the sum of the following:

1. The greater of the following:

a. Forty percent of the summer enrollment in the 2019–20 school year.

b. Forty percent of the summer enrollment in the 2020–21 school year.

2. The greater of the following:

a. The number of pupils enrolled in the school district in the 2019–20 school year, as determined without the exceptions provided in par. (dr).

b. The number of pupils enrolled in the school district in the 2020–21 school year, as determined without the exceptions provided in par. (dr).

SECTION 2191. 121.90 (2) (am) 4. of the statutes is repealed.

SECTION 2192. 121.905 (1) (a) of the statutes is amended to read:

121.905 **(1)** (a) Except as provided in par. (b), in this section, "revenue ceiling" means $9,100 in the 2017–18 school year, $9,400 in the 2018–19 school year, $9,500 in the 2019–20 school year, $9,600 in the 2020–21 school year, ~~$9,700~~ $10,250 in the

2021–22 school year, and ~~$9,800~~ $10,500 in the 2022–23 school year and in any subsequent school year.

SECTION 2193. 121.905 (1) (b) 1. to 3. of the statutes are repealed.

SECTION 2194. 121.905 (1) (b) 6. and 7. of the statutes are repealed.

SECTION 2195. 121.905 (3) (a) 1. of the statutes is amended to read:

121.905 **(3)** (a) 1. Except as provided under subds. 2. and 3., calculate the sum of the amount of state aid received in the previous school year and property taxes levied for the previous school year, excluding property taxes levied for the purpose of s. 120.13 (19) and excluding funds described under s. 121.91 (4) (c), and the costs of the county children with disabilities education board program, as defined in s. 121.135 (2) (a) 2., in the previous year, for pupils who were school district residents or nonresidents who attended the school district under s. 118.51 and solely enrolled in a special education program provided by ~~a~~ the county children with disabilities education board ~~in the previous school year~~ that included the school district in its program under s. 115.817 (2).

SECTION 2196. 121.905 (3) (c) 6. of the statutes is amended to read:

121.905 **(3)** (c) 6. For the limit for each of the 2015–16 to 2018–19 school years, ~~for the 2021–22 school year, and for any school year thereafter~~, make no adjustment to the result under par. (b).

SECTION 2197. 121.905 (3) (c) 9. of the statutes is created to read:

121.905 **(3)** (c) 9. For the limit for the 2021–22 school year, add $200 to the result under par. (b).

SECTION 2198. 121.905 (3) (c) 10. of the statutes is created to read:

121.905 **(3)** (c) 10. For the limit for the 2022–23 school year, add $204 to the result under par. (b).

SECTION 2199. 121.905 (3) (c) 11. of the statutes is created to read:

121.905 **(3)** (c) 11. For the limit for the 2023–24 school year and any school year thereafter, add the result under s. 121.91 (2m) (L) 2. to the result under par. (b).

SECTION 2200. 121.91 (2m) (i) (intro.) of the statutes is amended to read:

121.91 **(2m)** (i) (intro.) Except as provided in subs. (3), (4), and (8), no school district may increase its revenues for any of the 2015–16 to 2018–19 school ~~year or for any school year thereafter~~ years to an amount that exceeds the amount calculated as follows:

SECTION 2201. 121.91 (2m) (im) (intro.) of the statutes is amended to read:

121.91 **(2m)** (im) (intro.) ~~Notwithstanding par. (i) and except~~ Except as provided in subs. (3), (4), and (8), a school district cannot increase its revenues for the 2019–20 school year to an amount that exceeds the amount calculated as follows:

SECTION 2202. 121.91 (2m) (j) (intro.) of the statutes is amended to read:

121.91 **(2m)** (j) (intro.) ~~Notwithstanding par. (i) and except~~ Except as provided in subs. (3), (4), and (8), a school district cannot increase its revenues for the 2020–21 school year to an amount that exceeds the amount calculated as follows:

SECTION 2203. 121.91 (2m) (k) of the statutes is created to read:

121.91 **(2m)** (k) Except as provided in subs. (3), (4), and (8), no school district may increase its revenues for the 2021–22 school year to an amount that exceeds the amount calculated as follows:

1. Divide the sum of the amount of state aid received in the previous school year and property taxes levied for the previous school year, excluding property taxes levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4) (c), by the average of the number of pupils enrolled in the 3 previous school years.

2. Add $200 to the result under subd. 1.

3. Multiply the result under subd. 2. by the average of the number of pupils enrolled in the current school year and the 2 preceding school years.

SECTION 2204. 121.91 (2m) (km) of the statutes is created to read:

121.91 **(2m)** (km) Except as provided in subs. (3), (4), and (8), no school district may increase its revenues for the 2022–23 school year to an amount that exceeds the amount calculated as follows:

1. Divide the sum of the amount of state aid received in the previous school year and property taxes levied for the previous school year, excluding property taxes levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4) (c), by the average of the number of pupils enrolled in the 3 previous school years.

2. Add $204 to the result under subd. 1.

3. Multiply the result under subd. 2. by the average of the number of pupils enrolled in the current school year and the 2 preceding school years.

SECTION 2205. 121.91 (2m) (L) of the statutes is created to read:

121.91 **(2m)** (L) Except as provided in subs. (3), (4), and (8), no school district may increase its revenues for the 2023–24 school year or for any school year thereafter to an amount that exceeds the amount calculated as follows:

1. Divide the sum of the amount of state aid received in the previous school year and property taxes levied for the previous school year, excluding property taxes levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4) (c), by the average of the number of pupils enrolled in the 3 previous school years.

2. Multiply the amount of the revenue increase per pupil allowed under this subsection for the previous school year by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal.

3. Add the result under subd. 1. to the result under subd. 2.

4. Multiply the result under subd. 3. by the average of the number of pupils enrolled in the current and the 2 preceding school years.

SECTION 2206. 121.91 (2m) (r) 1. (intro.) of the statutes is amended to read:

121.91 **(2m)** (r) 1. (intro.) Notwithstanding pars. ~~(i)~~ (k) to ~~(j)~~ (L), if a school district is created under s. 117.105, its revenue limit under this section for the school year beginning with the effective date of the reorganization shall be determined as follows except as provided under subs. (3) and (4):

SECTION 2207. 121.91 (2m) (r) 1. b. of the statutes is amended to read:

121.91 **(2m)** (r) 1. b. Add an amount equal to the amount of revenue increase per pupil allowed under this subsection for the previous school year multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal to the result under subd. 1. a., except that in calculating the limit for ~~the 2013–14 school year and the 2014–15 school year, add $75 to the result under subd. 1. a., in calculating the limit for the 2019–20 school year, add $175 to the result under subd. 1. a.,~~ and ~~in calculating the limit for the 2020–21 school year, add $179 to the result under subd. 1. a. In the 2015–16 to 2018–19 school years, the 2021–22 school year, and any school year thereafter, make no adjustment~~ the 2021–22 school year, add $200 to the result under subd. 1. a., in calculating the limit for the 2022–23 school year, add $204 to the result under subd. 1. a.

SECTION 2208. 121.91 (2m) (r) 2. (intro.) of the statutes is amended to read:

121.91 **(2m)** (r) 2. (intro.) If a school district is created under s. 117.105, the following adjustments to the calculations under pars. ~~(i)~~ (k) to ~~(j)~~ (L) apply for the 2 school years beginning on the July 1 following the effective date of the reorganization:

SECTION 2209. 121.91 (2m) (r) 2. a. of the statutes is amended to read:

121.91 **(2m)** (r) 2. a. For the school year beginning on the first July 1 following the effective date of the reorganization the number of pupils in the previous school year shall be used under pars. ~~(i)~~ (k) 1., ~~(im)~~ (km) 1. and ~~(j)~~ (L) 1. instead of the average of the number of pupils in the 3 previous school years, and for the school year beginning on the 2nd July 1 following the effective date of the reorganization the average of the number of pupils in the 2 previous school years shall be used under pars. ~~(i)~~ (k) 1., (im) (km) 1. and ~~(j)~~ (L) 1. instead of the average of the number of pupils in the 3 previous school years.

SECTION 2210. 121.91 (2m) (r) 2. b. of the statutes is amended to read:

121.91 **(2m)** (r) 2. b. For the school year beginning on the first July 1 following the effective date of the reorganization the average of the number of pupils in the current and the previous school years shall be used under pars. ~~(i) 2.~~ (km) 3. and ~~(j)~~ ~~3~~ (L) 4. instead of the average of the number of pupils in the current and the 2 preceding school years.

SECTION 2211. 121.91 (2m) (s) 1. (intro.) of the statutes is amended to read:

121.91 **(2m)** (s) 1. (intro.) Notwithstanding pars. ~~(i)~~ (k) to ~~(j)~~ (L), if territory is detached from a school district to create a new school district under s. 117.105, the revenue limit under this section of the school district from which territory is detached for the school year beginning with the effective date of the reorganization shall be determined as follows except as provided in subs. (3) and (4):

SECTION 2212. 121.91 (2m) (s) 1. b. of the statutes is amended to read:

121.91 **(2m)** (s) 1. b. Add an amount equal to the amount of revenue increase per pupil allowed under this subsection for the previous school year multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal to the result under subd. 1. a., except that in calculating the limit for ~~the 2013–14~~

~~school year and the 2014–15 school year, add $75 to the result under subd. 1. a., in calculating the limit for the 2019–20 school year, add $175 to the result under subd. 1. a., and in calculating the limit for the 2020–21 school year, add $179 to the result under subd. 1. a. In the 2015–16 to 2018–19 school years, the 2021–22 school year, and any school year thereafter, make no adjustment~~ the 2021–22 school year, add $200 to the result under subd. 1. a., and in calculating the limit for the 2022–23 school year, add $204 to the result under subd. 1. a.

SECTION 2213. 121.91 (2m) (s) 2. (intro.) of the statutes is amended to read:

121.91 **(2m)** (s) 2. (intro.) If territory is detached from a school district to create a new school district under s. 117.105, the following adjustments to the calculations under pars. ~~(i)~~ (k) to ~~(j)~~ (L) apply to the school district from which territory is detached for the 2 school years beginning on the July 1 following the effective date of the reorganization:

SECTION 2214. 121.91 (2m) (s) 2. a. of the statutes is amended to read:

121.91 **(2m)** (s) 2. a. For the school year beginning on the first July 1 following the effective date of the reorganization, the number of pupils in the previous school year shall be used under pars. ~~(i)~~ (k) 1., ~~(im)~~ (km) 1., and ~~(j)~~ (L) 1. instead of the average of the number of pupils in the 3 previous school years; and for the school year beginning on the 2nd July 1 following the effective date of the reorganization, the average of the number of pupils in the 2 previous school years shall be used under pars. ~~(i)~~ (k) 1., ~~(im)~~ (km) 1., and ~~(j)~~ (L) 1. instead of the average of the number of pupils in the 3 previous school years.

SECTION 2215. 121.91 (2m) (s) 2. b. of the statutes is amended to read:

121.91 **(2m)** (s) 2. b. For the school year beginning on the first July 1 following the effective date of the reorganization the average of the number of pupils in the

current and the previous school year shall be used under pars. ~~(i) 2.~~ (km.) 3. and ~~(j) 3~~ (L) 4. instead of the average of the number of pupils in the current and the 2 preceding school years.

SECTION 2216. 121.91 (2m) (t) 1. (intro.) of the statutes is amended to read:

121.91 **(2m)** (t) 1. (intro.) If 2 or more school districts are consolidated under s. 117.08 or 117.09, in the ~~2019–20~~ 2021–22 school year, the consolidated school district's revenue limit shall be determined as provided under par. ~~(im)~~ (k), in the ~~2020–21~~ 2022–23 school year, the consolidated school district's revenue limit shall be determined as provided under par. ~~(j)~~ (km), and in each school year thereafter, the consolidated school district's revenue limit shall be determined as provided under par. ~~(i)~~ (L), except as follows:

SECTION 2217. 121.91 (4) (p) 1. of the statutes is amended to read:

121.91 **(4)** (p) 1. The limit otherwise applicable to a school district under sub. (2m) in any school year is increased by the amount of any reduction to that school district's state aid payment made under s. 118.51 (16) (b) 2. and (c) or (17) (c) 2. ~~or (cm) 2.~~ or s. 118.51 (17) (cm) 2., 2019 stats., in the previous school year for a pupil who was not included in the calculation of the number of pupils enrolled in that school district in the previous school year.

SECTION 2218. 125.04 (4) of the statutes is amended to read:

125.04 **(4)** LIST OF LICENSEES. By July 15 annually, the clerk of a municipality issuing licenses shall mail to the department a list containing the name, address, and trade name of each person holding a license issued by that municipality, other than a manager's or operator's license or a license issued under s. 125.26 (6), the type of license held, and, if the person holding the license is a corporation or limited liability

company, the name of the agent appointed under sub. (6). The department shall annually publish this list on the department's Internet site.

SECTION 2219. 125.06 (14) of the statutes is created to read:

125.06 **(14)** ALCOHOL BEVERAGE SALES AT STATE FAIR PARK. The retail sale of alcohol beverages at the state fair park, by any person approved by the state fair park board by resolution to make such sales, for consumption at the state fair park. The state fair park board may not grant to a person approval under this subsection unless the person meets the qualifications under s. 125.04 (5) (a) 1., 3., 4., and 5., (b), and (c).

SECTION 2220. 125.07 (4) (d) of the statutes is amended to read:

125.07 **(4)** (d) A person who is ~~under 17 years of age~~ a minor on the date of disposition is subject to s. 938.344 unless proceedings have been instituted against the person in a court of civil or criminal jurisdiction after dismissal of the citation under s. 938.344 (3).

SECTION 2221. 125.07 (4) (e) 1. of the statutes is amended to read:

125.07 **(4)** (e) 1. In this paragraph, "defendant" means a person found guilty of violating par. (a) or (b) who is ~~17, 18, 19 or 20~~ an adult under 21 years of age.

SECTION 2222. 125.085 (3) (bt) of the statutes is amended to read:

125.085 **(3)** (bt) A person who is ~~under 17 years of age~~ a minor on the date of disposition is subject to s. 938.344 unless proceedings have been instituted against the person in a court of civil or criminal jurisdiction after dismissal of the citation under s. 938.344 (3).

SECTION 2223. 125.29 (3) (j) of the statutes is amended to read:

125.29 **(3)** (j) The ownership, maintenance, or operation of places for the sale of fermented malt beverages at the state fair park or on any county fairgrounds

located in this state. A brewer may not make retail sales of fermented malt beverages at the state fair park unless the state fair park board has, by resolution, approved the brewer to make such sales.

SECTION 2224. 125.295 (1) (i) of the statutes is amended to read:

125.295 **(1)** (i) Notwithstanding s. 125.33 (1), the ownership, maintenance, and operation of places for the sale of fermented malt beverages at the state fair park or on any county fairgrounds located in this state if the fermented malt beverages have been manufactured by the brewpub. A brewpub may not make retail sales of fermented malt beverages at the state fair park unless the state fair park board has, by resolution, approved the brewpub to make such sales.

SECTION 2225. 125.32 (3) (a) of the statutes is amended to read:

125.32 **(3)** (a) No premises for which a Class "B" license or permit is issued may remain open between the hours of 2 a.m. and 6 a.m., except as provided in this paragraph and ~~par.~~ pars. (c) and (e). On Saturday and Sunday, the closing hours shall be between 2:30 a.m. and 6 a.m. except that, on the Sunday that daylight saving time begins as specified in s. 175.095 (2), the closing hours shall be between 3:30 a.m. and 6 a.m. On January 1 premises operating under a Class "B" license or permit are not required to close.

SECTION 2226. 125.32 (3) (c) of the statutes is amended to read:

125.32 **(3)** (c) Hotels and restaurants the principal business of which is the furnishing of food and lodging to patrons, bowling centers, movie theaters, painting studios, indoor golf and baseball facilities, indoor horseshoe–pitching facilities, curling clubs, golf courses and golf clubhouses may remain open for the conduct of their regular business but may not sell fermented malt beverages during the hours specified in par. (a) or (e).

SECTION 2227. 125.32 (3) (e) of the statutes is created to read:

125.32 **(3)** (e) A municipality may, by ordinance enacted by at least a two–thirds vote of the municipality's governing body, designate a special event lasting fewer than 8 consecutive days during which special closing hours apply to premises holding a special event permit for the event issued by the municipality. During a special event designated under this paragraph, the closing hours for premises holding a special event permit and operating under a Class "B" license shall be between 4 a.m. and 6 a.m. Notwithstanding par. (d), a municipality may, by ordinance, impose more restrictive hours during a special event than those provided in this paragraph, but may not impose more restrictive hours than those specified in par. (a) or (c). A municipality may not designate more than 4 special events in a calendar year. A municipality may charge a fee for a special event permit under this paragraph. Moneys collected for special event permits under this paragraph shall be used for purposes related to the special event.

SECTION 2228. 125.68 (4) (c) 1. of the statutes is amended to read:

125.68 **(4)** (c) 1. Subject to subds. 3. and 6. and s. 125.51 (3r) (a) 3., no premises for which a "Class B" license or permit or a "Class C" license has been issued may remain open between the hours of 2 a.m. and 6 a.m., except as otherwise provided in this subdivision and ~~subd.~~ subds. 4. and 7. On January 1 premises operating under a "Class B" license or permit are not required to close. On Saturday and Sunday, no premises may remain open between 2:30 a.m. and 6 a.m. except that, on the Sunday that daylight saving time begins as specified in s. 175.095 (2), no premises may remain open between 3:30 a.m. and 6 a.m. This subdivision does not apply to a "Class B" license issued to a winery under s. 125.51 (3) (am).

SECTION 2229. 125.68 (4) (c) 4. of the statutes is amended to read:

125.68 **(4)** (c) 4. Hotels and restaurants the principal business of which is the furnishing of food, drinks or lodging to patrons, bowling centers, movie theaters, painting studios, indoor horseshoe–pitching facilities, curling clubs, golf courses and golf clubhouses may remain open for the conduct of their regular business but may not sell intoxicating liquor during the closing hours under subd. 1. or 7. or, with respect to the sale of intoxicating liquor authorized under s. 125.51 (3r) (a), under subd. 3.

SECTION 2230. 125.68 (4) (c) 7. of the statutes is created to read:

125.68 **(4)** (c) 7. A municipality may by ordinance designate a special event lasting fewer than 8 consecutive days during which special closing hours apply to premises holding a special event permit issued by the municipality for the event. During a special event designated under this subdivision, the closing hours for premises holding a special event permit and operating under a "Class B" or "Class C" license shall be between 4 a.m. and 6 a.m. Notwithstanding subd. 5., a municipality may, by ordinance, impose more restrictive hours during a special event than those provided in this subdivision, but may not impose more restrictive hours than those specified in subd. 1. or 3. A municipality may not designate more than 4 special events in a calendar year. A municipality may charge a fee for a special event permit under this subdivision. Moneys collected for special event permits under this subdivision shall be used for purposes related to the special event.

SECTION 2231. 134.65 (title) of the statutes is amended to read:

134.65 (title) **Cigarette, vapor products, and tobacco products retailer license.**

SECTION 2232. 134.65 (1) of the statutes is renumbered 134.65 (1d) and amended to read:

134.65 **(1d)** No person shall in any manner, or upon any pretense, or by any device, directly or indirectly sell, expose for sale, possess with intent to sell, exchange, barter, dispose of or give away any cigarettes, vapor products, or tobacco products to any person not holding a license as herein provided or a permit under ss. 139.30 to 139.41 or 139.79 without first obtaining a license from the clerk of the city, village or town wherein such privilege is sought to be exercised.

SECTION 2233. 134.65 (1a) of the statutes is created to read:

134.65 **(1a)** In this section:

(a) "Cigarette" has the meaning given in s. 139.30 (1m).

(b) "Tobacco products" has the meaning given in s. 139.75 (12).

(c) "Vapor product" has the meaning given in s. 139.75 (14).

(d) "Vending machine" has the meaning given in s. 139.30 (14).

SECTION 2234. 134.65 (1m) of the statutes is amended to read:

134.65 **(1m)** A city, village, or town clerk may not issue a license under sub. ~~(1)~~ (1d) unless the applicant specifies in the license application whether the applicant will sell, exchange, barter, dispose of, or give away the cigarette, vapor products, or tobacco products over the counter or in a vending machine, or both.

SECTION 2235. 134.65 (1r) of the statutes is amended to read:

134.65 **(1r)** A city, village, or town clerk may not require an applicant's signature on an application for a cigarette, vapor products, and tobacco products retailer license to be notarized. If a city, village, town, or any department of this state prepares an application form for a cigarette, vapor products, and tobacco products retailer license, the form may not require an applicant's signature on the form to be notarized.

SECTION 2236. 134.65 (4) of the statutes is amended to read:

134.65 **(4)** Every licensed retailer shall keep complete and accurate records of all purchases and receipts of cigarettes, vapor products, and tobacco products. Such records shall be preserved on the licensed premises for 2 years in such a manner as to insure permanency and accessibility for inspection and shall be subject to inspection at all reasonable hours by authorized state and local law enforcement officials.

SECTION 2237. 134.65 (5m) of the statutes is amended to read:

134.65 **(5m)** Any person who knowingly provides materially false information in an application for a cigarette, vapor products, and tobacco products retailer license under this section may be required to forfeit not more than $1,000.

SECTION 2238. 134.65 (7) (a) 1. of the statutes is amended to read:

134.65 **(7)** (a) 1. The person has violated s. 134.66 (2) (a), (am), (cm), ~~or~~ (e), or (f), or a municipal ordinance adopted under s. 134.66 (5).

SECTION 2239. 134.65 (8) of the statutes is amended to read:

134.65 **(8)** The uniform licensing of cigarette, vapor products, and tobacco products retailers is a matter of statewide concern. A city, village, or town may adopt an ordinance regulating the issuance, suspension, revocation, or renewal of a license under this section only if the ordinance strictly conforms to this section. If a city, village, or town has in effect on May 1, 2016, an ordinance that does not strictly conform to this section, the ordinance does not apply and may not be enforced.

SECTION 2240. 134.66 (title) of the statutes is amended to read:

134.66 (title) **Restrictions on sale or gift of cigarettes or nicotine, vapor, or tobacco products.**

SECTION 2241. 134.66 (1) (g) of the statutes is amended to read:

134.66 **(1)** (g) "Retailer" means any person licensed under s. 134.65 ~~(1)~~ (1d).

SECTION 2242. 134.66 (1) (jm) of the statutes is created to read:

134.66 **(1)** (jm) "Vapor product" has the meaning given in s. 139.75 (14).

SECTION 2243. 134.66 (2) (a), (am), (b) and (cm) 1m. of the statutes are amended to read:

134.66 **(2)** (a) No retailer, direct marketer, manufacturer, distributor, jobber or subjobber, no agent, employee or independent contractor of a retailer, direct marketer, manufacturer, distributor, jobber or subjobber and no agent or employee of an independent contractor may sell or provide for nominal or no consideration cigarettes, nicotine products, ~~or~~ tobacco products, or vapor products to any person under the age of ~~18~~ 21, except as provided in s. 254.92 (2) (a). A vending machine operator is not liable under this paragraph for the purchase of cigarettes, nicotine products, ~~or~~ tobacco products, or vapor products from his or her vending machine by a person under the age of ~~18~~ 21 if the vending machine operator was unaware of the purchase.

(am) No retailer, direct marketer, manufacturer, distributor, jobber, subjobber, no agent, employee or independent contractor of a retailer, direct marketer, manufacturer, distributor, jobber or subjobber and no agent or employee of an independent contractor may provide for nominal or no consideration cigarettes, nicotine products, ~~or~~ tobacco products, or vapor products to any person except in a place where no person younger than ~~18~~ 21 years of age is present or permitted to enter unless the person who is younger than ~~18~~ 21 years of age is accompanied by his or her parent or guardian or by his or her spouse who has attained the age of ~~18~~ 21 years.

(b) 1. A retailer shall post a sign in areas within his or her premises where cigarettes ~~or,~~ tobacco products, or vapor products are sold to consumers stating that

the sale of any cigarette ~~or,~~ tobacco product, or vapor product to a person under the age of ~~18~~ 21 is unlawful under this section and s. 254.92.

2. A vending machine operator shall attach a notice in a conspicuous place on the front of his or her vending machines stating that the purchase of any cigarette ~~or,~~ tobacco product, or vapor product by a person under the age of ~~18~~ 21 is unlawful under s. 254.92 and that the purchaser is subject to a forfeiture of not to exceed $50.

(cm) 1m. A retailer or vending machine operator may not sell cigarettes ~~or,~~ tobacco products, or vapor product from a vending machine unless the vending machine is located in a place where the retailer or vending machine operator ensures that no person younger than ~~18~~ 21 years of age is present or permitted to enter unless he or she is accompanied by his or her parent or guardian or by his or her spouse who has attained the age of ~~18~~ 21 years.

SECTION 2244. 134.66 (2) (f) of the statutes is created to read:

134.66 **(2)** (f) A retailer shall place cigarettes, nicotine products, or tobacco products only in locations that are inaccessible to customers without the assistance of the retailer or the retailer's employee or agent, including behind the counter or in a locked case. This paragraph does not apply to any of the following:

1. Cigarettes, nicotine products, or tobacco products sold from a vending machine.

2. A retail location that receives 75 percent or more of its revenue from sales of cigarettes, nicotine products, or tobacco products, if no person under 21 years of age is permitted to enter the retail location without being accompanied by his or her parent or guardian or by his or her spouse who has attained the age of 21.

3. Cigars placed in an enclosed room in a retail location if no person under 21 years of age is permitted to enter the room without being accompanied by his or her

parent or guardian or by his or her spouse who has attained the age of 21, the room has a separate system for controlling humidity, and the entrance to the room is directly visible or visible by video surveillance from the retail location's register or check–out area.

SECTION 2245. 134.66 (2m) (a) of the statutes is amended to read:

134.66 **(2m)** (a) Except as provided in par. (b), at the time that a retailer hires or contracts with an agent, employee, or independent contractor whose duties will include the sale of cigarettes, vapor products, or tobacco products, the retailer shall provide the agent, employee, or independent contractor with training on compliance with sub. (2) (a) and (am), including training on the penalties under sub. (4) (a) 2. for a violation of sub. (2) (a) or (am). The department of health services shall make available to any retailer on request a training program developed or approved by that department that provides the training required under this paragraph. A retailer may comply with this paragraph by providing the training program developed or approved by the department of health services or by providing a comparable training program approved by that department. At the completion of the training, the retailer and the agent, employee, or independent contractor shall sign a form provided by the department of health services verifying that the agent, employee, or independent contractor has received the training, which the retailer shall retain in the personnel file of the agent, employee, or independent contractor.

SECTION 2246. 134.66 (3) of the statutes is amended to read:

134.66 **(3)** DEFENSE; SALE TO MINOR. Proof of all of the following facts by a retailer, manufacturer, distributor, jobber, or subjobber, an agent, employee, or independent contractor of a retailer, manufacturer, distributor, jobber, or subjobber, or an agent or employee of an independent contractor who sells cigarettes ~~or,~~ tobacco

products, or vapor products to a person under the age of ~~18~~ 21 is a defense to any prosecution, or a complaint made under s. 134.65 (7), for a violation of sub. (2) (a):

(a) That the purchaser falsely represented that he or she had attained the age of ~~18~~ 21 and presented an identification card.

(b) That the appearance of the purchaser was such that an ordinary and prudent person would believe that the purchaser had attained the age of ~~18~~ 21.

(c) That the sale was made in good faith, in reasonable reliance on the identification card and appearance of the purchaser and in the belief that the purchaser had attained the age of ~~18~~ 21.

SECTION 2247. 134.66 (4) (a) 1. of the statutes is amended to read:

134.66 **(4)** (a) 1. In this paragraph, "violation" means a violation of sub. (2) (a), (am), (cm), ~~or~~ (e), or (f) or a local ordinance which strictly conforms to sub. (2) (a), (am), (cm), ~~or~~ (e), or (f).

SECTION 2248. 139.30 (10) of the statutes is amended to read:

139.30 **(10)** "Retailer" ~~has the meaning given in s. 134.66 (1) (g)~~ means any person licensed under s. 134.65 (1d).

SECTION 2249. 139.345 (3) (a) (intro.) of the statutes is amended to read:

139.345 **(3)** (a) (intro.) Verifies the consumer's name and address and that the consumer is at least ~~18~~ 21 years of age by any of the following methods:

SECTION 2250. 139.345 (3) (b) 2. of the statutes is amended to read:

139.345 **(3)** (b) 2. That the consumer understands that no person who is under ~~18~~ 21 years of age may purchase or possess cigarettes or falsely represent his or her age for the purpose of receiving cigarettes, as provided under s. 254.92.

SECTION 2251. 139.345 (7) (a) of the statutes is amended to read:

139.345 **(7)** (a) No person may deliver a package of cigarettes sold by direct marketing to a consumer in this state unless the person making the delivery receives a government issued identification card from the person receiving the package and verifies that the person receiving the package is at least ~~18~~ 21 years of age. If the person receiving the package is not the person to whom the package is addressed, the person delivering the package shall have the person receiving the package sign a statement that affirms that the person to whom the package is addressed is at least ~~18~~ 21 years of age.

SECTION 2252. 139.44 (4) of the statutes is amended to read:

139.44 **(4)** Any person who refuses to permit the examination or inspection authorized in s. 139.39 (2) or 139.83 (1) may be fined not more than $500 or imprisoned not more than 90 days or both. Such refusal shall be cause for immediate suspension or revocation of permit by the secretary.

SECTION 2253. Subchapter III (title) of chapter 139 [precedes 139.75] of the statutes is amended to read:

CHAPTER 139

SUBCHAPTER III

TOBACCO PRODUCTS ~~TAX~~ AND

VAPOR PRODUCTS TAXES

SECTION 2254. 139.75 (1m) of the statutes is created to read:

139.75 **(1m)** "Cigar" means a roll, of any size or shape, of tobacco for smoking that is made wholly or in part of tobacco, regardless of whether the tobacco is pure, flavored, adulterated, or mixed with an ingredient if the roll has a wrapper made wholly or in part of tobacco.

SECTION 2255. 139.75 (4t) of the statutes is created to read:

139.75 **(4t)** "Little cigar" means a cigar that has an integrated cellulose acetate filter and is wrapped in a substance containing tobacco.

SECTION 2256. 139.75 (5b) of the statutes is created to read:

139.75 **(5b)** "Manufacturer's list price" means the total price of tobacco products charged by the manufacturer or other seller to an unrelated distributor. The total price shall include all charges by the manufacturer or other seller that are necessary to complete the sale. The total price may not be reduced by any cost or expense, regardless of whether the cost or expense is separately stated on an invoice, that is incurred by the manufacturer or other seller, including fees, delivery, freight, transportation, packaging, handling, marketing, federal excise taxes, and import fees or duties. The total price may not be reduced by the value or cost of discounts or free promotional or sample products. For purposes of this subsection, a manufacturer or other seller is related to a distributor if the two parties have significant common purposes and either substantial common membership or, directly or indirectly, substantial common direction or control.

SECTION 2257. 139.75 (12) of the statutes is amended to read:

139.75 **(12)** "Tobacco products" means cigars; little cigars, cheroots; stogies; periques; granulated, plug cut, crimp cut, ready–rubbed and other smoking tobacco; snuff, including moist snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking; but "tobacco products" does not include cigarettes, as defined under s. 139.30 (1m).

SECTION 2258. 139.75 (14) of the statutes is renumbered 139.75 (14) (a) and amended to read:

139.75 **(14)** (a) "Vapor product" means a noncombustible product ~~that produces vapor or aerosol for inhalation from the application of a heating element to a liquid or other substance that is depleted as the product is used, regardless of whether the liquid or other substance contains nicotine~~, which may or may not contain nicotine, that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from a solution or other substance.

SECTION 2259. 139.75 (14) (b) and (c) of the statutes are created to read:

139.75 **(14)** (b) "Vapor product" includes all of the following:

1. An electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

2. Any cartridge or other container of a solution or other substance, which may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

(c) "Vapor product" does not include a product regulated as a drug or device under sections 501 to 524A of the federal food, drug, and cosmetic act, 21 USC 351 to 360n–1.

SECTION 2260. 139.76 (1) of the statutes is amended to read:

139.76 **(1)** An excise tax is imposed upon the sale, offering or exposing for sale, possession with intent to sell or removal for consumption or sale or other disposition for any purpose of tobacco products by any person engaged as a distributor of them at the rate, for tobacco products, not including moist snuff and ~~vapor products~~ little

cigars, of 71 percent of the manufacturer's ~~established~~ list price ~~to distributors without diminution by volume or other discounts on domestic products~~ and, for moist snuff, at the rate of 100 percent of the manufacturer's ~~established~~ list price ~~to distributors without diminution by volume or other discounts on domestic products~~. The tax imposed under this subsection on cigars, except little cigars, shall not exceed an amount equal to 50 cents for each cigar. ~~On products imported from another country, not including moist snuff and vapor products, the rate of tax is 71 percent of the amount obtained by adding the manufacturer's list price to the federal tax, duties and transportation costs to the United States. On moist snuff imported from another country, the rate of the tax is 100 percent of the amount obtained by adding the manufacturer's list price to the federal tax, duties, and transportation costs to the United States.~~ The tax attaches at the time the tobacco products are received by the distributor in this state. The tax shall be passed on to the ultimate consumer of the tobacco products. All tobacco products received in this state for sale or distribution within this state, except tobacco products actually sold as provided in sub. (2), shall be subject to such tax.

SECTION 2261. 139.76 (1b) of the statutes is created to read:

139.76 **(1b)** The tax under sub. (1) is imposed on little cigars at the rate of 126 mills on each little cigar, regardless of weight. To evidence payment of the tax imposed under this section on little cigars, the department shall provide stamps. A person who has paid the tax shall affix stamps of the proper denomination to each package in which little cigars are packed, prior to the first sale within this state. Section 139.32 as it applies to the tax under s. 139.31 applies to the tax imposed under this section on little cigars.

SECTION 2262. 139.76 (1m) of the statutes is amended to read:

139.76 **(1m)** An excise tax is imposed upon the sale, offering or exposing for sale, possession with intent to sell or removal for consumption or sale or other disposition for any purpose of vapor products by any person engaged as a distributor of them at the rate of ~~5 cents per milliliter of the liquid or other substance based on the volume as listed by the manufacturer and at a proportionate rate for any other quantity or fractional part thereof~~ 71 percent of the manufacturer's list price. The tax attaches at the time the vapor products are received by the distributor in this state. The tax shall be passed on to the ultimate consumer of the vapor products. All vapor products received in this state for sale or distribution within this state, except those actually sold as provided in sub. (2), shall be subject to such tax.

SECTION 2263. 139.77 (1) of the statutes is amended to read:

139.77 **(1)** On or before the 15th day of each month, every distributor with a place of business in this state shall file a return showing the quantity~~, including milliliters in the case of a vapor product,~~ and taxable price of each tobacco product or vapor product brought, or caused to be brought, into this state for sale; or made, manufactured or fabricated in this state for sale in this state, during the preceding month. Every distributor outside this state shall file a return showing the quantity~~, including milliliters in the case of a vapor product,~~ and taxable price of each tobacco product or vapor product shipped or transported to retailers in this state to be sold by those retailers during the preceding month. At the time that the return is filed, the distributor shall pay the tax.

SECTION 2264. 139.78 (1) of the statutes is amended to read:

139.78 **(1)** A tax is imposed upon the use or storage by consumers of tobacco products in this state at the rate, for tobacco products, not including moist snuff and ~~vapor products~~ little cigars, of 71 percent of the ~~cost of the tobacco products~~

manufacturer's list price and, for moist snuff, at the rate of 100 percent of the manufacturer's ~~established~~ list price ~~to distributors without diminution by volume or other discounts on domestic products~~. The tax imposed under this subsection on cigars, except little cigars, shall not exceed an amount equal to 50 cents for each cigar. The tax does not apply if the tax imposed by s. 139.76 (1) on the tobacco products has been paid or if the tobacco products are exempt from the tobacco products tax under s. 139.76 (2).

SECTION 2265. 139.78 (1b) of the statutes is created to read:

139.78 **(1b)** A tax is imposed and levied upon the use or storage of little cigars in this state by any person for any purpose. The tax is levied and shall be collected at the same rate as provided for in s. 139.76 (1b). The tax under this subsection does not apply if the tax imposed by s. 139.76 (1) has been paid or if the little cigars are exempt from tax under s. 139.76 (2).

SECTION 2266. 139.78 (1m) of the statutes is amended to read:

139.78 **(1m)** A tax is imposed upon the use or storage by consumers of vapor products in this state at the rate of ~~5 cents per milliliter of the liquid or other substance based on the volume as listed by the manufacturer and at a proportionate rate for any other quantity or fractional part thereof~~ 71 percent of the manufacturer's list price. The tax does not apply if the tax imposed by s. 139.76 (1m) on the vapor products has been paid or if the vapor products are exempt from the vapor products tax under s. 139.76 (2).

SECTION 2267. 139.83 of the statutes is renumbered 139.83 (1).

SECTION 2268. 139.83 (2) of the statutes is created to read:

139.83 **(2)** Sections 139.315, 139.32, 139.321, 139.322, 139.34, 139.35, 139.36, 139.362, 139.363, 139.38, 139.395, 139.41, 139.42, 139.43, and 139.44 (8), as they

apply to the taxes under subch. II, apply to the administration and enforcement of this subchapter for little cigars.

SECTION 2269. Subchapter IV of chapter 139 [precedes 139.97] of the statutes is created to read:

CHAPTER 139

SUBCHAPTER IV

MARIJUANA TAX AND REGULATION

139.97 Definitions. In this subchapter:

(1) "Department" means the department of revenue.

(2) "Lot" means a definite quantity of marijuana or usable marijuana identified by a lot number, every portion or package of which is consistent with the factors that appear in the labeling.

(3) "Lot number" means a number that specifies the person who holds a valid permit under this subchapter and the harvesting or processing date for each lot.

(4) "Marijuana" has the meaning given in s. 961.70 (3).

(5) "Marijuana distributor" means a person in this state who purchases or receives usable marijuana from a marijuana processor and who sells or otherwise transfers the usable marijuana to a marijuana retailer for the purpose of resale to consumers.

(6) "Marijuana processor" means a person in this state who processes marijuana into usable marijuana, packages and labels usable marijuana for sale in retail outlets, and sells at wholesale or otherwise transfers usable marijuana to marijuana distributors.

(7) "Marijuana producer" means a person in this state who produces marijuana and sells it at wholesale or otherwise transfers it to marijuana processors.

(8) "Marijuana retailer" means a person in this state that sells usable marijuana at a retail outlet.

(9) "Microbusiness" means a marijuana producer that produces marijuana in one area that is less than 10,000 square feet and who also operates as any 2 of the following:

(a) A marijuana processor.

(b) A marijuana distributor.

(c) A marijuana retailer.

(10) "Permittee" means a marijuana producer, marijuana processor, marijuana distributor, marijuana retailer, or microbusiness that is issued a permit under s. 139.972.

(11) "Retail outlet" means a location for the retail sale of usable marijuana.

(12) "Sales price" has the meaning given in s. 77.51 (15b).

(13) "Usable marijuana" means marijuana that has been processed for human consumption and includes dried marijuana flowers, marijuana–infused products, and marijuana edibles.

139.971 Marijuana tax. (1) (a) An excise tax is imposed on a marijuana producer at the rate of 15 percent of the sales price on each wholesale sale or transfer in this state of marijuana to a marijuana processor. This paragraph applies to a microbusiness that transfers marijuana to a processing operation within the microbusiness.

(b) An excise tax is imposed on a marijuana retailer at the rate of 10 percent of the sales price on each retail sale in this state of usable marijuana, except that the tax does not apply to sales of usable marijuana to an individual who holds a valid tax exemption certificate issued under s. 73.17 (4).

(2) Each person liable for the taxes imposed under sub. (1) shall pay the taxes to the department no later than the 15th day of the month following the month in which the person's tax liability is incurred and shall include with the payment a return on a form prescribed by the department.

(3) For purposes of this section, a marijuana producer may not sell marijuana directly to a marijuana distributor or marijuana retailer, and a marijuana retailer may purchase usable marijuana for resale only from a marijuana distributor. This subsection does not apply to a microbusiness that transfers marijuana or usable marijuana to another operation with the microbusiness.

139.972 Permits required. (1) (a) No person may operate in this state as a marijuana producer, marijuana processor, marijuana distributor, marijuana retailer, or microbusiness without first filing an application for and obtaining the proper permit from the department to perform such operations. In addition, no person may operate in this state as a marijuana producer or marijuana processor without first filing an application for and obtaining the proper permit under s. 94.56.

(b) This section applies to all officers, directors, agents, and stockholders holding 5 percent or more of the stock of any corporation applying for a permit under this section.

(c) Subject to ss. 111.321, 111.322, and 111.335, a permit under this section may not be granted to any person to whom any of the following applies:

1. The person has been convicted of a violent misdemeanor, as defined in s. 941.29 (1g) (b), at least 3 times.

2. The person has been convicted of a violent felony, as defined in s. 941.29 (1g) (a), unless pardoned.

3. During the preceding 3 years, the person has been committed under s. 51.20 for being drug dependent.

4. The person chronically and habitually uses alcohol beverages or other substances to the extent that his or her normal faculties are impaired. A person is presumed to chronically and habitually use alcohol beverages or other substances to the extent that his or her normal faculties are impaired if, within the preceding 3 years, any of the following applies:

a. The person has been committed for involuntary treatment under s. 51.45 (13).

b. The person has been convicted of a violation of s. 941.20 (1) (b).

c. In 2 or more cases arising out of separate incidents, a court has found the person to have committed a violation of s. 346.63 or a local ordinance in conformity with that section; a violation of a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63; or a violation of the law of another jurisdiction, as defined in s. 340.01 (41m), that prohibits use of a motor vehicle while intoxicated, while under the influence of a controlled substance, a controlled substance analog, or a combination thereof, with an excess or specified range of alcohol concentration, or while under the influence of any drug to a degree that renders the person incapable of safely driving, as those or substantially similar terms are used in that jurisdiction's laws.

5. The person has income that comes principally from gambling or has been convicted of 2 or more gambling offenses.

6. The person has been convicted of crimes relating to prostitution.

7. The person has been convicted of of crimes relating to loaning money or anything of value to persons holding licenses or permits pursuant to ch. 125.

8. The person is under the age of 21.

9. The person has not been a resident of this state continuously for at least 90 days prior to the application date.

(cm) An applicant with 20 or more employees may not receive a permit under this section to operate as a marijuana distributor or marijuana retailer unless the applicant certifies to the department that the applicant has entered into a labor peace agreement, as defined in s. 94.56 (1) (a), and will abide by the terms of the agreement as a condition of maintaining a valid permit under this section. The applicant shall submit to the department a copy of the page of the labor peace agreement that contains the signatures of the union representative and the applicant.

(cn) The department shall use a competitive scoring system to determine which applicants are eligible to receive a permit under this section. The department shall issue permits to the highest scoring applicants that it determines will best protect the environment; provide stable, family–supporting jobs to local residents; ensure worker and consumer safety; operate secure facilities; and uphold the laws of the jurisdictions in which they operate. The department shall, using criteria established by rule, score an applicant for a permit to operate as a marijuana retailer on the applicant's ability to articulate a social equity plan related to the operation of a marijuana retail establishment. The department may deny a permit to an applicant with a low score as determined under this paragraph. The department may request that the applicant provide any information or documentation that the department deems necessary for purposes of making a determination under this paragraph.

(d) 1. Before the department issues a new or renewed permit under this section, the department shall give notice of the permit application to the governing body of

the municipality where the permit applicant intends to operate the premises of a marijuana producer, marijuana processor, marijuana distributor, marijuana retailer, or microbusiness. No later than 30 days after the department submits the notice, the governing body of the municipality may file with the department a written objection to granting or renewing the permit. At the municipality's request, the department may extend the period for filing objections.

2. A written objection filed under subd. 1. shall provide all the facts on which the objection is based. In determining whether to grant or deny a permit for which an objection has been filed under this paragraph, the department shall give substantial weight to objections from a municipality based on chronic illegal activity associated with the premises for which the applicant seeks a permit or the premises of any other operation in this state for which the applicant holds or has held a valid permit or license, the conduct of the applicant's patrons inside or outside the premises of any other operation in this state for which the applicant holds or has held a valid permit or license, and local zoning ordinances. In this subdivision, "chronic illegal activity" means a pervasive pattern of activity that threatens the public health, safety, and welfare of the municipality, including any crime or ordinance violation, and that is documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar law enforcement agency records.

(e) After denying a permit, the department shall immediately notify the applicant in writing of the denial and the reasons for the denial. After making a decision to grant or deny a permit for which a municipality has filed an objection under par. (d), the department shall immediately notify the governing body of the municipality in writing of its decision and the reasons for the decision.

(f) 1. The department's denial of a permit under this section is subject to judicial review under ch. 227.

2. The department's decision to grant a permit under this section regardless of an objection filed under par. (d) is subject to judicial review under ch. 227.

(g) The department shall not issue a permit under this section to any person who does not hold a valid certificate under s. 73.03 (50).

(2) Each person who applies for a permit under this section shall submit with the application a $250 fee. Each person who is granted a permit under this section shall annually pay to the department a $2,000 fee for as long as the person holds a valid permit under this section. A permit issued under this section is valid for one year and may be renewed, except that the department may revoke or suspend a permit prior to its expiration. A person is not entitled to a refund of the fees paid under this subsection if the person's permit is denied, revoked, or suspended.

(3) The department may not issue a permit under this section to operate any premises which are within 500 feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation facility, child care facility, public park, public transit facility, or library.

(4) Under this section, a separate permit is required for and issued to each class of permittee, and the permit holder may perform only the operations authorized by the permit. A permit issued under this section is not transferable from one person to another or from one premises to another. A separate permit is required for each place in this state where the operations of a marijuana producer, marijuana processor, marijuana distributor, marijuana retailer, or microbusiness occur, including each retail outlet. No person who has been issued a permit to operate as a marijuana retailer, or who has any direct or indirect financial interest in the

operation of a marijuana retailer, shall be issued a permit to operate as a marijuana producer, marijuana processor, or marijuana distributor. A person who has been issued a permit to operate as a microbusiness is not required to hold separate permits to operate as a marijuana processor, marijuana distributor, or marijuana retailer, but shall specify on the person's application for a microbusiness permit the activities that the person will be engaged in as a microbusiness.

(5) Each person issued a permit under this section shall post the permit in a conspicuous place on the premises to which the permit relates.

139.973 Regulation. (1) (a) No permittee may employ an individual who is under the age of 21 to work in the business to which the permit relates.

(b) Subject to ss. 111.321, 111.322, and 111.335, no permittee may employ an individual if any of the conditions under s. 139.972 (1) (c) 1. to 7. applies to the individual.

(2) A retail outlet shall sell no products or services other than usable marijuana or paraphernalia intended for the storage or use of usable marijuana.

(3) No marijuana retailer may allow a person who is under the age of 21 to enter or be on the premises of a retail outlet in violation of s. 961.71 (2m), unless that person is a qualifying patient, as defined in s. 73.17 (1) (d).

(4) The maximum amount of usable marijuana that a retail outlet may sell to an individual consumer in a single transaction may not exceed the permissible amount under s. 961.70 (5).

(4m) A marijuana retailer may not collect, retain, or distribute personal information regarding the retailer's customers except that which is necessary to complete a sale of usable marijuana.

(5) No marijuana retailer may display any signage in a window, on a door, or on the outside of the premises of a retail outlet that is visible to the general public from a public right–of–way, other than a single sign that is no larger than 1,600 square inches identifying the retail outlet by the permittee's business or trade name.

(6) No marijuana retailer may display usable marijuana in a manner that is visible to the general public from a public right–of–way.

(7) No marijuana retailer or employee of a retail outlet may consume, or allow to be consumed, any usable marijuana on the premises of the retail outlet.

(7m) A marijuana retailer may operate a retail outlet only between the hours of 8 a.m. and 8 p.m.

(8) Except as provided under sub. (5), no marijuana producer, marijuana processor, marijuana distributor, marijuana retailer, or microbusiness may place or maintain, or cause to be placed or maintained, an advertisement of usable marijuana in any form or through any medium.

(9) (a) On a schedule determined by the department, every marijuana producer, marijuana processor, or microbusiness shall submit representative samples of the marijuana and usable marijuana produced or processed by the marijuana producer, marijuana processor, or microbusiness to a testing laboratory registered under s. 94.57 for testing marijuana and usable marijuana in order to certify that the marijuana and usable marijuana comply with standards prescribed by the department by rule, including testing for potency and for mold, fungus, pesticides, and other contaminants. The laboratory testing the sample shall destroy any part of the sample that remains after the testing.

(b) Marijuana producers, marijuana processors, and microbusinesses shall submit the results of the testing provided under par. (a) to the department in the manner prescribed by the department by rule.

(c) If a representative sample tested under par. (a) does not meet the standards prescribed by the department, the department shall take the necessary action to ensure that the entire lot from which the sample was taken is destroyed. The department shall promulgate rules to determine lots and lot numbers for purposes of this subsection and for the reporting of lots and lot numbers to the department.

(10) (a) A marijuana processor or a microbusiness that operates as a marijuana processor shall affix a label to all usable marijuana that the marijuana processor or microbusiness sells to marijuana distributors. The label may not be designed to appeal to persons under the age of 18. The label shall include all of the following:

1. The ingredients and the tetrahydrocannabinols concentration in the usable marijuana.

2. The producer's business or trade name.

3. The licensee or registrant number.

4. The unique identification number.

5. The harvest date.

6. The strain name and product identity.

7. The net weight.

8. The activation time.

9. The name of laboratory performing any test, the test batch number, and the test analysis dates.

10. The logotype for recreational marijuana developed by the department of agriculture, trade and consumer protection under s. 100.145.

11. Warnings about all of the following:

a. Risks of marijuana use and pregnancy and risks of marijuana use by persons under the age of 18.

b. The prohibitions under ss. 23.33 (4c) (a) 2g. and 3g. and (b) 2n., 30.681 (1) (b) 1g. and (bn) 2. and (2) (b) 1g., 343.10 (5) (a) 2., 343.12 (7) (a) 11., 346.63 (1) (b), (2) (a) 2., and (2p), and 350.101 (1) (bg) and (cg) and (2) (bg).

(b) No marijuana processor or microbusiness that operates as a marijuana processor may make usable marijuana using marijuana grown outside this state. The label on each package of usable marijuana may indicate that the usable marijuana is made in this state.

(11) (a) No permittee may sell marijuana or usable marijuana that contains more than 3 parts tetrahydrocannabinols to one part cannabidiol.

(b) No permittee may sell marijuana or usable marijuana that tests positive under sub. (9) (a) for mold, fungus, pesticides, or other contaminants if the contaminants, or level of contaminants, are identified by a testing laboratory to be potentially unsafe to the consumer.

(12) Immediately after beginning employment with a permittee, every employee of a permittee shall receive training, approved by the department, on the safe handling of marijuana and usable marijuana and on security and inventory accountability procedures.

(13) The department shall deposit 60 percent of all moneys received under this subchapter into the community reinvestment fund.

139.974 Records and reports. (1) Every permittee shall keep accurate and complete records of the production and sales of marijuana and usable marijuana in this state. The records shall be kept on the premises described in the permit and in

such manner as to ensure permanency and accessibility for inspection at reasonable hours by the department's authorized personnel. The department shall prescribe reasonable and uniform methods of keeping records and making reports and shall provide the necessary forms to permittees.

(2) If the department determines that any permittee's records are not kept in the prescribed form or are in such condition that the department requires an unusual amount of time to determine from the records the amount of the tax due, the department shall give notice to the permittee that the permittee is required to revise the permittee's records and keep them in the prescribed form. If the permittee fails to comply within 30 days, the permittee shall pay the expenses reasonably attributable to a proper examination and tax determination at the rate of $30 a day for each auditor used to make the examination and determination. The department shall send a bill for such expenses, and the permittee shall pay the amount of such bill within 10 days.

(3) If any permittee fails to file a report when due, the permittee shall be required to pay a late filing fee of $10. A report that is mailed is filed on time if it is mailed in a properly addressed envelope with postage prepaid, the envelope is officially postmarked, or marked or recorded electronically as provided under section 7502 (f) (2) (c) of the Internal Revenue Code, on the date due, and the report is actually received by the department or at the destination that the department prescribes within 5 days of the due date. A report that is not mailed is timely if it is received on or before the due date by the department or at the destination that the department prescribes. For purposes of this subsection, "mailed" includes delivery by a delivery service designated under section 7502 (f) of the Internal Revenue Code.

(4) Sections 71.78 (1), (1m), and (4) to (9) and 71.83 (2) (a) 3. and 3m., relating to confidentiality of income, franchise, and gift tax returns, apply to any information obtained from any permittee under this subchapter on a tax return, report, schedule, exhibit, or other document or from an audit report relating to any of those documents, except that the department shall publish production and sales statistics.

139.975 Administration and enforcement. (1) The department shall administer and enforce this subchapter and promulgate rules necessary to administer and enforce this subchapter.

(2) The duly authorized employees of the department have all necessary police powers to prevent violations of this subchapter.

(3) Authorized personnel of the department of justice and the department of revenue, and any law enforcement officer, within their respective jurisdictions, may at all reasonable hours enter the premises of any permittee and examine the books and records to determine whether the tax imposed by this subchapter has been fully paid and may enter and inspect any premises where marijuana or usable marijuana is produced, processed, made, sold, or stored to determine whether the permittee is complying with this subchapter.

(4) The department may suspend or revoke the permit of any permittee who violates s. 100.30, any provision of this subchapter, or any rules promulgated under sub. (1). The department shall revoke the permit of any permittee who violates s. 100.30 3 or more times within a 5–year period.

(5) No suit shall be maintained in any court to restrain or delay the collection or payment of the tax levied in s. 139.971. The aggrieved taxpayer shall pay the tax when due and, if paid under protest, may at any time within 90 days from the date of payment sue the state to recover the tax paid. If it is finally determined that any

part of the tax was wrongfully collected, the secretary of administration shall pay the amount wrongfully collected. A separate suit need not be filed for each separate payment made by any taxpayer, but a recovery may be had in one suit for as many payments as may have been made.

(6) (a) Any person may be compelled to testify in regard to any violation of this subchapter of which the person may have knowledge, even though such testimony may tend to incriminate the person, upon being granted immunity from prosecution in connection with the testimony, and upon the giving of such testimony, the person shall not be prosecuted because of the violation relative to which the person has testified.

(b) The immunity provided under par. (a) is subject to the restrictions under s. 972.085.

(7) The provisions on timely filing under s. 71.80 (18) apply to the tax imposed under this subchapter.

(8) Sections 71.74 (1), (2), (10), (11), and (14), 71.77, 71.91 (1) (a) and (c) and (2) to (7), 71.92, and 73.0301 as they apply to the taxes under ch. 71 apply to the taxes under this subchapter. Section 71.74 (13) as it applies to the collection of the taxes under ch. 71 applies to the collection of the taxes under this subchapter, except that the period during which notice of an additional assessment shall be given begins on the due date of the report under this subchapter.

(9) Any building or place of any kind where marijuana or usable marijuana is sold, possessed, stored, or manufactured without a lawful permit or in violation of s. 139.972 or 139.973 is declared a public nuisance and may be closed and abated as such.

(10) At the request of the secretary of revenue, the attorney general may represent this state or assist a district attorney in prosecuting any case arising under this subchapter.

139.976 Theft of tax moneys. All marijuana tax moneys received by a permittee for the sale of marijuana or usable marijuana on which the tax under this subchapter has become due and has not been paid are trust funds in the permittee's possession and are the property of this state. Any permittee who fraudulently withholds, appropriates, or otherwise uses marijuana tax moneys that are the property of this state is guilty of theft under s. 943.20 (1), whether or not the permittee has or claims to have an interest in those moneys.

139.977 Seizure and confiscation. (1) All marijuana and usable marijuana produced, processed, made, kept, stored, sold, distributed, or transported in violation of this subchapter, and all tangible personal property used in connection with the marijuana or usable marijuana, is unlawful property and subject to seizure by the department or a law enforcement officer. Except as provided in sub. (2), all marijuana and usable marijuana seized under this subsection shall be destroyed.

(2) If marijuana or usable marijuana on which the tax has not been paid is seized as provided under sub. (1), it may be given to law enforcement officers to use in criminal investigations or sold to qualified buyers by the department, without notice. If the department finds that the marijuana or usable marijuana may deteriorate or become unfit for use in criminal investigations or for sale, or that those uses would otherwise be impractical, the department may order it destroyed.

(3) If marijuana or usable marijuana on which the tax has been paid is seized as provided under sub. (1), it shall be returned to the true owner if ownership can be ascertained and the owner or the owner's agent is not involved in the violation

resulting in the seizure. If the ownership cannot be ascertained or if the owner or the owner's agent was guilty of the violation that resulted in the seizure of the marijuana or usable marijuana, it may be sold or otherwise disposed of as provided in sub. (2).

(4) If tangible personal property other than marijuana or usable marijuana is seized as provided under sub. (1), the department shall advertise the tangible personal property for sale by publication of a class 2 notice under ch. 985. If no person claiming a lien on, or ownership of, the property has notified the department of the person's claim within 10 days after last insertion of the notice, the department shall sell the property. If a sale is not practical the department may destroy the property. If a person claiming a lien on, or ownership of, the property notifies the department within the time prescribed in this subsection, the department may apply to the circuit court in the county where the property was seized for an order directing disposition of the property or the proceeds from the sale of the property. If the court orders the property to be sold, all liens, if any, may be transferred from the property to the sale proceeds. Neither the property seized nor the proceeds from the sale shall be turned over to any claimant of lien or ownership unless the claimant first establishes that the property was not used in connection with any violation under this subchapter or that, if so used, it was done without the claimant's knowledge or consent and without the claimant's knowledge of facts that should have given the claimant reason to believe it would be put to such use. If no claim of lien or ownership is established as provided under this subsection the property may be ordered destroyed.

139.978 Interest and penalties. (1) Any person who makes or signs any false or fraudulent report under this subchapter or who attempts to evade the tax

imposed by s. 139.971, or who aids in or abets the evasion or attempted evasion of that tax, may be fined not more than $10,000 or imprisoned for not more than 9 months or both.

(2) Any permittee who fails to keep the records required by s. 139.974 (1) and (2) shall be fined not less than $100 nor more than $500 or imprisoned not more than 6 months or both.

(3) Any person who refuses to permit the examination or inspection authorized under s. 139.975 (3) may be fined not more than $500 or imprisoned not more than 6 months or both. The department shall immediately suspend or revoke the permit of any person who refuses to permit the examination or inspection authorized under s. 139.975 (3).

(4) Any person who violates any of the provisions of this subchapter for which no other penalty is prescribed shall be fined not less than $100 nor more than $1,000 or imprisoned not less than 10 days nor more than 90 days or both.

(5) Any person who violates any of the rules promulgated in accordance with this subchapter shall be fined not less than $100 nor more than $500 or imprisoned not more than 6 months or both.

(6) In addition to the penalties imposed for violating the provisions of this subchapter or any of the department's rules, the department shall revoke the permit of any person convicted of such a violation and not issue another permit to that person for a period of 2 years following the revocation.

(7) Unpaid taxes bear interest at the rate of 12 percent per year from the due date of the return until paid or deposited with the department, and all refunded taxes bear interest at the rate of 3 percent per year from the due date of the return to the date on which the refund is certified on the refund rolls.

(8) All nondelinquent payments of additional amounts owed shall be applied in the following order: penalties, interest, tax principal.

(9) Delinquent marijuana taxes bear interest at the rate of 1.5 percent per month until paid. The taxes imposed by this subchapter shall become delinquent if not paid:

(a) In the case of a timely filed return, no return filed or a late return, on or before the due date of the return.

(b) In the case of a deficiency determination of taxes, within 2 months after the date of demand.

(10) If due to neglect an incorrect return is filed, the entire tax finally determined is subject to a penalty of 25 percent of the tax exclusive of interest or other penalty. A person filing an incorrect return has the burden of proving that the error or errors were due to good cause and not due to neglect.

139.979 Personal use. An individual who possesses no more than 6 marijuana plants that have reached the flowering stage at any one time is not subject to the tax imposed under s. 139.971. An individual who possesses more than 6 marijuana plants that have reached the flowering stage at any one time shall apply for the appropriate permit under s. 139.972 and pay the appropriate tax imposed under s. 139.971.

139.980 Agreement with tribes. The department may enter into an agreement with a federally recognized American Indian Tribe in this state for the administration and enforcement of this subchapter and to provide refunds of the tax imposed under s. 139.971 on marijuana sold on tribal land by or to enrolled members of the tribe residing on the tribal land.

SECTION 2270. 140.02 (1) (a) of the statutes is amended to read:

140.02 **(1)** (a) The department shall appoint notaries public who shall be United States residents and at least 18 years of age. Applicants who are not attorneys shall file an application with the department and pay a ~~$20~~ $40 fee.

SECTION 2271. 140.02 (2) (a) of the statutes is amended to read:

140.02 **(2)** (a) Except as provided in par. (am), any United States resident who is licensed to practice law in this state is entitled to a permanent commission as a notary public upon application to the department and payment of a ~~$50~~ $100 fee. The application shall include a certificate of good standing from the supreme court, the signature and post–office address of the applicant, and an impression of the applicant's official seal, or imprint of the applicant's official rubber stamp.

SECTION 2272. 145.20 (5) (a) of the statutes, as affected by 2017 Wisconsin Act 59, is amended to read:

145.20 **(5)** (a) The department shall establish a maintenance program to be administered by governmental units responsible for the regulation of private on–site wastewater treatment systems. The department shall determine the private on–site wastewater treatment systems to which the maintenance program applies. At a minimum the maintenance program is applicable to all new or replacement private on–site wastewater treatment systems constructed in a governmental unit after the date on which the governmental unit adopts this program. The department may apply the maintenance program by rule to private on–site wastewater treatment systems constructed in a governmental unit responsible for the regulation of private on–site wastewater treatment systems on or before the date on which the governmental unit adopts the program. The department shall determine the private on–site wastewater treatment systems to which the maintenance program applies

in governmental units that do not meet the conditions for eligibility under s. 145.246 (8).

SECTION 2273. 145.20 (5) (am) of the statutes, as affected by 2017 Wisconsin Act 59, is amended to read:

145.20 **(5)** (am) Each governmental unit responsible for the regulation of private on–site wastewater treatment systems shall adopt and begin the administration of the program established under par. (a) before October 1, 2019. As part of adopting and administering the program, the governmental unit shall conduct and maintain an inventory of all the private on–site wastewater treatment systems located in the governmental unit and shall complete the initial inventory before October 1, 2017. In order to be eligible for grant funding under s. 145.246, a governmental unit must comply with these deadlines.

SECTION 2274. 145.246 of the statutes is created to read:

145.246 Private on–site wastewater treatment system replacement or rehabilitation. (1) DEFINITIONS. In this section:

(a) "Determination of failure" means any of the following:

1. A determination that a private on–site wastewater treatment system is failing, according to the criteria under s. 145.01 (4m), based on an inspection of the private on–site wastewater treatment system by an employee of the state or a governmental unit who is certified to inspect private on–site wastewater treatment systems by the department.

2. A written enforcement order issued under s. 145.02 (3) (f), 145.20 (2) (f) or 281.19 (2).

3. A written enforcement order issued under s. 254.59 (1) by a governmental unit.

(b) "Governmental unit" means a governmental unit responsible for the regulation of private on–site wastewater treatment systems. "Governmental unit" also includes a federally recognized American Indian tribe or band.

(c) "Indian lands" means lands owned by the United States and held for the use or benefit of Indian tribes or bands or individual Indians and lands within the boundaries of a federally recognized reservation that are owned by Indian tribes or bands or individual Indians.

(d) "Participating governmental unit" means a governmental unit which applies to the department for financial assistance under sub. (7) and which meets the conditions specified under sub. (8).

(e) "Principal residence" means a residence which is occupied at least 51 percent of the year by the owner.

(f) "Sewage" means the water–carried wastes created in and to be conducted away from residences, industrial establishments, and public buildings as defined in s. 101.01 (12), with such surface water or groundwater as may be present.

(g) "Small commercial establishment" means a commercial establishment or business place with a maximum daily waste water flow rate of less than 5,000 gallons per day.

(2) CATEGORIES OF FAILING PRIVATE ON–SITE WASTEWATER TREATMENT SYSTEMS. For the purposes of this section, the department shall establish the category of each failing private on–site wastewater treatment system for which a grant application is submitted, as follows:

(a) Category 1: failing private on–site wastewater treatment systems described in s. 145.01 (4m) (a) to (c).

(b) Category 2: failing private on–site wastewater treatment systems described in s. 145.01 (4m) (d).

(c) Category 3: failing private on–site wastewater treatment systems described in s. 145.01 (4m) (e).

(3) ELIGIBILITY. (a) 1. A person is eligible for grant funds under this section if he or she owns a principal residence which is served by a category 1 or 2 failing private on–site wastewater treatment system, if the private on–site wastewater treatment system was installed at least 33 years before the person submits a grant application, if the family income of the person does not exceed the income limitations under par. (c), if the amount of the grant determined under sub. (6) is at least $100, if the residence is not located in an area served by a sewer, and if determination of failure is made prior to the rehabilitation or replacement of the failing private on–site wastewater treatment system.

2. A business is eligible for grant funds under this section if it owns a small commercial establishment which is served by a category 1 or 2 failing private on–site wastewater treatment system, if the private on–site wastewater treatment system was installed at least 33 years before the business submits a grant application, if the gross revenue of the business does not exceed the limitation under par. (d), if the small commercial establishment is not located in an area served by a sewer, and if a determination of failure is made prior to the rehabilitation or replacement of the private on–site wastewater treatment system.

3. A person who owns a principal residence or small commercial establishment which is served by a category 1 or 2 failing private on–site wastewater treatment system may submit an application for grant funds during the 3–year period after the determination of failure is made. Grant funds may be awarded after work is

completed if rehabilitation or replacement of the system meets all requirements of this section and rules promulgated under this section.

(b) Each principal residence or small commercial establishment may receive only one grant under this section.

(c) 1. In order to be eligible for grant funds under this section, the annual family income of the person who owns the principal residence may not exceed $45,000. Beginning July 1, 2022, and annually on July 1 thereafter, the department shall adjust the dollar amount specified in this subdivision by an amount equal to that dollar amount multiplied by the percentage change in the U.S. consumer price index for urban wage earners and clerical workers, U.S. city average, for the prior year, rounded to the nearest dollar. The department shall publish the dollar amounts on its Internet site. Notwithstanding s. 227.10, the adjusted dollar amounts need not be promulgated as rules under ch. 227.

2. Except as provided under subd. 4., annual family income shall be based upon the federal adjusted gross income of the owner and the owner's spouse, if any, as computed for the taxable year prior to the year in which the determination of failure is made.

3. In order to be eligible for grant funds under this section, a person shall submit a copy of the federal income tax returns upon which the determination of federal adjusted gross income under subd. 2. was made together with any application required by the governmental unit.

4. A governmental unit may disregard the federal income tax return that is submitted under subd. 3. and may determine annual family income based upon satisfactory evidence of federal adjusted gross income or projected federal adjusted gross income of the owner and the owner's spouse in the current year. The

department shall promulgate rules establishing criteria for determining what constitutes satisfactory evidence of federal adjusted gross income or projected federal adjusted gross income in a current year.

(d) 1. In order to be eligible for grant funds under this section, the annual gross revenue of the business that owns the small commercial establishment may not exceed $362,500.

2. Except as provided in subd. 4., annual gross revenue shall be based upon the gross revenue of the business for the taxable year prior to the year in which the determination of failure is made. The department shall promulgate rules establishing criteria for determining what constitutes satisfactory evidence of gross revenue in a prior taxable year.

3. In order to be eligible for grant funds under this section, a business shall submit documentation required by the department under subd. 2. together with any application required by the governmental unit.

4. A governmental unit may disregard the documentation of gross revenue for the taxable year prior to the year in which the determination of failure is made and may determine annual gross revenue based upon satisfactory evidence of gross revenue of the business in the current year. The department shall promulgate rules establishing criteria for determining what constitutes satisfactory evidence of gross revenue in a current year.

(e) The department of revenue shall, upon request by the department, verify the income information submitted by an applicant or grant recipient.

(4) DENIAL OF APPLICATION. (a) The department or a governmental unit shall deny a grant application under this section if the applicant or a person who would be directly benefited by the grant intentionally caused the conditions which resulted

in a category 1 or 2 failing private on–site wastewater treatment system. The department or governmental unit shall notify the applicant in writing of a denial, including the reason for the denial.

(b) The department shall notify a governmental unit if an individual's name appears on the statewide support lien docket under s. 49.854 (2) (b). The department or a governmental unit shall deny an application under this section if the name of the applicant or an individual who would be directly benefited by the grant appears on the statewide support lien docket under s. 49.854 (2) (b), unless the applicant or individual who would be benefited by the grant provides to the department or governmental unit a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

(5) USE OF FUNDS. (a) Except for grants under par. (b), funds available under a grant under this section shall be applied to the rehabilitation or replacement of the private on–site wastewater treatment system. An existing private on–site wastewater treatment system may be replaced by an alternative private on–site wastewater treatment system or by a system serving more than one principal residence.

(b) Funds available under a grant under this section for experimental private on–site wastewater treatment systems shall be applied to the installation and monitoring of the experimental private on–site wastewater treatment systems.

(6) ALLOWABLE COSTS; STATE SHARE. (a) Except as provided in par. (e), costs allowable in determining grant funding under this section may not exceed the costs of rehabilitating or replacing a private on–site wastewater treatment system that

would be necessary to allow the rehabilitated system or new system to meet the minimum requirements of the state plumbing code promulgated under s. 145.02.

(b) Except as provided in par. (e), costs allowable in determining grant funding under this section may not exceed the costs of rehabilitating or replacing a private on–site wastewater treatment system by the least costly methods, except that a holding tank may not be used as the measure of the least costly method for rehabilitating or replacing a private on–site wastewater treatment system other than a holding tank.

(c) Except as provided in pars. (d) and (e), the state grant share under this section is limited to $7,000 for each principal residence or small commercial establishment to be served by the private on–site wastewater treatment system or to the amount determined by the department based upon private on–site wastewater treatment system grant funding tables, whichever is less. The department shall prepare and publish private on–site wastewater treatment system grant funding tables which specify the maximum state share limitation for various components and costs involved in the rehabilitation or replacement of a private on–site wastewater treatment system based upon minimum size and other requirements specified in the state plumbing code promulgated under s. 145.02. The maximum state share limitations shall be designed to pay approximately 60 percent of the average allowable cost of private on–site wastewater treatment system rehabilitation or replacement based upon estimated or actual costs of that rehabilitation or replacement. The department shall revise the grant funding tables when it determines that 60 percent of current costs of private on–site wastewater treatment system rehabilitation or replacement exceed the amounts in the grant funding tables

by more than 10 percent, except that the department may not revise the grant funding tables more often than once every 2 years.

(d) Except as provided in par. (e), if the income of a person who owns a principal residence that is served by a category 1 or 2 failing private on–site wastewater treatment system is greater than $32,000, the amount of the grant under this section is limited to the amount determined under par. (c) less 30 percent of the amount by which the person's income exceeds $32,000.

(e) Costs allowable for experimental private on–site wastewater treatment systems shall include the costs of installing and monitoring experimental private on–site wastewater treatment systems installed under s. 145.02 (3) (b) and this section. The department shall promulgate rules that specify how the department will select, monitor and allocate the state share for experimental private on–site wastewater treatment systems that the department funds under this section.

(7) APPLICATION. (a) In order to be eligible for a grant under this section, a governmental unit shall make an application for replacement or rehabilitation of private on–site wastewater treatment systems of principal residences or small commercial establishments and shall submit an application for participation to the department. The application shall be in the form and include the information the department prescribes. In order to be eligible for funds available in a fiscal year, an application is required to be received by the department prior to February 1 of the previous fiscal year.

(b) An American Indian tribe or band may submit an application for participation for any Indian lands under its jurisdiction.

(8) CONDITIONS; GOVERNMENTAL UNITS. As a condition for obtaining grant funding under this section, a governmental unit shall do all of the following:

(a) Adopt and administer the maintenance program established under s. 145.20 (5).

(b) Certify that grants will be used for private on–site wastewater treatment system replacement or rehabilitation for a principal residence or small commercial establishment owned by a person who meets the eligibility requirements under sub. (3), that the funds will be used as provided under sub. (5) and that allowable costs will not exceed the amount permitted under sub. (6).

(c) Certify that grants will be used for private on–site wastewater treatment systems which will be properly installed and maintained.

(d) Certify that grants provided to the governmental unit will be disbursed to eligible owners.

(e) Establish a process for regulation and inspection of private on–site wastewater treatment systems.

(f) Establish a system of user charges and cost recovery if the governmental unit considers this system to be appropriate. User charges and cost recovery may include the cost of the grant application fee and the cost of supervising installation and maintenance.

(g) Establish a system which provides for the distribution of grant funds received among eligible applicants based on the amount requested in the application as approved by the department. If the amount received by a county is insufficient to fully fund all grants, the county shall prorate grant funds on the same basis as sub. (11).

(9) ASSISTANCE. The department shall make its staff available to provide technical assistance to each governmental unit. The department shall prepare and

distribute to each participating governmental unit a manual of procedures for the grant program under this section.

(10) ALLOCATION OF FUNDS. (a) *Determination of eligible applications.* At the beginning of each fiscal year the department shall determine the state grant share for applications from eligible owners received by participating governmental units. The department may revise this determination if a governmental unit does not meet the conditions specified under sub. (8) or if it determines that individuals do not meet eligibility requirements under sub. (3).

(b) *Allocation.* The department shall allocate available funds for grants to each participating governmental unit according to the total amount of the state grant share for all eligible applications received by that governmental unit.

(c) *Limitation; commercial establishments.* The department may not allocate more than 10 percent of the funds available under this subsection each fiscal year for grants for small commercial establishments.

(d) *Limitation; experimental private on–site wastewater treatment systems.* The department may not allocate more than 10 percent of the funds available under this subsection each fiscal year for grants for the installation and monitoring of experimental private on–site wastewater treatment systems.

(11) PRORATING. (a) Except as provided in par. (d), the department shall prorate available funds under this subsection if funds are not sufficient to fully fund all applications. A prorated payment shall be deemed full payment of the grant.

(b) Except as provided in par. (d), if funds are sufficient to fully fund all category 1 but not all category 2 failing private on–site wastewater treatment systems, the department shall fully fund all category 1 systems and prorate the funds for category 2 systems on a proportional basis.

(c) Except as provided in par. (d), if funds are not sufficient to fully fund all category 1 failing private on–site wastewater treatment systems, the department shall fund the category 1 systems on a proportional basis and deny the grant applications for all category 2 systems.

(d) The department is not required to prorate available funds for grants for the installation and monitoring of experimental private on–site wastewater treatment systems.

(12) DETERMINATION OF ELIGIBILITY; DISBURSEMENT OF GRANTS. (a) The department shall review applications for participation in the state program submitted under sub. (7). The department shall determine if a governmental unit submitting an application meets the conditions specified under sub. (8).

(b) The department shall promulgate rules which shall define payment mechanisms to be used to disburse grants to a governmental unit.

(13) INSPECTION. Agents of the department or the governmental unit may enter premises where private on–site wastewater treatment systems are located pursuant to a special inspection warrant as required under s. 66.0119, to collect samples, records and information and to ascertain compliance with the rules and orders of the department or the governmental unit.

(14) ENFORCEMENT. (a) If the department has reason to believe that a violation of this section or any rule promulgated under this section has occurred, it may do any of the following:

1. Cause written notice to be served upon the alleged violator. The notice shall specify the alleged violation, and contain the findings of fact on which the charge of violation is based, and may include an order that necessary corrective action be taken within a reasonable time. This order shall become effective unless, no later than 30

days after the date the notice and order are served, the person named in the notice and order requests in writing a hearing before the department. Upon this request and after due notice, the department shall hold a hearing. Instead of an order, the department may require that the alleged violator appear before the department for a hearing at a time and place specified in the notice and answer the charges complained of.

2. Initiate action under sub. (15).

(b) If after the hearing the department finds that a violation has occurred, it shall affirm or modify its order previously issued, or issue an appropriate order for the prevention, abatement or control of the violation or for other corrective action. If the department finds that no violation has occurred, it shall rescind its order. Any order issued as part of a notice or after hearing may prescribe one or more dates by which necessary action shall be taken in preventing, abating or controlling the violation.

(c) Additional grants under this section to a governmental unit previously awarded a grant under this section may be suspended or terminated if the department finds that a private on–site wastewater treatment system previously funded in the governmental unit is not being or has not been properly rehabilitated, constructed, installed or maintained.

(15) PENALTIES. Any person who violates this section or a rule or order promulgated under this section shall forfeit not less than $10 nor more than $5,000 for each violation. Each day of continued violation is a separate offense. While an order is suspended, stayed or enjoined, this penalty does not accrue.

SECTION 2275. 146.34 (1) (f) of the statutes is amended to read:

146.34 **(1)** (f) "Parent" means a ~~biological~~ natural parent~~, a husband who has consented to the artificial insemination of his wife under s. 891.40~~ or a parent by adoption. If the minor is a nonmarital child who is not adopted or whose parents do not subsequently intermarry under s. 767.803, "parent" includes a person adjudged in a judicial proceeding under ch. 48 to be the biological father of the minor. "Parent" does not include any person whose parental rights have been terminated.

SECTION 2276. 146.81 (1) (c) of the statutes is amended to read:

146.81 **(1)** (c) A dentist or dental therapist licensed under ch. 447.

SECTION 2277. 146.81 (5) of the statutes is amended to read:

146.81 **(5)** "Person authorized by the patient" means the parent, guardian, or legal custodian of a minor patient, as defined in s. 48.02 (8) and (11), the person vested with supervision of the child under s. 938.183 or 938.34 (4d)~~, (4h)~~, (4m), or (4n), the guardian of a patient adjudicated incompetent in this state, the personal representative, spouse, or domestic partner under ch. 770 of a deceased patient, any person authorized in writing by the patient or a health care agent designated by the patient as a principal under ch. 155 if the patient has been found to be incapacitated under s. 155.05 (2), except as limited by the power of attorney for health care instrument. If no spouse or domestic partner survives a deceased patient, "person authorized by the patient" also means an adult member of the deceased patient's immediate family, as defined in s. 632.895 (1) (d). A court may appoint a temporary guardian for a patient believed incompetent to consent to the release of records under this section as the person authorized by the patient to decide upon the release of records, if no guardian has been appointed for the patient.

SECTION 2278. 146.81 (5) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

146.81 **(5)** "Person authorized by the patient" means the parent, guardian, or legal custodian of a minor patient, as defined in s. 48.02 (8) and (11), the person vested with supervision of the child under s. 938.183 or 938.34 ~~(4d),~~ (4m)~~,~~ or (4n), the guardian of a patient adjudicated incompetent in this state, the personal representative, spouse, or domestic partner under ch. 770 of a deceased patient, any person authorized in writing by the patient or a health care agent designated by the patient as a principal under ch. 155 if the patient has been found to be incapacitated under s. 155.05 (2), except as limited by the power of attorney for health care instrument. If no spouse or domestic partner survives a deceased patient, "person authorized by the patient" also means an adult member of the deceased patient's immediate family, as defined in s. 632.895 (1) (d). A court may appoint a temporary guardian for a patient believed incompetent to consent to the release of records under this section as the person authorized by the patient to decide upon the release of records, if no guardian has been appointed for the patient.

SECTION 2279. 146.82 (4) (b) 2. a. of the statutes is amended to read:

146.82 **(4)** (b) 2. a. A member of the patient's immediate family, another relative of the patient, a close personal friend of the patient, a caregiver designated under s. 50.379, or an individual identified by the patient, that portion that is directly relevant to the involvement by the member, relative, friend, caregiver designated under s. 50.379, or individual in the patient's care.

SECTION 2280. 146.82 (4) (c) of the statutes is created to read:

146.82 **(4)** (c) Notwithstanding subs. (1) and (4) (b), a health care provider may provide a caregiver who is designated under s. 50.379, and who is otherwise permitted access to a portion of a patient health care record under this subsection, with a copy of any written discharge plan issued under s. 50.379 (4) and (5).

SECTION 2281. 146.89 (1) (d) 2. of the statutes is amended to read:

146.89 **(1)** (d) 2. A private school, as defined in s. 115.001 (3r), that participates in the choice program under s. 118.60 or the Milwaukee Parental Choice Program under s. 119.23 ~~or that, pursuant to s. 115.999 (3), 119.33 (2) (c) 3., or 119.9002 (3) (c), is responsible for the operation and general management of a school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119~~.

SECTION 2282. 146.89 (1) (g) 1. of the statutes is amended to read:

146.89 **(1)** (g) 1. A public elementary school~~, including an elementary school transferred to an opportunity schools and partnership program under s. 119.33, subch. IX of ch. 115, or subch. II of ch. 119~~.

SECTION 2283. 146.89 (1) (r) 1. of the statutes is amended to read:

146.89 **(1)** (r) 1. Licensed as a physician under ch. 448, a dentist, dental therapist, or dental hygienist under ch. 447, a registered nurse, practical nurse, or nurse–midwife under ch. 441, an optometrist under ch. 449, a physician assistant under ch. 448, a pharmacist under ch. 450, a chiropractor under ch. 446, a podiatrist under subch. IV of ch. 448, or a physical therapist under subch. III of ch. 448.

SECTION 2284. 146.89 (1) (r) 5. of the statutes is amended to read:

146.89 **(1)** (r) 5. An individual who holds a valid, unexpired license, certification, or registration issued by another state or territory that authorizes or qualifies the individual to perform acts that are substantially the same as those acts that an individual who is described in subds. 1. to 4., except a dentist, dental therapist, or dental hygienist, is licensed or certified to perform and who performs acts that are within the scope of that license, certification, or registration.

SECTION 2285. 146.89 (3) (b) 8. of the statutes is amended to read:

146.89 **(3)** (b) 8. Dental services, including tooth extractions and other procedures done under local anesthesia only and any necessary suturing related to the extractions, performed by a dentist or dental therapist who is a volunteer health provider; and dental hygiene services, performed by a dental hygienist who is a volunteer health provider.

SECTION 2286. 146.89 (3m) (intro.) of the statutes is amended to read:

146.89 **(3m)** (intro.) A volunteer health care provider who is a dentist or dental therapist may provide dental services or a volunteer health care provider who is a dental hygienist may provide dental hygiene services, to persons who are recipients of Medical Assistance, if all of the following apply:

SECTION 2287. 146.997 (1) (d) 3. of the statutes is amended to read:

146.997 **(1)** (d) 3. A dentist or dental therapist licensed under ch. 447.

SECTION 2288. Subchapter III of chapter 153 [precedes 153.85] of the statutes is created to read:

CHAPTER 153

SUBCHAPTER III

OPIOID AND

METHAMPHETAMINE DATA

153.85 Definition; opioid and methamphetamine data. In this subchapter, "vendor" means a person awarded the contract following a request for proposals described under s. 153.87.

153.87 Opioid and methamphetamine data system. (1) Subject to sub. (3), the department of administration shall issue a request for proposals to establish and maintain an opioid and methamphetamine data system to collect, format,

analyze, and disseminate information on opioid and methamphetamine use, which shall include all of the following:

(a) Hospital discharge data from visits and stays related to opioid use or overdose.

(b) Hospital discharge data from visits and stays related to methamphetamine use or overdose.

(c) Records of hospitals diverting patients to other facilities to address opioid use or overdose.

(d) Records of hospitals diverting patients to other facilities to address methamphetamine use or overdose.

(e) Ambulance service run data related to opioid use or overdose.

(f) The number of opioid–related overdoses in the state, the number of individuals who overdose on opioids, and the opioids on which the individuals overdose.

(g) The number of methamphetamine–related overdoses in the state, the number of individuals who overdose on methamphetamines, and the forms of methamphetamines on which the individuals overdose.

(h) Death records related to opioid use or overdose.

(i) Death records related to methamphetamine use or overdose.

(j) The number of opioid treatment centers in the state, by the owner or operator of each opioid treatment center.

(k) The number of methamphetamine treatment centers in the state, by the owner or operator of each methamphetamine treatment center.

(L) The number of providers in this state that are allowed to prescribe a drug that is a combination of buprenorphine and naloxone, the patient capacity for those

prescribers, the number of patients taking such a combination drug, and the number of patients who have discontinued such a combination drug due to successful completion of a treatment program.

(m) The number of methadone clinics in the state, the number of patients taking methadone, the number of patients who more than once have been on courses of methadone, the number of patients who have discontinued methadone use due to successful completion of a treatment program, and the number of patients who are receiving methadone treatment for each of the following durations:

1. Longer than 12 months.

2. Longer than 3 years.

3. Longer than 4 years.

4. Longer than 5 years.

5. Longer than 8 years.

6. Longer than 10 years.

(o) The amount of naloxone doses dispensed, the total number of naloxone doses administered, and the number of unique patients who have received doses of naloxone.

(p) The number of adults in the state who use opioids, the extent to which those adults use opioids, and the type of opioids used.

(q) The number of adults in the state who use methamphetamines, the extent to which those adults use methamphetamines, and the forms of methamphetamines used.

(r) The number of minors in the state who use opioids, the extent to which those minors use opioids, and the type of opioids used.

(s) The number of minors in the state who use methamphetamines, the extent to which those minors use methamphetamines, and the forms of methamphetamines used.

(t) The number of minors who enter the child protective services system due to opioid use by a parent or guardian, length of time those minors are in out–of–home care, and the type of reporter who notified child protective services of the needs of the minor.

(u) The number of persons who are incarcerated and who are receiving naltrexone for extended–release in injectable suspension, the number of persons who are on extended supervision or probation or on parole and who are receiving extended–release naltrexone, the total number of doses of extended–release naltrexone administered to persons who are incarcerated, on extended supervision or probation, or on parole in this state, and the length of time that persons who are incarcerated, on extended supervision or probation, or on parole are receiving extended–release naltrexone.

(v) The number of arrests and convictions related to methadone and the number related to a drug that is a combination of buprenorphine and naloxone.

(w) The number of arrests and convictions related to methamphetamines.

(2) The opioid and methamphetamine data system under sub. (1) shall identify, to the extent possible, for sub. (1) (a), (b), (c), (d), (e), (f), (g), (h), (i), (L), (m), (p), (q), (r), (s), and (u) the number of individuals who have each of the following forms of health care coverage:

(a) Public health care coverage under the Medical Assistance program.

(b) Public health care coverage under Medicare, a veteran or military health plan, or another public form of coverage other than Medical Assistance, including any self–insured governmental health plan.

(c) Private insurance or a private heath plan.

(d) Self–coverage or uninsured.

(3) The department of administration shall collaborate with and collect data from the departments of health services, corrections, justice, safety and professional services, and children and families and any other applicable agencies for the opioid and methamphetamine data system under sub. (1).

(4) (a) The department of administration shall administer the contract with the vendor to operate the opioid and methamphetamine data system and shall have access to the data contained in the opioid and methamphetamine data system. The department of administration shall work with the vendor to disseminate information and advanced analytics from the opioid and methamphetamine data system in as close to real time as possible.

(b) The opioid and methamphetamine data system shall allow the state agencies that submit data to the opioid and methamphetamine data system access to the data in the opioid and methamphetamine data system as appropriate for the agency to fulfill its functions and as allowed by state and federal confidentiality laws.

153.89 Reports; opioid and methamphetamine data system. By January 1, 2023, and annually thereafter, the department of administration shall submit a report to the governor and, under s. 13.172 (3) to appropriate standing committees of the legislature., as determined by the speaker or president, summarizing the information from the opioid and methamphetamine data system under s. 153.87 (1) and analyzing trends in that information across years of data collection.

SECTION 2289. 155.01 (7) of the statutes is amended to read:

155.01 **(7)** "Health care provider" means a nurse licensed or permitted under ch. 441, a chiropractor licensed under ch. 446, a dentist or dental therapist licensed under ch. 447, a physician, physician assistant, perfusionist, podiatrist, physical therapist, physical therapist assistant, occupational therapist, or occupational therapy assistant licensed under ch. 448, a person practicing Christian Science treatment, an optometrist licensed under ch. 449, a psychologist licensed under ch. 455, a physical therapist or physical therapist assistant who holds a compact privilege under subch. IX of ch. 448, a partnership thereof, a corporation or limited liability company thereof that provides health care services, a cooperative health care association organized under s. 185.981 that directly provides services through salaried employees in its own facility, or a home health agency, as defined in s. 50.49 (1) (a).

SECTION 2290. 157.05 of the statutes is amended to read:

157.05 Autopsy. Consent for a licensed physician to conduct an autopsy on the body of a deceased person shall be deemed sufficient when given by whichever one of the following assumes custody of the body for purposes of burial: ~~Father, mother, husband, wife~~ parent, spouse, child, guardian, next of kin, domestic partner under ch. 770, or in the absence of any of the foregoing, a friend, or a person charged by law with the responsibility for burial. If 2 or more such persons assume custody of the body, the consent of one of them shall be deemed sufficient.

SECTION 2291. 157.06 (11) (hm) of the statutes is created to read:

157.06 **(11)** (hm) Unless otherwise required by federal law, a hospital, physician, procurement organization, or other person may not determine the

ultimate recipient of an anatomical gift based solely upon a positive test for the use of marijuana by a potential recipient.

SECTION 2292. 157.06 (11) (i) of the statutes is amended to read:

157.06 **(11)** (i) Except as provided under ~~par.~~ pars. (a) 2. and (hm), nothing in this section affects the allocation of organs for transplantation or therapy.

SECTION 2293. 157.065 (2) (a) 4. c. of the statutes is amended to read:

157.065 **(2)** (a) 4. c. A ~~Type 1~~ juvenile correctional facility, as defined in s. 938.02 ~~(19)~~ (10p);

SECTION 2294. 160.07 (4) (f) of the statutes is created to read:

160.07 **(4)** (f) In recommending an enforcement standard for a perfluoroalkyl or polyfluoroalkyl substance, the department of health services may recommend individual standards for each substance, a standard for these substances as a class, or standards for groups of these substances.

SECTION 2295. 160.07 (7) of the statutes is created to read:

160.07 **(7)** If the department of health services recommends an enforcement standard for a perfluoroalkyl or polyfluoroalkyl substance or a group or class of such substances under this section, the department shall apply the standard as an interim enforcement standard for that substance, including through sampling, monitoring, and testing, and any other actions required by rules promulgated by the department, unless emergency or permanent rules that establish an enforcement standard for that substance are in effect.

SECTION 2296. 160.15 (4) of the statutes is created to read:

160.15 **(4)** Notwithstanding sub. (1), if an interim enforcement standard for a perfluoroalkyl or polyfluoroalkyl substance is applied under s. 160.07 (7), the department shall apply an interim preventive action limit for that substance of 20

percent of the concentration established as the interim enforcement standard, unless emergency or permanent rules that establish a preventive action limit for that substance are in effect.

SECTION 2297. 165.08 (1) of the statutes is amended to read:

165.08 **(1)** Any civil action prosecuted by the department by direction of any officer, department, board, or commission~~, or any~~ shall be compromised or discontinued when so directed by such officer, department, board, or commission. Any civil action prosecuted by the department on the initiative of the attorney general, or at the request of any individual may be compromised or discontinued with the approval of ~~an intervenor under s. 803.09 (2m) or, if there is no intervenor, by submission of a proposed plan to the joint committee on finance for the approval of the committee. The compromise or discontinuance may occur only if the joint committee on finance approves the proposed plan. No proposed plan may be submitted to the joint committee on finance if the plan concedes the unconstitutionality or other invalidity of a statute, facially or as applied, or concedes that a statute violates or is preempted by federal law, without the approval of the joint committee on legislative organization~~ the governor.

SECTION 2298. 165.10 of the statutes is amended to read:

165.10 ~~Deposit~~ Limits on expenditure of discretionary settlement funds. ~~The~~ Notwithstanding s. 20.455 (3), before the attorney general ~~shall deposit all~~ may expend settlement funds ~~into the general fund~~ under s. 20.455 (3) (g) that are not committed under the terms of the settlement, the attorney general shall submit to the joint committee on finance a proposed plan for the expenditure of the funds. If the cochairpersons of the committee do not notify the attorney general within 14 working days after the submittal that the committee has scheduled a meeting for the

purpose of reviewing the proposed plan, the attorney general may expend the funds to implement the proposed plan. If, within 14 working days after the submittal, the cochairpersons of the committee notify the attorney general that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the attorney general may expend the funds only to implement the plan as approved by the committee.

SECTION 2299. 165.25 (1) of the statutes is amended to read:

165.25 **(1)** REPRESENT STATE IN APPEALS AND ON REMAND. Except as provided in ss. 5.05 (2m) (a), 19.49 (2) (a), and 978.05 (5), appear for the state and prosecute or defend all actions and proceedings, civil or criminal, in the court of appeals and the supreme court, in which the state is interested or a party, and attend to and prosecute or defend all civil cases sent or remanded to any circuit court in which the state is a party. ~~The joint committee on legislative organization may intervene as permitted under s. 803.09 (2m) at any time.~~ Nothing in this subsection deprives or relieves the attorney general or the department of justice of any authority or duty under this chapter.

SECTION 2300. 165.25 (1m) of the statutes is amended to read:

165.25 **(1m)** REPRESENT STATE IN OTHER MATTERS. If requested by the governor or either house of the legislature, appear for and represent the state, any state department, agency, official, employee or agent, whether required to appear as a party or witness in any civil or criminal matter, and prosecute or defend in any court or before any officer, any cause or matter, civil or criminal, in which the state or the people of this state may be interested. ~~The joint committee on legislative organization may intervene as permitted under s. 803.09 (2m) at any time.~~ The public service commission may request under s. 196.497 (7) that the attorney general

intervene in federal proceedings. All expenses of the proceedings shall be paid from the appropriation under s. 20.455 (1) (d).

SECTION 2301. 165.25 (4) (ar) of the statutes is amended to read:

165.25 **(4)** (ar) The department of justice shall furnish all legal services required by the department of agriculture, trade and consumer protection relating to the enforcement of ss. 91.68, 93.73, 100.171, 100.173, 100.174, 100.175, 100.177, 100.18, 100.182, 100.195, 100.20, 100.205, 100.207, 100.209, 100.2091, 100.2092, 100.21, 100.28, 100.37, 100.42, 100.50, 100.51, 100.55, and 846.45 and chs. 126, 136, 344, 704, 707, and 779, together with any other services as are necessarily connected to the legal services.

SECTION 2302. 165.25 (6) (a) 1. of the statutes is amended to read:

165.25 **(6)** (a) 1. At the request of the head of any department of state government, the attorney general may appear for and defend any state department, or any state officer, employee, or agent of the department in any civil action or other matter brought before a court or an administrative agency which is brought against the state department, or officer, employee, or agent for or on account of any act growing out of or committed in the lawful course of an officer's, employee's, or agent's duties. Witness fees or other expenses determined by the attorney general to be reasonable and necessary to the defense in the action or proceeding shall be paid as provided for in s. 885.07. The attorney general may compromise and settle the action as the attorney general determines to be in the best interest of the state ~~except that, if the action is for injunctive relief or there is a proposed consent decree, the attorney general may not compromise or settle the action without the approval of an intervenor under s. 803.09 (2m) or, if there is no intervenor, without first submitting a proposed plan to the joint committee on finance. If, within 14 working days after~~

~~the plan is submitted, the cochairpersons of the committee notify the attorney general that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the attorney general may compromise or settle the action only with the approval of the committee. The attorney general may not submit a proposed plan to the joint committee on finance under this subdivision in which the plan concedes the unconstitutionality or other invalidity of a statute, facially or as applied, or concedes that a statute violates or is preempted by federal law, without the approval of the joint committee on legislative organization~~.

SECTION 2303. 165.25 (11m) of the statutes is created to read:

165.25 **(11m)** FALSE CLAIMS. Diligently investigate possible violations of s. 20.9315, and, if the department determines that a person has committed an act that is punishable under s. 20.9315, may bring a civil action against that person.

SECTION 2304. 165.27 of the statutes is created to read:

165.27 Sentencing review council. The sentencing review council shall do all of the following:

(1) Study criminal penalties and make recommendations for reforming the criminal code.

(2) Study whether sentences for similar offenses and circumstances are consistent and make recommendations to ensure that sentences are equitable.

(3) Study and make recommendations regarding the state's bifurcated sentencing structure.

(4) Review and make recommendations regarding sentences for violations committed by individuals age 18 to 25.

SECTION 2305. 165.63 (3) of the statutes is amended to read:

165.63 **(3)** REQUESTS FROM COURTS. In making a determination required under s. 813.124 (7) (a), 813.1285 (7) (a), or 968.20 (1m) (d) 1., a judge or court commissioner shall request information under sub. (2) from the department or from a law enforcement agency or law enforcement officer as provided in sub. (4) (d).

SECTION 2306. 165.63 (4) (d) of the statutes is amended to read:

165.63 **(4)** (d) Aid the court in making a determination required under s. 813.124 (7) (a), 813.1285 (7) (a), or 968.20 (1m) (d) 1. or aid an entity in making a determination required under s. 968.20 (1m) (d) 2.

SECTION 2307. 165.77 (7) of the statutes is repealed.

SECTION 2308. 165.775 of the statutes is created to read:

165.775 Sexual assault kits. (1) In this section:

(a) "Department" means the department of justice.

(b) "Health care professional" has the meaning given in s. 154.01 (3).

(c) "Sex offense" has the meaning given in s. 949.20 (7).

(d) "Sexual assault forensic examination" means an examination performed by a health care professional to gather evidence regarding a sex offense.

(e) "Sexual assault kit" means the evidence collected from a sexual assault forensic examination.

(f) "Wisconsin law enforcement agency" has the meaning given in s. 165.77 (1) (c).

(2) Whenever a health care professional conducts a sexual assault forensic examination and collects a sexual assault kit, the health care professional shall do one of the following:

(a) If the victim chooses to report the sexual assault to a Wisconsin law enforcement agency, or if reporting is required under s. 48.981 (2), notify a Wisconsin law enforcement agency within 24 hours after collecting the sexual assault kit.

(b) If the victim chooses not to report the sexual assault to a Wisconsin law enforcement agency, and reporting is not required under s. 48.981 (2), send the sexual assault kit to the state crime laboratories for storage in accordance with the procedures specified in the rules promulgated under sub. (6) within 72 hours after collecting the sexual assault kit.

(3) If a Wisconsin law enforcement agency receives notification under sub. (2) (a), it shall do all of the following:

(a) Take possession of the sexual assault kit from the health care professional within 72 hours after receiving the notification.

(b) Except as provided in par. (c), send the sexual assault kit to the state crime laboratories for processing in accordance with the procedures specified in the rules promulgated under sub. (6) within 14 days after taking possession of the sexual assault kit.

(c) If the Wisconsin law enforcement agency, after taking possession of the sexual assault kit under par. (a) but before sending the sexual assault kit under par. (b), receives notification from the victim that the victim does not want to proceed with the analysis of his or her sexual assault kit, send the sexual assault kit to the state crime laboratories for storage in accordance with the procedures specified in the rules promulgated under sub. (6) within 14 days after taking possession of the sexual assault kit.

(4) If the state crime laboratories takes possession of a sexual assault kit, it shall do all of the following:

(a) If the victim chooses not to report the sexual assault to a Wisconsin law enforcement agency and thus has not consented to the analysis of his or her sexual assault kit, securely store the sexual assault kit for a period of 10 years, during which time the sexual assault victim may choose to report the assault to a Wisconsin law enforcement agency.

(b) If the victim chooses to report the sexual assault to a Wisconsin law enforcement agency and thus has consented to the analysis of his or her sexual assault kit, process the kit in accordance with the procedures specified in the rules promulgated under sub. (6).

(5) If a law enforcement agency takes possession of a sexual assault kit after it has been processed by the state crime laboratories, notwithstanding s. 968.205, it shall securely store the sexual assault kit for a period of 50 years, or until the date of the expiration of the statute of limitations, or until the end of the term of imprisonment or probation of a person who was convicted in the sexual assault case, whichever is longer.

(6) The department shall promulgate rules to administer this section.

SECTION 2309. 165.83 (1) (c) 1. of the statutes is amended to read:

165.83 **(1)** (c) 1. An act that is committed by ~~a person who has attained the age of 17~~ an adult and that is a felony or a misdemeanor.

SECTION 2310. 165.83 (1) (c) 2. of the statutes is amended to read:

165.83 **(1)** (c) 2. An act that is committed by a ~~person~~ minor who has attained the age of 10 ~~but who has not attained the age of 17~~ and that would be a felony or misdemeanor if committed by an adult.

SECTION 2311. 165.842 of the statutes is created to read:

165.842 Motor vehicle stops; collection and analysis of information; annual report. (1) DEFINITIONS. In this section:

(a) "Department" means the department of justice.

(b) "Law enforcement agency" has the meaning given in s. 165.85 (2) (bv).

(c) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

(d) "Motor vehicle stop" means the stop or detention of a motor vehicle that is traveling in any public or private place, or the detention of an occupied motor vehicle that is already stopped in any public or private place, for the purpose of investigating any alleged or suspected violation of a state or federal law or city, village, town, or county ordinance.

(2) INFORMATION COLLECTION REQUIRED. All persons in charge of law enforcement and tribal law enforcement agencies shall obtain, or cause to be obtained, all of the following information with respect to each motor vehicle stop made on or after January 1, 2022, by a law enforcement officer employed by the law enforcement agency:

(a) The name, address, gender, and race of the operator of the motor vehicle. The officer shall subjectively select the operator's race from the following list:

1. Caucasian.

2. Black or African American.

3. Hispanic.

4. American Indian or Alaska Native.

5. Asian or Pacific Islander.

(b) The reason the officer stopped or detained the motor vehicle.

(c) The make and year of the motor vehicle.

(d) The date, time, and location of the motor vehicle stop.

(e) Whether or not a law enforcement officer conducted a search of the motor vehicle, the operator, or any passenger and, if so, whether the search was with consent or by other means.

(f) The name, address, gender, and race of any person searched, with the officer subjectively selecting the person's race from the list under par. (a).

(g) The name and badge number of the officer making the motor vehicle stop.

(3) SUBMISSION OF INFORMATION COLLECTED. All persons in charge of law enforcement agencies shall forward the information obtained under sub. (2) to the department using the format prescribed by the rules promulgated under sub. (5) and in accordance with the reporting schedule established under the rules promulgated under sub. (5).

(4) ANALYSIS AND REPORT BY DEPARTMENT. (a) The department shall compile the information submitted to it by law enforcement agencies under sub. (3) and shall analyze the information, along with any other relevant information, to determine, both for the state as a whole and for each law enforcement agency, all of the following:

1. Whether the number of motor vehicle stops and searches involving motor vehicles operated or occupied by members of a racial minority compared to the number of motor vehicle stops and searches involving motor vehicles operated or occupied solely by persons who are not members of a racial minority is disproportionate based on an estimate of the population and characteristics of all persons traveling on state highways, on an estimate of the populations and characteristics of persons traveling on state highways who are violating a law or ordinance, or on some other relevant population estimate.

2. A determination as to whether any disproportion found under subd. 1. is the result of racial profiling, racial stereotyping, or other race–based discrimination or selective enforcement.

(b) For each year, the department shall prepare an annual report that summarizes the information submitted to it by law enforcement agencies concerning motor vehicle stops made during the year and that describes the methods and conclusions of its analysis of the information. On or before March 31, 2023, and on or before each March 31 thereafter, the department shall submit the annual report required under this paragraph to the legislature under s. 13.172 (2), to the governor, and to the director of state courts.

(5) RULES. The department shall promulgate rules to implement the requirements of this section. The department shall furnish all reporting officials with forms or instructions or both that specify the format in which to submit the information required under sub. (2) and the time for forwarding the information to the department. The department may, by rule, require the collection of information in addition to that specified in sub. (2) (a) to (g) if the department determines that the information will help to make the determinations required under sub. (4) (a).

(6) ACCESS TO RECORDS. Information collected under sub. (2) is not subject to inspection or copying under s. 19.35 (1).

SECTION 2312. 165.845 (title) of the statutes is amended to read:

165.845 (title) ~~**Collect**~~ **Collection and reporting of crime and criminal justice data.**

SECTION 2313. 165.845 (1) (intro.) and (c) of the statutes are renumbered 165.845 (1r) (intro.) and (c).

SECTION 2314. 165.845 (1) (a) of the statutes is renumbered 165.845 (1r) (a) (intro.) and amended to read:

165.845 **(1r)** (a) (intro.) Collect information concerning the number and nature of offenses known to have been committed in this state and such other information as may be useful in the study of crime and the administration of justice. The department of justice may determine any other information to be obtained regarding crime, evidence, and justice system data or statistics. The information shall include ~~data~~ all of the following:

1. Data requested by federal agencies under the U.S. department of justice, including the federal bureau of investigation under its system of uniform crime reports for the United States.

SECTION 2315. 165.845 (1) (b) of the statutes is renumbered 165.845 (1r) (b) and amended to read:

165.845 **(1r)** (b) Furnish all reporting officials with forms or instructions or both that specify the nature of the information required under par. (a), the time it is to be forwarded, the process for submitting the information, the method of classifying and any other matters that facilitate collection and compilation.

SECTION 2316. 165.845 (1g) of the statutes is created to read:

165.845 **(1g)** In this section, "serious bodily harm" has the meaning given in s. 969.001 (2).

SECTION 2317. 165.845 (1r) (a) 2. of the statutes is created to read:

165.845 **(1r)** (a) 2. Data concerning sexual assault kits, as defined in s. 165.775 (1) (e), collected in this state.

SECTION 2318. 165.845 (1r) (a) 3. of the statutes is created to read:

165.845 **(1r)** (a) 3. For any incident involving the shooting of a civilian by a law enforcement officer or the shooting of a law enforcement officer by a civilian; any incident involving the discharge of a firearm by a law enforcement officer at or in the direction of a civilian or the discharge of a firearm by a civilian at or in the direction of a law enforcement officer; and any incident in which an action taken by a law enforcement officer as a response to an act of resistance results in serious bodily harm or death or in which an act of resistance taken by a civilian against a law enforcement officer results in serious bodily harm or death, all of the following information:

a. The gender, race, ethnicity, and age of each person who was shot at, injured, or killed.

b. The date, time, and location of the incident.

c. Whether any civilian involved in the incident was armed and, if he or she was armed, the type of weapon that the civilian possessed.

d. The type of resistance used against the law enforcement officer by the civilian, the type of action taken in response by the officer, and if applicable, the types of weapons used.

e. The number of law enforcement officers involved in the incident.

f. The number of civilians involved in the incident.

g. A brief description regarding the circumstances surrounding the incident, including perceptions on behavior or mental disorders.

SECTION 2319. 165.845 (1r) (d) of the statutes is created to read:

165.845 **(1r)** (d) Publish the following reports:

1. At least annually, a report containing data on law enforcement agency compliance with the sexual assault kit data collection requirement under par. (a) 2. The reports may be published electronically on the department's Internet site.

2. Annually, a report using the information collected on incidents under par. (a) 3. The reports may be published electronically on the department's Internet site in an interactive format and shall include, at a minimum, all information that is reported to the department by local law enforcement agencies under par. (a) 3.

SECTION 2320. 165.845 (2) of the statutes is amended to read:

165.845 **(2)** All persons in charge of law enforcement agencies and other criminal and juvenile justice system agencies shall supply the department of justice with the information described in sub. ~~(1)~~ (1r) (a) on the basis of the forms or instructions or both to be supplied by the department under sub. ~~(1) (a)~~ (1r) (b). The department may conduct an audit to determine the accuracy of the data and other information it receives from law enforcement agencies and other criminal and juvenile justice system agencies.

SECTION 2321. 165.85 (2) (ap) of the statutes is created to read:

165.85 **(2)** (ap) "Employment file" means all files relating to a person's employment, including performance reviews, files related to job performance, internal affairs investigative files, administrative files, previous personnel applications, personnel–related claims, disciplinary actions, and all substantiated complaints and commendations, but does not include pay or benefit information, similar administrative data or information that does not relate to performance or conduct, or medical files unless the medical file relates to mental competency issues bearing on the person's suitability for a law enforcement, tribal law enforcement, jail, or juvenile detention officer position.

SECTION 2322. 165.85 (2) (be) of the statutes is created to read:

165.85 **(2)** (be) "Government agency" means any department, agency, or court of this state, or of a city, village, town, or county in this state.

SECTION 2323. 165.85 (2) (bv) of the statutes is amended to read:

165.85 **(2)** (bv) "Law enforcement agency" means a governmental unit of this state or a political subdivision of this state that employs one or more law enforcement officers, and includes the Marquette University police department.

SECTION 2324. 165.85 (2) (c) of the statutes is amended to read:

165.85 **(2)** (c) "Law enforcement officer" means any person employed by the state or any political subdivision of the state, for the purpose of detecting and preventing crime and enforcing laws or ordinances and who is authorized to make arrests for violations of the laws or ordinances that the person is employed and sworn to enforce. "Law enforcement officer" includes a university police officer, as defined in s. 175.42 (1) (b).

SECTION 2325. 165.85 (2) (fm) of the statutes is created to read:

165.85 **(2)** (fm) "Tribal law enforcement agency" has the meaning given in s. 165.83 (1) (e).

SECTION 2326. 165.85 (3) (a) of the statutes is amended to read:

165.85 **(3)** (a) Promulgate rules for the administration of this section including the authority to require the submission of reports and information pertaining to the administration of this section by law enforcement ~~and~~ agencies, tribal law enforcement agencies, jails, juvenile detention facilities, and schools approved by the board and operated by or for this state or any political subdivision of the state for the specific purpose of training law enforcement recruits, law enforcement officers, tribal law enforcement recruits, tribal law enforcement officers, jail officer recruits,

jail officers, juvenile detention officer recruits, or juvenile detention officers in this state.

SECTION 2327. 165.85 (3) (am) of the statutes is created to read:

165.85 **(3)** (am) Establish minimum qualification standards for admission to preparatory law enforcement, jail, or juvenile detention officer training for preservice students and recruits, but not for department of corrections correctional officers. The standards shall relate to the competence and reliability of persons to assume and discharge the responsibilities of law enforcement, tribal law enforcement, jail, or juvenile detention officers. The board shall prescribe the means for presenting evidence of fulfillment of these requirements.

SECTION 2328. 165.85 (3) (b) of the statutes is amended to read:

165.85 **(3)** (b) Establish minimum educational ~~and,~~ training, and recruitment standards for admission to employment as a law enforcement ~~or,~~ tribal law enforcement, jail, or juvenile detention officer in permanent positions and in temporary, probationary or part–time status. The standards shall relate to the competence and reliability of persons to assume and discharge the responsibilities of law enforcement, tribal law enforcement, jail, or juvenile detention officers. Educational and training standards for tribal law enforcement officers under this paragraph shall be identical to standards for other law enforcement officers. The board shall prescribe the means for presenting evidence of fulfillment of these requirements.

SECTION 2329. 165.85 (3) (cm) of the statutes is renumbered 165.85 (3) (cm) (intro.) and amended to read:

165.85 **(3)** (cm) (intro.) Decertify law enforcement, tribal law enforcement, jail, or juvenile detention officers who ~~terminate~~ do one of the following:

1. Terminate employment or are terminated~~, who violate.~~

2. Violate or fail to comply with a rule, policy, or order of the board relating to curriculum ~~or~~, training, ~~who falsify~~, or recruitment.

3. Falsify information to obtain or maintain certified status~~, who are~~.

4. Are certified as the result of an administrative error~~, who are~~.

5. Are convicted of a felony or of any offense that, if committed in Wisconsin, could be punished as a felony~~, who are~~.

6. Are convicted of a misdemeanor crime of domestic violence, ~~or who fail~~ as defined in 18 USC 921 (a) (33), or are convicted of domestic abuse, as defined in s. 968.075 (1) (a), or the conviction is subject to the imposition of the domestic abuse surcharge under s. 973.055 (1), regardless of whether any part of the surcharge is waived by the court under s. 973.055 (4).

8. Fail to pay court–ordered payments of child or family support, maintenance, birth expenses, medical expenses, or other expenses related to the support of a child or former spouse, or who fail to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings.

(cp) The board shall establish procedures for decertification under par. (cm) in compliance with ch. 227, except that decertification for ~~failure to pay court–ordered payments of child or family support, maintenance, birth expenses, medical expenses, or other expenses related to the support of a child or former spouse or for failure to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings~~ an action described under par. (cm) 8. shall be done as provided under sub. (3m) (a).

SECTION 2330. 165.85 (3) (cm) 7. of the statutes is created to read:

165.85 **(3)** (cm) 7. For any crime listed in subd. 5. or 6., enter into any of the following if the board determines that certification is not in the best interest of the public:

a. A deferred judgment and sentencing agreement or deferred sentencing agreement, whether pending or successfully completed.

b. A deferred prosecution agreement, whether pending or successfully completed.

c. A pretrial diversion agreement, whether pending or successfully completed.

SECTION 2331. 165.85 (4) (a) 1m. of the statutes is created to read:

165.85 **(4)** (a) 1m. The board may not create criteria for participation in the preparatory training program under subd. 1. that would prevent a person from participation if the person is in receipt of a valid employment authorization from the federal department of homeland security.

SECTION 2332. 165.85 (4) (a) 7. d. of the statutes is created to read:

165.85 **(4)** (a) 7. d. Each officer who is subject to this subdivision shall annually complete at least 8 hours of scenario–based training on use–of–force options, focusing on skills and tactics that minimize the likelihood of using force, including de–escalation tactics. In this subd. 7. d., "de–escalation tactics" are actions and techniques used by law enforcement officers to slow down or stabilize a potentially unstable situation to allow for more time, options, and resources for resolution or prevention of an incident. Hours of training completed under this subd. 7. d. shall count toward the hours of training required under subd. 7. a.

SECTION 2333. 165.85 (4) (em) of the statutes is created to read:

165.85 **(4)** (em) *Officer recruitment*. 1. When a law enforcement agency, tribal law enforcement agency, jail, or juvenile detention facility recruits for new officers, the interviewing agency shall require each candidate that it interviews for a law enforcement, tribal law enforcement, jail, or juvenile detention position, who is or has been employed by another law enforcement agency, tribal law enforcement agency, jail, juvenile detention facility, or government agency to execute a written waiver that explicitly authorizes each law enforcement agency, tribal law enforcement agency, jail, juvenile detention facility, or other government agency to disclose the candidate's employment files to the interviewing agency, and releases the interviewing agency and each law enforcement agency, tribal law enforcement agency, jail, juvenile detention facility, or government agency that employs or has employed the candidate from any liability related to the use and disclosure of the candidate's employment files.

2. A law enforcement agency, tribal law enforcement agency, jail, juvenile detention facility, or government agency may disclose a candidate's employment files by either providing copies to the interviewing agency or allowing the interviewing agency to review the files at the offices of the law enforcement agency, tribal law enforcement agency, jail, juvenile detention facility, or government agency that employed the candidate.

3. A candidate who refuses to execute the waiver shall not be considered for employment by the interviewing agency or considered for certification by the board.

4. The interviewing agency shall, at least 30 days prior to making its hiring decision, submit the waiver to each law enforcement agency, tribal law enforcement agency, jail, juvenile detention facility, or government agency that has employed the candidate. A law enforcement agency, tribal law enforcement agency, jail, juvenile

detention facility, or government agency that receives a waiver shall make the requested employment files available to the interviewing agency not more than 21 days after receiving the waiver.

5. The interviewing agency may also conduct an official oral interview of individuals from the law enforcement agency, tribal law enforcement agency, jail, juvenile detention facility, or government agency that employed the candidate.

6. A law enforcement agency, tribal law enforcement agency, jail, juvenile detention facility, or government agency is not required to provide the candidate's employment records if the agency or facility is prohibited from providing the employment records pursuant to a binding nondisclosure agreement to which the law enforcement agency, tribal law enforcement agency, jail, juvenile detention facility, or government agency is a party if the agreement was executed before the effective date of this subdivision .... [LRB inserts date].

7. No law enforcement agency, tribal law enforcement agency, jail, juvenile detention facility, or government agency may enter into a nondisclosure agreement preventing an interviewing law enforcement agency, tribal law enforcement agency, jail, or juvenile detention facility from viewing employment files after the effective date of this subdivision .... [LRB inserts date].

8. A law enforcement agency, tribal law enforcement agency, jail, juvenile detention facility, or government agency is not liable for complying with the provisions of this paragraph or participating in an official oral interview with an investigator from the interviewing agency, regarding the candidate.

SECTION 2334. 165.85 (4m) of the statutes is created to read:

165.85 **(4m)** BEST PRACTICES. The board shall develop, and review at least once every 2 years, a model use of force policy for law enforcement agencies that does all of the following:

(a) Incorporates the principles under s. 66.0511 (2).

(b) Addresses interactions with individuals with mental disorders, alcohol or drug problems, dementia disorders, and developmental disabilities.

(c) Limits the use of force against vulnerable populations, including children, elderly individuals, individuals who are pregnant, individuals with physical or mental disabilities, and individuals with limited English proficiency.

(d) Includes other best practices that the board identifies.

SECTION 2335. 165.895 of the statutes is created to read:

165.895 Alternative emergency response and 911 diversion grants. (1) In this section:

(a) "Local health department" has the meaning given in s. 250.01 (4).

(b) "Public safety answering point" has the meaning given in s. 256.35 (1) (gm).

(2) From the appropriation under s. 20.455 (2) (dm), the department shall provide grants to counties having a population of 750,000 or more to be used for any of the following purposes:

(a) For contracts between local health departments and nonprofit organizations to increase the capacity of behavioral crisis support services for nonemergency behavioral health issues.

(b) For research, design, and personnel costs associated with creating programs to divert behavioral health services from public safety answering points.

(3) To be eligible for a grant under this section, a county must submit an application for a grant to the department that includes a proposed plan for

expenditure of the grant moneys. The department shall review any application and plan submitted to determine whether that application and plan meet the criteria established under sub. (4). The department shall review the use of grant money provided under this section to ensure that the money is used according to the approved plan.

(4) The department shall develop criteria and procedures for use in administering this section. Notwithstanding s. 227.10 (1), the criteria and procedures need not be promulgated as rules under ch. 227.

SECTION 2336. 165.93 (2) (title) of the statutes is amended to read:

165.93 **(2)** (title) GRANTS BY APPLICATION.

SECTION 2337. 165.93 (2m) of the statutes is created to read:

165.93 **(2m)** GRANTS TO THE WISCONSIN COALITION AGAINST SEXUAL ASSAULT. In addition to the grants under sub. (2), from the appropriation under s. 20.455 (5) (e), the department shall provide a grant of $100,000 annually to the Wisconsin Coalition Against Sexual Assault to provide services for sexual assault victims. The Wisconsin Coalition Against Sexual Assault may also apply for grants under sub. (2).

SECTION 2338. 165.95 (title) of the statutes is amended to read:

165.95 (title) **Alternatives to prosecution and incarceration; grant program.**

SECTION 2339. 165.95 (1) (ac) of the statutes is created to read:

165.95 **(1)** (ac) "Evidence–based practice" means a practice that has been developed using research to determine its efficacy for achieving positive measurable outcomes, including reducing recidivism and increasing public safety.

SECTION 2340. 165.95 (2) of the statutes is amended to read:

165.95 **(2)** The department of justice shall make grants to counties and to tribes to enable them to establish and operate programs, including suspended and deferred prosecution programs and programs based on principles of restorative justice, that provide alternatives to prosecution and incarceration for criminal offenders ~~who abuse alcohol or other drugs~~. The department of justice shall make the grants from the appropriations under s. 20.455 (2) (ek), (em), (jd), (kn), and (kv). The department of justice shall collaborate with the departments of corrections and health and family services in establishing this grant program.

SECTION 2341. 165.95 (2r) of the statutes is amended to read:

165.95 **(2r)** Any county or tribe that receives a grant under this section ~~on or after January 1, 2012,~~ shall provide matching funds that are equal to ~~25~~ 10 percent of the amount of the grant.

SECTION 2342. 165.95 (3) (a) of the statutes is repealed.

SECTION 2343. 165.95 (3) (ag) of the statutes is created to read:

165.95 **(3)** (ag) The program operates within the continuum from arrest to discharge from supervision and provides an alternative to prosecution, revocation, or incarceration through the use of pre–charge and post–charge diversion programs or treatment courts and community–based corrections.

SECTION 2344. 165.95 (3) (b) of the statutes is amended to read:

165.95 **(3)** (b) The program employs evidence–based practices and is designed to promote and facilitate the implementation of effective criminal justice policies and practices that maximize justice and public and victim safety, reduce prison and jail populations, reduce prosecution and incarceration costs, and reduce recidivism~~, and improve the welfare of participants' families by meeting the comprehensive needs of participants~~.

SECTION 2345. 165.95 (3) (bd) of the statutes is created to read:

165.95 **(3)** (bd) The program identifies each target population served by the program and identifies the evidence–based practices the program employs for each target population it serves.

SECTION 2346. 165.95 (3) (cm) 2. of the statutes is created to read:

165.95 **(3)** (cm) 2. If the program is administered by a tribe, the criminal justice oversight committee shall consist of a representative of the judiciary, a representative of criminal prosecution and criminal defense, a social services provider, a behavioral health treatment provider, a law enforcement officer, a representative of corrections, and other members that the oversight committee determines are appropriate to the program.

SECTION 2347. 165.95 (3) (d) of the statutes is amended to read:

165.95 **(3)** (d) Services provided under the program are consistent with evidence–based practices ~~in substance abuse and mental health treatment, as determined by the department of health services,~~ and the program provides intensive case management.

SECTION 2348. 165.95 (3) (e) of the statutes is amended to read:

165.95 **(3)** (e) The program uses graduated sanctions and incentives to promote ~~successful substance abuse treatment~~ success.

SECTION 2349. 165.95 (3) (g) of the statutes is amended to read:

165.95 **(3)** (g) The program is designed to integrate all ~~mental health~~ services provided to program participants by state and local government agencies, tribes, and other organizations. The program shall require regular communication and coordination among a participant's ~~substance abuse treatment providers, other~~ service providers, the case manager, and any person designated under the program

to monitor the person's compliance with his or her obligations under the program, and any probation, extended supervision, and parole agent assigned to the participant.

SECTION 2350. 165.95 (3) (h) of the statutes is amended to read:

165.95 **(3)** (h) The program provides ~~substance abuse and mental health treatment~~ services through providers ~~that~~ who use evidence–based practices in the delivery of services and, where applicable, who are certified ~~by the department of health services~~ or licensed to provide the services approved under the program.

SECTION 2351. 165.95 (3) (i) of the statutes is renumbered 165.95 (3d) and amended to read:

165.95 **(3d)** ~~The~~ A program ~~requires~~ that receives a grant under this section may require participants to pay a reasonable amount for their treatment, based on their income and available assets, and pursues and uses all possible resources available through insurance and federal, state, and local aid programs, including cash, vouchers, and direct services.

SECTION 2352. 165.95 (3) (j) of the statutes is amended to read:

165.95 **(3)** (j) The program is developed with input from, and implemented in collaboration with, one or more circuit court judges, the district attorney, the state public defender, local and, if applicable, tribal law enforcement officials, county agencies and, if applicable, tribal agencies responsible for providing social services, including services relating to ~~alcohol and other drug addiction~~ substance use disorder, child welfare, mental health, and the Wisconsin Works program, the departments of corrections, children and families, and health services, private social services agencies, and substance ~~abuse~~ use disorder treatment providers.

SECTION 2353. 165.95 (3) (k) of the statutes is amended to read:

165.95 **(3)** (k) The county or tribe complies with other eligibility requirements established by the department of justice to promote the objectives listed in ~~pars. (a) and (b)~~ this subsection.

SECTION 2354. 165.95 (5) (a) of the statutes is renumbered 165.95 (3) (cm) (intro.) and amended to read:

165.95 **(3)** (cm) (intro.) ~~A county or tribe that receives a grant under this section shall create an~~ The program identifies a criminal justice oversight committee to develop and implement the program design and advise the county or tribe in administering and evaluating its program. ~~Each~~ The membership of each criminal justice oversight committee shall be as follows:

1. If the program is administered by a county, or by a county and a tribe pursuant to sub. (6), the criminal justice oversight committee shall consist of a circuit court judge, the district attorney or his or her designee, the state public defender or his or her designee, a local law enforcement official, a representative of the county, a representative of the tribe, if applicable, a representative of each other county agency and, if applicable, tribal agency responsible for providing social services, including services relating to child welfare, ~~mental health, and the Wisconsin Works program,~~ representatives of the department of corrections and department of health services, a representative from private social services agencies, a representative of ~~substance abuse~~ behavioral health treatment providers, and other members ~~to be determined by the county or tribe~~ the oversight committee determines are appropriate for the program.

SECTION 2355. 165.95 (5) (b) of the statutes is renumbered 165.95 (5) (ag) and amended to read:

165.95 **(5)** (ag) A county or tribe that receives a grant under this section shall comply with state audits and shall submit an annual report to the department of justice and to the criminal justice oversight committee ~~created under par. (a)~~ identified in sub. (3) (cm) regarding ~~the impact of the program on jail and prison populations and~~ its progress in attaining the goals specified in sub. (3) ~~(b) and (f)~~.

SECTION 2356. 165.95 (5m) of the statutes is repealed.

SECTION 2357. 165.95 (6) of the statutes is amended to read:

165.95 **(6)** A county or tribe may, with one or more other counties or tribes, jointly apply for and receive a grant under this section. Upon submitting a joint application, each county or tribe shall include with the application a written agreement specifying each tribe's and each county department's role in developing, administering, and evaluating the program. The criminal justice oversight committee ~~established under sub. (5) (a)~~ identified in sub. (3) (cm) shall consist of representatives from each county or tribe that participates in the program.

SECTION 2358. 165.95 (7) of the statutes is amended to read:

165.95 **(7)** Grants provided under this section shall be provided on a calendar year basis ~~beginning on January 1, 2007. If the department of justice decides to make a grant to a county or tribe under this section, the department of justice shall notify the county or tribe of its decision and the amount of the grant no later than September 1 of the year preceding the year for which the grant will be made~~.

SECTION 2359. 165.95 (7m) of the statutes is amended to read:

165.95 **(7m)** Beginning in fiscal year ~~2012–13~~ 2021–22, the department of justice shall, every ~~5~~ 4 years, make grants under this section available to any county or tribe on a competitive basis. A county or tribe may apply for a grant under this

subsection regardless of whether the county or tribe has received a grant previously under this section.

SECTION 2360. 165.987 (1) of the statutes is amended to read:

165.987 **(1)** From the appropriation under s. 20.455 (2) (ep) and (kj), the department of justice shall allocate $500,000 in each fiscal year to enter into a contract with an organization to provide services in a county having a population of 750,000 or more for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational, and employment programs. Notwithstanding s. 16.75, the department may enter into a contract under this subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

SECTION 2361. 165.987 (3) of the statutes is amended to read:

165.987 **(3)** From the appropriation under s. 20.455 (2) (ep) and (kj) the department of justice shall allocate $150,000 in each fiscal year to enter into a contract with an organization to provide services in Racine County, $150,000 in each fiscal year to enter into a contract with an organization to provide services in Kenosha County, and $150,000 in each fiscal year to enter into a contract with an organization to provide services in Brown County, and from the appropriation under s. 20.455 (2) (ep) and (kj), the department shall allocate $100,000 in each fiscal year to enter into a contract with an organization, for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational, and employment programs, and for alcohol or other drug abuse education and treatment services for participants in that organization's youth diversion program. Notwithstanding s. 16.75, the department may enter into a

contract under this subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

SECTION 2362. 165.988 of the statutes is created to read:

165.988 Violence interruption grant program. From the appropriation accounts under s. 20.455 (2) (eq) and (ks), the department shall provide grants to community organizations that are utilizing evidence–based outreach and violence interruption strategies to mediate conflicts, prevent retaliation and other potentially violent situations, and connect individuals to community supports.

SECTION 2363. 175.33 of the statutes is created to read:

175.33 Transfer of firearms. (1) In this section:

(a) "Family member" means a spouse, parent, grandparent, sibling, child, or grandchild. The relationship may be by blood, marriage, or adoption.

(b) "Firearm" includes the frame or receiver of a firearm.

(c) "Firearms dealer" has the meaning given in s. 175.35 (1) (ar).

(d) "Transfer" has the meaning given in s. 175.35 (1) (br).

(2) No person may transfer ownership of a firearm, or be transferred ownership of a firearm, unless one of the following applies:

(a) The transferor is a firearms dealer.

(b) The transferor makes the transfer to or through a firearms dealer and obtains a receipt under s. 175.35 (2j) (b).

(c) The transfer of ownership of the firearm is one of the transfers listed under s. 175.35 (2t).

(d) The transferor is transferring ownership of the firearm to a family member by gift, bequest, or inheritance, the transferee is not prohibited from possessing a firearm under s. 941.29 or federal law, and the transferee is at least 18 years of age.

(3) Any person who intentionally violates sub. (2) is guilty of a misdemeanor and shall be fined not less than $500 nor more than $10,000 and may be imprisoned for not more than 9 months. The person is also prohibited under s. 941.29 from possessing a firearm for a period of 2 years.

SECTION 2364. 175.35 (title) of the statutes is amended to read:

175.35 (title) ~~**Purchase**~~ **Transfer of ~~handguns~~ firearms.**

SECTION 2365. 175.35 (1) (at) of the statutes is amended to read:

175.35 **(1)** (at) "Firearms restrictions record search" means a search of department of justice records to determine whether a person seeking to ~~purchase~~ be transferred a ~~handgun~~ firearm is prohibited from possessing a firearm under s. 941.29. "Firearms restrictions record search" includes a criminal history record search, a search to determine whether a person is prohibited from possessing a firearm under s. 51.20 (13) (cv) 1., 2007 stats., a search in the national instant criminal background check system to determine whether a person has been ordered not to possess a firearm under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a), a search to determine whether the person is subject to an injunction under s. 813.12 or 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court established by any federally recognized Wisconsin Indian tribe or band, except the Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he or she is subject to the requirements and penalties under s. 941.29 and that has been filed with the circuit court under s. 813.128 (3g), and a search to determine whether the person is prohibited from possessing a firearm under s. 813.123 (5m), 813.124 (2t) or (3), or 813.125 (4m).

SECTION 2366. 175.35 (1) (b) of the statutes is repealed.

SECTION 2367. 175.35 (1) (br) of the statutes is created to read:

175.35 **(1)** (br) "Transfer" includes to sell, assign, pledge, lease, loan, give away, or otherwise dispose of.

SECTION 2368. 175.35 (2) (intro.) of the statutes is renumbered 175.35 (2) (am) and amended to read:

175.35 **(2)** (am) When a firearms dealer ~~sells~~ transfers a ~~handgun~~ firearm, including the frame or receiver of a firearm, he or she may not transfer possession of that ~~handgun~~ firearm to any other person until all of the ~~following have occurred:~~ requirements under par. (cm) have been met.

SECTION 2369. 175.35 (2) (a), (b), (c) and (d) of the statutes are renumbered 175.35 (2) (cm) 1., 2., 3. and 4.

SECTION 2370. 175.35 (2) (bm) of the statutes is created to read:

175.35 **(2)** (bm) When a person transfers a firearm, including the frame or receiver of a firearm, through a firearms dealer, the transfer of possession of that firearm may not be made until all of the requirements of par. (cm) have been met.

SECTION 2371. 175.35 (2) (cm) (intro.) of the statutes is created to read:

175.35 **(2)** (cm) (intro.) All of the following must occur before a transfer of a firearm occurs under par. (am) or (bm):

SECTION 2372. 175.35 (2g) (a) of the statutes is amended to read:

175.35 **(2g)** (a) The department of justice shall promulgate rules prescribing procedures for use under sub. (2) (cm) 1. for a transferee to provide and a firearms dealer to inspect identification containing a photograph of the transferee.

SECTION 2373. 175.35 (2g) (b) 1. of the statutes is amended to read:

175.35 **(2g)** (b) 1. The department of justice shall promulgate rules prescribing a notification form for use under sub. (2) (cm) 2. and 3. requiring the transferee to provide his or her name, date of birth, gender, race and social security number and

other identification necessary to permit an accurate firearms restrictions record search under par. (c) 3. and the required notification under par. (c) 4. The department of justice shall make the forms available at locations throughout the state.

SECTION 2374. 175.35 (2g) (b) 2. of the statutes is amended to read:

175.35 **(2g)** (b) 2. The department of justice shall ensure that each notification form under subd. 1. requires the transferee to indicate that he or she is not ~~purchasing~~ receiving a transfer of the firearm with the purpose or intent to transfer the firearm to a person who is prohibited from possessing a firearm under state or federal law and that each notification form informs the transferee that making a false statement with regard to this purpose or intent is a Class H felony.

SECTION 2375. 175.35 (2i) of the statutes is renumbered 175.35 (2i) (a) and amended to read:

175.35 **(2i)** (a) The department shall charge a firearms dealer a $10 fee for each firearms restrictions record search that the firearms dealer requests under sub. (2) ~~(c)~~ (cm) 3.

(b) 1. The firearms dealer may collect the fee under par. (a) from the transferee.

(c) The department may refuse to conduct firearms restrictions record searches for any firearms dealer who fails to pay any fee under ~~this subsection~~ par. (a) within 30 days after billing by the department.

SECTION 2376. 175.35 (2i) (b) 2. of the statutes is created to read:

175.35 **(2i)** (b) 2. If the transfer is made under sub. (2) (bm), the firearms dealer may collect from the transferor the fee under par. (a) and any additional amount to cover any costs he or she incurs in processing the transfer.

SECTION 2377. 175.35 (2j) of the statutes is renumbered 175.35 (2j) (a).

SECTION 2378. 175.35 (2j) (b) of the statutes is created to read:

175.35 **(2j)** (b) If a person transfers a firearm through a firearms dealer under sub. (2) (bm), or transfers a firearm to a firearms dealer, the firearms dealer shall provide the person a written receipt documenting the dealer's participation in the transfer.

SECTION 2379. 175.35 (2k) (ar) 2. of the statutes is amended to read:

175.35 **(2k)** (ar) 2. Check each notification form received under sub. (2j) (a) against the information recorded by the department regarding the corresponding request for a firearms restrictions record search under sub. (2g). If the department previously provided a unique approval number regarding the request and nothing in the completed notification form indicates that the transferee is prohibited from possessing a firearm under s. 941.29, the department shall destroy all records regarding that firearms restrictions record search within 30 days after receiving the notification form.

SECTION 2380. 175.35 (2k) (c) 2. a. of the statutes is amended to read:

175.35 **(2k)** (c) 2. a. A statement that the Wisconsin law enforcement agency is conducting an investigation of a crime in which a ~~handgun~~ firearm was used or was attempted to be used or was unlawfully possessed.

SECTION 2381. 175.35 (2k) (c) 2. b. of the statutes is amended to read:

175.35 **(2k)** (c) 2. b. A statement by a division commander or higher authority within the Wisconsin law enforcement agency that he or she has a reasonable suspicion that the person who is the subject of the information request has obtained or is attempting to obtain a ~~handgun~~ firearm.

SECTION 2382. 175.35 (2k) (g) of the statutes is amended to read:

175.35 **(2k)** (g) If a search conducted under sub. (2g) indicates that the transferee is prohibited from possessing a firearm under s. 941.29, the attorney

general or his or her designee may disclose to a law enforcement agency that the transferee has attempted to obtain a ~~handgun~~ firearm.

SECTION 2383. 175.35 (2k) (h) of the statutes is amended to read:

175.35 **(2k)** (h) If a search conducted under sub. (2g) indicates a felony charge without a recorded disposition and the attorney general or his or her designee has reasonable grounds to believe the transferee may pose a danger to himself, herself or another, the attorney general or his or her designee may disclose to a law enforcement agency that the transferee has obtained or has attempted to obtain a ~~handgun~~ firearm.

SECTION 2384. 175.35 (2L) of the statutes is amended to read:

175.35 **(2L)** The department of justice shall promulgate rules providing for the review of nonapprovals under sub. (2g) (c) 4. a. Any person who is denied the right to ~~purchase~~ receive a transfer of a ~~handgun~~ firearm because the firearms dealer received a nonapproval number under sub. (2g) (c) 4. a. may request a firearms restrictions record search review under those rules. If the person disagrees with the results of that review, the person may file an appeal under rules promulgated by the department.

SECTION 2385. 175.35 (2t) (a), (b) and (c) of the statutes are amended to read:

175.35 **(2t)** (a) Transfers of any ~~handgun~~ firearm classified as an antique by regulations of the U.S. department of the treasury.

(b) Transfers of any ~~handgun~~ firearm between firearms dealers or between wholesalers and dealers.

(c) Transfers of any ~~handgun~~ firearm to law enforcement or armed services agencies.

SECTION 2386. 175.35 (3) (b) 2. of the statutes is amended to read:

175.35 **(3)** (b) 2. A person who violates sub. (2e) by intentionally providing false information regarding whether he or she is ~~purchasing~~ receiving a transfer of the firearm with the purpose or intent to transfer the firearm to another who the person knows or reasonably should know is prohibited from possessing a firearm under state or federal law is guilty of a Class H felony. The penalty shall include a fine that is not less than $500.

SECTION 2387. 175.405 of the statutes is repealed.

SECTION 2388. 175.60 (7) (d) of the statutes is amended to read:

175.60 **(7)** (d) A fee for a background check that is equal to the fee charged under s. 175.35 (2i) (a).

SECTION 2389. 175.60 (9g) (a) 2. of the statutes is amended to read:

175.60 **(9g)** (a) 2. The department shall conduct a criminal history record search and shall search its records and conduct a search in the national instant criminal background check system to determine whether the applicant is prohibited from possessing a firearm under federal law; whether the applicant is prohibited from possessing a firearm under s. 941.29; whether the applicant is prohibited from possessing a firearm under s. 51.20 (13) (cv) 1., 2007 stats.; whether the applicant has been ordered not to possess a firearm under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a); whether the applicant is subject to an injunction under s. 813.12 or 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court established by any federally recognized Wisconsin Indian tribe or band, except the Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he or she is subject to the requirements and penalties under s. 941.29 and that has been filed with the circuit court under s. 813.128 (3g); and whether the applicant is prohibited from possessing a firearm under s. 813.123 (5m),

813.124 (2t) or (3), or 813.125 (4m); and to determine if the court has prohibited the applicant from possessing a dangerous weapon under s. 969.02 (3) (c) or 969.03 (1) (c) and if the applicant is prohibited from possessing a dangerous weapon as a condition of release under s. 969.01.

SECTION 2390. 175.60 (15) (b) 4. b. of the statutes is amended to read:

175.60 **(15)** (b) 4. b. A fee for a background check that is equal to the fee charged under s. 175.35 (2i) (a).

SECTION 2391. 175.65 of the statutes is created to read:

175.65 Law enforcement agency employment files. Each Wisconsin law enforcement agency, as defined in s. 165.85 (2) (bv), shall keep an employment file, as defined in s. 165.85 (2) (ap), for each person the agency employs.

SECTION 2392. 182.004 (6) of the statutes is amended to read:

182.004 **(6)** Stock may be issued and leases made to ~~husband and wife~~ spouses, and to the survivor of them, in which event title shall descend the same as in like conveyances of real property subject to ch. 766. Otherwise, title to the stock and lease shall descend to the persons to whom a homestead of the stockholder would descend except as provided in ch. 766. The interest of a tenant in the lease and stock shall be exempt from execution to the same extent as a homestead in real estate.

SECTION 2393. 182.01 (7) of the statutes is created to read:

182.01 **(7)** INFORMATION TO BE PROVIDED WITH BUSINESS FORMATION FILINGS. The department shall provide informational materials and resources on worker misclassification to each person who files with the department any of the following:

(a) Articles of incorporation under s. 180.0202 or 181.0202.

(b) Articles of organization under s. 183.0202.

(c) A statement of qualification under s. 178.0901.

(d) A certificate of limited partnership under s. 179.11.

SECTION 2394. 182.0172 of the statutes is created to read:

182.0172 Electric providers using easements to provide broadband.

(1) In this section:

(a) 1. "Broadband infrastructure" means any of the following that can be used to facilitate, directly or indirectly, originate, send, and receive high–quality voice, data, graphics, video, and video programming communications:

a. Materials.

b. Wires.

c. Cables, including fiber optic and copper cables regardless of whether the cables are dark or lit and whether the cables are in use or dormant.

d. Conduits.

e. Antennas.

f. Equipment.

g. Fixtures.

h. Switching multiplexers.

i. Poles.

j. Routers.

k. Switches.

L. Servers.

m. Appurtenances.

n. Facilities.

o. Ancillary or auxiliary equipment.

2. "Broadband infrastructure" does not include new poles or new towers that are used exclusively for providing broadband services.

(b) "Electric provider" means any of the following:

1. A public utility, as defined in s. 196.01 (5), that generates, transmits, or distributes electric energy at wholesale or retail.

2. A cooperative association incorporated under ch. 185 to do business in this state that carries on the business of generating, transmitting, or distributing electric energy to its members at wholesale or retail.

(2) (a) 1. An electric provider may use an easement that it holds for any of the following purposes:

a. Installing or maintaining broadband infrastructure to provide broadband services or allowing a supplier of broadband services to install or maintain broadband infrastructure to provide broadband services.

b. Leasing or providing to a supplier of broadband services any excess capacity in the electric provider's broadband infrastructure.

2. This paragraph does not exempt, except, or exclude an electric provider or supplier of broadband services from complying with any provision of state or federal law applicable to siting broadband infrastructure or providing broadband services.

(b) Except as provided in par. (c) 1., terms or conditions of an easement held by an electric provider that inhibit the electric provider from using the easement for a purpose under par. (a) do not apply.

(c) Paragraphs (a) and (b) do not apply to an easement that does any of the following:

1. Expressly prohibits, by its terms, using the easement for a purpose under par. (a).

2. Applies to property owned by the state or a city, village, town, or county.

(3) (a) In this subsection, "owner" means a person who owns a fee simple or life estate interest in land or who is a land contract vendee.

(b) At least 30 days before first using an easement for a purpose under sub. (2) (a), an electric provider shall make a reasonable attempt to mail a notice to the owner of the property subject to the easement, as determined from records of the office of the register of deeds of the county in which the property subject to the easement is located, by mailing a notice to at least one of the following:

1. The last known address for the owner of the property subject to the easement.

2. The address listed with the county real property lister for the owner of the property subject to the easement.

3. The registered agent office or principal office listed in the records of the department of financial institutions for the owner of the property subject to the easement.

(c) If an electric provider is unable to identify an address to mail a notice under par. (b), the electric provider shall publish a class 1 notice under ch. 985 at least 30 days before first using an easement for a purpose under sub. (2) (a).

(d) An electric provider shall include all of the following in a notice under par. (b) or (c):

1. An identification of the property subject to the easement, which may be made by reference to the property address, by reference to the tax parcel number of the property, by map, or by legal description.

2. A statement that the electric provider intends to install broadband infrastructure or use existing infrastructure to make broadband service available.

3. An estimate of when the electric provider intends to install or begin using infrastructure under subd. 2.

4. A reference to this section.

5. A statement explaining that the electric provider may record a memorandum stating that the electric provider may use the easement for a purpose under sub. (2) (a).

6. A notice that the owner of the property subject to the easement may not bring an action against the electric provider for using an easement for a purpose under sub. (2) (a) after one year after the date of receiving the notice.

(4) Beginning 30 days after providing notice under sub. (3), an electric provider may record a memorandum in the office of the register of deeds of a county in which property subject to an easement used for a purpose under sub. (2) (a) is located. The electric provider shall include all of the following in the memorandum:

(a) One of the following:

1. If the easement is recorded, recording information for the easement.

2. If the easement is unrecorded or a prescriptive easement under s. 893.28 (2), the legal description of the parcel subject to the easement.

(b) A reference to this section.

(c) A statement that the electric provider may use the easement for a purpose under sub. (2) (a).

(d) A statement that terms or conditions of the easement that inhibit the electric provider from using the easement for a purpose under sub. (2) (a) do not apply.

(5) (a) In this subsection, "owner" means an owner of or other person holding an interest in real property subject to an easement used for a purpose under sub. (2) (a).

(b) 1. If an owner provides an electric provider, a subsidiary of an electric provider, or a supplier of broadband services with an appraisal performed by an appraiser licensed under ch. 458 comparing the fair market value of the owner's real property interest immediately before and after an easement on the property is used for a purpose under sub. (2) (a), the electric provider, subsidiary, or supplier of broadband services shall do one of the following within 30 days:

a. Pay the owner the amount of damages identified in the appraisal provided by the owner.

b. Notify the owner that it disputes the appraisal. If an electric provider, subsidiary, or supplier of broadband services disputes the appraisal provided by the owner under this subd. 1. b., the electric provider, subsidiary, or supplier of broadband services shall within 90 days provide the owner with an appraisal performed by an appraiser licensed under ch. 458 comparing the fair market value of the owner's real property interest immediately before and after an easement on the property is used for a purpose under sub. (2) (a). The owner shall make reasonable accommodations for performance of the appraisal under this subd. 1. b.

2. If an owner who receives an appraisal under subd. 1. b. from an electric provider, subsidiary, or supplier of broadband services provides to the electric provider, subsidiary, or supplier of broadband services written notice accepting the appraisal or does not bring an action under par. (d) within 30 days of receiving the appraisal, the electric provider, subsidiary, or supplier of broadband services shall promptly remit payment to the owner for the difference in the fair market value of the owner's real property interest identified in the appraisal.

(c) An owner may not bring an action against an electric provider, a subsidiary of an electric provider, or a supplier of broadband services for damages from a

decrease in the value of the owner's interest in real property due to the use of an easement for a purpose under sub. (2) (a) except as provided under this subsection.

(d) An owner may bring an action under this subsection against an electric provider, a subsidiary of an electric provider, or a supplier of broadband services for damages from a decrease in the value of the owner's interest in real property due to the use of an easement for a purpose under sub. (2) (a) only if all of the following apply:

1. The owner provides an appraisal under par. (b) 1. to the electric provider, subsidiary, or supplier of broadband services within one year after the date that the owner receives notice under sub. (3) or, if the owner receives no notice under sub. (3), within one year after the date that a memorandum referring to an easement that applies to the property is recorded under sub. (4).

2. The owner brings the action within 30 days after receiving an appraisal from the electric provider, subsidiary, or supplier of broadband services under par. (b) 1. b.

(e) The maximum recovery under this subsection may not exceed the difference between the fair market value of the owner's real property interest immediately before an easement on the property is used for a purpose under sub. (2) (a) and the fair market value of the owner's real property interest immediately after an easement on the property is used for a purpose under sub. (2) (a). Evidence of revenues, profits, or fees received by an electric provider, a subsidiary of an electric provider, or a supplier of broadband services shall not be admissible as evidence in any proceeding or action under this subsection.

SECTION 2395. 185.983 (1) (intro.) of the statutes is amended to read:

185.983 **(1)** (intro.) Every voluntary nonprofit health care plan operated by a cooperative association organized under s. 185.981 shall be exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44, 601.45, 611.26, 611.67, 619.04, 623.11, 623.12, 628.34 (10), 631.17, 631.89, 631.93, 631.95, 632.72 (2), 632.729, 632.745 to 632.749, 632.775, 632.79, 632.795, 632.798, 632.85, 632.853, 632.855, 632.862, 632.867, 632.87 (2) to (6), 632.871, 632.885, 632.89, 632.895 (5) and (8) to (17), 632.896, and 632.897 (10) and chs. 609, 620, 630, 635, 645, and 646, but the sponsoring association shall:

SECTION 2396. 185.983 (1) (intro.) of the statutes, as affected by 2021 Wisconsin Act .... (this act), section 2395, is amended to read:

185.983 **(1)** (intro.) Every voluntary nonprofit health care plan operated by a cooperative association organized under s. 185.981 shall be exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44, 601.45, 611.26, 611.67, 619.04, 623.11, 623.12, 628.34 (10), 631.17, 631.89, 631.93, 631.95, 632.72 (2), 632.728, 632.729, 632.745 to 632.749, 632.775, 632.79, 632.795, 632.798, 632.85, 632.853, 632.855, 632.862, 632.867, 632.87 (2) to (6), 632.871, 632.885, 632.89, 632.895 (5) and (8) to (17), 632.896, and 632.897 (10) and chs. 609, 620, 630, 635, 645, and 646, but the sponsoring association shall:

SECTION 2397. 185.983 (1) (intro.) of the statutes, as affected by 2021 Wisconsin Act .... (this act), section 2396, is amended to read:

185.983 **(1)** (intro.) Every voluntary nonprofit health care plan operated by a cooperative association organized under s. 185.981 shall be exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44, 601.45, 611.26, 611.67, 619.04, 623.11, 623.12, 628.34 (10), 631.17, 631.89, 631.93, 631.95, 632.72 (2), 632.728, 632.729, 632.745 to 632.749, 632.775, 632.79, 632.795,

632.798, 632.85, 632.853, 632.855, 632.861, 632.862, 632.867, 632.87 (2) to (6), 632.871, 632.885, 632.89, 632.895 (5) and (8) to (17), 632.896, and 632.897 (10) and chs. 609, 620, 630, 635, 645, and 646, but the sponsoring association shall:

SECTION 2398. 194.025 of the statutes is amended to read:

194.025 Discrimination prohibited. No motor carrier may engage in any practice, act or omission which results in discrimination on the basis of race, creed, sex ~~or~~, national origin, or status as a holder or nonholder of a license under s. 343.03 (3r).

SECTION 2399. 196.01 (5) (b) 8. of the statutes is created to read:

196.01 **(5)** (b) 8. A person who supplies electricity through the person's electric vehicle charging station to users' electric vehicles, if the person does not otherwise directly or indirectly provide electricity to the public.

SECTION 2400. 196.025 (1h) of the statutes is created to read:

196.025 **(1h)** SOCIAL COST OF CARBON EMISSIONS. (a) In this subsection, "social cost of carbon" means a measure of the economic harms and other impacts expressed in dollars that result from emitting one ton of carbon dioxide into the atmosphere.

(b) In consultation with the department of natural resources, the commission shall evaluate and set the social cost of carbon and shall evaluate and adjust as necessary that dollar amount every 2 years. The evaluations shall use integrated assessment models and consider appropriate discount rates. Any adjustment shall be consistent with the international consensus on the social cost of carbon. No later than December 31, 2021, and no later than December 31 every odd–numbered year thereafter, the commission shall submit to the appropriate standing committees of the legislature under s. 13.172 (3) a report that describes the commission's

evaluation and, if the commission adjusts the previously set dollar amount, specifies the social cost of carbon as adjusted by the commission.

(d) The commission shall consider the social cost of carbon in determining whether to issue certificates under ss. 196.49 and 196.491 (3).

SECTION 2401. 196.025 (8) of the statutes is created to read:

196.025 **(8)** MODEL ORDINANCE FOR REPAYING LOCAL GOVERNMENTS FOR CERTAIN IMPROVEMENTS. The commission shall develop and make available a model ordinance that addresses political subdivisions, as defined in s. 66.0627 (1) (b), making loans or entering into agreements for making or installing energy efficiency improvements, as defined in s. 66.0627 (1) (am), water efficiency improvements, as defined in s. 66.0627 (1) (d), or renewable resource applications to premises under s. 66.0627 (8).

SECTION 2402. 196.027 (1) (d) 3. of the statutes is created to read:

196.027 **(1)** (d) 3. The retiring of any existing electric generating facility fueled by nonrenewable combustible energy resources.

SECTION 2403. 196.027 (1) (f) of the statutes is amended to read:

196.027 **(1)** (f) "Environmental control cost" means capital cost, including capitalized cost relating to regulatory assets, incurred or expected to be incurred by an energy utility in undertaking an environmental control activity and, with respect to an environmental control activity described in par. (d) 2. or 3., includes the unrecovered value of property that is retired, including any demolition or similar cost that exceeds the salvage value of the property. "Environmental control cost" does not include any monetary penalty, fine, or forfeiture assessed against an energy utility by a government agency or court under a federal or state environmental statute, rule, or regulation.

SECTION 2404. 196.218 (5) (a) 5. of the statutes is amended to read:

196.218 **(5)** (a) 5. To pay costs incurred under contracts under s. 16.971 (13) to (16) to the extent that these costs are not paid under s. 16.997 (2) (d)~~, except that no moneys in the universal service fund may be used to pay installation costs that are necessary for a political subdivision to obtain access to bandwidth under a shared service agreement under s. 16.997 (2r) (a)~~.

SECTION 2405. 196.218 (5) (a) 10. of the statutes is amended to read:

196.218 **(5)** (a) 10. To make broadband expansion grants and administer the program under s. 196.504 (2).

SECTION 2406. 196.31 (1) (intro.) of the statutes is amended to read:

196.31 **(1)** (intro.) ~~In~~ Except as provided in sub. (2m), in any proceeding before the commission, the commission shall compensate any participant in the proceeding who is not a public utility, for some or all of the reasonable costs of participation in the proceeding if the commission finds that:

SECTION 2407. 196.31 (2m) of the statutes is repealed and recreated to read:

196.31 **(2m)** The commission may grant no more than $100,000 annually in compensation under this section to the consumer advocate, as defined in s. 196.315 (2) (a).

SECTION 2408. 196.31 (2r) of the statutes is created to read:

196.31 **(2r)** From the appropriation under s. 20.155 (1) (j), the commission shall reserve $50,000 annually to compensate equity–focused participants who review economic and environmental issues impacting low–income populations.

SECTION 2409. 196.315 of the statutes is created to read:

196.315 Consumer advocate funding. (1) LEGISLATIVE STATEMENT OF INTENT AND PURPOSE. It is in the public interest that there be an independent, nonpartisan

consumer advocate for residential, small commercial, and small industrial energy utility consumers of this state and that the advocate be sufficiently funded by those customers to allow for the representation and protection of their interests before the commission and other venues. All actions by the advocate funded under this section shall be directed toward such duty.

(2) DEFINITIONS. In this section:

(a) "Consumer advocate" means the body created under s. 199.04 (1), dissolved under s. 199.17, and reorganized as a nonstock, nonprofit corporation under ch. 181.

(b) "Energy utility" means an investor–owned electric or natural gas public utility.

(c) "Municipal utility" has the meaning given in s. 196.377 (2) (a) 3.

(3) FUNDING. (a) Annually, within 60 days after a budget under sub. (5) is approved, each energy utility shall pay to the consumer advocate the amount specified under sub. (5) (e). In any year, the total of all amounts required to be paid by energy utilities to the consumer advocate under this subsection may not exceed $900,000.

(b) The funds provided under par. (a) may not be used for any of the following:

1. Lobbying, as defined in s. 13.62 (10).

2. Defraying the cost of participating in proceedings involving rates or practices of municipal utilities and no other public utilities.

(c) The consumer advocate shall retain all relevant records supporting its expenditure of funds provided under par. (a) for 3 years after receipt of the funds and shall grant the commission access to the records upon request.

(4) COST RECOVERY. (a) *Rate–making orders.* The commission shall ensure in rate–making orders that an energy utility recovers from its residential, small

commercial, and small industrial customers the amounts the energy utility pays under sub. (3) (a).

(b) *Accounting*. The commission shall apply escrow accounting treatment to expenditures required under this section.

(5) BUDGET REVIEW; APPROVAL. (a) The commission shall review the budgeting and expenditure of funds provided to the consumer advocate under sub. (3) (a).

(b) Annually, by a date specified by the commission, the consumer advocate shall file for the commission's approval an annual budget as approved by the consumer advocate's board of directors. The commission may request additional information from the consumer advocate related to the budget, and may consider any relevant factors, including existing operating reserves and actual costs in prior years compared to the budgets approved by the commission.

(c) The commission shall approve a budget filed under this subsection if the commission determines it is consistent with sub. (1) and covers the reasonable annual costs of the consumer advocate, including salaries, benefits, overhead expenses, the maintenance of an operating reserve, and any other cost directly or indirectly related to representing and protecting the interests of residential, small commercial, and small industrial energy utility customers. The commission may approve the budget with such conditions and modifications as the commission determines are necessary.

(d) If the commission fails to take final action under par. (c) within 60 days after a budget is filed with the commission, the commission is considered to have approved the budget that was submitted by the consumer advocate.

(e) Subject to sub. (3) (a), the total amount of the approved budget shall be paid to the consumer advocate by the energy utilities. Each energy utility's share of the

total amount shall be based on the energy utility's proportionate share of the total number of residential, small commercial, and small industrial customer meters reported by energy utilities under s. 196.07 (1).

SECTION 2410. 196.374 (1) (gm) of the statutes is created to read:

196.374 **(1)** (gm) "Low–income household" has the meaning given in s. 16.957 (1) (m).

SECTION 2411. 196.374 (2) (a) 1. of the statutes is amended to read:

196.374 **(2)** (a) 1. The energy utilities in this state shall collectively establish and fund statewide energy efficiency and renewable resource programs, including programs for low–income households. The energy utilities shall contract, on the basis of competitive bids, with one or more persons to develop and administer the programs. The utilities may not execute a contract under this subdivision unless the commission has approved the contract. The commission shall require each energy utility to spend the amount required under sub. (3) (b) 2. to fund statewide energy efficiency and renewable resource programs.

SECTION 2412. 196.374 (2) (a) 2. f. of the statutes is created to read:

196.374 **(2)** (a) 2. f. Components to promote energy efficiency and renewable energy measures for low–income households in this state and initiatives and market strategies to address the energy needs and decrease the energy burden of low–income households.

SECTION 2413. 196.374 (2) (a) 2m. of the statutes is created to read:

196.374 **(2)** (a) 2m. The programs under this paragraph may include activities advertising the availability of loans under s. 66.0627 (8) for making or installing energy efficiency improvements, as defined in s. 66.0627 (1) (am), water efficiency

improvements, as defined in s. 66.0627 (1) (d), or renewable resource applications to premises.

SECTION 2414. 196.374 (3) (b) 1. of the statutes is amended to read:

196.374 **(3)** (b) 1. At least every 4 years, after notice and opportunity to be heard, the commission shall, by order, evaluate the energy efficiency and renewable resource programs under sub. (2) (a) 1., (b) 1. and 2., and (c) and ordered programs and set or revise goals, priorities, and measurable targets for the programs. The commission shall give priority to programs that moderate the growth in electric and natural gas demand and usage, facilitate markets and assist market providers to achieve higher levels of energy efficiency, promote energy reliability and adequacy, promote energy efficiency and renewable energy measures for low–income households, avoid adverse environmental impacts from the use of energy, and promote rural economic development.

SECTION 2415. 196.374 (3) (b) 2. of the statutes is amended to read:

196.374 **(3)** (b) 2. The commission shall require each energy utility to spend ~~1.2~~ 2.4 percent of its annual operating revenues derived from retail sales to fund the utility's programs under sub. (2) (b) 1., the utility's ordered programs, the utility's share of the statewide energy efficiency and renewable resource programs under sub. (2) (a) 1., and the utility's share, as determined by the commission under subd. 4., of the costs incurred by the commission in administering this section.

SECTION 2416. 196.374 (3) (f) 5. of the statutes is created to read:

196.374 **(3)** (f) 5. Minimum requirements for energy efficiency and renewable resource programs under sub. (2) (a) 1. for low–income households and eligibility requirements for programs for low–income households.

SECTION 2417. 196.376 of the statutes is created to read:

196.376 Residential energy improvement program. The commission may establish and implement a program under which a public utility may finance energy improvements at a specific dwelling and recover the cost of those improvements over time through a surcharge periodically placed on the public utility's customer account for that dwelling. If the commission establishes such a program, it shall promulgate rules to implement the program.

SECTION 2418. 196.379 of the statutes is created to read:

196.379 Voluntary innovative technology programs. (1) In this section, "energy utility" has the meaning given in s. 196.374 (1) (e).

(2) (a) An energy utility may, with commission approval, administer or fund a voluntary innovative technology program. An energy utility may pay for a program under this subsection through rate charges to customers of the energy utility, as approved by the commission, or by another method approved by the commission.

(b) The commission shall promulgate rules related to implementing a program under this subsection.

(c) Upon approving a program under this subsection, the commission shall establish an initial pilot period for the program and a timeline for reevaluating the program. The commission shall reevaluate a program under this subsection according to the timeline established under this paragraph and shall set or revise goals, priorities, and measurable targets for the program.

(d) The commission may not order an energy utility to administer or fund a program under this subsection.

(e) An energy utility that administers or funds a program under this subsection may request at any time, and the commission may approve an energy utility's request, to modify or discontinue, in whole or in part, the program.

SECTION 2419. 196.491 (3g) (a) of the statutes is amended to read:

196.491 **(3g)** (a) A person who receives a certificate of public convenience and necessity for a high–voltage transmission line that is designed for operation at a nominal voltage of 345 kilovolts or more under sub. (3) shall pay the ~~department of administration~~ commission an annual impact fee as specified in the rules promulgated by the ~~department of administration~~ commission under s. ~~16.969~~ 196.492 (2) (a) and shall pay the ~~department of administration~~ commission a one–time environmental impact fee as specified in the rules promulgated by the ~~department of administration~~ commission under s. ~~16.969~~ 196.492 (2) (b).

SECTION 2420. 196.504 (1) (ac) 4. of the statutes is created to read:

196.504 **(1)** (ac) 4. A political subdivision that is underserved or that is located in an unserved area.

SECTION 2421. 196.504 (2) (a) of the statutes is amended to read:

196.504 **(2)** (a) To make broadband expansion grants to eligible applicants for the purpose of constructing broadband infrastructure in underserved areas designated under par. (d). Grants awarded under this ~~section~~ subsection shall be paid from the appropriations under s. 20.155 (3) (a), (r), and (rm).

SECTION 2422. 196.504 (2) (b) of the statutes is amended to read:

196.504 **(2)** (b) To prescribe the form, nature, and extent of the information that shall be contained in an application for a grant under this ~~section~~ subsection. The application shall require the applicant to identify the area of the state that will be affected by the proposed project and explain how the proposed project will increase broadband access.

SECTION 2423. 196.504 (2) (c) of the statutes is amended to read:

196.504 **(2)** (c) To establish criteria for evaluating applications and awarding grants under this ~~section~~ subsection. The criteria shall prohibit grants that have the effect of subsidizing the expenses of a provider of telecommunications service, as defined in s. 182.017 (1g) (cq), or the monthly bills of customers of those providers. The criteria shall give priority to projects that include matching funds, that involve public–private partnerships, that affect unserved areas, that are scalable, that promote economic development, that will not result in delaying the provision of broadband service to areas neighboring areas to be served by the proposed project, or that affect a large geographic area or a large number of underserved individuals or communities. When evaluating grant applications under this ~~section~~ subsection, the commission shall consider the degree to which the proposed projects would duplicate existing broadband infrastructure, information about the presence of which is provided to the commission by the applicant or another person within a time period designated by the commission; the impacts of the proposed projects on the ability of individuals to access health care services from home and the cost of those services; and the impacts of the proposed projects on the ability of students to access educational opportunities from home.

SECTION 2424. 196.504 (2g) of the statutes is created to read:

196.504 **(2g)** The commission shall administer the broadband connector program and shall have the following powers:

(a) To make broadband planning grants to political subdivisions, school districts, tribal governments, regional planning commissions, nonprofit organizations, and local economic development organizations for broadband planning, feasibility engineering related to broadband infrastructure construction, broadband adoption planning, and digital inclusion activities. The amount of a

broadband planning grant under this subsection may not exceed $50,000. Grants awarded under this subsection shall be paid from the appropriations under s. 20.155 (1) (c).

(b) To provide training, technical assistance, and information on broadband infrastructure construction, broadband adoption, and digital inclusion.

SECTION 2425. 196.504 (2r) of the statutes is created to read:

196.504 **(2r)** The commission shall administer the line extension assistance program and shall have the following powers:

(a) To make financial assistance grants to residents of properties that are not served by a broadband service provider to assist in paying the customer costs associated with line extension necessary to connect broadband service to the properties. The amount of a financial assistance grant under this subsection may not exceed $4,000. Grants awarded under this subsection shall be paid from the appropriations under s. 20.155 (1) (c).

(b) To establish criteria for evaluating applications and awarding financial assistance grants under this subsection. The criteria shall give priority to properties that serve as a primary residence.

SECTION 2426. 196.504 (3) (d) of the statutes is created to read:

196.504 **(3)** (d) 1. Require each Internet service provider to disclose to the commission by April 1 of each year the properties it serves, the average minimum download and upload speeds at which it provides residential and business Internet service to those properties, and a description of its existing service area in a format determined by the commission.

2. Use the information disclosed under subd. 1. to conduct broadband mapping and facilitate the deployment of broadband infrastructure and access to broadband service.

3. Notwithstanding s. 19.35, the commission shall withhold from public inspection any information disclosed to the commission under subd. 1. that would aid a competitor of an Internet service provider in competing with the Internet service provider if the commission determines that public disclosure is not necessary to accomplish the purposes under subd. 2.

SECTION 2427. 196.5048 of the statutes is created to read:

196.5048 Internet service provider registration. No person may provide Internet service in this state unless the person registers with the commission.

SECTION 2428. 196.745 (2) (a) of the statutes is amended to read:

196.745 **(2)** (a) Any person violating sub. (1) (a), or any order or rule issued under sub. (1) (a), shall forfeit an amount not exceeding ~~$25,000~~ $200,000. Each day of violation is a separate violation of sub. (1) (a). No person may forfeit an amount exceeding ~~$500,000~~ $2,000,000 for a single persisting violation of sub. (1) (a) or any order or any rule issued under sub. (1) (a). The commission shall remit all forfeitures paid under this paragraph to the secretary of administration for deposit in the school fund.

SECTION 2429. 198.06 (5) (a) of the statutes is amended to read:

198.06 **(5)** (a) The board of canvassers shall cause a certified copy of the order declaring the result of the election to be filed in the office of the secretary of ~~state~~ administration. A certified copy of the order shall also be filed with the clerk of each municipality included in the district, with the county clerk, and with the commission.

SECTION 2430. 198.06 (5) (b) of the statutes is amended to read:

198.06 **(5)** (b) If the district as finally constituted comprises a smaller area than originally proposed because of the failure of one or more municipalities to approve the district at the election, the commission shall, within 10 days following the filing of the order under par. (a) with the commission, file its approval or disapproval of the district as created by the election with the secretary of ~~state~~ administration, the clerk of each municipality included in the district and the county clerk. If the commission approves, upon the filing of the approval the creation and incorporation of the district shall be considered complete. If the commission disapproves, the district shall be considered dissolved. Except as provided in par. (c), the approval or disapproval of the commission shall be final.

SECTION 2431. 198.06 (5) (d) of the statutes is amended to read:

198.06 **(5)** (d) If a district has been approved by all of the municipalities within the district as proposed, the creation and incorporation of the district shall be considered complete upon the filing of the result of the election with the secretary of ~~state~~ administration by the board of canvassers.

SECTION 2432. 198.06 (7) of the statutes is amended to read:

198.06 **(7)** INFORMALITIES DISREGARDED, LIMITATION OF ACTION TO TEST VALIDITY OF DISTRICT. No informality in any proceeding or in the conduct of the election, not substantially affecting adversely the legal rights of any citizen, shall be held to invalidate the creation of any district, and any proceedings wherein the validity of the creation is denied shall be commenced within 3 months from the date of filing the order of the board of canvassers with the secretary of ~~state~~ administration, otherwise the creation and the legal existence of the district shall be held to be valid and in every respect legal and incontestable.

SECTION 2433. 198.08 (3) of the statutes is amended to read:

198.08 **(3)** APPOINTMENT, VOTE BY MUNICIPAL EXECUTIVE OFFICERS. In the selection of a director for a subdistrict each chief executive shall have one vote for each 1,000 voters within that chief executive's municipality, or the part of the municipality that is located in the subdistrict. A three–fourths vote shall be necessary for the selection of a director. The result of the selection of the director shall be certified to by the chairperson and clerk of the meeting and immediately filed with the secretary of ~~state~~ administration and the clerk of each municipality in the district.

SECTION 2434. 198.20 (2) of the statutes is amended to read:

198.20 **(2)** The election, and all matters pertaining to the election not otherwise provided for in this section, shall be held and conducted and the result ascertained and declared in accordance with s. 198.06 (3) and (4). The ordinance and the result of the referendum shall be certified to the secretary of ~~state~~ administration. After certification, the consolidation shall be considered complete. Consolidation shall not affect the preexisting rights or liabilities of any power districts and actions on those rights and liabilities may be commenced or completed as though no consolidation had been effected.

SECTION 2435. 198.22 (7) of the statutes is amended to read:

198.22 **(7)** BOUNDARIES. Immediately upon the organization of the board of directors the clerk shall cause to be recorded in the office of the register of deeds of each county in which any part of said district is located, and shall file with the secretary of ~~state~~ administration, the department of natural resources, the governor and the clerk of each town, city or village, wholly or partly within the district, a certified copy of the boundaries of the district as set forth in the notice of election pursuant to sub. (3) or as thereafter amended. Thereafter, in any proceeding wherein

the boundaries of the district are concerned, it shall be sufficient in describing said boundaries to refer to such record of such description.

SECTION 2436. 200.25 (5) of the statutes is amended to read:

200.25 **(5)** OATH OF OFFICE. Before assuming the duties of the office, each commissioner shall take and subscribe the oath of office required under s. 19.01 and file the oath with the secretary of ~~state~~ administration, duly certified by the official administering the oath.

SECTION 2437. 200.35 (14) (title) of the statutes is amended to read:

200.35 **(14)** (title) SHORE PROTECTION PROJECTS AND DREDGED MATERIAL MANAGEMENT FACILITY.

SECTION 2438. 200.35 (14) (a) 2. of the statutes is amended to read:

200.35 **(14)** (a) 2. "Project" means ~~a~~ any of the following:

a. A shore protection or erosion control project which consists, in whole or in part, of waste rock produced by construction projects undertaken by the commission and which has been requested, by resolution, by a political subdivision with territory in the district's service area.

SECTION 2439. 200.35 (14) (a) 2. b. of the statutes is created to read:

200.35 **(14)** (a) 2. b. A dredged material management facility.

SECTION 2440. 200.35 (14) (b) of the statutes is amended to read:

200.35 **(14)** (b) The commission may construct a project under this subsection and may finance and construct a project that is a dredged material management facility. This paragraph does not apply to the construction of any project on or after January 1, ~~1992~~ 2032.

SECTION 2441. 200.35 (14) (d) 3m. of the statutes is created to read:

200.35 **(14)** (d) 3m. Notwithstanding any requirements to the contrary in subds. 1. to 3., for a dredged material management facility constructed by the commission, the commission shall pay for all costs of the project through its capital budget and shall finance the project over a period of 35 years.

SECTION 2442. 200.35 (14) (h) of the statutes is created to read:

200.35 **(14)** (h) For a dredged material management facility constructed by the commission, the commission may reserve space in the dredged material management facility for the disposal of sediment from flood management projects.

SECTION 2443. 200.57 (title) of the statutes is amended to read:

200.57 (title) **Minority ~~financial advisers and investment firms and,~~ disabled veteran-owned ~~businesses,~~ lesbian, gay, bisexual, or transgender-owned, and disability-owned financial advisers and investment firms.**

SECTION 2444. 200.57 (1) (a) of the statutes is renumbered 200.57 (1) (ah).

SECTION 2445. 200.57 (1) (ae) of the statutes is created to read:

200.57 **(1)** (ae) "Disability–owned financial adviser" and "disability–owned investment firm" mean a financial adviser and investment firm, respectively, certified by the department of administration under s. 16.289 (3).

SECTION 2446. 200.57 (1) (c) of the statutes is created to read:

200.57 **(1)** (c) "Lesbian, gay, bisexual, or transgender–owned financial adviser" and "Lesbian, gay, bisexual, or transgender–owned investment firm" mean a financial adviser and investment firm, respectively, certified by the department of administration under s. 16.288 (3).

SECTION 2447. 200.57 (4) of the statutes is created to read:

200.57 **(4)** The commission shall make efforts to ensure that at least 1 percent of the total funds expended for financial and investment analysis and for common stock and convertible bond brokerage commissions in each fiscal year is expended for the services of lesbian, gay, bisexual, or transgender–owned financial advisers or lesbian, gay, bisexual, or transgender–owned investment firms.

SECTION 2448. 200.57 (5) of the statutes is created to read:

200.57 **(5)** The commission shall make efforts to ensure that at least 1 percent of the total funds expended for financial and investment analysis and for common stock and convertible bond brokerage commissions in each fiscal year is expended for the services of disability–owned financial advisers or disability–owned investment firms.

SECTION 2449. Subchapter V of chapter 224 [precedes 224.101] of the statutes is created to read:

CHAPTER 224

SUBCHAPTER V

STUDENT LOANS

224.101 Definitions. In this subchapter:

(1) "Board" means the higher educational aids board.

(2) "Exempt organization" means the board or a state–regulated financial service provider.

(3) "Licensee" means a person holding a license issued under this subchapter.

(4) "Office" means the office of the student loan ombudsman in the department.

(5) "Servicing" means doing all of the following:

(a) Receiving scheduled periodic payments from a student loan borrower pursuant to the terms of a student education loan.

(b) Applying the payments of principal and interest and any other payments with respect to the amounts received from a student loan borrower as may be required pursuant to the terms of a student education loan.

(c) Performing other administrative services with respect to a student education loan.

(6) "State–regulated financial service provider" means any of the following:

(a) A bank organized under ch. 221.

(b) A savings bank organized under ch. 214.

(c) A savings and loan association organized under ch. 215.

(d) A credit union organized under ch. 186.

(e) A consumer lender licensed under s. 138.09.

(7) "Student education loan" means a loan that is extended to a student loan borrower expressly for postsecondary education expenses or related expenses and does not include open–end credit or any loan that is secured by real property.

(8) "Student loan borrower" means any of the following:

(a) A resident of this state who has received or agreed to pay a student education loan.

(b) A person who shares legal responsibility with a resident under par. (a) for repaying the student education loan.

(9) "Student loan servicer" means a person, wherever located, responsible for the servicing of a student education loan, but does not include the board or any state–regulated financial service provider.

224.102 Ombudsman services. The office shall do all of the following:

(1) Provide timely assistance to student loan borrowers.

(2) Receive, review, and attempt to resolve complaints from all of the following:

(a) Student loan borrowers.

(b) In collaboration with institutions of higher education, student loan servicers and any other participants in student education loan lending, including originators servicing their own student education loans.

(3) Compile and analyze data on student loan borrower complaints as described in sub. (2) and as resolved under s. 224.104.

(4) Assist student loan borrowers in understanding their rights and responsibilities under the terms of student education loans.

(5) Provide information to the public, agencies, the legislature, and others regarding the problems and concerns of student loan borrowers and make recommendations for resolving those problems and concerns.

(6) Analyze and monitor the development and implementation of federal, state, and local laws, ordinances, regulations, rules, and policies relating to student loan borrowers and recommend any necessary changes.

(7) Review, as authorized and appropriate, the complete student education loan history for a student loan borrower who provides written consent for the review.

(8) Provide sufficient outreach and disseminate information concerning the availability of the office to assist student loan borrowers and potential student loan borrowers, public institutions of higher education, student loan servicers, and any other participants in student education loan lending with any student education loan servicing concerns.

(9) Seek the assistance of an exempt organization in the resolution of a student loan borrower complaint as described in sub. (2) involving that exempt organization. The exempt organization shall cooperate with the office as required by s. 224.104.

(10) Take any other action necessary to fulfill the duties of the office as set forth in this subchapter.

224.103 Annual report. The office shall submit a report by January 1 of each year to the standing committee of each house of the legislature having jurisdiction over matters related to higher education. The report shall include all of the following:

(1) A description of actions taken with respect to the implementation of this subchapter.

(2) An assessment of the overall effectiveness of the office, including information, in the aggregate, regarding student loan borrower complaints investigated with the assistance of an exempt organization.

(3) Recommendations regarding additional steps for the department to gain regulatory control over licensing and enforcement with respect to student loan servicers.

224.104 Assistance by exempt organizations; report. (1) An exempt organization that is requested by the office to provide assistance under s. 224.102 (9) shall provide, in a timely manner, the information requested by the office necessary to investigate and resolve a student loan borrower complaint, including the steps taken by the exempt organization to resolve the complaint, or, on its own, shall resolve, in a timely manner, the complaint and provide the office with documentation regarding the resolution.

(2) Annually, an exempt organization that is involved in the resolution of a complaint under this section shall report to the office the number of complaints received and the number of complaints resolved by the exempt organization.

224.105 Licensing of student loan servicers. (1) A person, wherever located, may not directly or indirectly engage in servicing student education loans in this state without first obtaining a license from the office under this section, unless the person is exempt from licensure under sub. (2).

(2) The following persons are exempt from the licensing requirement under sub. (1):

(a) A state–regulated financial service provider.

(b) The board.

(3) A person seeking to act within this state as a student loan servicer shall make a written application to the office for an initial license in the form prescribed by the office. The application shall be accompanied by all of the following:

(a) A financial statement prepared by a certified public accountant or a public accountant, a general partner if the applicant is a partnership, a corporate officer if the applicant is a corporation, or a member duly authorized to execute such documents if the applicant is a limited liability company or association.

(b) Information regarding the history of criminal convictions of the following, which information must be sufficient, as determined by the office, to make the findings under sub. (4):

1. The applicant.

2. Officers, directors, and principal employees of the applicant.

3. Each individual shareholder, member, or partner who directly or indirectly controls 10 percent or more of the ownership interests of the applicant.

(c) A nonrefundable license fee of $1,000.

(d) A nonrefundable investigation fee of $800.

(4) Upon the filing of an application for an initial license and the payment of the fees for licensing and investigation under sub. (3), the office shall investigate the financial condition and responsibility, financial and business experience, character, and general fitness of the applicant. The office may conduct criminal history background checks of the applicant and of each partner, member, officer, director, and principal employee of the applicant. The office may issue a license if the office finds all of the following to be true:

(a) The applicant's financial condition is sound.

(b) The applicant's business will be conducted honestly, fairly, equitably, carefully, and efficiently within the purposes and intent of this subchapter and in a manner commanding the confidence and trust of the community.

(c) No person on behalf of the applicant has knowingly made an incorrect statement of a material fact in the application or in any report or statement made under this subchapter.

(d) The applicant has met any other requirements as determined by the office.

(5) A license issued under this section expires at the close of business on September 30 of the odd–numbered year following its issuance, unless renewed or earlier surrendered, suspended, or revoked. No later than 15 days after a licensee ceases to engage in the business of student education loan servicing in this state for any reason, including a business decision to terminate operations in this state, license revocation, bankruptcy, or voluntary dissolution, the licensee shall provide written notice of surrender to the office and shall surrender to the office its license for each location in which the licensee has ceased to engage in such business. The written notice of surrender shall identify the location where the records of the licensee will be stored and the name, address, and telephone number of an individual

authorized to provide access to the records. The surrender of a license does not reduce or eliminate the licensee's civil or criminal liability arising from acts or omissions occurring prior to the surrender of the license, including any administrative actions undertaken by the office.

(6) A license issued under this section may be renewed for the ensuing 24–month period upon the filing of an application containing all required documents and fees as provided in this section. A renewal application shall be filed on or before September 1 of the year in which the license expires. A renewal application filed with the office after September 1 that is accompanied by a $100 late fee is considered to be timely and sufficient. If an application for a renewal license has been filed with the office on or before the date the license expires, the license continues in effect until the issuance by the office of the renewal license applied for or until the office has notified the licensee in writing of the office's refusal to issue the renewal license together with the grounds on which the refusal is based. The office may refuse to issue a renewal license on any ground on which the office may refuse to issue an initial license.

(7) An applicant or licensee under this section shall notify the office, in writing, of any change in the information provided in the initial application for a license or the most recent renewal application for a license, as applicable, not later than 10 business days after the occurrence of the event that results in the change.

(8) The office may consider an application for a license under this section abandoned if the applicant fails to respond to any request for information required under this subchapter or any rule promulgated under this subchapter, as long as the office notifies the applicant, in writing, that the application will be considered abandoned if the applicant fails to submit the information within 60 days after the

date on which the request for information is made. An application filing fee paid prior to the date an application is abandoned under this subsection may not be refunded. Abandonment of an application under this subsection does not preclude the applicant from submitting a new application for a license under this section.

(9) A licensee may not act within this state as a student loan servicer under any name or at any place of business other than that identified in the license. A licensee may not change the location of the licensee's place of business without prior written notice to the office. Not more than one place of business may be maintained under the same license, but the office may issue more than one license to a licensee that complies with the provisions of this subchapter as to each license. A license is not transferable or assignable.

(10) (a) A student loan servicer shall maintain adequate records of each student education loan transaction. Except as otherwise required by federal law, a federal student loan education agreement, or a contract between the federal government and the student loan servicer, a student loan servicer shall maintain these records for not less than 2 years following the final payment on the student education loan or the assignment of the student education loan, whichever occurs first.

(b) Upon request by the office, a student loan servicer shall make the records under par. (a) available or shall send these records to the office by registered or certified mail, return receipt requested, or by any express delivery carrier that provides a dated delivery receipt, not later than 5 business days after requested by the office to do so. The office may grant a licensee additional time to make these records available or to send the records to the office.

(11) (a) The office may suspend, revoke, or refuse to renew a license issued under this section if the office finds any of the following:

1. That the licensee has violated any provision of this subchapter, any rule promulgated thereunder, or any lawful order of the office made thereunder.

2. That any fact or condition exists that, if it had existed at the time of the original application for the license, clearly would have warranted a denial of the license.

3. That the licensee made a material misstatement in an application for a license or in information furnished to the office.

4. That the licensee has failed to pay any fee required under this section.

(b) The office shall suspend a license issued under this section if the office finds that the licensee is an individual who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings or who is delinquent in making court–ordered payments of child or family support, maintenance, birth expenses, medical expenses, or other expenses related to the support of a child or former spouse, as provided in a memorandum of understanding entered into under s. 49.857. A licensee whose license is suspended under this paragraph is entitled to a notice and hearing only as provided in a memorandum of understanding entered into under s. 49.857 and is not entitled to any other notice or hearing under this section.

(c) The office shall revoke a license issued under this section if the department of revenue certifies under s. 73.0301 that the licensee is liable for delinquent taxes. A licensee whose license is revoked under this paragraph for delinquent taxes is

entitled to a notice under s. 73.0301 (2) (b) 1. b. and a hearing under s. 73.0301 (5) (a) but is not entitled to any other notice or hearing under this section.

(d) The office shall revoke a license issued under this section if the department of workforce development certifies under s. 108.227 that the licensee is liable for delinquent unemployment insurance contributions. A licensee whose license is revoked under this paragraph for delinquent unemployment insurance contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and a hearing under s. 108.227 (5) (a) but is not entitled to any other notice or hearing under this section.

(e) A person whose license has been suspended, revoked, or refused renewal under this subsection may request a hearing under s. 227.44 within 30 days after the date of suspension, revocation, or refusal. The office may appoint a hearing examiner under s. 227.46 to conduct the hearing. This paragraph does not apply to a suspension or revocation under pars. (b) to (d).

(f) An abatement of the license fee may not be made if the license is suspended or revoked under this subsection or surrendered in connection with a suspension or revocation proceeding.

(12) All fees received by the office under this section shall be credited to the appropriation account under s. 20.144 (1) (g).

224.106 Student loan servicers. (1) In this section, "nonconforming payment" means a payment on a student education loan that is different from the required payment.

(2) (a) Except as otherwise provided in federal law, a federal student education loan agreement, or a contract between the federal government and a student loan servicer, a student loan servicer shall comply with the requirements of this subsection.

(b) A student loan servicer shall respond to a written inquiry from a student loan borrower or the representative of a student loan borrower within 30 days after receiving the inquiry.

(c) Upon receipt of a nonconforming payment on a student education loan, a student loan servicer shall do all of the following:

1. Ask the student loan borrower how the student loan borrower prefers the student loan servicer to apply the nonconforming payment.

2. Note how the student loan borrower prefers the student loan servicer to apply the nonconforming payment.

3. Apply the nonconforming payment in the manner preferred by the student loan borrower.

4. Until the student loan borrower indicates otherwise, apply any future nonconforming payments in the same manner preferred by the student loan borrower as noted under subd. 2.

(d) If there is a sale, assignment, or other transfer of the servicing of a student education loan that results in a change in the identity of the person to whom a student loan borrower is required to send payments or direct any communication concerning the student education loan, all of the following apply:

1. As a condition of the sale, assignment, or transfer, the student loan servicer shall require the new student loan servicer to honor all benefits originally represented as available to the student loan borrower during the repayment of the student education loan and preserve the availability of these benefits, including any benefits for which the student loan borrower has not yet qualified.

2. Within 45 days after the sale, assignment, or transfer, the student loan servicer shall transfer to the new student loan servicer all information regarding the

student loan borrower, the account of the student loan borrower, and the student education loan of the student loan borrower, including the repayment status of the student loan borrower and any benefits associated with the student education loan.

3. The sale, assignment, or transfer of the servicing of the student education loan shall be completed at least 7 days before the next payment on the student education loan is due.

(e) A student loan servicer that obtains the right to service a student education loan shall adopt policies and procedures to verify that the student loan servicer has received all information regarding the student loan borrower, the account of the student loan borrower, and the student education loan of the student loan borrower, including the repayment status of the student loan borrower and any benefits associated with the student education loan.

(3) A student loan servicer may not do any of the following:

(a) Directly or indirectly employ a scheme, device, or artifice to defraud or mislead any student loan borrower.

(b) Engage in an unfair or deceptive practice toward any person or misrepresent or omit any material information in connection with the servicing of a student education loan, including misrepresenting the amount, nature, or terms of any fee or payment due or claimed to be due on a student education loan, the terms and conditions of the loan agreement, or the student loan borrower's obligations under the loan.

(c) Obtain property by fraud or misrepresentation.

(d) Misapply student education loan payments to the outstanding balance of a student education loan.

(e) Provide inaccurate information to a credit bureau, thereby harming the determination of a student loan borrower's creditworthiness.

(f) Fail to report both the favorable and unfavorable payment history of a student loan borrower to a nationally recognized consumer credit bureau at least annually if the student loan servicer regularly reports information to such a credit bureau.

(g) Refuse to communicate with an authorized representative of a student loan borrower who provides a written authorization signed by the student loan borrower, except that the student loan servicer may adopt procedures reasonably related to verifying that the representative is in fact authorized to act on behalf of the student loan borrower.

(h) Make any false statement or omit a material fact in connection with information or reports filed with a governmental agency or in connection with an investigation conducted by the office or another governmental agency.

(i) Fail to evaluate a student loan borrower for an income–based repayment program prior to placing the student loan borrower in forbearance or default, if an income–based repayment program is available to the student loan borrower.

(j) Violate any applicable federal law or regulation relating to student education loan servicing, including the federal Truth in Lending Act, 15 USC 1601 to 1667f, and regulations adopted under that act.

(4) (a) A student loan borrower injured by violation of this section may bring an action in any court of competent jurisdiction and recover the damages, fees, and penalties set forth in par. (b).

(b) A student loan servicer that fails to comply with any requirement imposed under this section with respect to a student loan borrower is liable in an amount equal to the sum of all of the following:

1. Any actual damages sustained by the student loan borrower as result of the violation.

2. If the student loan borrower establishes by a preponderance of the evidence that the violation was willful or intentional, a monetary award equal to 2 times the amount of actual damages.

3. In the case of any successful action by the student loan borrower to enforce the liability set out in this paragraph, the costs of the action, together with reasonable attorney fees, as determined by the court.

(c) For purposes of par. (b), actual damages includes damages caused by emotional distress or mental anguish with or without accompanying physical injury proximately caused by a violation of this section.

(d) The remedies provided in this subsection do not preclude the availability of other remedies that may be available to a student loan borrower.

224.107 Office powers and duties. (1) The office may conduct investigations and examinations as follows:

(a) For purposes of initial licensing, renewal, suspension, or revocation or of investigation to determine compliance with this subchapter, the office may access, receive, and use any books, accounts, records, files, documents, information, or evidence belonging to a licensee or person under examination, including any of the following:

1. Criminal, civil, and administrative history information.

2. Personal history and experience information, including independent credit reports obtained from a consumer reporting agency, as defined in 15 USC 1681a.

3. Any other documents, information, or evidence the office considers relevant to the inquiry or investigation regardless of the location, possession, control, or custody of the documents, information, or evidence.

(b) For the purposes of investigating violations or complaints arising under this subchapter or of examination, the office may review, investigate, or examine any licensee or person subject to this subchapter as often as necessary in order to carry out the purposes of this subchapter. The office may direct, subpoena, or order the attendance of and examine under oath any person whose testimony may be required about the student education loan or the business or subject matter of the examination or investigation and may direct, subpoena, or order the person to produce books, accounts, records, files, and any other documents the office considers relevant to the inquiry.

(c) In making an examination or investigation authorized by this section, the office may control access to any documents and records of the licensee or person under examination or investigation. The office may take possession of the documents and records or place a person in exclusive charge of the documents and records in the place where they are usually kept. During the period of control, a person may not remove or attempt to remove any of the documents and records except pursuant to a court order or with the consent of the office. Unless the office has reasonable grounds to believe the documents or records of the licensee or person have been, or are at risk of being, altered or destroyed for purposes of concealing a violation of this subchapter, the licensee or owner of the documents and records may

have access to the documents or records as necessary to conduct its ordinary business affairs.

(d) In order to carry out the purposes of this section, the office may do any of the following:

1. Retain attorneys, accountants, or other professionals and specialists as examiners, auditors, or investigators to conduct or assist in the conduct of examinations or investigations.

2. Enter into agreements or relationships with other government officials or regulatory associations in order to improve efficiencies and reduce regulatory burden by sharing resources, standardized or uniform methods or procedures, and documents, records, information, or evidence obtained under this section.

3. Use, hire, contract for, or employ public or privately available analytical systems, methods, or software to examine or investigate the licensee or person subject to this subchapter.

4. Accept and rely on examination or investigation reports made by other government officials, within or outside this state.

5. Accept audit reports made by an independent certified public accountant for the licensee or person subject to this subchapter in the course of that part of the examination covering the same general subject matter as the audit and may incorporate the audit report in a report of examination, report of investigation, or other writing of the office.

(e) A licensee or person subject to investigation or examination under this section may not knowingly withhold, abstract, remove, mutilate, or destroy any books, physical records, computer records, or other information relating to information regulated under this subchapter.

(f) The costs of an investigation conducted by the office shall be paid by the licensee or person being investigated. Funds received by the office under this paragraph shall be credited to the appropriation account under s. 20.144 (1) (g).

(2) The office may do any of the following to address a violation of this subchapter, any rule promulgated under this subchapter, or any order issued under this subchapter:

(a) Issue an order requiring a student loan servicer to cease and desist from a violation, to correct the conditions resulting from the violation, and to take actions to prevent such violations in the future. As part of the order, the office may require the student loan servicer to reimburse persons injured by the violation. A student loan servicer that violates an order issued under this paragraph shall, for each violation, forfeit not more than $1,000 per day for each day the violation continues.

(b) Commence administrative proceedings on its own initiative, or commence civil actions through the department of justice, to restrain by temporary or permanent injunction a person from violating this subchapter, to recover any fees or penalties owed under this subchapter, or to seek relief available under this subchapter on behalf of student loan borrowers.

(c) Suspend, revoke, or refuse to renew a license issued under s. 224.105 as provided in s. 224.105 (11).

(3) The office may promulgate rules to implement this subchapter.

SECTION 2450. 224.30 (6) of the statutes is created to read:

224.30 **(6)** PUBLIC SERVICE LOAN FORGIVENESS PROGRAM INFORMATION. The department shall collect and maintain information regarding loan forgiveness programs available to individuals employed by the state or a local unit of government. The department shall make the information available to the state, local

units of governments, and employees of the state and local units of government on the Internet or by other means.

SECTION 2451. 224.55 of the statutes is created to read:

224.55 Support accounts for individuals with disabilities. (1) DEFINITIONS. In this section:

(a) "ABLE account" means an account established under an ABLE program.

(b) "ABLE program" means a qualified ABLE program under section 529A of the Internal Revenue Code.

(2) DEPARTMENT TO ESTABLISH ABLE PROGRAM. (a) *Implementation directly or by agreement.* The department shall implement and administer an ABLE program, either directly or by entering into a formal or informal agreement with another state, or with an entity representing an alliance of states, to establish an ABLE program or otherwise administer ABLE program services for the residents of this state.

(b) *Review of other states' partnership programs.* The department shall review section 529A ABLE state partnership programs offered by other states and, no later than the first day of the 10th month beginning after the effective date of this subsection, determine whether, as the best option for Wisconsin residents, the department will implement the ABLE program under par. (a) directly or by entering into an agreement.

(c) *Agreement terms.* An agreement under par. (a) may require the party contracting with the department, in addition to providing any other services, to do any of the following:

1. Develop and implement an ABLE program in accordance with all requirements under section 529A of the Internal Revenue Code, and modify this ABLE program as necessary for participants in the ABLE program to qualify for the

federal income tax benefits or treatment provided under section 529A of the Internal Revenue Code and rules adopted under section 529A.

2. Engage the services of vendors on a contractual basis for rendering professional and technical assistance and advice in developing marketing plans and promotional materials to publicize the ABLE program.

3. Work with organizations with expertise in supporting people with disabilities and their families in administering the agreement and ensuring accessibility of the ABLE program for people with disabilities.

4. Take any other action necessary to implement and administer the ABLE program.

(d) *Information about ABLE accounts*. The department shall include on its Internet site information concerning ABLE accounts.

(3) CONFIDENTIALITY. The department shall keep confidential any personal and financial information maintained by the department relating to an ABLE account.

(4) FUNDING; RULES. (a) All expenses incurred by the department under this section shall be paid from the appropriation under s. 20.144 (1) (g).

(b) The department may promulgate rules to implement and administer this section.

SECTION 2452. 224.56 of the statutes is created to read:

224.56 Small business retirement savings program. (1) DEFINITIONS. In this section:

(a) "Account" means a retirement savings account established for an eligible employee under the program under this section.

(b) "Board" means the small business retirement savings board.

(c) "Eligible employee" means an individual who resides in this state and who is any of the following:

1. Employed by a private employer that does not offer a retirement savings plan.

2. Employed by a private employer and not eligible to participate in a retirement savings plan offered by the private employer.

(d) "Investment administrator" means the vendor with which the board has contracted under sub. (2) (b).

(e) "Participating employer" means a private employer that qualifies for and has elected to participate in the program as provided in sub. (4) (a).

(f) "Roth IRA" has the meaning given in 26 USC 408A (b).

(2) ESTABLISHMENT OF PROGRAM. (a) Subject to par. (b), the board shall establish and oversee a small business retirement savings program that meets the requirements specified in this section.

(b) After soliciting competitive sealed proposals under s. 16.75 (2m), the board shall select and contract with a vendor to provide the following services in administering the small business retirement savings program:

1. Investment services.

2. Accounting and record–keeping services.

3. Any other professional services considered necessary by the board.

(3) GENERAL PROGRAM REQUIREMENTS. The board shall design the program under this section so that it meets all of the following requirements:

(a) The program allows eligible employees to contribute to their accounts through payroll deductions and requires participating employers to withhold from

employees' wages, through payroll deductions, employees' account contributions and remit those contributions directly to the investment administrator.

(b) Subject to the record–keeping requirement under sub. (6) (b), the program allows the investment administrator to pool accounts for investment purposes and designates the investment administrator as the trustee of account contributions and earnings.

(c) The administrative costs of the program are low, and the fee that the investment administrator may charge an eligible employee is limited to a fixed monthly fee in an amount approved by the board.

(d) The program does not require an eligible employee to maintain a minimum account balance if the employee makes contributions to the account each pay period.

(e) The program allows account consolidation and roll over, including roll over to a retirement savings option not part of the program to the extent allowed under the Internal Revenue Code.

(f) The program allows an eligible employee who has established an account to continue the account after separating from employment with a participating employer if the account is maintained with a positive balance.

(4) PARTICIPATING EMPLOYERS; ELIGIBLE EMPLOYEES. (a) A private employer may participate in the program under this section if all of the following apply:

1. The employer does not offer a retirement savings plan to all employees.

2. The employer provides notice to the board, in the form and manner prescribed by the board, of the employer's election to participate in the program and the employer certifies that, on the date of this notice, the employer had 50 or fewer employees.

3. The employer has at least one employee who is a resident of this state.

(b) After a private employer has elected under par. (a) to participate in the program, the employer shall provide notice to each of its eligible employees of the eligible employee's right to decline participation in the program. After providing this notice, the employer shall enroll the eligible employee in the program unless the eligible employee informs the employer of the eligible employee's decision not to participate in the program.

(5) SPECIFIC PROGRAM REQUIREMENTS. (a) 1. Except as provided in subd. 2., the program under this section shall provide for an eligible employee who has enrolled in the program to make contributions to a Roth IRA account.

2. The program may also offer options for account types other than a Roth IRA, and if other options are offered, the program shall allow an enrolled eligible employee to select any of these other account types for investing contributions under the program.

(b) 1. The program under this section shall provide an eligible employee who has enrolled in the program with at least 5 investment options within each account type, including all of the following investment options:

a. A stable value or capital preservation fund.

b. A target date index fund or age–based fund that automatically rebalances asset allocations based on the eligible employee's age.

c. A low–cost fund focused on income generation.

d. A low–cost fund focused on asset growth.

e. A low–cost fund focused on balancing risk and return.

2. The program under this section shall require the investment administrator to offer to each enrolled eligible employee, before the employee makes his or her investment selections, a tool allowing the employee to identify the employee's risk

tolerance and projected retirement date as an aid to the employee in selecting suitable investments under the program.

3. The program under this section shall require that the first $1,000 of an enrolled eligible employee's contributions be deposited in a fund described in subd. 1. a. and thereafter, unless the employee selects a different investment option, the employee's contributions be deposited in a fund described in subd. 1. b.

(c) 1. Except as provided in subd. 3., during an eligible employee's first year of enrollment in the program, the participating employer's payroll deduction each pay period shall be at a rate of 5 percent of the employee's gross wages, and this deducted amount shall be remitted to the investment administrator as the employee's account contribution.

2. Except as provided in subd. 3., a participating employer shall increase the payroll deduction rate under subd. 1. by 1 percent per year until a maximum payroll deduction rate of 10 percent is reached.

3. An enrolled eligible employee may elect a different payroll deduction rate than that provided for in subds. 1. and 2., except the rate may not be less than 1 percent nor more than 10 percent.

(6) RECORD-KEEPING REQUIREMENTS. (a) Subject to par. (b), the board shall establish the record–keeping requirements for the investment administrator, including the nature and extent of the record–keeping services and performance metrics for measuring compliance with these requirements.

(b) The program shall require the maintenance of separate records and accounting for each account.

(7) ABANDONED ACCOUNTS. (a) An account is considered abandoned if any of the following applies:

1. There has been no account activity for at least 6 months and the account balance is less than $250.

2. There has been no account activity for at least 2 years.

(b) If an account is considered abandoned under par. (a), the investment administrator shall close the account and disburse the account balance to the individual who established the account.

(8) POWERS OF BOARD; DEPARTMENTAL ASSISTANCE; RULES. (a) The board may do any of the following:

1. In establishing the program under this section, create or impose any requirement or condition not inconsistent with this section that the board considers necessary for the effective functioning and widespread utilization of the program.

2. Enter into contracts or other arrangements for any services necessary for establishing and overseeing the program under this section or for otherwise carrying out the purposes of this section, including the services of financial institutions, attorneys, investment advisers, accountants, consultants, and other professionals.

3. Exercise any other powers necessary to establish and oversee the program under this section or otherwise carry out the purposes of this section.

4. Promulgate rules to carry out the purposes of this section.

(b) The department shall provide the board with any assistance necessary to carry out the purposes of this section, including staff, equipment, and office space. The board may delegate to the department responsibility for carrying out any day–to–day board function related to the program under this section.

SECTION 2453. 224.77 (1) (o) of the statutes is amended to read:

224.77 **(1)** (o) In the course of practice as a mortgage banker, mortgage loan originator, or mortgage broker, except in relation to housing designed to meet the

needs of elderly individuals, treat a person unequally solely because of sex, race, color, handicap, sexual orientation, as defined in s. 111.32 (13m), religion, national origin, age, or ancestry, the person's lawful source of income, or the sex, marital status, status as a holder or nonholder of a license under s. 343.03 (3r), or status as a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), of the person maintaining a household.

SECTION 2454. 227.01 (13) (Lw) of the statutes is created to read:

227.01 **(13)** (Lw) Adjusts the minimum wage under s. 104.035 (8m).

SECTION 2455. 227.01 (13) (n) of the statutes is amended to read:

227.01 **(13)** (n) Fixes or approves rates, prices or charges, including an annual average weekly wage calculation under s. 108.05 (1) (am) or a maximum weekly benefit amount under s. 108.05 (1) (cm), unless a statute specifically requires them to be fixed or approved by rule.

SECTION 2456. 227.01 (13) (t) of the statutes is created to read:

227.01 **(13)** (t) Ascertains and determines prevailing wage rates under ss. 66.0903, 103.49, 103.50, and 229.8275, except that any action or inaction which ascertains and determines prevailing wage rates under ss. 66.0903, 103.49, 103.50, and 229.8275 is subject to judicial review under s. 227.40.

SECTION 2457. 227.03 (4) of the statutes is amended to read:

227.03 **(4)** The provisions of this chapter relating to contested cases do not apply to proceedings involving the revocation of ~~community supervision or~~ aftercare supervision under s. 938.357 (5), the revocation of parole, extended supervision, or probation, the grant of probation, prison discipline, mandatory release under s. 302.11, or any other proceeding involving the care and treatment of a resident or an inmate of a correctional institution.

SECTION 2458. 227.10 (2g) of the statutes is repealed.

SECTION 2459. 227.11 (title) of the statutes is amended to read:

227.11 (title) ~~**Agency**~~ **Extent to which chapter confers rule-making authority.**

SECTION 2460. 227.11 (3) of the statutes is repealed.

SECTION 2461. 227.111 (3) of the statutes is created to read:

227.111 **(3)** Subsection (2) does not apply to the state fair park board.

SECTION 2462. 227.13 of the statutes is amended to read:

227.13 Advisory committees and informal consultations. An agency may use informal conferences and consultations to obtain the viewpoint and advice of interested persons with respect to contemplated rule making. An agency may also appoint a committee of experts, interested persons or representatives of the public to advise it with respect to any contemplated rule making. ~~Such a~~ The committee shall have advisory powers only. ~~Whenever an agency appoints a committee under this section, the agency shall submit a list of the members of the committee to the joint committee for review of administrative rules.~~

SECTION 2463. 227.26 (2) (im) of the statutes is repealed.

SECTION 2464. 227.57 (11) of the statutes is amended to read:

227.57 **(11)** Upon review of an agency action or decision affecting a property owner's use of the property owner's property, the court shall accord no deference to the agency's interpretation of law if the agency action or decision restricts the property owner's free use of the property owner's property.

SECTION 2465. 229.425 of the statutes is created to read:

229.425 Creation of a district, city of Superior. (1) PROVISIONS THAT DO NOT APPLY TO CERTAIN DISTRICTS. With regard to any district that is created by the city

of Superior on or after the effective date of this subsection .... [LRB inserts date], the following provisions do not apply:

(a) Section 229.40.

(b) Section 229.50 (1) (a) and (e).

(c) Subchapter IX of ch. 77.

(2) MODIFICATION OF PROVISIONS RELATING TO NEW DISTRICTS. (a) *Definition*. With regard to any district that is created by the city of Superior on or after the effective date of this paragraph .... [LRB inserts date], notwithstanding s. 229.41 (6), "exposition center" means one or more related structures, including fixtures and equipment, owned, operated, or leased by a district and used primarily for conventions, expositions, trade shows, musical or dramatic events, other events involving educational, cultural, or commercial activities, or sporting tournaments and intended to be used by transient tourists and to generate tourism activity including paid overnight stays and purchases at establishments where the taxes under s. 77.98 are imposed.

(b) *Bonding limitations*. 1. The maximum amount of bond proceeds that a district may receive from bonds issued to fund the development and construction of an exposition center is $20,300,000. The district may receive additional proceeds from the bonds to pay issuance or administrative costs related to the bonds, to make deposits in reserve funds related to the bonds, to pay accrued or funded interest on the bonds, and to pay the costs of credit enhancement for the bonds.

2. Notwithstanding the provisions of s. 229.50 (1) (c), the amount of all bonds, other than refunding bonds, that may be secured by all special debt service reserve funds of the district shall not exceed $20,000,000.

(c) *Dissolution of a district*. Notwithstanding the provisions of s. 229.477, subject to providing for the payment of its bonds, including interest on the bonds, and the performance of its other contractual obligations, a district shall be dissolved by the joint action of the district's board of directors and city of Superior.

(3) REFERENDUM REQUIREMENTS. Before an enabling resolution adopted by the city of Superior under s. 229.42 (1) (a) may take effect, it must be approved by a majority of the electors in the city voting on the resolution at a referendum, to be held at the first spring or general election following by at least 70 days the date of adoption of the resolution.

SECTION 2466. 229.46 (1) (ae) of the statutes is created to read:

229.46 **(1)** (ae) "Disability–owned business" means a business certified by the department of administration under s. 16.289 (3).

SECTION 2467. 229.46 (1) (aj) of the statutes is created to read:

229.46 **(1)** (aj) "Lesbian, gay, bisexual, or transgender–owned business" means a business certified by the department of administration under s. 16.288 (3).

SECTION 2468. 229.46 (2) (intro.) of the statutes is amended to read:

229.46 **(2)** (intro.) A person who is awarded a contract by a district shall agree, as a condition to receiving the contract, that at least 25 percent of the employees hired because of the contract will be minority group members, at least 5 percent of the employees hired because of the contract will be women, ~~and~~ at least 1 percent of the employees hired because of the contract will be employees of a disabled veteran–owned business, at least 1 percent of the employees hired because of the contract will be employees of a lesbian, gay, bisexual, or transgender–owned business, and at least 1 percent of the employees hired because of the contract will be employees of a disability–owned business, if any of the following applies:

SECTION 2469. 229.46 (3) (intro.) of the statutes is amended to read:

229.46 **(3)** (intro.) At least 25 percent of the aggregate dollar value of contracts awarded by the district in the following areas shall be awarded to minority businesses, at least 5 percent of the aggregate dollar value of contracts awarded by the district in the following areas shall be awarded to women's businesses, ~~and~~ at least 1 percent of the aggregate dollar value of contracts awarded by the district in the following areas shall be awarded to disabled veteran–owned businesses, at least 1 percent of the aggregate dollar value of contracts awarded by the district in the following areas shall be awarded to lesbian, gay, bisexual, or transgender–owned businesses, and at least 1 percent of the aggregate dollar value of contracts awarded by the district in the following areas shall be awarded to a disability–owned business:

SECTION 2470. 229.46 (8) of the statutes is created to read:

229.46 **(8)** With regard to a district created by the city of Superior, the district shall contract with a local tourism entity, as defined in s. 66.0615 (1) (f), to promote, advertise, and publicize its exposition center, exposition center facilities, and related activities.

SECTION 2471. 229.682 (2) of the statutes is created to read:

229.682 **(2)** PREVAILING WAGE. The construction of a baseball park facility that is financed in whole or in part by a district is subject to s. 66.0903.

SECTION 2472. 229.70 (title) of the statutes is amended to read:

229.70 (title) **Minority contracting goals; disabled veteran-owned business contracting goals; lesbian, gay, bisexual, or transgender-owned business contracting goals; disability-owned business contracting goals.**

SECTION 2473. 229.70 (1) (ae) of the statutes is created to read:

229.70 **(1)** (ae) "Disability–owned business" means a business certified by the department of administration under s. 16.289 (3).

SECTION 2474. 229.70 (1) (aj) of the statutes is created to read:

229.70 **(1)** (aj) "Lesbian, gay, bisexual, or transgender–owned business" means a business certified by the department of administration under s. 16.288 (3).

SECTION 2475. 229.70 (2) of the statutes is amended to read:

229.70 **(2)** The district shall ensure that, for construction work and professional services contracts, a person who is awarded such a contract by a district shall agree, as a condition to receiving the contract, that his or her goal shall be to ensure that at least 25 percent of the employees hired because of the contract will be minority group members, at least 1 percent of the employees hired because of the contract will be employees of a disabled veteran–owned business, at least 1 percent of the employees hired because of the contract will be employees of a lesbian, gay, bisexual, or transgender–owned business, at least 1 percent of the employees hired because of the contract will be employees of a disability–owned business, and at least 5 percent of the employees hired because of the contract will be women if the contract is for the construction of any part of baseball park facilities.

SECTION 2476. 229.70 (3) (intro.) of the statutes is amended to read:

229.70 **(3)** (intro.) It shall be a goal of the district to ensure that at least 25 percent of the aggregate dollar value of contracts awarded by the district in the following areas shall be awarded to minority businesses, at least 1 percent of the aggregate dollar value of contracts awarded by the district in the following areas shall be awarded to disabled veteran–owned businesses, at least 1 percent of the aggregate dollar value of contracts awarded by the district in the following areas shall be awarded to lesbian, gay, bisexual, or transgender–owned businesses, at least

1 percent of the aggregate dollar value of contracts awarded by the district in the following areas shall be awarded to disability–owned businesses, and at least 5 percent of the aggregate dollar value of contracts awarded by the district in the following areas shall be awarded to women's businesses:

SECTION 2477. 229.70 (4) of the statutes is amended to read:

229.70 **(4)** It shall be a goal of a district, with regard to each of the contracts described under sub. (3) (a), (b) and (c), to award at least 25 percent of the dollar value of such contracts to minority businesses, at least 1 percent of the dollar value of such contracts to disabled veteran–owned businesses, at least 1 percent of the dollar value of such contracts to lesbian, gay, bisexual, or transgender–owned businesses, at least 1 percent of the dollar value of such contracts to disability–owned businesses, and at least 5 percent of the dollar value of such contracts to women's businesses.

SECTION 2478. 229.70 (4m) (a) of the statutes is amended to read:

229.70 **(4m)** (a) The district shall ensure that, for construction work and professional services contracts, a person who is awarded such a contract by a district shall agree, as a condition to receiving the contract, that if he or she is unable to meet the goal under sub. (2), he or she shall make a good faith effort to contract with the technical college district board of the technical college district in which the facilities are to be constructed or the professional services contract is to be performed, to develop appropriate training programs designed to increase the pool of minority group members, disabled veterans, lesbian, gay, bisexual, or transgender individuals, individuals with a disability, and women who are qualified to perform the construction work or professional services.

SECTION 2479. 229.70 (4m) (b) of the statutes is amended to read:

229.70 **(4m)** (b) If the district is unable to meet the goals under subs. (3) and (4), the district shall make a good faith effort to contract with the technical college district board of the technical college district in which the contracts described under sub. (3) (a), (b) and (c) are to be performed, to develop appropriate training programs designed to increase the pool of minority group members, disabled veterans, lesbian, gay, bisexual, or transgender individuals, individuals with a disability, and women who are qualified to perform the contracts described under sub. (3) (a), (b) and (c).

SECTION 2480. 229.70 (5) (b) 1. of the statutes is amended to read:

229.70 **(5)** (b) 1. The supply of eligible minority businesses, disabled veteran–owned businesses, lesbian, gay, bisexual, or transgender–owned businesses, disability–owned businesses, and women's businesses that have the financial capacity, technical capacity, and previous experience in the areas in which contracts were awarded.

SECTION 2481. 229.70 (5) (b) 2. of the statutes is amended to read:

229.70 **(5)** (b) 2. The competing demands for the services provided by eligible minority businesses, disabled veteran–owned businesses, lesbian, gay, bisexual, or transgender–owned businesses, disability–owned businesses, and women's businesses, as described in subd. 1., in areas in which contracts were awarded.

SECTION 2482. 229.70 (5) (b) 3. of the statutes is amended to read:

229.70 **(5)** (b) 3. The extent to which the district or contractors advertised for and aggressively solicited bids from eligible minority businesses, disabled veteran–owned businesses, lesbian, gay, bisexual, or transgender–owned businesses, disability–owned businesses, and women's businesses, as described in subd. 1., and the extent to which eligible minority businesses, disabled

veteran–owned businesses, lesbian, gay, bisexual, or transgender–owned businesses, disability–owned businesses, and women's businesses submitted bids.

SECTION 2483. 229.8273 (title) of the statutes is amended to read:

229.8273 (title) **Minority, disabled veteran, lesbian, gay, bisexual, or transgender, disability, and women contracting.**

SECTION 2484. 229.8273 (1) (ak) of the statutes is created to read:

229.8273 **(1)** (ak) "Disability–owned business" means a business certified by the department of administration under s. 16.289 (3).

SECTION 2485. 229.8273 (1) (ar) of the statutes is created to read:

229.8273 **(1)** (ar) "Lesbian, gay, bisexual, or transgender–owned business" means a business certified by the department of administration under s. 16.288 (3).

SECTION 2486. 229.8273 (2) of the statutes is amended to read:

229.8273 **(2)** A district shall ensure that, for construction or renovation work and professional services contracts that relate to the construction or renovation of football stadium facilities that are financed by the proceeds of bonds issued under s. 229.824 (8), a person who is awarded such a contract by the district or by a contractor shall agree, as a condition to receiving the contract, that his or her goal shall be to ensure that at least 15 percent of the employees hired because of the contract will be minority group members, at least 1 percent of the employees hired because of the contract will be employees of a disabled veteran–owned business, at least 1 percent of the employees hired because of the contract will be employees of a lesbian, gay, bisexual, or transgender–owned business, at least 1 percent of the employees hired because of the contract will be employees of a disability–owned business, and at least 5 percent of the employees hired because of the contract will be women.

SECTION 2487. 229.8273 (3) of the statutes is amended to read:

229.8273 **(3)** It shall be a goal of the district to ensure that at least 15 percent of the aggregate dollar value of contracts that relate to the construction or renovation of football stadium facilities that are financed by the proceeds of bonds issued under s. 229.824 (8), shall be awarded to minority businesses, at least 1 percent of the aggregate dollar value of contracts awarded by the board shall be awarded to disabled veteran–owned businesses, at least 1 percent of the aggregate dollar value of contracts awarded by the board shall be awarded to lesbian, gay, bisexual, or transgender–owned businesses, at least 1 percent of the aggregate dollar value of contracts awarded by the board shall be awarded to disability–owned businesses, and at least 5 percent of the aggregate dollar value of contracts awarded by the board shall be awarded to women's businesses.

SECTION 2488. 229.8273 (4) (a) of the statutes is amended to read:

229.8273 **(4)** (a) The district shall ensure that, for construction or renovation work and professional services contracts described under sub. (2), a person who is awarded such a contract by the district or by a contractor shall agree, as a condition to receiving the contract, that if he or she is unable to meet the goal under sub. (2), he or she shall make a good faith effort to contract with the technical college district board of the technical college district in which the football stadium facilities are to be constructed or renovated, or the professional services contract is to be performed, to develop appropriate training programs designed to increase the pool of minority group members, disabled veterans, lesbian, gay, bisexual, or transgender individuals, individuals with a disability, and women who are qualified to perform the construction work or professional services.

SECTION 2489. 229.8273 (4) (b) of the statutes is amended to read:

229.8273 **(4)** (b) If the district is unable to meet the goals under sub. (3), the district shall make a good faith effort to contract with the technical college district board of the technical college district in which the contracts described under sub. (3) are to be performed to develop appropriate training programs designed to increase the pool of minority group members, disabled veterans, lesbian, gay, bisexual, or transgender individuals, individuals with a disability, and women who are qualified to perform the contracts described under sub. (3).

SECTION 2490. 229.8273 (5) (b) 1. of the statutes is amended to read:

229.8273 **(5)** (b) 1. The supply of eligible minority businesses, disabled veteran–owned businesses, lesbian, gay, bisexual, or transgender–owned businesses, disability–owned businesses, and women's businesses that have the financial capacity, technical capacity and previous experience in the areas in which contracts were awarded.

SECTION 2491. 229.8273 (5) (b) 2. of the statutes is amended to read:

229.8273 **(5)** (b) 2. The competing demands for the services provided by eligible minority businesses, disabled veteran–owned businesses, lesbian, gay, bisexual, or transgender–owned businesses, disability–owned businesses, and women's businesses, as described in subd. 1., in areas in which contracts were awarded.

SECTION 2492. 229.8273 (5) (b) 3. of the statutes is amended to read:

229.8273 **(5)** (b) 3. The extent to which the district or contractors advertised for and aggressively solicited bids from eligible minority businesses, disabled veteran–owned businesses, lesbian, gay, bisexual, or transgender–owned businesses, disability–owned businesses, and women's businesses, as described in subd. 1., and the extent to which eligible minority businesses, disabled

veteran–owned businesses, lesbian, gay, bisexual, or transgender–owned businesses, disability–owned businesses, and women's businesses submitted bids.

SECTION 2493. 229.8275 of the statutes is created to read:

229.8275 Prevailing wage. A district may not enter into a contract under s. 229.827 with a professional football team, as described in s. 229.823, or a related party that requires the team or related party to acquire and construct or renovate football stadium facilities that are part of any facilities that are leased by the district to the team or to a related party unless the professional football team or related party agrees to all of the following:

(1) Not to allow any employee working on the football stadium facilities who would be entitled to receive the prevailing wage rate under s. 66.0903 and who would not be required or allowed to work more than the prevailing hours of labor, if the football stadium facilities were a project of public works subject to s. 66.0903, to be paid less than the prevailing wage rate or to be required or allowed to work more than the prevailing hours of labor, except as allowed under s. 66.0903 (4) (a).

(2) To require any contractor, subcontractor, or agent of a contractor or subcontractor performing work on the football stadium facilities to keep and allow inspection of records in the same manner as a contractor, subcontractor, or agent of a contractor or subcontractor performing work on a project of public works that is subject to s. 66.0903 is required to keep and allow inspection of records under s. 66.0903 (10).

(3) To comply with s. 66.0903 in the same manner as a local governmental unit contracting for the erection, construction, remodeling, repairing, or demolition of a project of public works is required to comply with s. 66.0903 and to require any contractor, subcontractor, or agent of a contractor or subcontractor performing work

on the football stadium facilities to comply with s. 66.0903 in the same manner as a contractor, subcontractor, or agent of a contractor or subcontractor performing work on a project of public works that is subject to s. 66.0903 is required to comply with s. 66.0903.

SECTION 2494. 229.845 (title) of the statutes is amended to read:

229.845 (title) **Minority business contracting goals; disabled veteran–owned business contracting goals; lesbian, gay, bisexual, or transgender–owned business contracting goals; disability–owned business contracting goals; women's business contracting goals.**

SECTION 2495. 229.845 (1) (ae) of the statutes is created to read:

229.845 **(1)** (ae) "Disability–owned business" means a business certified by the department of administration under s. 16.289 (3).

SECTION 2496. 229.845 (1) (ak) of the statutes is created to read:

229.845 **(1)** (ak) "Lesbian, gay, bisexual, or transgender–owned business" means a business certified by the department of administration under s. 16.288 (3).

SECTION 2497. 229.845 (2) of the statutes is amended to read:

229.845 **(2)** It shall be a goal of the district, in awarding construction work and professional services contracts related to cultural arts facilities, that at least 15 percent of the aggregate dollar value of such contracts awarded by the district shall be awarded to minority businesses, at least 1 percent of the aggregate dollar value of such contracts awarded by the district shall be awarded to disabled veteran–owned businesses, at least 1 percent of the aggregate dollar value of such contracts awarded by the district shall be awarded to lesbian, gay, bisexual, or transgender–owned businesses, at least 1 percent of the aggregate dollar value of such contracts awarded by the district shall be awarded to disability–owned

businesses, and at least 5 percent of the aggregate dollar value of such contracts awarded by the district shall be awarded to women's businesses, except that if the sponsoring city is a 1st class city, it shall be a goal of the district, in awarding construction work and professional services contracts related to cultural arts facilities, that at least 25 percent of the aggregate dollar value of such contracts awarded by the district shall be awarded to minority businesses, at least 1 percent of the aggregate dollar value of such contracts awarded by the district shall be awarded to disabled veteran–owned businesses, at least 1 percent of the aggregate dollar value of such contracts awarded by the district shall be awarded to lesbian, gay, bisexual, or transgender–owned businesses, at least 1 percent of the aggregate dollar value of such contracts awarded by the district shall be awarded to disability–owned businesses, and at least 5 percent of the aggregate dollar value of such contracts awarded by the district shall be awarded to women's businesses.

SECTION 2498. 230.01 (2) (b) of the statutes is amended to read:

230.01 **(2)** (b) It is the policy of this state to provide for equal employment opportunity by ensuring that all personnel actions including hire, tenure or term, and condition or privilege of employment be based on the ability to perform the duties and responsibilities assigned to the particular position without regard to age, race, creed or religion, color, disability, sex, national origin, ancestry, sexual orientation, gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k), or political affiliation.

SECTION 2499. 230.01 (2) (b) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

230.01 **(2)** (b) It is the policy of this state to provide for equal employment opportunity by ensuring that all personnel actions including hire, tenure or term,

and condition or privilege of employment be based on the ability to perform the duties and responsibilities assigned to the particular position without regard to age, race, creed or religion, color, disability, sex, national origin, ancestry, sexual orientation, gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k), ~~or~~ political affiliation, or status as a holder or nonholder of a license under s. 343.03 (3r).

SECTION 2500. 230.08 (2) (g) of the statutes is amended to read:

230.08 **(2)** (g) One stenographer appointed by each elective executive officer, except the secretary of state and the state treasurer; and one deputy or assistant appointed by each elective executive officer, except the state treasurer, ~~secretary of state,~~ attorney general, and superintendent of public instruction.

SECTION 2501. 230.08 (2) (L) 4. of the statutes is amended to read:

230.08 **(2)** (L) 4. Higher educational aids board~~, created under s. 15.67~~ attached to the department of administration under s. 15.03.

SECTION 2502. 230.08 (2) (ya) of the statutes is created to read:

230.08 **(2)** (ya) The director of the office of environmental justice in the department of administration.

SECTION 2503. 230.08 (2) (yf) of the statutes is created to read:

230.08 **(2)** (yf) The chief resiliency officer in the department of administration.

SECTION 2504. 230.08 (2) (yg) of the statutes is created to read:

230.08 **(2)** (yg) The director of the office of digital transformation in the department of administration.

SECTION 2505. 230.08 (2) (yh) of the statutes is created to read:

230.08 **(2)** (yh) The director of Native American affairs in the department of administration.

SECTION 2506. 230.10 (2) of the statutes is amended to read:

230.10 **(2)** The compensation plan in effect at the time that a representative is recognized or certified to represent employees in a collective bargaining unit and the employee salary and benefit provisions under s. 230.12 (3) (e) in effect at the time that a representative is certified to represent employees in a collective bargaining unit under subch. V of ch. 111 constitute the compensation plan or employee salary and benefit provisions for employees in the collective bargaining unit until a collective bargaining agreement becomes effective for that unit. If a collective bargaining agreement under subch. V of ch. 111 expires prior to the effective date of a subsequent agreement, and a representative continues to be recognized or certified to represent employees specified in s. 111.81 (7) (a) or (ag) or certified to represent employees specified in s. 111.81 (7) (ar) to (f) in that collective bargaining unit, the wage rates of the employees in such a unit shall be frozen until a subsequent agreement becomes effective, and the compensation plan under s. 230.12 and salary and benefit changes adopted under s. 230.12 (3) (e) do not apply to employees in the unit.

SECTION 2507. 230.12 (9m) of the statutes is created to read:

230.12 **(9m)** PAID PARENTAL LEAVE. The administrator shall develop and recommend to the joint committee on employment relations a program, administered by the division, that provides paid parental leave to employees whose compensation is established under this section or s. 20.923 (2) or (3) but does not include employees of the Board of Regents of the University of Wisconsin System. The approval process for the program is the same as that provided under sub. (3) (b), and, if approved, the program shall be incorporated into the compensation plan under sub. (1).

SECTION 2508. 230.18 of the statutes is amended to read:

230.18 Discrimination prohibited. No question in any form of application or in any evaluation used in the hiring process may be so framed as to elicit information concerning the partisan political or religious opinions or affiliations of any applicant nor may any inquiry be made concerning ~~such~~ those opinions or affiliations and all disclosures ~~thereof~~ of those opinions or affiliations shall be discountenanced except that the director may evaluate the competence and impartiality of applicants for positions such as clinical chaplain in a state institutional program. No discriminations may be exercised in the recruitment, application, or hiring process against or in favor of any person because of the person's political or religious opinions or affiliations or because of age, sex, disability, race, color, sexual orientation, gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k), national origin, or ancestry except as otherwise provided.

SECTION 2509. 230.18 of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

230.18 Discrimination prohibited. No question in any form of application or in any evaluation used in the hiring process may be so framed as to elicit information concerning the partisan political or religious opinions or affiliations of any applicant nor may any inquiry be made concerning those opinions or affiliations and all disclosures of those opinions or affiliations shall be discountenanced except that the director may evaluate the competence and impartiality of applicants for positions such as clinical chaplain in a state institutional program. No discriminations may be exercised in the recruitment, application, or hiring process against or in favor of any person because of the person's political or religious opinions

or affiliations or because of age, sex, disability, race, color, sexual orientation, gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k), national origin, ~~or~~ ancestry, or status as a holder or nonholder of a license under s. 343.03 (3r) except as otherwise provided.

SECTION 2510. 230.26 (4) of the statutes is amended to read:

230.26 **(4)** Fringe benefits specifically authorized by statutes, with the exception of leave of absence with pay owing to sickness, deferred compensation plan participation under subch. VII of ch. 40, worker's compensation, unemployment insurance, group insurance, retirement, and social security coverage, shall be denied employees hired under this section. Such employees may not be considered permanent employees and do not qualify for tenure, vacation, paid holidays, ~~sick leave,~~ performance awards, or the right to compete in promotional processes.

SECTION 2511. 230.35 (1) (a) 1. of the statutes is amended to read:

230.35 **(1)** (a) 1. One hundred four hours each year for a full year of service during the first ~~5~~ 2 years of service;

SECTION 2512. 230.35 (1) (a) 1m. of the statutes is created to read:

230.35 **(1)** (a) 1m. One hundred twenty hours each year for a full year of service during the next 3 years of service;

SECTION 2513. 230.35 (1) (c) of the statutes is amended to read:

230.35 **(1)** (c) When the rate of annual leave changes during the 2nd, 5th, 10th, 15th, 20th or 25th calendar year, the annual leave for that year shall be prorated.

SECTION 2514. 230.35 (1m) (bt) 1. of the statutes is amended to read:

230.35 **(1m)** (bt) 1. 120 hours each year for a full year of service during the first ~~5~~ 2 years of service;

SECTION 2515. 230.35 (1m) (bt) 1m. of the statutes is created to read:

230.35 **(1m)** (bt) 1m. 136 hours each year for a full year of service during the next 3 years of service;

SECTION 2516. 230.35 (2) of the statutes is amended to read:

230.35 **(2)** Leave of absence with pay owing to sickness and leave of absence without pay, other than annual leave and leave under s. 103.10, shall be regulated by rules of the administrator, except that unused sick leave shall accumulate from year to year. Employees appointed under s. 230.26 (1) shall accrue leave of absence with pay owing to sickness at the same rate as permanent and project state employees, and such leave shall be prorated if the employee works less than full–time. After July 1, 1973, employees appointed to career executive positions under the program established under s. 230.24 or positions designated in s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e) shall have any unused sick leave credits restored if they are reemployed in a career executive position or in a position under s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e), regardless of the duration of their absence. Restoration of unused sick leave credits if reemployment is to a position other than those specified above shall be in accordance with rules of the administrator.

SECTION 2517. 230.35 (4) (a) 3m. of the statutes is created to read:

230.35 **(4)** (a) 3m. June 19.

SECTION 2518. 230.35 (4) (a) 10. of the statutes is amended to read:

230.35 **(4)** (a) 10. The day following if January 1, June 19, July 4, or December 25 falls on Sunday.

SECTION 2519. 230.35 (4) (c) of the statutes is amended to read:

230.35 **(4)** (c) Except as provided in the compensation plan under s. 230.12, all employees except limited term employees shall receive ~~9~~ 10 paid holidays annually

in addition to any other authorized paid leave, the time to be at the discretion of the appointing authorities.

SECTION 2520. 231.03 (6) (L) of the statutes is created to read:

231.03 **(6)** (L) Finance working capital needs of any participating health institution, participating educational institution, participating nonprofit institution, or participating research institution in an amount not to exceed that approved by the authority. Bonds issued for purposes of the paragraph are not exempt from taxation under s. 71.05 (1) (c) 14., 71.26 (1m) (o), or 71.45 (1t) (n).

SECTION 2521. 231.03 (13) of the statutes is amended to read:

231.03 **(13)** Make loans to any participating health institution, participating educational institution, participating nonprofit institution, or participating research institution for the cost of a project or to finance working capital under sub. (6) (L) in accordance with an agreement between the authority and the participating health institution, participating educational institution, participating nonprofit institution, or participating research institution. The authority may secure the loan by a mortgage or other security arrangement on the health facility, educational facility, nonprofit facility, or research facility granted by the participating health institution, participating educational institution, participating nonprofit institution, or participating research institution to the authority. The loan may not exceed, as applicable, the total cost of the project as determined by the participating health institution, participating educational institution, participating nonprofit institution, or participating research institution and approved by the authority or the amount of working capital approved by the authority under sub. (6) (L).

SECTION 2522. 234.03 (18m) (a) (intro.) of the statutes is amended to read:

234.03 **(18m)** (a) (intro.) From the funds described under sub. (18), to annually invest, directly or through a financial intermediary ~~a total of,~~ not more than $1,000,000 of its general funds in business entities having their principal places of business in this state, including their affiliates, which are independently owned and operated and which employ fewer than ~~25~~ 50 full–time employees or have gross annual sales of less than ~~$2,500,000~~ $5,000,000, to enable those business entities to do any of the following:

SECTION 2523. 234.29 of the statutes is amended to read:

234.29 Equality of occupancy and employment. The authority shall require that occupancy of housing projects assisted under this chapter be open to all regardless of sex, race, religion, sexual orientation, status as a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or creed, and that contractors and subcontractors engaged in the construction of economic development or housing projects, shall provide an equal opportunity for employment, without discrimination as to sex, race, religion, sexual orientation, gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k), or creed.

SECTION 2524. 234.29 of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

234.29 Equality of occupancy and employment. The authority shall require that occupancy of housing projects assisted under this chapter be open to all regardless of sex, race, religion, sexual orientation, status as a holder or nonholder of a license under s. 343.03 (3r), status as a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or creed, and that contractors and subcontractors engaged in the construction of economic development or housing

projects, shall provide an equal opportunity for employment, without discrimination as to sex, race, religion, sexual orientation, gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k), or creed.

SECTION 2525. 234.45 (1) (c) of the statutes is amended to read:

234.45 **(1)** (c) "Credit period" means the period of ~~6~~ 10 taxable years beginning with the taxable year in which a qualified development is placed in service. For purposes of this paragraph, if a qualified development consists of more than one building, the qualified development is placed in service in the taxable year in which the last building of the qualified development is placed in service.

SECTION 2526. 234.45 (1) (e) of the statutes is amended to read:

234.45 **(1)** (e) "Qualified development" means a qualified low–income housing project under section 42 (g) of the Internal Revenue Code that is financed with tax–exempt bonds~~, pursuant to section 42 (i) (2)~~ described in section 42 (h) (4) (A) of the Internal Revenue Code, allocated the credit under section 42 of the Internal Revenue Code, and located in this state; except that the authority may waive, in the qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code, the requirements of tax–exempt bond financing and federal credit allocation to the extent the authority anticipates that sufficient volume cap under section 146 of the Internal Revenue Code will not be available to finance low–income housing projects in any year.

SECTION 2527. 234.45 (4) of the statutes is amended to read:

234.45 **(4)** ALLOCATION LIMITS. In any calendar year, the aggregate amount of all state tax credits for which the authority certifies persons in allocation certificates issued under sub. (3) in that year may not exceed ~~$42,000,000~~ $100,000,000, including all amounts each person is eligible to claim for each year of the credit

period, plus the total amount of all unallocated state tax credits from previous calendar years and plus the total amount of all previously allocated state tax credits that have been revoked or cancelled or otherwise recovered by the authority.

SECTION 2528. 238.07 (1) of the statutes is amended to read:

238.07 **(1)** Annually, by ~~January~~ October 1, the board shall submit to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), a report identifying the economic development projects that the board intends to develop and implement during the current ~~calendar~~ fiscal year.

SECTION 2529. 238.127 (1) (a) of the statutes is repealed.

SECTION 2530. 238.127 (2) (intro.) of the statutes is amended to read:

238.127 **(2)** (intro.) The corporation shall establish and administer a state main street program to coordinate state and local participation ~~in programs offered by~~ in accordance with guidelines of the national main street center~~, created by the national trust for historic preservation,~~. The purpose of the program is to assist municipalities in planning, managing, and implementing programs for the revitalization of ~~business areas. The corporation shall do~~ downtown areas and historic commercial districts, including by doing all of the following:

SECTION 2531. 238.127 (2) (a) of the statutes is repealed.

SECTION 2532. 238.127 (2) (ac) of the statutes is created to read:

238.127 **(2)** (ac) Assisting communities in restoring and retaining the historic character of their downtown areas and historic commercial districts.

SECTION 2533. 238.127 (2) (ag) of the statutes is created to read:

238.127 **(2)** (ag) Promoting business investment, assisting in retaining existing small businesses, and promoting new businesses in downtown areas and historic commercial districts.

SECTION 2534. 238.127 (2) (an) of the statutes is created to read:

238.127 **(2)** (an) Assisting in strengthening the local tax base.

SECTION 2535. 238.127 (2) (ar) of the statutes is created to read:

238.127 **(2)** (ar) Assisting in the creation of employment opportunities in downtown areas and historic commercial districts.

SECTION 2536. 238.127 (2) (aw) of the statutes is created to read:

238.127 **(2)** (aw) Enhancing the economic viability of downtown areas and historic commercial districts.

SECTION 2537. 238.127 (2) (c) of the statutes is repealed.

SECTION 2538. 238.127 (2) (d) of the statutes is repealed.

SECTION 2539. 238.127 (2) (e) of the statutes is renumbered 238.127 (3) and amended to read:

238.127 **(3)** Annually, the corporation shall select, upon application, up to 5 municipalities to participate in the state main street program. ~~The program for each municipality shall conclude after 3 years, except that the program for each municipality selected after July 29, 1995, shall conclude after 5 years. The corporation shall select program participants representing various geographical regions and populations. A municipality may apply to participate, and the corporation may select a municipality for participation, more than one time. In selecting a municipality, however, the corporation may give priority to those municipalities that have not previously participated~~ that are not participating in the program at the time of application.

SECTION 2540. 238.127 (2) (f) of the statutes is repealed.

SECTION 2541. 238.127 (2) (h) of the statutes is renumbered 238.127 (4) and amended to read:

238.127 **(4)** ~~Provide~~ The corporation shall provide training, technical assistance and information on the revitalization of ~~business areas~~ downtown areas and historic commercial districts to municipalities ~~which~~ that do not participate in the state main street program. ~~The corporation may charge reasonable fees for the services and information provided under this paragraph.~~

SECTION 2542. 238.127 (2) (j) of the statutes is repealed.

SECTION 2543. 238.13 (2) (a) 2. (intro.) of the statutes is amended to read:

238.13 **(2)** (a) 2. (intro.) ~~All~~ Unless the corporation determines under its policies and procedures that the case has received sufficient closure from the department of natural resources, all of the following are unknown, cannot be located, or are financially unable to pay the cost of environmental remediation activities:

SECTION 2544. 238.13 (2) (a) 4. of the statutes is created to read:

238.13 (2) (a) 4. The recipient is not the party who caused the environmental contamination that is the basis for the grant request.

SECTION 2545. 238.13 (5) of the statutes is amended to read:

238.13 **(5)** ~~Before the corporation awards~~ When making a grant under this section, the corporation shall ~~consider the recommendations of~~ consult with the department of natural resources.

SECTION 2546. 238.133 (2) (c) of the statutes is amended to read:

238.133 **(2)** (c) ~~The~~ Unless the corporation determines under its policies and procedures that the case has received sufficient closure from the department of natural resources, the corporation may only award grants under this section if the person that caused the environmental contamination that is the basis for the grant request is unknown, cannot be located or is financially unable to pay the cost of the eligible activities.

SECTION 2547. 238.137 of the statutes is created to read:

238.137 Pandemic recovery. The corporation shall aid in the state's economic recovery from the COVID–19 global pandemic by providing financial assistance to small businesses adversely affected by the pandemic, including for the retention of current employees and the rehiring of former employees. The corporation shall, as necessary, coordinate with the Department of Revenue in the administration of programs under this section.

SECTION 2548. 238.139 of the statutes is created to read:

238.139 Financial assistance for underserved communities. The corporation shall expend $5,000,000 annually to provide grants, loans, and other assistance to underserved communities in this state, including members of minority groups, woman–owned businesses, and individuals and businesses in rural areas.

SECTION 2549. 238.145 of the statutes is created to read:

238.145 Venture capital fund of funds program. (1) DEFINITIONS. In this section:

(a) "Investment manager" means the person with whom the oversight board enters into a contract under sub. (4).

(b) "Oversight board" means the oversight board created under sub. (2) (c).

(2) ESTABLISHMENT OF PROGRAM. The corporation shall establish and administer a fund of funds program to invest moneys in venture capital funds that invest in businesses located in this state, subject to the requirements of this section. In establishing the program, the corporation shall do all of the following:

(a) Create a fund of funds.

(b) Provide that the fund of funds will continuously reinvest its assets.

(c) Create an oversight board to conduct any activity as required by this section or as directed by the corporation.

(3) INVESTMENTS IN VENTURE CAPITAL FUNDS. (a) The investment manager shall request from the corporation monies to make investments through the program established under sub. (2) and to pay the investment manager's management fee, and the corporation shall, subject to the approval of the secretary of the department of administration, pay the monies to the investment manager from the appropriation under s. 20.192 (1) (c).

(b) The oversight board shall establish investment policies for the program established under sub. (2), subject to all of the following conditions:

1. All moneys paid to the investment manager under par. (a) to make investments shall be committed for investment to venture capital funds, subject to the requirements of this section, no later than 60 months after the creation of the fund of funds under sub. (2) (a).

2. No more than $25,000,000 of the total moneys paid to the investment manager under par. (a) to make investments may be invested in any single venture capital fund.

3. At least 20 percent of the investments made through the program shall be directed to any combination of the following:

a. Businesses located in parts of this state that typically do not receive significant investment from venture capital funds.

b. Businesses that are at least 51 percent owned by one or more members of a racial minority group and the management and daily business operations of which are controlled by one or more members of a racial minority group.

c. Businesses that are at least 51 percent owned by one or more women and the management and daily business operations of which are controlled by one or more women.

(c) No investment may be made through the program in a lobbying or law firm.

(4) INVESTMENT MANAGER. The oversight board shall contract with an investment manager who meets the qualifications established by the corporation. The contract shall establish the investment manager's compensation, including any management fee. A management fee may not annually exceed 1 percent of the total assets under management in the program established under sub. (2).

(5) VENTURE CAPITAL FUND REQUIREMENTS. The investment manager shall contract with each venture capital fund that receives moneys through the program established under sub. (2). Each contract shall require the venture capital fund to do all of the following:

(a) Make new investments in an amount equal to the amount of moneys it receives through the program in one or more businesses who are headquartered in this state and whose operations are primarily in this state.

(b) At least match any moneys it receives through the program and invests in a business described in par. (a) with an investment in that business of moneys the venture capital fund has raised from sources other than the program. The investment manager shall ensure that, on average, for every $1 a venture capital fund receives through the program and invests in a business described in par. (a), the venture capital fund invests $2 in that business from sources other than the program.

(c) Provide to the investment manager the information necessary for the investment manager to complete the reports under sub. (6) (a) and (c).

(6) REPORTS OF THE INVESTMENT MANAGER; PUBLIC DISCLOSURES. (a) Annually, no later than 120 days after the end of the investment manager's fiscal year, the investment manager shall submit to the corporation a report for that fiscal year that includes all of the following:

1. An audit of the investment manager's financial statements performed by an independent certified public accountant.

2. The investment manager's internal rate of return from investments made through the program established under sub. (2).

3. For each venture capital fund that contracts with the investment manager under sub. (5), all of the following:

a. The name and address of the venture capital fund.

b. The amounts invested in the venture capital fund through the program established under sub. (2).

c. An accounting of any fee the venture capital fund paid to itself or any principal or manager of the venture capital fund.

d. The venture capital fund's average internal rate of return on its investments of the moneys it received through the program established under sub. (2).

4. For each business in which a venture capital fund held an investment of moneys received through the program established under sub. (2), all of the following:

a. The name and address of the business.

b. A description of the nature of the business.

c. The identification of the venture capital fund.

d. The amount of the investment and the amount invested by the venture capital fund from funding sources other than the program.

e. The internal rate of return realized by the venture capital fund upon the venture capital fund's exit from the investment in the business.

f. A statement of the number of employees the business employed when the venture capital fund first invested moneys received through the program and the number of employees the business employed on the first day and last day of the investment manager's fiscal year.

(b) No later than 10 days after it receives the investment manager's report under par. (a), the corporation shall submit the report to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2).

(c) Quarterly, the investment manager shall submit to the oversight board a report for the preceding quarter that includes all of the following:

1. An identification of each venture capital fund under contract with the investment manager under sub. (5).

2. An identification of each business in which a venture capital fund held an investment of moneys received through the program established under sub. (2) and a statement of the amount of the investment in each business.

3. A statement of the number of employees the business employed when the venture capital fund first invested moneys received through the program established under sub. (2) and the number of employees the business employed on the last day of the quarter.

(d) The oversight board shall make the reports under par. (c) readily accessible to the public on the corporation's Internet site.

(7) POLICIES AND PROCEDURES. The corporation shall establish policies and procedures to administer this section.

SECTION 2550. 238.29 of the statutes is created to read:

238.29 Tribal economic development. The corporation shall establish and administer economic development programs to promote small business economic development benefitting American Indian tribes or bands in this state.

SECTION 2551. 238.30 (2m) (a) of the statutes is amended to read:

238.30 **(2m)** (a) Except as provided in par. (b) and s. 238.308 (1) (b), "full–time job" means a regular, nonseasonal full–time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays, and for which the individual receives pay that is equal to at least 150 percent of the federal minimum wage and benefits that are not required by federal or state law. "Full–time job" does not include initial training before an employment position begins.

SECTION 2552. 238.306 (3) of the statutes is repealed.

SECTION 2553. 238.308 (1) of the statutes is renumbered 238.308 (1) (intro.) and amended to read:

238.308 **(1)** ~~DEFINITION~~ DEFINITIONS. (intro.) In this section~~,~~:

(a) "~~eligible~~ Eligible employee" means a person employed in a full–time job by a person certified under sub. (2).

SECTION 2554. 238.308 (1) (b) of the statutes is created to read:

238.308 **(1)** (b) 1. Except as provided in subd. 2., "full–time job" has the meaning given in s. 238.30 (2m).

2. a. For contracts executed by the corporation under this section after December 31, 2021, "full–time job" means, except as provided in subd. 2. b., a regular, nonseasonal full–time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays, and for which the individual receives pay that is equal to at least $27,900 and

benefits that are not required by federal or state law. "Full–time job" does not include initial training before an employment position begins.

b. The corporation may grant exceptions to the requirement under subd. 2. a. that a full–time job means a position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year if the annual pay for the position exceeds $27,900 and an individual in the position is offered retirement, health, and other benefits that are equivalent to the retirement, health, and other benefits offered to an individual who is required to work at least 2,080 hours per year.

SECTION 2555. 238.308 (4) (a) 1. of the statutes is amended to read:

238.308 **(4)** (a) 1. An amount equal to up to 10 percent of the amount of wages that the person paid to an eligible employee in the taxable year. For contracts executed by the corporation after December 31, 2021, the amount of wages taken into account under this subdivision may not exceed $123,000 per eligible employee per year. Beginning on January 1, 2023, the dollar amount under this subdivision shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the year before the previous year, as determined by the federal department of labor. Each amount that is revised under this subdivision shall be rounded to the nearest multiple of $10 if the revised amount is not a multiple of $10 or, if the revised amount is a multiple of $5, such an amount shall be increased to the next higher multiple of $10.

SECTION 2556. 238.308 (4) (a) 3. of the statutes is amended to read:

238.308 **(4)** (a) 3. An amount equal to up to 50 percent of the person's training costs incurred to undertake activities to ~~enhance an eligible employee's general~~

~~knowledge, employability, and flexibility in the workplace; to develop skills unique to the person's workplace or equipment; or to develop skills that will increase the quality of the person's product~~ upgrade or improve the job–related skills of an eligible employee, train an eligible employee on the use of job–related new technologies, or provide job–related training to an eligible employee whose employment with the person represents the employee's first full–time job.

SECTION 2557. 238.308 (4) (a) 5. of the statutes is amended to read:

238.308 **(4)** (a) 5. An amount, as determined by the corporation, equal to a percentage of the amount of wages that the person paid to an eligible employee in the taxable year, if the position in which the eligible employee was employed was created or retained in connection with the person's location or retention of the person's corporate headquarters in Wisconsin ~~and the job duties associated with the eligible employee's position involve the performance of corporate headquarters functions~~.

SECTION 2558. 238.308 (4) (a) 6. of the statutes is created to read:

238.308 **(4)** (a) 6. An amount equal to up to 25 percent of the person's energy efficiency or renewable energy project expenditures on real or personal property located in this state. When making an award under this subdivision, the corporation shall ensure that the percentage of expenditures taken into account positively correlates to the scale of the project.

SECTION 2559. 238.399 (1) (am) 2. a. of the statutes is amended to read:

238.399 **(1)** (am) 2. a. ~~The~~ For contracts executed by the corporation under this section prior to January 1, 2022, the individual is employed in a job for which the annual pay is more than the amount determined by multiplying 2,080 by 150 percent of the federal minimum wage.

SECTION 2560. 238.399 (1) (am) 2. c. of the statutes is created to read:

238.399 **(1)** (am) 2. c. For contracts executed by the corporation under this section after December 31, 2021, the individual is employed in a job for which the annual pay is more than $27,900 in a tier I county or municipality or more than $37,000 in a tier II county or municipality.

SECTION 2561. 238.399 (3) (a) of the statutes is amended to read:

238.399 **(3)** (a) The corporation may designate ~~any number of~~ no more than 30 enterprise zones in this state.

SECTION 2562. 238.399 (3) (am) of the statutes is repealed.

SECTION 2563. 238.399 (3) (e) of the statutes is created to read:

238.399 **(3)** (e) If the corporation revokes all certifications for tax benefits within a designated enterprise zone under par. (a), the corporation may cancel the designation of that enterprise zone. After canceling the designation of an enterprise zone, the corporation may designate a new enterprise zone under par. (a) subject to the limits of this subsection.

SECTION 2564. 238.399 (4) (title) of the statutes is amended to read:

238.399 **(4)** (title) TIME LIMITS~~; REPORTING~~.

SECTION 2565. 238.399 (4) (b) of the statutes is amended to read:

238.399 **(4)** (b) If an enterprise zone designation expires under par. (a) or under the contract with a business certified under sub. (5), the corporation may designate a new enterprise zone under par. (a) subject to the limits of sub. (3).

SECTION 2566. 238.399 (6) (h) of the statutes is created to read:

238.399 **(6)** (h) Beginning on January 1, 2023, the dollar amount in sub. (1) (am) 2. c. shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for

all urban consumers, U.S. city average, for the month of August of the year before the previous year, as determined by the federal department of labor. Each amount that is revised under this paragraph shall be rounded to the nearest multiple of $10 if the revised amount is not a multiple of $10 or, if the revised amount is a multiple of $5, such an amount shall be increased to the next higher multiple of $10.

SECTION 2567. 250.04 (3) (a) of the statutes is amended to read:

250.04 **(3)** (a) The department shall establish and maintain surveillance activities sufficient to detect any occurrence of acute, communicable, or chronic diseases and threat of occupational or environmental hazards, injuries, or changes in the health of ~~mothers~~ parents and children.

SECTION 2568. 250.15 (1) of the statutes is renumbered 250.15 (1) (intro.) and amended to read:

250.15 **(1)** ~~DEFINITION~~ DEFINITIONS. (intro.) In this section~~, "community:~~

(a) "Community health center" means a health care entity that provides primary health care, health education and social services to low–income individuals.

SECTION 2569. 250.15 (1) (b) of the statutes is created to read:

250.15 **(1)** (b) "Free and charitable clinics" means health care organizations that use a volunteer and staff model to provide health services to uninsured, underinsured, underserved, economically and socially disadvantaged, and vulnerable populations and that meet all of the following criteria:

1. The organizations are nonprofit and tax exempt or are a part of a larger nonprofit, tax–exempt organization.

2. The organizations are located in this state or serve residents in this state.

3. The organizations restrict eligibility to receive services to individuals who are uninsured, underinsured, or have limited or no access to primary, specialty, or prescription care.

4. The organizations provide one or more of the following services:

a. Medical care.

b. Mental health care.

c. Dental care.

d. Prescription medications.

5. The organizations use volunteer health care professionals, nonclinical volunteers, and partnerships with other health care providers to provide the services under subd. 4.

6. The organizations are not federally–qualified health centers as defined in 42 USC 1396d (l) (2) and do not receive reimbursement from the federal centers for medicare and medicaid services under a federally–qualified health center payment methodology.

SECTION 2570. 250.15 (2) (d) of the statutes is created to read:

250.15 **(2)** (d) To free and charitable clinics, $2,500,000.

SECTION 2571. 250.20 (7) of the statutes is created to read:

250.20 **(7)** BLACK WOMEN'S HEALTH GRANTS. From the appropriation under s. 20.435 (1) (cr), the department shall annually award grants in the total amount of $1,750,000 to community–serving organizations that are led by Black women that improve Black women's health in Dane, Milwaukee, Rock, and Kenosha Counties.

SECTION 2572. 250.20 (8) of the statutes is created to read:

250.20 **(8)** INFANT AND MATERNAL MORTALITY GRANTS. From the appropriation under s. 20.435 (1) (cr), the department shall annually award grants in the total

amount of $1,750,000 to organizations that work to reduce racial disparities related to infant and maternal mortality.

SECTION 2573. 250.22 of the statutes is created to read:

250.22 Health equity grants. (1) From the appropriations under s. 20.435 (1) (cv) and (r), the department shall award grants to community organizations to implement community health worker care models.

(2) From the appropriations under s. 20.435 (1) (cv) and (r), the department shall award grants to community organizations and local or tribal health departments to hire health equity strategists and to implement health equity action plans.

SECTION 2574. 251.05 (3) (c) of the statutes is amended to read:

251.05 **(3)** (c) Involve key policymakers and the general public in determining and developing a community health improvement plan that includes actions to implement the services and functions specified under s. 250.03 (1) (L). The plan under this paragraph shall include consideration of the effects of climate change on community health and consideration of the policies, plans, and programs that may assist in mitigating community health problems and health hazards.

SECTION 2575. 252.14 (1) (ar) 3. of the statutes is amended to read:

252.14 **(1)** (ar) 3. A dentist or dental therapist licensed under ch. 447.

SECTION 2576. 253.07 (1) (a) 3. of the statutes is created to read:

253.07 **(1)** (a) 3. Pregnancy termination.

SECTION 2577. 253.07 (1) (b) 3. of the statutes is created to read:

253.07 **(1)** (b) 3. Pregnancy termination.

SECTION 2578. 253.07 (5) (b) (intro.) of the statutes is renumbered 253.07 (5) (b) and amended to read:

253.07 **(5)** (b) ~~Subject to par. (c), a~~ A public entity that receives women's health funds under this section may provide some or all of the funds to other public or private entities ~~provided that the recipient of the funds does not do any of the following:~~.

SECTION 2579. 253.07 (5) (b) 1. to 3. of the statutes are repealed.

SECTION 2580. 253.07 (5) (c) of the statutes is repealed.

SECTION 2581. 253.075 of the statutes is repealed.

SECTION 2582. 254.151 (1m) (g) of the statutes is amended to read:

254.151 **(1m)** (g) In each fiscal year, ~~$125,000~~ $175,000 to fund lead screening and outreach activities at a community–based human service agency that provides primary health care, health education and social services to low–income individuals in 1st class cities.

SECTION 2583. Subchapter IX (title) of chapter 254 [precedes 254.911] of the statutes is amended to read:

CHAPTER 254

SUBCHAPTER IX

SALE OR GIFT OF CIGARETTES,

NICOTINE PRODUCTS, VAPOR

PRODUCTS, OR TOBACCO

PRODUCTS TO MINORS

SECTION 2584. 254.911 (11) of the statutes is created to read:

254.911 **(11)** "Vapor product" has the meaning given in s. 139.75 (14).

SECTION 2585. 254.916 (2) (intro.) of the statutes is amended to read:

254.916 **(2)** (intro.) ~~With the permission of his or her parent or guardian, a~~ A person under ~~18~~ 21 years of age, but not under 15 years of age, may buy, attempt to

buy, or possess any cigarette, nicotine product, ~~or~~ tobacco product, or vapor product if all of the following are true:

SECTION 2586. 254.916 (2) (d) of the statutes is created to read:

254.916 **(2)** (d) If the person is under 18 years of age, he or she has obtained permission from his or her parent or guardian to participate in the investigation.

SECTION 2587. 254.916 (3) (a), (b), (c) and (d) of the statutes are amended to read:

254.916 **(3)** (a) If questioned about his or her age during the course of an investigation, the ~~minor~~ person under 21 years of age shall state his or her true age.

(b) A ~~minor~~ person under 21 years of age may not be used for the purposes of an investigation at a retail outlet at which the ~~minor~~ person is a regular customer.

(c) The appearance of a ~~minor~~ person under 21 years of age may not be materially altered so as to indicate greater age.

(d) A photograph or videotape of the ~~minor~~ person under 21 years of age shall be made before or after the investigation or series of investigations on the day of the investigation or series of investigations. If a prosecution results from an investigation, the photograph or videotape shall be retained until the final disposition of the case.

SECTION 2588. 254.916 (3) (f) 2. of the statutes is amended to read:

254.916 **(3)** (f) 2. The age of the ~~minor~~ person under 21 years of age.

SECTION 2589. 254.916 (11) of the statutes is amended to read:

254.916 **(11)** A person conducting an investigation under this section may not have a financial interest in a regulated cigarette and tobacco product retailer, a vapor product retailer, a tobacco vending machine operator, a tobacco vending machine premises, or a tobacco vending machine that may interfere with his or her ability to

properly conduct that investigation. A person who is investigated under this section may request the local health department or local law enforcement agency that contracted for the investigation to conduct a review under ch. 68 to determine whether the person conducting the investigation is in compliance with this subsection or, if applicable, may request the state agency or state law enforcement agency that contracted for the investigation to conduct a contested case hearing under ch. 227 to make that determination. The results of an investigation that is conducted by a person who is not in compliance with this subsection may not be used to prosecute a violation of s. 134.66 (2) (a) or (am) or a local ordinance adopted under s. 134.66 (5).

SECTION 2590. 254.92 (title) of the statutes is amended to read:

254.92 (title) **Purchase or possession of cigarettes ~~or~~, tobacco products, nicotine products, or vapor products by person under ~~18~~ 21 prohibited.**

SECTION 2591. 254.92 (1) of the statutes is amended to read:

254.92 **(1)** No person under ~~18~~ 21 years of age may falsely represent his or her age for the purpose of receiving any cigarette, nicotine product, ~~or~~ tobacco product, or vapor product.

SECTION 2592. 254.92 (2) of the statutes is amended to read:

254.92 **(2)** No person under ~~18~~ 21 years of age may purchase, attempt to purchase, or possess any cigarette, nicotine product, ~~or~~ tobacco product, or vapor product except as follows:

(a) A person under ~~18~~ 21 years of age may purchase or possess cigarettes, nicotine products, ~~or~~ tobacco products, or vapor products for the sole purpose of resale in the course of employment during his or her working hours if employed by a retailer.

(b) A person under ~~18~~ 21 years of age, but not under 15 years of age, may purchase, attempt to purchase or possess cigarettes, nicotine products, ~~or~~ tobacco products, or vapor products in the course of his or her participation in an investigation under s. 254.916 that is conducted in accordance with s. 254.916 (3).

SECTION 2593. 254.92 (2m) (intro.) of the statutes is amended to read:

254.92 **(2m)** (intro.) No person may purchase cigarettes, tobacco products, ~~or~~ nicotine products, or vapor products on behalf of, or to provide to, any person who is under ~~18~~ 21 years of age. Any person who violates this subsection may be:

SECTION 2594. 254.92 (3) of the statutes is amended to read:

254.92 **(3)** A law enforcement officer shall seize any cigarette, nicotine product, ~~or~~ tobacco product, or vapor product that has been sold to and is in the possession of a person under ~~18~~ 21 years of age.

SECTION 2595. 255.056 (2g) of the statutes is created to read:

255.056 **(2g)** The department may partner with out–of–state drug repository programs. The department may authorize a medical facility or pharmacy that elects to participate in the drug repository program to receive drugs or supplies from out of state, and the department may authorize an out–of–state entity that participates in a partner out–of–state drug repository program to receive drugs or supplies from Wisconsin.

SECTION 2596. 255.15 (3) (d) of the statutes is created to read:

255.15 **(3)** (d) From the appropriation under s. 20.435 (1) (fm), the department may develop and implement a public health campaign aimed at the prevention of initiation of tobacco and vapor product use and may award grants for local and regional organizations working on youth vaping and providing cessation services.

SECTION 2597. 255.15 (4) of the statutes is amended to read:

255.15 **(4)** REPORTS. Not later than April 15, ~~2002~~ 2022, and annually thereafter, the department shall submit to the governor and to the chief clerk of each house of the legislature for distribution under s. 13.172 (2) a report that evaluates the success of the ~~grant program~~ programs under sub. (3). The report shall specify the number of grants awarded during the immediately preceding fiscal year and the purpose for which each grant was made. The report shall also specify donations and grants accepted by the department under sub. (5).

SECTION 2598. 255.45 of the statutes is created to read:

255.45 Spinal cord injury research grants and symposia. (1) DEFINITIONS. In this section:

(a) "Council" means the spinal cord injury council.

(b) "Grant program" means the program established under sub. (2).

(2) GRANT PROGRAM. The department shall establish a program to award grants to persons in this state for research into spinal cord injuries. The purpose of the grants is to support research into new and innovative treatments and rehabilitative efforts for the functional improvement of people with spinal cord injuries, and research topics may include pharmaceutical, medical device, brain stimulus, and rehabilitative approaches and techniques. Grant recipients shall agree to present their research findings at symposia held by the department under sub. (3).

(3) SYMPOSIA. The department may hold symposia every 2 years for recipients of grants under the grant program to present findings of research supported by the grants.

(4) GRANT REPORTS. By January 15 of each year, the department shall submit an annual report to the appropriate standing committees of the legislature under s.

13.172 (3) that identifies the recipients of grants under the grant program and the purposes for which the grants were used.

(5) COUNCIL. (a) The council shall do all of the following:

1. Develop criteria for the department to evaluate and award grants under the grant program.

2. Review and make recommendations to the department on applications submitted under the grant program.

3. Perform other duties specified by the department.

(b) Each member of the council shall disclose in a written statement any financial interest in any organization that the council recommends to receive a grant under the grant program. The council shall include the written statements with its recommendations to the department on grant applications.

SECTION 2599. 256.35 (3s) (bm) (title) of the statutes is amended to read:

256.35 **(3s)** (bm) (title) *Competitive grant program* *for public safety answering points*.

SECTION 2600. 256.35 (3s) (br) of the statutes is created to read:

256.35 **(3s)** (br) *Competitive grant program for geographic information systems.* 1. The department shall award grants to counties for the purposes identified under subd. 2 using the criteria in subd. 3. The department shall coordinate with the division within the department of administration that administers the land information program under s. 16.967 to administer the grant program.

2. Grants under subd. 1. shall be issued based on the purposes recommended by the 911 subcommittee under par. (d) 4m. Grant purposes may include data preparation, data gathering, data creation, geographic information system staffing,

data preparation and collection contracts, and training, if these purposes enable Next Generation 911. Grant purposes may not include general county overhead, or costs for providing emergency services or emergency services equipment.

3. The department shall develop a policy setting forth eligibility criteria for grants under subd. 1. based on the recommendations of the 911 subcommittee under par. (d) 4m.

4. The department may not award more than one grant under subd. 1. per county per fiscal year.

SECTION 2601. 256.35 (3s) (br) of the statutes, as created by 2021 Wisconsin Act .... (this act), is repealed.

SECTION 2602. 256.35 (3s) (d) 4m. of the statutes is created to read:

256.35 **(3s)** (d) 4m. Advise the department or other state agency on awarding geographic information systems grants under par. (br), including advising on appropriate grant purposes and eligibility criteria for the grants.

SECTION 2603. 256.35 (3s) (d) 4m. of the statutes, as created by 2021 Wisconsin Act .... (this act), is repealed.

SECTION 2604. 257.01 (5) (a) of the statutes is amended to read:

257.01 **(5)** (a) An individual who is licensed as a physician, a physician assistant, or a podiatrist under ch. 448, licensed as a registered nurse, licensed practical nurse, or nurse–midwife under ch. 441, licensed as a dentist <u>or dental therapist</u> under ch. 447, licensed as a pharmacist under ch. 450, licensed as a veterinarian or certified as a veterinary technician under ch. 89, or certified as a respiratory care practitioner under ch. 448.

SECTION 2605. 257.01 (5) (b) of the statutes is amended to read:

257.01 **(5)** (b) An individual who was at any time within the previous 10 years, but is not currently, licensed as a physician, a physician assistant, or a podiatrist under ch. 448, licensed as a registered nurse, licensed practical nurse or nurse–midwife, under ch. 441, licensed as a dentist or dental therapist under ch. 447, licensed as a pharmacist under ch. 450, licensed as a veterinarian or certified as a veterinary technician under ch. 89, or certified as a respiratory care practitioner under ch. 448, if the individual's license or certification was never revoked, limited, suspended, or denied renewal.

SECTION 2606. 281.17 (8) (c) of the statutes is created to read:

281.17 **(8)** (c) If the department of health services recommends an enforcement standard for a perfluoroalkyl or polyfluoroalkyl substance or a group or class of such substances under s. 160.07, the department shall apply the standard as an interim maximum contaminant level for public water systems, water suppliers, and laboratories certified to analyze drinking water, in accordance with rules promulgated by the department, unless emergency or permanent rules that establish maximum contaminant levels for that substance are in effect.

SECTION 2607. 281.34 (3) (a) of the statutes is amended to read:

281.34 **(3)** (a) An owner shall notify the department of the location of a well that is not a high capacity well before construction of the well begins. An owner notifying the department under this subsection shall pay a fee of ~~$50~~ $70.

SECTION 2608. 281.34 (5e) of the statutes is created to read:

281.34 **(5e)** WELL CONSTRUCTION VARIANCES. The department shall collect a fee of $100 from an owner requesting a variance from the requirements of well construction rules promulgated by the department.

SECTION 2609. 281.57 (7) (c) 1. of the statutes, as affected by 2017 Wisconsin Act 59, is amended to read:

281.57 **(7)** (c) 1. Metropolitan sewerage districts that serve 1st class cities are limited in each fiscal year to receiving total grant awards not to exceed 33 percent of the sum of the amounts in the schedule for that fiscal year for the appropriation under s. 20.165 (2) (kf) and the amount authorized under sub. (10) for that fiscal year plus the unencumbered balance at the end of the preceding fiscal year for the amount authorized under sub. (10). This subdivision is not applicable to grant awards provided during fiscal years 1985–86, 1986–87, 1988–89 and 1989–90.

SECTION 2610. 281.58 (8m) of the statutes is repealed.

SECTION 2611. 281.58 (9) (a) of the statutes is amended to read:

281.58 **(9)** (a) After the department approves a municipality's facility plan submitted under sub. (8s), the municipality shall submit an application for participation to the department. The application shall be in such form and include such information as the department and the department of administration prescribe and shall include design plans and specifications. The department shall review applications for participation in the clean water fund program. The department shall determine which applications meet the eligibility requirements and criteria under subs. (6), (7), (8), ~~(8m)~~ and (13).

SECTION 2612. 281.58 (9m) (a) 1. of the statutes is amended to read:

281.58 **(9m)** (a) 1. The department determines that the project meets the eligibility requirements and criteria under subs. (7), (8), ~~(8m)~~ and (8s).

SECTION 2613. 281.59 (1) (as) of the statutes is repealed.

SECTION 2614. 281.59 (2) (a) of the statutes is amended to read:

281.59 **(2)** (a) Administer its responsibilities under this section and ss. 281.58~~,~~ ~~281.60~~ and 281.61 and s. 281.60, 2019 stats.

SECTION 2615. 281.59 (2) (b) of the statutes is amended to read:

281.59 **(2)** (b) Cooperate with the department in administering the clean water fund program~~,~~ and the safe drinking water loan program ~~and the land recycling loan program~~ and in servicing any outstanding loans made under s. 281.60, 2019 stats.

SECTION 2616. 281.59 (3) (a) 1. of the statutes is amended to read:

281.59 **(3)** (a) 1. An estimate of the wastewater treatment~~,~~ and safe drinking water ~~and land recycling~~ project needs of the state for the 4 fiscal years of the next 2 biennia.

SECTION 2617. 281.59 (3) (a) 5. of the statutes is amended to read:

281.59 **(3)** (a) 5. The most recent available audited financial statements of the past operations and activities of the clean water fund program~~,~~ and the safe drinking water loan program ~~and the land recycling loan program~~, the estimated environmental improvement fund capital available in each of the next 4 fiscal years for the clean water fund program and the safe drinking water loan program, and the projected environmental improvement fund balance for the clean water fund program and the safe drinking water loan program for each of the next 20 years given existing obligations and financial conditions.

SECTION 2618. 281.59 (3) (j) of the statutes is amended to read:

281.59 **(3)** (j) No later than November 1 of each odd–numbered year, the department of administration and the department jointly shall submit a report, to the building commission and committees as required under par. (bm), on the operations and activities of the clean water fund program~~,~~ and the safe drinking water loan program ~~and the land recycling loan program~~ for the previous biennium.

SECTION 2619. 281.59 (4) (f) of the statutes is amended to read:

281.59 **(4)** (f) Revenue obligations may be contracted by the building commission when it reasonably appears to the building commission that all obligations incurred under this subsection, and all payments under an agreement or ancillary arrangement entered into under s. 18.55 (6) with respect to revenue obligations issued under this subsection, can be fully paid on a timely basis from moneys received or anticipated to be received. Revenue obligations issued under this subsection for the clean water fund program and safe drinking water loan program shall not exceed ~~$2,526,700,000~~ $2,911,700,000 in principal amount, excluding obligations issued to refund outstanding revenue obligation notes.

SECTION 2620. 281.59 (9) (a) of the statutes is repealed.

SECTION 2621. 281.59 (9) (am) of the statutes is amended to read:

281.59 **(9)** (am) The department of administration, in consultation with the department, may establish those terms and conditions of a financial assistance agreement that relate to its financial management, including what type of municipal obligation, as set forth under sub. (13f), if applicable, is required for the repayment of the financial assistance. Any terms and conditions established under this paragraph by the department of administration shall comply with the requirements of this section and s. 281.58~~, 281.60~~ or 281.61. In setting the terms and conditions, the department of administration may consider factors that the department of administration finds are relevant, including the type of obligation evidencing the loan, the pledge of security for the obligation and the applicant's creditworthiness.

SECTION 2622. 281.59 (9) (b) (intro.) of the statutes is amended to read:

281.59 **(9)** (b) (intro.) As a condition of receiving financial assistance under the clean water fund program~~,~~ or the safe drinking water loan program ~~or the land recycling loan program~~, an applicant shall do all of the following:

SECTION 2623. 281.59 (9) (b) 1. of the statutes is amended to read:

281.59 **(9)** (b) 1. Pledge the security, if any, required by the rules promulgated by the department of administration under this section and s. 281.58~~, 281.60~~ or 281.61.

SECTION 2624. 281.59 (11) (a) of the statutes is amended to read:

281.59 **(11)** (a) The department of natural resources and the department of administration may enter into a financial assistance agreement with an applicant for which the department of administration has allocated financial assistance under s. 281.58 (9m)~~, 281.60 (8)~~ or 281.61 (8) if the applicant meets the conditions under sub. (9) and the other requirements under this section and s. 281.58~~, 281.60~~ or 281.61.

SECTION 2625. 281.59 (11) (b) of the statutes is amended to read:

281.59 **(11)** (b) If a municipality fails to make a principal repayment or interest payment after its due date, the department of administration shall place on file a certified statement of all amounts due under this section and s. 281.58~~, 281.60~~ or 281.61 or s. 281.60, 2019 stats. After consulting the department, the department of administration may collect all amounts due by deducting those amounts from any state payments due the municipality or may add a special charge to the amount of taxes apportioned to and levied upon the county under s. 70.60. If the department of administration collects amounts due, it shall remit those amounts to the fund to which they are due and notify the department of that action.

SECTION 2626. 281.59 (11) (c) of the statutes is amended to read:

281.59 **(11)** (c) The department of administration may retain the last payment under a financial assistance agreement until the department of natural resources and the department of administration determine that the project is completed and meets the applicable requirements of this section and s. 281.58~~, 281.60~~ or 281.61 or s. 281.60, 2019 stats., and that the conditions of the financial assistance agreement are met.

SECTION 2627. 281.59 (13s) of the statutes is amended to read:

281.59 **(13s)** POWERS. The department of administration may audit, or contract for audits of, projects receiving financial assistance under the clean water fund program~~,~~ or the safe drinking water loan program ~~and the land recycling loan program~~ or projects that received loans under s. 281.60, 2019 stats.

SECTION 2628. 281.59 (14) of the statutes is amended to read:

281.59 **(14)** RULES. The department of administration shall promulgate rules that are necessary for the proper execution of this section and of its responsibilities under ss. 281.58~~, 281.60~~ and 281.61 and s. 281.60, 2019 stats.

SECTION 2629. 281.60 of the statutes is repealed.

SECTION 2630. 281.605 of the statutes is created to read:

281.605 Outstanding loans under the former land recycling loan program. Section 281.60 (8m), 2019 stats., s. 281.60 (11), 2019 stats., s. 281.60 (11m), 2019 stats., s. 281.60 (13) (c), 2019 stats., s. 281.60 (13) (d), 2019 stats., s. 281.60 (13) (f), 2019 stats., and s. 281.60 (13) (h), 2019 stats., shall continue to apply to any outstanding loans made under the former land recycling loan program under s. 281.60, 2019 stats.

SECTION 2631. 281.61 (3) of the statutes is repealed.

SECTION 2632. 281.61 (4) of the statutes is amended to read:

281.61 **(4)** ENGINEERING REPORT. ~~A~~ The department may require a local governmental unit or private owner of a community water system that serves a local governmental unit seeking financial assistance for a project under this section ~~shall~~ to submit an engineering report~~, as required by the department by rule~~. If an engineering report is required by the department, the local governmental unit or private owner of a community water system shall submit the engineering report prior to or concurrent with the submission of the application for financial assistance.

SECTION 2633. 281.61 (5) (a) of the statutes is amended to read:

281.61 **(5)** (a) ~~After the department approves an engineering report submitted under sub. (4), the~~ A local governmental unit or private owner of a community water system that serves a local governmental unit shall submit an application for safe drinking water financial assistance and an engineering report, if required, to the department. The ~~applicant~~ department shall ~~submit the application on or before the June 30 preceding the beginning of the fiscal year in which the applicant wishes to receive the financial assistance, except that if funds are available in a fiscal year after funding has been allocated under sub. (8) for all approved applications submitted before the June 30 preceding that fiscal year, the department of administration may allocate funding for approved applications submitted after June 30~~ at least annually provide application submittal instructions to applicants, including a deadline for submitting applications, if any. The application shall be in the form and include the information required by the department and the department of administration and shall include plans and specifications that are approvable by the department under this section. An applicant may not submit more than one application per project per year.

SECTION 2634. 281.61 (8) (b) of the statutes is created to read:

281.61 **(8)** (b) The department of administration shall allocate the amount appropriated under s. 20.320 (2) (a) to projects involving forgivable loans to private users of public water systems to cover not more than 50 percent of the cost to replace lead service lines.

SECTION 2635. 281.61 (10) of the statutes is repealed.

SECTION 2636. 281.75 (1) (b) (intro.), 1. and 2. of the statutes are amended to read:

281.75 **(1)** (b) (intro.) "Contaminated well" or "contaminated private water supply" means a well or private water supply which does any of the following:

1. Produces water containing one or more substances of public health concern in excess of a primary maximum contaminant level promulgated in the national drinking water standards in 40 CFR 141 and 143~~;~~.

2. Produces water containing one or more substances of public health concern in excess of an enforcement standard under ch. 160~~; or.~~

SECTION 2637. 281.75 (1) (b) 4. of the statutes is created to read:

281.75 **(1)** (b) 4. Produces water containing at least 10 parts per billion of arsenic or at least 10 parts per million of nitrate nitrogen.

SECTION 2638. 281.75 (4m) (a) of the statutes is amended to read:

281.75 **(4m)** (a) In order to be eligible for an award under this section, the annual family income of the landowner or lessee of property on which is located a contaminated water supply or a well subject to abandonment may not exceed ~~$65,000~~ $100,000.

SECTION 2639. 281.75 (5) (f) of the statutes is amended to read:

281.75 **(5)** (f) ~~The~~ Except as provided in par. (g), the department shall allocate money for the payment of claims according to the order in which completed claims

are received. The department may conditionally approve a completed claim even if the appropriation under s. 20.370 (6) (cr) is insufficient to pay the claim. The department shall allocate money for the payment of a claim which is conditionally approved as soon as funds become available.

SECTION 2640. 281.75 (5) (g) of the statutes is created to read:

281.75 **(5)** (g) If the appropriation under s. 20.370 (6) (cr) is insufficient to pay claims, the department may, for claims based on nitrate levels, allocate money for the payment of those claims in the following order of priority:

1. Claims based on water containing more than 40 parts per million of nitrate nitrogen.

2. Claims based on water containing more than 30 but not more than 40 parts per million of nitrate nitrogen.

3. Claims based on water containing more than 25 but not more than 30 parts per million of nitrate nitrogen.

4. Claims based on water containing more than 20 but not more than 25 parts per million of nitrate nitrogen.

5. Claims based on water containing more than 10 but not more than 20 parts per million of nitrate nitrogen.

SECTION 2641. 281.75 (7) (a) of the statutes is amended to read:

281.75 **(7)** (a) If the department finds that the claimant meets all the requirements of this section and rules promulgated under this section and that the private water supply is contaminated or that the well is a well subject to abandonment, the department shall issue an award. ~~The~~ Except as provided under par. (am), the award may not pay more than 75 percent of the eligible costs. The award may not pay any portion of eligible costs in excess of $16,000.

SECTION 2642. 281.75 (7) (am) of the statutes is created to read:

281.75 **(7)** (am) An award under this subsection may pay up to 100 percent of the eligible costs if the annual family income of the claimant is below the median family income for the state, as determined by U.S. bureau of the census.

SECTION 2643. 281.75 (7) (b) of the statutes is repealed.

SECTION 2644. 281.75 (9) of the statutes is repealed.

SECTION 2645. 283.31 (8) of the statutes is amended to read:

283.31 **(8)** A person applying for a new permit under this section for a concentrated animal feeding operation shall pay to the department an application fee of $3,270, which shall be credited to the appropriation account under s. 20.370 (9) (ag). The holder of a permit under this section for a concentrated animal feeding operation shall annually pay to the department a fee of ~~$345~~ $545, which shall be credited to the appropriation account under s. 20.370 (9) (ag). The department shall annually submit a report to the joint committee on finance and, under s. 13.172 (3), to the standing committees of the legislature with jurisdiction over agricultural and environmental matters describing the use of the moneys credited to the appropriation account under s. 20.370 (9) (ag) under this subsection and the use of the moneys appropriated under s. 20.370 (9) (ap).

SECTION 2646. 285.27 (2) (bm) of the statutes is created to read:

285.27 **(2)** (bm) *Standards for PFAS.* Emission standards for known perfluoroalkyl or polyfluoroalkyl substances are needed to provide adequate protection for public health and welfare under par. (b). The department shall promulgate emission standards for any known perfluoroalkyl or polyfluoroalkyl substances to provide adequate protection for public health and welfare, taking into

account energy, economic, and environmental impacts and other costs related to the emission source.

SECTION 2647. 287.16 of the statutes is created to read:

287.16 Auxiliary containers. (1) The department may grant a political subdivision, as defined in s. 66.0419 (1) (b), upon application, an exemption from the requirements of s. 66.0419 (2) with regard to a specific type of container if all of the following apply:

(a) The political subdivision describes in the application the type of container to which the proposed exemption would apply.

(b) The political subdivision demonstrates that it cannot sell the type of container at a price that exceeds the recycling processing costs of the container.

(2) The department shall specify the period of an exemption under this section. The period may not exceed 2 years.

SECTION 2648. 287.17 (10) (fm) of the statutes is created to read:

287.17 **(10)** (fm) *Rural electronics recycling grants.* The department shall administer a program to provide grants from the appropriation under s. 20.370 (4) (hr), if sufficient program revenue is available, to expand electronics recycling and recovery programs in rural counties of the state. Grants under this program may be provided to local units of government, businesses, and nonprofit entities for the purpose of hosting a collection site or collection event, or series of collection sites or collection events, in rural counties of the state.

SECTION 2649. 289.33 (3) (d) of the statutes is amended to read:

289.33 **(3)** (d) "Local approval" includes any requirement for a permit, license, authorization, approval, variance or exception or any restriction, condition of approval or other restriction, regulation, requirement or prohibition imposed by a

charter ordinance, general ordinance, zoning ordinance, resolution or regulation by a town, city, village, county or special purpose district, including without limitation because of enumeration any ordinance, resolution or regulation adopted under s. 91.73, 2007 stats., s. 59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2), (5), (6), (7), (8), (9), (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26) and (27), 59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19), (20) and (23), 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10), (11), (12), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25) (a), and (26), 59.55 (3), (4), (5) and (6), 59.56 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16), 59.57 (1), 59.58 (1) and (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70 (1), (2), (3), (5), (7), (8), (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (5), (7), (8), and (10), 59.792 (2) and (3), 59.80, 59.82, 60.10, 60.22, 60.23, 60.54, 60.77, 61.34, 61.35, 61.351, 61.353, 61.354, 62.11, 62.23, 62.231, 62.233, 62.234, 66.0101, 66.0415, 87.30, 196.58, 200.11 (8), 236.45, 281.43 or 349.16, subch. VIII of ch. 60, or subch. III of ch. 91.

SECTION 2650. 289.63 (6) (d) 1. (intro.) of the statutes is amended to read:

289.63 **(6)** (d) 1. (intro.) In this paragraph, "qualified ~~materials recovery~~ facility" means one of the following:

SECTION 2651. 289.63 (6) (d) 1. c. of the statutes is created to read:

289.63 **(6)** (d) 1. c. A facility that is in operation on the effective date of this subd. 1. c. .... [LRB inserts date], at which solid waste is incinerated for the purpose of energy recovery, if the facility is licensed as a municipal solid waste combustor; the approved plan of operation for the facility requires the reporting of the weight of material coming into the facility, the weight of material rejected by the facility and

where it was sent, and the weight of residue produced and where it was sent; and the facility is in compliance with its approved plan of operation.

SECTION 2652. 289.63 (6) (d) 2. a. of the statutes is amended to read:

289.63 **(6)** (d) 2. a. For a qualified ~~materials recovery~~ facility described in subd. 1. a., an amount equal to the weight of the residue generated by the qualified ~~materials recovery~~ facility or 10 percent of the total weight of material accepted by the qualified ~~materials recovery~~ facility, whichever is less.

SECTION 2653. 289.63 (6) (d) 2. b. of the statutes is amended to read:

289.63 **(6)** (d) 2. b. For a qualified ~~materials recovery~~ facility described in subd. 1. b. or c., an amount equal to the weight of the residue generated by the qualified ~~materials recovery~~ facility or 30 percent of the total weight of material accepted by the qualified ~~materials recovery~~ facility, whichever is less. This exemption does not apply to ash residue generated by a qualified facility described in subd. 1. c.

SECTION 2654. 289.63 (6) (d) 3. a. of the statutes is amended to read:

289.63 **(6)** (d) 3. a. The department may require an operator that claims the exemption under this paragraph to certify that the operator's facility satisfies the criteria in subd. 1. a. ~~or,~~ b., or c. and to report the weight of the residue for which the operator does not pay the groundwater and well compensation fees and any other information needed to determine eligibility for the exemption.

SECTION 2655. 289.64 (4) (d) 1. (intro.) of the statutes is amended to read:

289.64 **(4)** (d) 1. (intro.) In this paragraph, "qualified ~~materials recovery~~ facility" means one of the following:

SECTION 2656. 289.64 (4) (d) 1. c. of the statutes is created to read:

289.64 **(4)** (d) 1. c. A facility that is in operation on the effective date of this subd. 1. c. .... [LRB inserts date], at which solid waste is incinerated for the purpose of

energy recovery, if the facility is licensed as a municipal solid waste combustor; the approved plan of operation for the facility requires the reporting of the weight of material coming into the facility, the weight of material rejected by the facility and where it was sent, and the weight of residue produced and where it was sent; and the facility is in compliance with its approved plan of operation.

SECTION 2657. 289.64 (4) (d) 2. a. of the statutes is amended to read:

289.64 **(4)** (d) 2. a. For a qualified ~~materials recovery~~ facility described in subd. 1. a., an amount equal to the weight of the residue generated by the qualified ~~materials recovery~~ facility or 10 percent of the total weight of material accepted by the qualified ~~materials recovery~~ facility, whichever is less.

SECTION 2658. 289.64 (4) (d) 2. b. of the statutes is amended to read:

289.64 **(4)** (d) 2. b. For a qualified ~~materials recovery~~ facility described in subd. 1. b. or c., an amount equal to the weight of the residue generated by the qualified ~~materials recovery~~ facility or 30 percent of the total weight of material accepted by the qualified ~~materials recovery~~ facility, whichever is less. This exemption does not apply to ash residue generated by a qualified facility described in subd. 1. c.

SECTION 2659. 289.64 (4) (d) 3. a. of the statutes is amended to read:

289.64 **(4)** (d) 3. a. The department may require an operator that claims the exemption under this paragraph to certify that the operator's facility satisfies the criteria in subd. 1. a. ~~or,~~ b., or c. and to report the weight of the residue for which the operator does not pay the solid waste facility siting board fee and any other information needed to determine eligibility for the exemption.

SECTION 2660. 289.645 (4) (h) 1. (intro.) of the statutes is amended to read:

289.645 **(4)** (h) 1. (intro.) In this paragraph, "qualified ~~materials recovery~~ facility" means one of the following:

SECTION 2661. 289.645 (4) (h) 1. c. of the statutes is created to read:

289.645 **(4)** (h) 1. c. A facility that is in operation on the effective date of this subd. 1. c. .... [LRB inserts date], at which solid waste is incinerated for the purpose of energy recovery, if the facility is licensed as a municipal solid waste combustor; the approved plan of operation for the facility requires the reporting of the weight of material coming into the facility, the weight of material rejected by the facility and where it was sent, and the weight of residue produced and where it was sent; and the facility is in compliance with its approved plan of operation.

SECTION 2662. 289.645 (4) (h) 2. a. of the statutes is amended to read:

289.645 **(4)** (h) 2. a. For a qualified ~~materials recovery~~ facility described in subd. 1. a., an amount equal to the weight of the residue generated by the qualified ~~materials recovery~~ facility or 10 percent of the total weight of material accepted by the qualified ~~materials recovery~~ facility, whichever is less.

SECTION 2663. 289.645 (4) (h) 2. b. of the statutes is amended to read:

289.645 **(4)** (h) 2. b. For a qualified ~~materials recovery~~ facility described in subd. 1. b. or c., an amount equal to the weight of the residue generated by the qualified ~~materials recovery~~ facility or 30 percent of the total weight of material accepted by the qualified ~~materials recovery~~ facility, whichever is less. This exemption does not apply to ash residue generated by a qualified facility described in subd. 1. c.

SECTION 2664. 289.645 (4) (h) 3. a. of the statutes is amended to read:

289.645 **(4)** (h) 3. a. The department may require an operator that claims the exemption under this paragraph to certify that the operator's facility satisfies the criteria in subd. 1. a. ~~or,~~ b., or c. and to report the weight of the residue for which the

operator does not pay the recycling fee and any other information needed to determine eligibility for the exemption.

SECTION 2665. 289.67 (1) (fj) 1. (intro.) of the statutes is amended to read:

289.67 **(1)** (fj) 1. (intro.) In this paragraph, "qualified ~~materials recovery~~ facility" means one of the following:

SECTION 2666. 289.67 (1) (fj) 1. c. of the statutes is created to read:

289.67 **(1)** (fj) 1. c. A facility that is in operation on the effective date of this subd. 1. c. .... [LRB inserts date], at which solid waste is incinerated for the purpose of energy recovery, if the facility is licensed as a municipal solid waste combustor; the approved plan of operation for the facility requires the reporting of the weight of material coming into the facility, the weight of material rejected by the facility and where it was sent, and the weight of residue produced and where it was sent; and the facility is in compliance with its approved plan of operation.

SECTION 2667. 289.67 (1) (fj) 2. a. of the statutes is amended to read:

289.67 **(1)** (fj) 2. a. For a qualified ~~materials recovery~~ facility described in subd. 1. a., an amount equal to the weight of the residue generated by the qualified ~~materials recovery~~ facility or 10 percent of the total weight of material accepted by the qualified ~~materials recovery~~ facility, whichever is less.

SECTION 2668. 289.67 (1) (fj) 2. b. of the statutes is amended to read:

289.67 **(1)** (fj) 2. b. For a qualified ~~materials recovery~~ facility described in subd. 1. b. or c., an amount equal to the weight of the residue generated by the qualified ~~materials recovery~~ facility or 30 percent of the total weight of material accepted by the qualified ~~materials recovery~~ facility, whichever is less. This exemption does not apply to ash residue generated by a qualified facility described in subd. 1. c.

SECTION 2669. 289.67 (1) (fj) 3. a. of the statutes is amended to read:

289.67 **(1)** (fj) 3. a. The department may require an operator that claims the exemption under this paragraph to certify that the operator's facility satisfies the criteria in subd. 1. a. ~~or,~~ b., or c. and to report the weight of the residue for which the operator does not pay the environmental repair fee and any other information needed to determine eligibility for the exemption.

SECTION 2670. 292.31 (1) (d) (intro.) of the statutes is amended to read:

292.31 **(1)** (d) *Access to information.* (intro.) Upon the request of any officer, employee, or authorized representative of the department, any person who generated, transported, treated, stored, or disposed of solid or hazardous waste ~~which~~ that may have been disposed of at a site or facility under investigation by the department and any person who generated solid or hazardous waste at a site or facility under investigation by the department that was transported to, treated at, stored at, or disposed of at another site, facility, or location shall provide the officer, employee, or authorized representative access to any records or documents in that person's custody, possession, or control which relate to:

SECTION 2671. 292.31 (1) (d) 1m. of the statutes is created to read:

292.31 **(1)** (d) 1m. The type and quantity of waste generated at the site or facility that was transported to, treated at, stored at, or disposed of at another site, facility, or location, and the dates and locations of these activities.

SECTION 2672. 292.66 of the statutes is created to read:

292.66 PFAS municipal grant program. (1) DEFINITIONS. In this section:

(a) "Class B fire fighting foam" has the meaning given in s. 299.48 (1) (a).

(b) "Municipality" means a city, village, town, county, utility district, lake protection district, sewerage district, or municipal airport.

(c) "PFAS" means a perfluoroalkyl or polyfluoroalkyl substance.

(2) FINANCIAL ASSISTANCE. The department shall administer a program to provide grants from the appropriation under s. 20.370 (6) (ed) to municipalities that meet the requirements under sub. (3) for the purpose of conducting any of the eligible activities under sub. (4).

(3) ELIGIBILITY PREREQUISITES. A grant may be awarded under sub. (2) only if one of the following has occurred:

(a) The municipality tested or trained with a class B fire fighting foam that contained intentionally added PFAS in accordance with applicable state and federal law, or a 3rd party tested or trained with a class B fire fighting foam that contained intentionally added PFAS within the boundaries of the municipality.

(b) The municipality applied biosolids to land under a permit issued by DNR under s. 283.31.

(c) PFAS are impacting the municipality's drinking water supply or surface water or groundwater within the municipality and the responsible party is unknown or is unwilling or unable to take the necessary response actions.

(4) ELIGIBLE ACTIVITIES. The department may award a grant under sub. (2) for any of the following activities:

(a) Investigating potential PFAS impacts to the air, land, or water at a site or facility for the purpose of reducing or eliminating environmental contamination.

(b) Treating or disposing of PFAS–containing fire fighting foam containers from a municipal site or facility.

(c) Sampling a private water supply within 3 miles of a site or facility known to contain PFAS or to have caused a PFAS discharge.

(d) Providing a temporary emergency water supply, a water treatment system, or bulk water to replace water contaminated with PFAS.

(e) Conducting emergency, interim, or remedial actions to mitigate, treat, dispose of, or remove PFAS contamination to the air, land, or waters of the state.

(f) Removing or treating PFAS in a public water system using the most cost–effective method to provide safe drinking water in areas where PFAS levels exceed the maximum contaminant level for PFAS under ch. 281 or an enforcement standard for PFAS under ch. 160 or where the state has issued a health advisory for PFAS.

(5) APPLICATION. A municipality shall apply for a grant on a form prescribed by the department and shall include any information that the department finds necessary to determine the eligibility of the project, identify the funding requested, determine the priority of the project, and calculate the amount of a grant.

(6) EVALUATION CRITERIA. The department, in awarding grants under this section, shall consider all of the following criteria:

(a) The municipality's demonstrated commitment to performing and completing eligible activities, including the municipality's financial commitment and ability to successfully administer grants.

(b) The degree to which the project will have a positive impact on public health and the environment.

(c) Other criteria that the department finds necessary to prioritize the funds available for awarding grants.

(7) MATCHING FUNDS. The department may not distribute a grant under this section unless the applicant contributes matching funds equal to at least 20 percent of the amount of the grant. Matching funds may be in the form of cash, in–kind contributions, or both.

SECTION 2673. 292.74 of the statutes is created to read:

292.74 Financial responsibility for PFAS. The department may, if it determines doing so is necessary to protect human health or the environment, require a person who possesses or controls a perfluoroalkyl or polyfluoroalkyl substance to provide proof of financial responsibility for conducting emergency response actions, remedial actions, environmental repair, and long–term care to address contamination by a potential discharge of perfluoroalkyl or polyfluoroalkyl substances or environmental pollution that may be caused by a discharge of such substances. The department shall establish, by rule, the procedure for determining whether requiring a proof of financial responsibility is necessary to protect human health or the environment, and may establish requirements for types of financial responsibility, methods for calculating amounts of financial responsibility, access and default, bankruptcy notifications, and any other requirements the department determines are necessary under this section. The proof of financial responsibility required under this section shall be in addition to any other proof of financial responsibility or financial assurance required under this chapter.

SECTION 2674. 299.15 (2m) of the statutes is created to read:

299.15 **(2m)** The department shall consider all known perfluoroalkyl or polyfluoroalkyl substances to be air contaminants for purposes of sub. (2) (a) 2. The reporting level for these substances is zero pounds per year.

SECTION 2675. 299.44 of the statutes is created to read:

299.44 Sale and use of coal tar sealants. (1) DEFINITIONS. In this section:

(a) "Coal tar sealant product" means a surface applied sealing product containing coal tar, coal tar pitch, coal tar pitch volatiles, or any variation assigned the Chemical Abstracts Service (CAS) number 65996–93–2, 65996–89–6, or 8007–45–2.

(b) "High PAH sealant product" means a surface applied sealant product that contains more than 0.1 percent polycyclic aromatic hydrocarbons by weight.

(2) PROHIBITIONS. (a) Beginning January 1, 2022, no person may sell or offer for sale a coal tar sealant product or high PAH sealant product, except as provided in sub. (3).

(b) Beginning July 1, 2022, no person may apply a coal tar sealant product or high PAH sealant product, except as provided in sub. (3).

(3) EXEMPTIONS. The department may grant an exemption to the prohibitions under sub. (2) to any of the following upon written request:

(a) A person who is researching the effects of a coal tar sealant product or high PAH sealant product on the environment.

(b) A person who is developing an alternative technology if the use of a coal tar sealant product or high PAH sealant product is required for research or development.

SECTION 2676. 301.01 (1n) of the statutes is amended to read:

301.01 **(1n)** "Juvenile correctional services" means services provided for a juvenile who is under the supervision of the department of corrections under s. 938.183, 938.34 (2), ~~(4h),~~ (4m), (4n), or (7g), or 938.357 (3) or (4).

SECTION 2677. 301.01 (1n) of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

301.01 **(1n)** "Juvenile correctional services" means services provided for a juvenile who is under the supervision of the department of corrections under s. 938.183, 938.34 (4m), or (7g), or 938.357 (3) or (4).

SECTION 2678. 301.01 (1s) of the statutes is created to read:

301.01 **(1s)** "Mendota juvenile treatment center" means the center established and operated by the department of health services under s. 46.057.

SECTION 2679. 301.025 of the statutes is amended to read:

301.025 Division of juvenile corrections. The division of juvenile corrections shall exercise the powers and perform the duties of the department that relate to juvenile correctional services and institutions, juvenile offender review, community supervision under s. 938.533, 2019 stats., and the serious juvenile offender program under s. 938.538.

SECTION 2680. 301.03 (6s) of the statutes is created to read:

301.03 **(6s)** No later than June 15 each year, submit the following reports to the governor, the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3), and the director of state courts:

(a) A report on revocation of probation, parole, and extended supervision. The report shall include the rate of recidivism, as defined in s. 302.05 (4) (a), among probationers, parolees, and persons on extended supervision by region and demographics, including the level of the recidivism event, the number of and reason for revocations of probation, parole, and extended supervision by region and demographics, the number and lengths of short–term sanctions imposed under s. 302.115, and an accounting of the cost savings for the preceding 12–month period that resulted from the use of short–term sanctions in lieu of revocations.

(b) A report on the earned compliance credit provided under s. 973.156 and early discharge from extended supervision under s. 973.01 (5m) in the 12 months preceding the report. The report shall include the demographics of individuals who received the earned compliance credit or were discharged early by region and demographics and the rate of recidivism, as defined in s. 302.05 (4) (a), among those individuals, and an accounting of the cost savings from reduced days of incarceration

or reduced days of parole or extended supervision that resulted from the earned compliance credit under s. 973.156 or early discharge under s. 973.01 (5m).

SECTION 2681. 301.03 (10) (d) of the statutes is amended to read:

301.03 **(10)** (d) Administer the office of juvenile offender review in the division of juvenile corrections in the department. The office shall be responsible for decisions regarding case planning and the release of juvenile offenders who are under the supervision of the department from juvenile correctional facilities or secured residential care centers for children and youth to aftercare or community supervision placements and for the release of individuals subject to an extended juvenile disposition imposed under ss. 938.34 (4p) and 938.369. The department shall promulgate rules establishing the process and release criteria for individuals subject to an extended juvenile disposition.

SECTION 2682. 301.03 (12m) of the statutes is created to read:

301.03 **(12m)** Cooperate and coordinate its activities with the University of Wisconsin System to provide a baccalaureate degree program for prisoners.

SECTION 2683. 301.035 (2) of the statutes is amended to read:

301.035 **(2)** Assign hearing examiners from the division to preside over hearings under ss. 302.11 (7), 302.113 (9), 302.114 (9), 302.115, 938.357 (5), 973.10 and 975.10 (2) and ch. 304.

SECTION 2684. 301.08 (1) (b) 3. of the statutes is amended to read:

301.08 **(1)** (b) 3. Contract with public, private, or voluntary agencies for the supervision, maintenance, and operation of juvenile correctional facilities, residential care centers for children and youth, as defined in s. 938.02 (15d), and secured residential care centers for children and youth for the placement of juveniles who have been convicted under s. 938.183 or adjudicated delinquent under s.

938.183, ~~or~~ 938.34 ~~(4d), (4h), or~~ (4m), or s. 938.34 (4d) or (4h), 2019 stats. The department may designate a juvenile correctional facility or a residential care center for children and youth contracted for under this subdivision as a Type 2 juvenile correctional facility, as defined in s. 938.02 (20), 2019 stats., and may designate a residential care center for children and youth contracted for under this subdivision as a Type 2 residential care center for children and youth, as defined in s. 938.02 (19r), 2019 stats.

SECTION 2685. 301.12 (2) of the statutes is amended to read:

301.12 **(2)** Except as provided in subs. (2m) and (14) (b) and (c), any person, including a person placed under s. 938.183, 938.32 (1) (bm) or (c), 938.34 ~~(4h) or~~ (4m), or 938.357 (1), (2m), (4), or (5) (e), receiving care, maintenance, services, and supplies provided by any institution in this state operated or contracted for by the department, in which the state is chargeable with all or part of the person's care, maintenance, services, and supplies, and the person's property and estate, including the homestead, and the spouse of the person, and the spouse's property and estate, including the homestead, and, in the case of a minor child, the parents of the person, and their property and estates, including their homestead, and, in the case of a foreign child described in s. 48.839 (1) who became dependent on public funds for his or her primary support before an order granting his or her adoption, the resident of this state appointed guardian of the child by a foreign court who brought the child into this state for the purpose of adoption, and his or her property and estate, including his or her homestead, shall be liable for the cost of the care, maintenance, services, and supplies in accordance with the fee schedule established by the department under s. 301.03 (18). If a spouse, ~~widow~~ surviving spouse, or minor, or an incapacitated person, may be lawfully dependent upon the property for his or her

support, the court shall release all or such part of the property and estate from the charges that may be necessary to provide for that person. The department shall make every reasonable effort to notify the liable persons as soon as possible after the beginning of the maintenance, but the notice or the receipt of the notice is not a condition of liability.

SECTION 2686. 301.12 (2m) of the statutes is amended to read:

301.12 **(2m)** The liability specified in sub. (2) shall not apply to ~~persons 17 and older~~ adults receiving care, maintenance, services, and supplies provided by prisons named in s. 302.01.

SECTION 2687. 301.12 (14) (a) of the statutes is amended to read:

301.12 **(14)** (a) Except as provided in pars. (b) and (c), liability of a person specified in sub. (2) or s. 301.03 (18) for care and maintenance of ~~persons under 17 years of age~~ minors in residential, nonmedical facilities such as group homes, foster homes, residential care centers for children and youth, and juvenile correctional institutions is determined in accordance with the cost–based fee established under s. 301.03 (18). The department shall bill the liable person up to any amount of liability not paid by an insurer under s. 632.89 (2) or (4m) or by other 3rd–party benefits, subject to rules that include formulas governing ability to pay promulgated by the department under s. 301.03 (18). Any liability of the resident not payable by any other person terminates when the resident ~~reaches age 17~~ becomes an adult, unless the liable person has prevented payment by any act or omission.

SECTION 2688. 301.16 (1w) of the statutes is amended to read:

301.16 **(1w)** The department ~~shall~~ may establish one or more ~~Type 1 juvenile correctional facilities~~ secured residential care centers for children and youth, as enumerated in 2017 Wisconsin Act 185, section 110 (10) (a).

SECTION 2689. 301.16 (1x) of the statutes is amended to read:

301.16 **(1x)** Inmates from the Wisconsin state prisons may be transferred to the institutions under this section, except that inmates may not be transferred to a ~~Type 1 juvenile correctional facility~~ secured residential care center for children and youth established under sub. (1w) unless required under s. 973.013 (3m). Inmates transferred under this subsection shall be subject to all laws pertaining to inmates of other penal institutions of this state. Officers and employees of the institutions shall be subject to the same laws as pertain to other penal institutions. Inmates shall not be received on direct commitment from the courts.

SECTION 2690. 301.18 (1) (fm) of the statutes is amended to read:

301.18 **(1)** (fm) Provide the facilities necessary for each ~~Type 1 juvenile correctional facility~~ secured residential care center for children and youth established under s. 301.16 (1w).

SECTION 2691. 301.20 of the statutes is amended to read:

301.20 Training school for delinquent boys. The department, with the approval of the governor, may purchase or accept a gift of land for a suitable site for an additional training school for delinquent boys and erect and equip such buildings as it considers necessary at such time as funds may be allocated for that purpose by the building commission. The training school or other additional facilities for delinquent boys financed by the authorized 1965–67 building program shall be located north of a line between La Crosse and Manitowoc. The department shall operate and maintain the institution for the treatment of delinquent boys who are placed under the supervision of the department under s. 938.34 ~~(4h) or~~ (4m). All laws pertaining to the care of juveniles received under s. 938.34 shall apply. Officers and

employees of the institution are subject to the same laws as apply to other facilities described in s. 938.52.

SECTION 2692. 301.26 (4) (b) of the statutes is amended to read:

301.26 **(4)** (b) Assessment of costs under par. (a) shall be made periodically on the basis of the per person per day cost estimate specified in par. (d) 2.~~, 3.,~~ and 4. Except as provided in pars. (bm), (c), and (cm), liability shall apply to county departments under s. 46.215, 46.22, or 46.23 in the county of the court exercising jurisdiction under ch. 938 for each person receiving services from the department of corrections under s. 938.183 or 938.34 or the department of health services under s. 46.057 or 51.35 (3). Except as provided in pars. (bm), (c), and (cm), in multicounty court jurisdictions, the county of residency within the jurisdiction shall be liable for costs under this subsection. Assessment of costs under par. (a) shall also be made according to the general placement type or level of care provided, as defined by the department, and prorated according to the ratio of the amount designated under s. 48.526 (3) (c) to the total applicable estimated costs of care, services, and supplies provided by the department of corrections under ss. 938.183 and 938.34 and the department of health services under s. 46.057 or 51.35 (3).

SECTION 2693. 301.26 (4) (cm) 1. of the statutes is amended to read:

301.26 **(4)** (cm) 1. Notwithstanding pars. (a), (b), and (bm), the department shall transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations under s. 20.410 (3) (hm), (ho), and (hr) for the purpose of reimbursing juvenile correctional facilities, secured residential care centers for children and youth, alternate care providers, and community supervision providers for costs incurred beginning on July 1, 1996, for the care of any juvenile 14 years of age or over who has been placed in a juvenile correctional facility based on a delinquent act that

is a violation of s. 943.23 (1m) or (1r), 1999 stats., s. 948.35, 1999 stats., or s. 948.36, 1999 stats., or s. 939.32 (1) (a), 940.03, 940.06, 940.21, 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), 943.32 (2), 948.02 (1), 948.025 (1), or 948.30 (2), that is a conspiracy to commit any of those violations, or that is an attempted violation of s. 943.32 (2) and for the care of any juvenile ~~10~~ 12 years of age or over who has been placed in a juvenile correctional facility or secured residential care center for children and youth for attempting or committing a violation of s. 940.01 or for committing a violation of s. 940.02 or 940.05.

SECTION 2694. 301.26 (4) (cm) 3. of the statutes is amended to read:

301.26 **(4)** (cm) 3. The per person daily reimbursement rate for juvenile correctional services under this paragraph shall be equal to the per person daily cost assessment to counties under par. (d) 2.~~, 3.,~~ and 4. for juvenile correctional services.

SECTION 2695. 301.26 (4) (cx) of the statutes is amended to read:

301.26 **(4)** (cx) If, notwithstanding ss. 16.50 (2), 16.52, 20.002 (11), and 20.903, there is a deficit in the appropriation account under s. 20.410 (3) (hm) at the close of a fiscal biennium, the ~~governor shall~~ secretary may, to address that deficit, increase each of the rates specified under s. 301.26 (4) (d) ~~2. and 3. for care in a Type 1 juvenile correctional facility and for care for juveniles transferred from a correctional institution~~ by $6, in addition to any increase due to actual costs, ~~in the executive budget bill for each fiscal biennium,~~ until the deficit under s. 20.410 (3) (hm) is eliminated.

SECTION 2696. 301.26 (4) (d) 2. of the statutes is amended to read:

301.26 **(4)** (d) 2. ~~Beginning on July 1, 2019, and ending on June 30, 2020,~~ The department shall specify the per person daily cost assessment to counties ~~shall be $532~~ for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), and

~~$532~~ for care for juveniles transferred from a juvenile correctional ~~institution~~ facility under s. 51.35 (3). The department may specify the per person daily cost assessment to counties at the same rate at which the department reimburses the department of health services for the per person daily cost of providing services for juveniles placed at the Mendota juvenile treatment center under s. 46.057 (2).

SECTION 2697. 301.26 (4) (d) 2. of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

301.26 **(4)** (d) 2. The department shall specify the per person daily cost assessment to counties for care in a ~~Type 1~~ juvenile correctional facility~~, as defined in s. 938.02 (19),~~ and for care for juveniles transferred from a juvenile correctional facility under s. 51.35 (3). The department may specify the per person daily cost assessment to counties at the same rate at which the department reimburses the department of health services for the per person daily cost of providing services for juveniles placed at the Mendota juvenile treatment center under s. 46.057 (2).

SECTION 2698. 301.26 (4) (d) 3. of the statutes is repealed.

SECTION 2699. 301.26 (4) (d) 5. of the statutes is amended to read:

301.26 **(4)** (d) 5. The per person daily cost assessment to counties for community supervision services under s. 938.533, 2019 stats., shall be an amount determined by the department based on the cost of providing those services. In determining that assessment, the department may establish multiple rates for varying types and levels of service. The department shall calculate the amounts of that assessment and, if applicable, those rates prior to the beginning of each fiscal year and the secretary shall submit that proposed assessment and, if applicable, those proposed rates to the cochairpersons of the joint committee on finance for review of the committee. If the cochairpersons of the committee do not notify the

secretary that the committee has scheduled a meeting for the purpose of reviewing that proposed assessment and, if applicable, those proposed rates within 14 working days after the date of the secretary's submittal, the department may implement that proposed assessment and those proposed rates. If, within 14 working days after the date of the secretary's submittal, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing that proposed assessment and, if applicable, those proposed rates, the department may implement that proposed assessment and those proposed rates only as approved by the committee.

SECTION 2700. 301.26 (4) (eg) of the statutes is amended to read:

301.26 **(4)** (eg) For community supervision services under s. 938.533 (2), 2019 stats., all payments and deductions made under this subsection and uniform fee collections under s. 301.03 (18) shall be credited to the appropriation account under s. 20.410 (3) (hr).

SECTION 2701. 301.37 (title) of the statutes is amended to read:

301.37 (title) ~~**County buildings**~~ **Building standards; establishment, approval, inspection.**

SECTION 2702. 301.37 (1m) of the statutes is amended to read:

301.37 **(1m)** The rules promulgated by the department under sub. (1) shall allow a secured residential care center for children and youth to use ~~less~~ the least restrictive physical security barriers ~~than a Type 1 juvenile correctional facility while ensuring~~ necessary to ensure the safety of the public, staff, and youth. The rules promulgated under sub. (1) shall allow a secured residential care center for children and youth to be located in a portion of a juvenile detention facility ~~or a Type 1 juvenile correctional facility.~~ A secured residential care center for children and

youth that is located in a portion of a juvenile detention facility ~~or a Type 1 juvenile correctional facility~~ shall provide trauma–informed, evidence–based programming and services as required by the department under s. 938.48 (16) (b).

SECTION 2703. 301.50 (1) of the statutes is amended to read:

301.50 **(1)** In this section, "substantial parental relationship" means the acceptance and exercise of significant responsibility for the daily supervision, education, protection, and care of the child. In evaluating whether an individual has had a substantial parental relationship with the child, factors that may be considered include, but are not limited to, whether the individual has expressed concern for or interest in the support, care, or well–being of the child; whether the individual has neglected or refused to provide care or support for the child; and whether, with respect to an individual who is or may be ~~the father~~ a parent of the child, the individual has expressed concern for or interest in the support, care, or well–being of the ~~mother during her~~ parent who gave birth during pregnancy.

SECTION 2704. 302.05 (title) of the statutes is amended to read:

302.05 (title) **Wisconsin ~~substance abuse~~ earned release program.**

SECTION 2705. 302.05 (1) (am) (intro.) of the statutes is amended to read:

302.05 **(1)** (am) (intro.) The department ~~of corrections~~ and the department of health services may designate a section of a mental health institute as a correctional treatment facility for the treatment of substance ~~abuse~~ use disorder of inmates transferred from Wisconsin state prisons. ~~This section shall be administered by the department of corrections and shall be known as the Wisconsin substance abuse program.~~ The department ~~of corrections~~ and the department of health services shall ensure that the residents at the institution and the residents in the substance ~~abuse~~ use disorder program:

SECTION 2706. 302.05 (1) (b) of the statutes is amended to read:

302.05 **(1)** (b) The department ~~of corrections~~ and the department of health services shall, at any correctional facility the departments determine is appropriate, provide a substance ~~abuse~~ use disorder treatment program for inmates for the purposes of the program described in sub. (3).

SECTION 2707. 302.05 (1) (c) of the statutes is created to read:

302.05 **(1)** (c) 1. In this paragraph, "vocational readiness training program" means an educational, vocational, treatment, or other evidence–based training program to reduce recidivism.

2. The department shall, at any correctional facility the department determines is appropriate, provide vocational readiness training programs for the purposes of the program described in sub. (3).

SECTION 2708. 302.05 (2) of the statutes is amended to read:

302.05 **(2)** Transfer to a correctional treatment facility for the treatment of substance ~~abuse~~ use disorder shall be considered a transfer under s. 302.18.

SECTION 2709. 302.05 (3) (a) 2. of the statutes is amended to read:

302.05 **(3)** (a) 2. ~~If the inmate is serving a bifurcated sentence imposed under s. 973.01, the sentencing court decided under par. (c) or s. 973.01 (3g)~~ The department determines that the inmate is eligible to participate in the earned release program described in this subsection. In making its determination, the department shall consider a decision of the sentencing court under s. 302.05 (3) (e), 2019 stats., or s. 973.01 (3g), 2019 stats.

SECTION 2710. 302.05 (3) (b) of the statutes is amended to read:

302.05 **(3)** (b) Except as provided in par. (d), if the department determines that an eligible inmate serving a sentence other than one imposed under s. 973.01 has

successfully completed a substance use disorder treatment program described in sub. (1) (b) or a vocational readiness training program described in sub. (1) (c), the parole commission shall parole the inmate for that sentence under s. 304.06, regardless of the time the inmate has served. If the parole commission grants parole under this paragraph for the completion of a substance use disorder treatment program, it shall require the parolee to participate in an intensive supervision program for drug abusers as a condition of parole.

SECTION 2711. 302.05 (3) (c) 1. of the statutes is amended to read:

302.05 **(3)** (c) 1. Except as provided in par. (d), if the department determines that an eligible inmate serving the term of confinement in prison portion of a bifurcated sentence imposed under s. 973.01 has successfully completed a substance use disorder treatment program described in sub. (1) (b) or a vocational readiness training program described in sub. (1) (c), the department shall inform the court that sentenced the inmate.

SECTION 2712. 302.05 (3) (c) 2. (intro.) of the statutes is amended to read:

302.05 **(3)** (c) 2. (intro.) Upon being informed by the department under subd. 1. that an inmate whom the court sentenced under s. 973.01 has successfully completed a substance use disorder treatment program described in sub. (1) (b) or a vocational readiness training program described in sub. (1) (c), the court shall modify the inmate's bifurcated sentence as follows:

SECTION 2713. 302.05 (3) (d) of the statutes is amended to read:

302.05 **(3)** (d) The department may place intensive sanctions program participants in a treatment program described in sub. (1) (b), but pars. (b) and (c) do not apply to those participants.

SECTION 2714. 302.05 (3) (e) of the statutes is repealed.

SECTION 2715. 302.05 (4) of the statutes is created to read:

302.05 **(4)** (a) In this subsection, "recidivism" means any of the following:

1. A return to prison upon revocation of extended supervision, parole, or probation.

2. A conviction for a crime that was committed within 3 years of release from confinement.

(b) No later than June 15 of each year, the department shall submit a report on participation in vocational readiness training programs qualifying for earned release under sub. (3) to the governor, the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3), and the director of state courts. The report shall include all of the following data:

1. A list of available vocational readiness training programs and the number of participants in each vocational readiness training program.

2. The number of eligible inmates who are on the wait list for participation in a vocational readiness training program, and the department's methodology for selecting participants from the wait list.

3. The rate of recidivism among individuals who earned release through completion of a vocational readiness training program, and whether the recidivism event was return to prison upon revocation or was a conviction for a misdemeanor or felony. The department shall report this data by region and shall include demographic information.

4. An accounting of the cost savings for the preceding 12–month period that resulted from reduced terms of confinement in prison for participants in the earned release program who were released to extended supervision or parole for completion of a vocational readiness training program.

SECTION 2716. 302.085 of the statutes is created to read:

302.085 Treatment of a pregnant or postpartum person. (1) DEFINITIONS. In this section:

(a) "Correctional facility" has the meaning given in s. 101.123 (1) (ac).

(b) "Doula" means a nonmedical, trained professional who provides continuous physical, emotional, and informational support during pregnancy, labor, birth, and the postpartum period.

(c) "Doula services" means childbirth education and support services, including emotional, physical, and informational support provided during pregnancy, labor, birth, and the postpartum period.

(d) "Postpartum" means the period of time following the birth of an infant to 6 months after the birth.

(e) "Restrain" means to use a mechanical, chemical, or other device to constrain the movement of a person's body or limbs.

(2) RESTRAINING A PREGNANT PERSON. (a) A representative of a correctional facility may not restrain a person known to be pregnant unless the representative makes an individualized determination that restraints are reasonably necessary to ensure safety and security of the person, the staff of the correctional facility, other inmates, or the public. If such a determination is made, the representative may use only the least restrictive effective type of restraint that is most reasonable under the circumstances.

(b) A representative of a correctional facility may not restrain a person known to be pregnant while the person is being transported if the restraint is through the use of leg irons, waist chains or other devices that cross or otherwise touch the

person's abdomen, or handcuffs or other devices that cross or otherwise touch the person's wrists when affixed behind the person's back.

(c) A representative of a correctional facility may not place a person known to be pregnant in solitary confinement for any punitive purpose.

(d) A representative of a correctional facility may restrain a person who is in labor or who has given birth in the preceding 3 days only if all of the following apply:

1. There is a substantial flight risk or some other extraordinary medical or security circumstance that requires restraints be used to ensure the safety and security of the person, the staff of the correctional or medical facility, other inmates, or the public.

2. The representative has made an individualized determination that restraints are necessary to prevent escape or ensure safety or security.

3. There is no objection to the use of restraints by the treating medical care provider.

4. The restraints used are the least restrictive effective type and are used in the least restrictive manner.

(e) All staff members who may come into contact with a pregnant or postpartum person at any correctional facility shall receive training on the requirements of this subsection on an annual basis.

(3) TREATMENT OF A PREGNANT OR POSTPARTUM PERSON. A correctional facility shall ensure all of the following for every person incarcerated at the facility:

(a) That every woman under 50 years of age is offered testing for pregnancy.

(b) That every pregnant person is offered testing for sexually transmitted infections, including HIV.

(c) That every pregnant person who is on a methadone treatment regimen be provided continuing methadone treatment.

(d) That every pregnant person and every person who has given birth in the past 6 weeks is provided appropriate educational materials and resources related to pregnancy, childbirth, breastfeeding, and parenting.

(e) That every pregnant person and every person who has given birth in the past 6 weeks has access to doula services if these services are provided by a doula without charge to the correctional facility or the incarcerated person pays for the doula services.

(f) That every pregnant person and every person who has given birth in the past 6 months has access to a mental health assessment and, if necessary, mental health treatment.

(g) That every pregnant person and every person who has given birth in the past 6 months who is determined to be suffering from a mental illness has access to evidence–based mental health treatment including psychotropic medication.

(h) That every pregnant person who is determined to be suffering from depression and every person who has given birth in the past 6 months who is determined to be suffering from postpartum depression has access to evidence–based therapeutic care for depression.

(i) That every person who has given birth in the past 12 months whose body is producing breast milk has access to the necessary supplies and is provided an opportunity to express the breast milk as needed to maintain an active supply of breast milk.

(j) That every pregnant person and every person who has given birth in the past 6 months is advised orally and in writing of all applicable laws and policies governing an incarcerated pregnant or postpartum person.

SECTION 2717. 302.107 (2) of the statutes is amended to read:

302.107 **(2)** Upon revocation of parole or extended supervision under s. 302.11 (7), 302.113 (9), 302.114 (9), or 304.06 (3) ~~or (3g)~~, the department shall make a reasonable effort to send a notice of the revocation to a victim of an offense committed by the inmate, if the victim can be found, in accordance with sub. (3) and after receiving a completed card under sub. (4).

SECTION 2718. 302.11 (7) (ag) of the statutes is renumbered 302.11 (7) (ag) (intro.) and amended to read:

302.11 **(7)** (ag) (intro.) In this subsection ~~"reviewing:~~

2. "Reviewing authority" means the division of hearings and appeals in the department of administration, upon proper notice and hearing, or the department of corrections, if the parolee waives a hearing.

SECTION 2719. 302.11 (7) (am) of the statutes is renumbered 302.11 (7) (am) 1. (intro.) and amended to read:

302.11 **(7)** (am) 1. (intro.) The reviewing authority may not return a parolee released under sub. (1) or (1g) (b) or s. 304.02 or 304.06 (1) to prison ~~for a period up to the remainder of the sentence~~ for a violation of the conditions of parole~~. The remainder~~ unless one of the following applies:

(ag) 1. "Remainder of the sentence ~~is~~" means the entire sentence, less time served in custody prior to parole and less any earned compliance credit under s. 973.156.

(am) 2. If the reviewing authority revokes parole, the revocation order may return the parolee to prison for a period up to the remainder of the sentence. The revocation order shall provide the parolee with credit in accordance with ss. 304.072 and 973.155.

SECTION 2720. 302.11 (7) (am) 1. a. to e. of the statutes are created to read:

302.11 **(7)** (am) 1. a. The parolee committed 3 or more independent violations while released on parole.

b. The condition that the parolee violated was a condition that the parolee not contact any specified individual.

c. The parolee was required to register as a sex offender under s. 301.45.

d. When the parolee violated the condition of parole, the parolee also allegedly committed a crime.

e. The parolee failed to report or make himself or herself available for supervision for a period of more than 60 days.

SECTION 2721. 302.113 (title) of the statutes is amended to read:

302.113 (title) **Release to extended supervision for felony offenders not serving life sentences and youthful offenders.**

SECTION 2722. 302.113 (1) of the statutes is amended to read:

302.113 **(1)** An inmate is subject to this section if he or she is serving a bifurcated sentence imposed under s. 973.01 or, if the inmate is a youthful offender, as defined in s. 973.014 (3) (a), a life sentence imposed under s. 973.014 (3) (b) or (c) or, if the youthful offender is sentenced before the effective date of this subsection .... [LRB inserts date], s. 973.014 (1g).

SECTION 2723. 302.113 (2) of the statutes is amended to read:

302.113 **(2)** Except as provided in subs. (3) and (9), an inmate subject to this section is entitled to release to extended supervision after he or she has served the term of confinement in prison portion of the sentence imposed under s. 973.01, as modified by the sentencing court under sub. (9g) or s. 302.045 (3m) (b) 1., 302.05 (3) (c) 2. a., 973.018, 973.195 (1r), or 973.198, if applicable.

SECTION 2724. 302.113 (8m) (a) of the statutes is renumbered 302.113 (8m).

SECTION 2725. 302.113 (8m) (b) of the statutes is repealed.

SECTION 2726. 302.113 (9) (ag) of the statutes is renumbered 302.113 (9) (ag) (intro.) and amended to read:

302.113 **(9)** (ag) (intro.) In this subsection ~~"reviewing:~~

2. "Reviewing authority" means the division of hearings and appeals in the department of administration, upon proper notice and hearing, or the department of corrections, if the person on extended supervision waives a hearing.

SECTION 2727. 302.113 (9) (ag) 1. of the statutes is created to read:

302.113 **(9)** (ag) 1. "Crime" has the meaning given in s. 939.12.

SECTION 2728. 302.113 (9) (am) of the statutes is renumbered 302.113 (9) (am) 1. (intro.) and amended to read:

302.113 **(9)** (am) 1. (intro.) If a person released to extended supervision under this section violates a condition of extended supervision, the reviewing authority may not revoke the extended supervision of the person~~.~~ unless one of the following applies:

2. If the extended supervision of the person is revoked under subd. 1., the reviewing authority shall order the person to be returned to prison for any specified period ~~of time~~ that does not exceed the time remaining on the bifurcated sentence. ~~The time~~

(ag) 4. "Time remaining on the bifurcated sentence" is the total length of the bifurcated sentence, less time served by the person in confinement under the sentence before release to extended supervision under sub. (2), less any earned compliance credit under s. 973.156, and less all time served in confinement for previous revocations of extended supervision under the sentence.

(am) 3. The order returning a person to prison under ~~this paragraph~~ subd. 2. shall provide the person whose extended supervision was revoked with credit in accordance with ss. 304.072 and 973.155.

SECTION 2729. 302.113 (9) (am) 1. a. to e. of the statutes are created to read:

302.113 **(9)** (am) 1. a. The person committed 3 or more independent violations during his or her term of extended supervision.

b. The condition that the person violated was a condition that the person not contact any specified individual.

c. The person was required to register as a sex offender under s. 301.45.

d. When the person violated the condition of extended supervision, the person also allegedly committed a crime.

e. The person failed to report or make himself or herself available for supervision for a period of more than 60 consecutive days.

SECTION 2730. 302.113 (9) (b) of the statutes is amended to read:

302.113 **(9)** (b) A person who is returned to prison after revocation of extended supervision shall be incarcerated for the entire period ~~of time~~ specified by the order under par. (am) 2. The period ~~of time~~ specified under par. (am) 2. may be extended in accordance with sub. (3). If a person is returned to prison under par. (am) 2. for a period ~~of time~~ that is less than the time remaining on the bifurcated sentence, the person shall be released to extended supervision after he or she has served the period

~~of time~~ specified by the order under par. (am) 2. and any periods of extension imposed in accordance with sub. (3).

SECTION 2731. 302.113 (9) (c) of the statutes is amended to read:

302.113 **(9)** (c) A person who is subsequently released to extended supervision after service of the period ~~of time~~ specified by the order under par. (am) 2. is subject to all conditions and rules under sub. (7) and, if applicable, sub. (7m) until the expiration of the time remaining ~~extended supervision portion of~~ on the bifurcated sentence. ~~The remaining extended supervision portion of the bifurcated sentence is the total length of the bifurcated sentence, less the time served by the person in confinement under the bifurcated sentence before release to extended supervision under sub. (2) and less all time served in confinement for previous revocations of extended supervision under the bifurcated sentence.~~

SECTION 2732. 302.114 (1) of the statutes is amended to read:

302.114 **(1)** An inmate is subject to this section if he or she is serving a life sentence imposed under s. 973.014 (1g) (a) 1. or 2. An inmate serving a life sentence under s. 939.62 (2m) or 973.014 (1g) (a) 3. is not eligible for release to extended supervision under this section. This section does not apply to a youthful offender, as defined in s. 973.014 (3) (a), who was sentenced under s. 973.014 (1g) before the effective date of this subsection .... [LRB inserts date].

SECTION 2733. 302.114 (9) (ag) of the statutes is amended to read:

302.114 **(9)** (ag) In this subsection "reviewing authority" has the meaning given in s. 302.113 (9) (ag) 3.

SECTION 2734. 302.115 of the statutes is created to read:

302.115 Sanctions for violation of condition of probation, parole, or extended supervision. (1) In this section:

(a) "Division" means the division of hearings and appeals in the department of administration.

(b) "Reviewing authority" means the division or, if a hearing is waived under sub. (5), the department.

(2) Notwithstanding ss. 302.11 (7), 302.113 (9), and 973.10 (2), if a person on probation or parole or a person on extended supervision under s. 302.113 violates a condition or rule of that probation, parole, or extended supervision, the department may initiate a proceeding before the division to sanction the person for the violation.

(3) The division shall hold a hearing no later than 21 days after the department initiates the proceeding to determine the appropriate sanction for the violation.

(4) The reviewing authority may impose one of the following sanctions:

(a) Except as provided under par. (b), imprisonment for a period not to exceed 30 days.

(b) Imprisonment for a period not to exceed 90 days if any of the following applies:

1. The person has committed 3 or more independent violations during his or her term of probation, parole, or extended supervision.

2. The condition that the person violated was a condition that the person not contact any specified individual.

3. The person was required to register as a sex offender under s. 301.45.

4. When the person violated the condition of probation, parole, or extended supervision, the person also allegedly committed a crime.

5. The person failed to report or make himself or herself available for supervision for a period of more than 60 consecutive days.

(5) A person who is the subject of a proceeding under this section may waive the hearing under sub. (3) by signing a statement admitting the violation. If the person waives the hearing under this subsection, the reviewing authority may impose a sanction under sub. (4).

(6) If a person is confined in a county jail under this section, the department shall reimburse the county for its actual costs in confining the person from the appropriations under s. 20.410 (1) (ab) and (b).

(7) Notwithstanding s. 302.43, a person is not eligible to earn good time credit on any period of confinement under this section.

SECTION 2735. 302.31 (7) of the statutes is amended to read:

302.31 **(7)** The temporary placement of persons in the custody of the department, other than ~~persons under 17 years of age~~ minors, and ~~persons who have attained the age of 17 years but have not attained~~ adults under the age of 25 years who are under the supervision of the department under s. 938.355 (4) and who have been taken into custody pending revocation of community supervision or aftercare supervision under s. 938.357 (5) (e).

SECTION 2736. 302.31 (7) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

302.31 **(7)** The temporary placement of persons in the custody of the department, other than minors, and adults under the age of 25 years who are under the supervision of the department under s. 938.355 (4) and who have been taken into custody pending revocation of ~~community supervision or~~ aftercare supervision under s. 938.357 (5) (e).

SECTION 2737. 302.33 (1) of the statutes is amended to read:

302.33 **(1)** The maintenance of persons who have been sentenced to the state penal institutions; persons in the custody of the department, except as provided in sub. (2) and ss. 301.048 (7), ~~302.113 (8m), and~~ 302.114 (8m), and 302.115; persons accused of crime and committed for trial; persons committed for the nonpayment of fines and expenses; and persons sentenced to imprisonment therein, while in the county jail, shall be paid out of the county treasury. No claim may be allowed to any sheriff for keeping or boarding any person in the county jail unless the person was lawfully detained therein.

SECTION 2738. 302.335 (2j) of the statutes is amended to read:

302.335 **(2j)** The department shall allow a probationer, parolee, or person on extended supervision who is detained in a county jail, tribal jail, or county house of correction under this section to be considered for participation in a program under s. 303.08 ~~(1) (a), (b), (bn), or (e) if the person was placed on probation for a misdemeanor and the probation violation for which he or she is confined is not a crime~~. The sheriff, tribal chief of police, or superintendent of the house of correction, in conjunction with the department, shall determine the probationer's eligibility to participate in such programs and may terminate participation at any time.

SECTION 2739. 302.386 (5) (c) of the statutes is repealed.

SECTION 2740. 302.386 (5) (d) of the statutes is amended to read:

302.386 **(5)** (d) Any participant in the serious juvenile offender program under s. 938.538 unless the participant is placed in a ~~Type 1~~ juvenile correctional facility~~, as defined in s. 938.02 (19)~~.

SECTION 2741. 302.43 of the statutes is amended to read:

302.43 Good time. Every inmate of a county jail is eligible to earn good time in the amount of one–fourth of his or her term for good behavior if sentenced to at

least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit for time served prior to sentencing under s. 973.155, including good time under s. 973.155 (4). An inmate who violates any law or any regulation of the jail, or neglects or refuses to perform any duty lawfully required of him or her, may be deprived by the sheriff of good time under this section, except that the sheriff shall not deprive the inmate of more than 2 days good time for any one offense without the approval of the court. An inmate who files an action or special proceeding, including a petition for a common law writ of certiorari, to which s. 807.15 applies shall be deprived of the number of days of good time specified in the court order prepared under s. 807.15 (3). This section does not apply to a person who is confined in the county jail in connection with his or her participation in a ~~substance abuse treatment~~ program that meets the requirements of s. 165.95 (3), as determined by the department of justice under s. 165.95 (9) and (10).

SECTION 2742. 303.065 (1) (b) 1. of the statutes is amended to read:

303.065 **(1)** (b) 1. A person serving a life sentence, other than a life sentence specified in subd. 2., may be considered for work release only after he or she has reached parole eligibility under s. 304.06 (1) (b) or 973.014 (1) (a) or (b) or (3) (b), whichever is applicable, or he or she has reached his or her extended supervision eligibility date under s. 302.114 (9) (am) or 973.014 (1g) (a) 1. or 2. or (3) (c), whichever is applicable.

SECTION 2743. 303.08 (1) (intro.) of the statutes is amended to read:

303.08 **(1)** (intro.) Any person sentenced to a county jail for crime, nonpayment of a fine or forfeiture, or contempt of court or subject to a confinement sanction under s. ~~302.113 (8m) or~~ 302.114 (8m) or 302.115 or a probationer, parolee, or person on extended supervision who is detained in a county jail, tribal jail, or other county

facility ~~for a probation violation who meets the criteria under s. 302.335 (2j)~~ pending disposition of revocation proceedings, investigation of a rule violation, or for a short–term sanction may be granted the privilege of leaving the jail during necessary and reasonable hours for any of the following purposes:

SECTION 2744. 303.08 (2) of the statutes is amended to read:

303.08 **(2)** Unless such privilege is expressly granted by the court or, in the case of a person subject to a confinement sanction under s. ~~302.113 (8m) or~~ 302.114 (8m) or 302.115, the department, the person is sentenced to ordinary confinement. A prisoner, other than a person subject to a confinement sanction under s. ~~302.113 (8m) or~~ 302.114 (8m) or 302.115, may petition the court for such privilege at the time of sentence or thereafter, and in the discretion of the court may renew the prisoner's petition. The court may withdraw the privilege at any time by order entered with or without notice.

SECTION 2745. 303.08 (5) (intro.) of the statutes is amended to read:

303.08 **(5)** (intro.) By order of the court or, for a person subject to a confinement sanction under s. ~~302.113 (8m) or~~ 302.114 (8m) or 302.115, by order of the department, the wages, salary and unemployment insurance and employment training benefits received by prisoners shall be disbursed by the sheriff for the following purposes, in the order stated:

SECTION 2746. 303.08 (6) of the statutes is amended to read:

303.08 **(6)** The department, for a person subject to a confinement sanction under s. ~~302.113 (8m) or~~ 302.114 (8m) or 302.115, or the sentencing court, by order, may authorize the sheriff to whom the prisoner is committed to arrange with another sheriff for the employment or employment training of the prisoner in the other's

county, and while so employed or trained to be in the other's custody but in other respects to be and continue subject to the commitment.

SECTION 2747. 303.08 (12) of the statutes is amended to read:

303.08 **(12)** In counties having a house of correction, any person violating the privilege granted under sub. (1) may be transferred by the county jailer to the house of correction for the remainder of the term of the person's sentence or, if applicable, the remainder of the person's confinement sanction under s. ~~302.113 (8m) or~~ 302.114 (8m) or 302.115.

SECTION 2748. 304.02 (5) of the statutes is amended to read:

304.02 **(5)** Notwithstanding subs. (1) to (3), a prisoner who is serving a life sentence under s. 939.62 (2m) (c) or 973.014 (1) (c) ~~or,~~ (1g), or (3) (c) is not eligible for release to parole supervision under this section.

SECTION 2749. 304.06 (1) (b) of the statutes is amended to read:

304.06 **(1)** (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s. 302.045 (3), 302.05 (3) (b), 973.01 (6), ~~or~~ 973.0135, or 973.018, the parole commission may parole an inmate of the Wisconsin state prisons or any felon or any person serving at least one year or more in a county house of correction or a county reforestation camp organized under s. 303.07, when he or she has served 25 percent of the sentence imposed for the offense, or 6 months, whichever is greater. Except as provided in s. 939.62 (2m) (c) or 973.014 (1) (b) or (c), (1g) ~~or,~~ (2), or (3) (b) or (c), the parole commission may parole an inmate serving a life term when he or she has served 20 years, as modified by the formula under s. 302.11 (1) and subject to extension under s. 302.11 (1q) and (2), or reduction under s. 973.018, if applicable. The person serving the life term shall be given credit for time served prior to sentencing under s. 973.155, including good time under s. 973.155 (4). The secretary

may grant special action parole releases under s. 304.02. The department or the parole commission shall not provide any convicted offender or other person sentenced to the department's custody any parole eligibility or evaluation until the person has been confined at least 60 days following sentencing.

SECTION 2750. 304.06 (3) of the statutes is renumbered 304.06 (3) (a) and amended to read:

304.06 **(3)** (a) Every paroled prisoner remains in the legal custody of the department unless otherwise provided by the department.

(b) If the department alleges that any condition or rule of parole has been violated by the prisoner, the department may take physical custody of the prisoner for the investigation of the alleged violation. If the department is satisfied that any condition or rule of parole has been violated it shall afford the prisoner such administrative hearings as are required by law.

(c) Unless waived by the parolee, the final administrative hearing shall be held before a hearing examiner from the division of hearings and appeals in the department of administration who is licensed to practice law in this state. The hearing examiner shall enter an order revoking or not revoking parole under par. (g).

(d) Upon request by either party, the administrator of the division of hearings and appeals in the department of administration shall review the order.

(e) The hearing examiner may order that a deposition be taken by audiovisual means and allow the use of a recorded deposition under s. 967.04 (7) to (10) in a hearing under this subsection.

(f) If the parolee waives the final administrative hearing, the secretary ~~of corrections~~ shall enter an order revoking or not revoking parole.

(g) If the hearing examiner, the administrator upon review, or the secretary in the case of a waiver finds that the prisoner has violated the rules or conditions of parole, the examiner, the administrator upon review, or the secretary in the case of a waiver, may order the prisoner returned to prison to continue serving his or her sentence, or to continue on parole. The hearing examiner, administrator, or secretary may not revoke parole under this subsection unless one of the following applies:

(h) If the prisoner claims or appears to be indigent, the department shall refer the prisoner to the authority for indigency determinations specified under s. 977.07 (1).

SECTION 2751. 304.06 (3) (g) 1. to 5. of the statutes are created to read:

304.06 **(3)** (g) 1. The person has committed 3 or more independent violations while released on parole.

2. The condition that the person violated was a condition that the person not contact any specified individual.

3. The person was required to register as a sex offender under s. 301.45.

4. When the person violated the condition of parole, the person also allegedly committed a crime.

5. The person failed to report or make himself or herself available for supervision for a period of more than 60 consecutive days.

SECTION 2752. 304.06 (3g) of the statutes is repealed.

SECTION 2753. 304.071 (2) of the statutes is amended to read:

304.071 **(2)** If a prisoner is not eligible for parole under s. 961.49 (2), 1999 stats., or s. 939.62 (2m) (c), 973.01 (6), 973.014 (1) (c) ~~or~~, (1g), or (3) (c), or 973.032 (5), he or she is not eligible for parole under this section.

SECTION 2754. 304.072 (4) of the statutes is amended to read:

304.072 **(4)** The sentence of a revoked parolee or person on extended supervision resumes running on the day he or she is received at a correctional institution subject to sentence credit for the period of custody in a jail, correctional institution or any other detention facility pending revocation according to the terms of s. 973.155 and subject to earned compliance credit under s. 973.156.

SECTION 2755. 321.37 of the statutes is amended to read:

321.37 No discrimination. No person, otherwise qualified, may be denied membership in the national guard or state defense force because of sex, color, race, creed, ~~or~~ sexual orientation, gender expression, as defined in s. 111.32 (7j), or gender identity, as defined in s. 111.32 (7k), and no member of the national guard or state defense force may be segregated within the national guard or state defense force on the basis of sex, color, race, creed, ~~or~~ sexual orientation, gender expression, as defined in s. 111.32 (7j), or gender identity, as defined in s. 111.32 (7k). Nothing in this section prohibits separate facilities for persons of different sexes with regard to dormitory accommodations, toilets, showers, saunas, and dressing rooms, except that no person may be denied equal access to facilities most consistent with the person's gender identity.

SECTION 2756. 321.40 (1) (c) 2. of the statutes is amended to read:

321.40 **(1)** (c) 2. A public institution of higher education under the ~~Minnesota–Wisconsin~~ Minnesota–University of Wisconsin System student reciprocity agreement under s. 36.27 (2r) or a public vocational school under the Minnesota–Wisconsin public vocational school reciprocity agreement under s. 39.47**.**

SECTION 2757. 323.14 (1m) of the statutes is created to read:

323.14 **(1m)** CONSIDERATIONS IN FEDERAL HAZARD MITIGATION PLANNING. If a city, village, town, or county develops a mitigation plan under 42 U.S.C. 5165, the city, village, town, or county shall consider the effects of climate change on the natural hazards, risks, and vulnerabilities of the city, village, town, or county and consider actions that may assist in mitigating the effects of climate change on these hazards, risks, and vulnerabilities.

SECTION 2758. 323.29 (3) (a) of the statutes is renumbered 323.29 (3) (a) (intro.) and amended to read:

323.29 **(3)** (a) (intro.) The department shall ~~provide~~ do all of the following:

1. Provide staff support for the council ~~and oversight of~~.

3. Oversee the development and operation of ~~a~~ any current or future statewide public safety interoperable communication system.

SECTION 2759. 323.29 (3) (a) 2. of the statutes is created to read:

323.29 **(3)** (a) 2. Administer any current or future statewide public safety interoperable communication system.

SECTION 2760. 323.29 (3) (b) 3. of the statutes is created to read:

323.29 **(3)** (b) 3. Enter into agreements for maintenance and support of, upgrades to, and enhancements for the statewide public safety interoperable communication system under this section.

SECTION 2761. 323.31 of the statutes is amended to read:

323.31 State disaster assistance. From the appropriations under s. 20.465 (3) (b) and (s), the adjutant general shall make payments to retail electric cooperatives, as defined in s. 16.957 (1) (t), to local governmental units, as defined in s. 19.42 (7u), and to federally recognized American Indian tribes and bands in this state for the damages and costs incurred as the result of a disaster, including costs

incurred for approved hazard mitigation measures after a disaster, if federal disaster assistance is not available for that disaster because the governor's request that the president declare the disaster a major disaster under 42 USC 5170 has been denied or because the disaster, as determined by the department of military affairs, does not meet the statewide or countywide per capita impact indicator under the public assistance program that is issued by the federal emergency management agency. To be eligible for a payment under this section, the retail electric cooperative, local governmental unit, or tribe or band shall pay 30 percent of the amount of the damages and costs resulting from the disaster. The department of military affairs shall promulgate rules establishing the application process and the criteria for determining eligibility for payments under this section.

SECTION 2762. 323.72 (title) of the statutes is amended to read:

323.72 (title) ~~**Structural collapse**~~ **Urban search and rescue emergency response.**

SECTION 2763. 323.72 (1) of the statutes is amended to read:

323.72 **(1)** ~~A regional structural collapse team~~ An urban search and rescue task force designated by the division shall assist ~~in the~~ at the discretion of the division in an emergency response ~~to a structural collapse incident in a region of this state designated by the division~~ involving search, rescue, and recovery in the technical rescue disciplines to include structural collapse, rope rescue, vehicle extrication, machinery extrication, confined space, trench, excavation, and water operations in an urban search and rescue environment. Whenever ~~a regional structural collapse team~~ an urban search and rescue task force assists in an emergency response under this subsection, ~~it~~ the division shall determine ~~under the rules promulgated under sub. (5)~~ whether an emergency requiring the ~~team's~~ urban search and rescue task

force's response existed. If the ~~regional structural collapse team~~ division determines that such an emergency existed, it shall make a good faith effort to identify the person who is required to reimburse the division under sub. (3) ~~and shall provide that information to the division~~. The division shall contract with local agencies, as defined in s. 323.70 (1) (b), to establish ~~no more than 4 regional structural collapse teams~~ an urban search and rescue task force. A member of ~~a regional structural collapse team~~ an urban search and rescue task force shall meet the ~~highest~~ training, competency, and job performance requirement standards for a ~~structural collapse team~~ search and rescue task force under the National Fire Protection Association standards NFPA 472, 1006, and 1670, and the urban search and rescue standard by the Emergency Management Accreditation program ANSI/EMAP US&R 2–2019.

SECTION 2764. 323.72 (2) of the statutes is amended to read:

323.72 **(2)** ~~The~~ From the appropriation under s. 20.465 (3) (h) or (hm), the division shall reimburse a ~~regional structural collapse team~~ local agency under sub. (1) for costs incurred by the ~~team~~ local agency in responding to an emergency ~~involving a structural collapse incident if the team determines that a structural collapse emergency~~ requiring ~~a~~ an urban search and rescue task force response ~~existed as provided under the rules promulgated under sub. (5)~~ if the division determines that such a response was necessary. Reimbursement under this subsection ~~is limited to amounts collected under sub. (3). Reimbursement under this subsection is available only if the regional structure collapse team has identified the person who is required to reimburse the division under sub. (3) and provided that information to the division~~ shall be issued to the local agency within 60 days after receiving a complete application for reimbursement on a form prescribed by the

division if the agency applies for reimbursement within 45 days after the conclusion of the deployment of the urban search and rescue task force.

SECTION 2765. 323.72 (2m) of the statutes is created to read:

323.72 **(2m)** From the appropriation under s. 20.465 (3) (hm), the division shall reimburse a local agency under sub. (1) for costs incurred by the local agency for any increase in contributions for duty disability premiums under s. 40.05 (2) (aw) for employees who receive duty disability benefits under s. 40.65 because of an injury incurred while performing duties as a member of an urban search and rescue task force under sub. (1).

SECTION 2766. 323.72 (3) of the statutes is amended to read:

323.72 **(3)** A person shall reimburse the division for costs incurred by ~~a regional structural collapse team~~ an urban search and rescue task force in responding to an emergency if the ~~team~~ division determines ~~under the rules promulgated under sub. (5)~~ that an emergency requiring the ~~team's~~ urban search and rescue task force's response existed and that one of the following conditions applies:

(a) The person possessed or controlled a ~~structure~~ property that was involved in the ~~structural collapse~~ emergency.

(b) The person caused the ~~structural collapse~~ emergency.

SECTION 2767. 323.72 (4) of the statutes is amended to read:

323.72 **(4)** A member of ~~a regional structural collapse team~~ an urban search and rescue task force who is acting under a contract under sub. (1) is considered an employee of the state for purposes of worker's compensation benefits.

SECTION 2768. 323.72 (5) of the statutes is repealed.

SECTION 2769. 323.72 (7) of the statutes is created to read:

323.72 **(7)** In this section, "urban search and rescue task force" means a type 1 urban search and rescue task force, type 3 urban search and rescue task force, or any component thereof, as designated by the Federal Emergency Management Agency National Incident Management System resource typing system.

SECTION 2770. 341.135 of the statutes is renumbered 341.135 (1) and amended to read:

341.135 **(1)** DESIGN. At intervals determined by the department, the department shall establish new designs of registration plates to be issued under ss. 341.14 (1), (1a), (1m), (1q), (2), (2m), (6m), and (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2) and (3) (a) 1. and (am). Any design for registration plates issued for automobiles and for vehicles registered on the basis of gross weight shall comply with the applicable design requirements of ss. 341.12 (3), 341.13, and 341.14 (6r) (c). The designs for registration plates specified in this ~~section~~ subsection shall be as similar in appearance as practicable during each design interval. Except as provided in ss. 341.13 (2r) and 341.14 (1), each registration plate issued under s. 341.14 (1), (1a), (1m), (1q), (2), (2m), (6m), or (6r), 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c), or 341.26 (2) or (3) (a) 1. or (am) during each design interval shall be of the design established under this ~~section~~ subsection. The department may not redesign registration plates for the special groups under s. 341.14 (6r) (f) 53., 54., or 55. until July 1, 2010. ~~Notwithstanding s. 341.13 (3), as the department establishes new designs for registration plates under this section, the department shall, at the time determined appropriate by the department, issue registration plates of the new design to replace registration plates previously issued. This section does not apply to special group plates under s. 341.14 (6r) (f) 19m., 33m., and 48m.~~

SECTION 2771. 341.135 (2) of the statutes is created to read:

341.135 **(2)** ISSUANCE. Notwithstanding s. 341.13 (3), beginning with registrations initially effective July 1, 2021, upon receipt of a completed application to renew the registration of a vehicle under ss. 341.14 (1), (1a), (1m), (1q), (2), (2m), (6m), or (6r), 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c), or 341.26 (2) or (3) (a) 1. or (am) for which a registration plate has not been issued during the previous 10 years, the department shall issue and deliver prepaid to the applicant 2 new registration plates of the design established under sub. (1).

SECTION 2772. 341.135 (3) of the statutes is created to read:

341.135 **(3)** APPLICABILITY. This section does not apply to special group plates under s. 341.14 (6r) (f) 19m., 33m., or 48m.

SECTION 2773. 341.16 (2s) of the statutes is created to read:

341.16 **(2s)** When the owner of a vehicle applies to the department to renew the registration of a vehicle for which new plates are required under s. 341.135 (2), and upon payment of a fee of $6.25, the department shall issue new replacement plates. Upon receipt of replacement plates, the applicant shall destroy the replaced plates.

SECTION 2774. 341.255 (3) of the statutes is created to read:

341.255 **(3)** For each vehicle registration renewal notice that is provided by mail under s. 341.08 (4m), the department shall charge the recipient a fee of $0.33. All fees received under this subsection shall be deposited in the transportation fund.

SECTION 2775. 343.03 (3m) of the statutes is amended to read:

343.03 **(3m)** NONCITIZEN LIMITED-TERM LICENSE. If the issuance of any license described under sub. (3) requires the license applicant to present any documentary proof specified in s. 343.14 (2) (es) ~~2. to 7.~~ 1m. b. to g. or (im) 2m. b., the license shall display on the front side of the license, in addition to any legend or label described in sub. (3), a legend identifying the license as limited term or, if the license authorizes

the operation of a commercial motor vehicle, as a nondomiciled license. This noncitizen limited–term license may not be renewed except as provided in s. 343.165 (4) (c). A nondomiciled license may not be issued to a resident of Canada or Mexico.

SECTION 2776. 343.03 (3r) of the statutes is amended to read:

343.03 **(3r)** REAL ID NONCOMPLIANT LICENSE. If any license described under sub. (3) is issued based upon the exception specified in s. 343.165 (7), the license shall, in addition to any legend or label described in sub. (3), be marked in a manner consistent with requirements under applicable federal law and regulations to indicate that the license is issued in accordance with P.L. 109–13, section 202 (d) (11), and is not intended to be accepted by any federal agency for federal identification or any other official purpose. Section 344.62 applies to a person operating a motor vehicle under the authorization of a license issued under this subsection.

SECTION 2777. 343.06 (1) (c) of the statutes is amended to read:

343.06 **(1)** (c) To any person under age 18 unless the person is enrolled in a school program or high school equivalency program and is not a habitual truant as defined in s. 118.16 (1) (a), has graduated from high school or been granted a declaration of high school graduation equivalency, or is enrolled in a home–based private educational program, as defined in s. 115.001 (3g), and has satisfactorily completed a course in driver education in public schools approved by the department of public instruction, or in technical colleges approved by the technical college system board, or in nonpublic and private schools or tribal schools, as defined in s. 115.001 (15m), that meet the minimum standards set by the department of public instruction, or has satisfactorily completed a substantially equivalent course in driver training approved by the department and given by a school licensed by the department under s. 343.61, or has satisfactorily completed a substantially

equivalent course in driver education or training approved by another state and has attained the age of 16, except as provided in s. 343.07 (1g). The department shall not issue a license to any person under the age of 18 authorizing the operation of "Class M" vehicles unless the person has successfully completed a basic rider course approved by the Wisconsin department of transportation motorcycle safety program. The department may, by rule, exempt certain persons from the basic rider course requirement of this paragraph. Applicants for a license under s. 343.08 or 343.135 are exempt from the driver education, basic rider or driver training course requirement. The secretary shall prescribe rules for licensing of schools and instructors to qualify under this paragraph. The driver education course shall be made available to every eligible student in the state. Except as provided under s. 343.16 (1) (bm) ~~and,~~ (c), and (cm) and (2) (cm) to (e), no operator's license may be issued unless a driver's examination has been administered by the department.

SECTION 2778. 343.085 (2) (d) of the statutes is created to read:

343.085 **(2)** (d) Any person providing the department with documentary proof that the person is enlisted in the U.S. armed forces is exempt from this section.

SECTION 2779. 343.14 (1) of the statutes is amended to read:

343.14 **(1)** Every application to the department for a license or identification card or for renewal thereof shall be made upon the appropriate form furnished by the department and shall be accompanied by all required fees. ~~Notwithstanding s. 343.50 (8) (b), names~~ Names, addresses, license numbers, and social security numbers obtained by the department under this subsection shall be provided to the department of revenue for the purpose of administering ss. 71.93 and 71.935 and state taxes and to the department of workforce development for the sole purpose of enforcing or administering s. 108.22.

SECTION 2780. 343.14 (2) (br) of the statutes is renumbered 343.14 (2) (br) 1. and amended to read:

343.14 **(2)** (br) 1. ~~If~~ Except as provided in subd. 2., if the applicant does not have a social security number, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number and is not eligible for a social security number. The statement shall provide the basis or reason that the applicant is not eligible for a social security number, as well as any information requested by the department that may be needed by the department for purposes of verification under s. 343.165 (1) (c). The form of the statement shall be prescribed by the department, with the assistance of the department of children and families. A license that is issued or renewed under s. 343.17 in reliance on a statement submitted under this ~~paragraph~~ subdivision is invalid if the statement is false.

SECTION 2781. 343.14 (2) (br) 2. of the statutes is created to read:

343.14 **(2)** (br) 2. If the applicant does not have a social security number and the application is for an operator's license that contains the marking specified in s. 343.03 (3r) or an identification card that contains the marking specified in s. 343.50 (3) (b), a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department, with the assistance of the department of children and families. A license that is issued or renewed under s. 343.17 in reliance on a statement submitted under this subdivision is invalid if the statement is false.

SECTION 2782. 343.14 (2) (es) of the statutes is renumbered 343.14 (2) (es) 1m., and 343.14 (2) (es) 1m. (intro.), as renumbered, is amended to read:

343.14 **(2)** (es) 1m. (intro.) Subject to sub. (2g) (a) 2. d. and s. 343.125 (2) (a) and (b), and except as provided in subd. 2m., valid documentary proof that the individual

is a citizen or national of the United States or an alien lawfully admitted for permanent or temporary residence in the United States or has any of the following:

SECTION 2783. 343.14 (2) (es) 2m. of the statutes is created to read:

343.14 **(2)** (es) 2m. Valid documentary proof under subd. 1m. is not required if the application is for an operator's license that contains the marking specified in s. 343.03 (3r) or an identification card that contains the marking specified in s. 343.50 (3) (b).

SECTION 2784. 343.14 (2j) of the statutes is amended to read:

343.14 **(2j)** Except as otherwise required to administer and enforce this chapter, the department of transportation may not disclose a social security number obtained from an applicant for a license under sub. (2) (bm) to any person except to the department of children and families for the sole purpose of administering s. 49.22, to the department of workforce development for the sole purpose of enforcing or administering s. 108.22, to the department of revenue for the purposes of administering state taxes and collecting debt, to the driver licensing agency of another jurisdiction, or to the elections commission for the sole purpose of allowing the chief election officer to comply with the terms of the agreement under s. 6.36 (1) (ae). The department of transportation may not disclose to any person the fact that an applicant has provided verification under s. 343.165 (7) (c) 2. that the applicant does not have a social security number, except to the elections commission for purposes of administering the agreement described in s. 5.056.

SECTION 2785. 343.14 (2p) of the statutes is created to read:

343.14 **(2p)** (a) The forms for application for a license or identification card or for renewal thereof shall inform the applicant of the department's duty to make available to the elections commission the information described in s. 6.256 (2) for the

purposes specified in s. 6.256 (1) and (3) and shall provide the applicant an opportunity to elect not to have this information made available for these purposes.

(b) If the applicant elects not to have the information described in s. 6.256 (2) made available for the purposes specified in s. 6.256 (1) and (3), the department may not make this information available for these purposes. This paragraph does not preclude the department from making available to the elections commission information for the purposes specified in s. 6.34 (2m) or for any purpose other than those specified in s. 6.256 (1) and (3).

SECTION 2786. 343.14 (3) of the statutes is amended to read:

343.14 **(3)** Except as provided in sub. (3m) and s. 343.16 (3) (c), the department shall, as part of the application process, take a digital photograph including facial image capture of the applicant to comply with s. 343.17 (3) (a) 2. Except as provided in sub. (3m) and 343.16 (3) (c), no application may be processed without the photograph being taken. Except as provided in sub. (3m) and ~~s.~~ ss. 343.16 (3) (c) and 343.165 (4) (d), in the case of renewal licenses, the photograph shall be taken once every 8 years, and shall coincide with the appearance for examination which is required under s. 343.16 (3).

SECTION 2787. 343.16 (1) (a) of the statutes is amended to read:

343.16 **(1)** (a) *General.* Except as provided in par. (cm) and when examination by a 3rd–party tester is permitted under pars. (b) to (c), the department shall examine every applicant for an operator's license, including applicants for license renewal as provided in sub. (3), and every applicant for authorization to operate a vehicle class or type for which the applicant does not hold currently valid authorization, other than an instruction permit. Except as provided in par. (cm) and sub. (2) (cm) and (e), the examinations of applicants for licenses authorizing

operation of "Class A", "Class B", "Class C", "Class D" or "Class M" vehicles shall include both a knowledge test and an actual demonstration in the form of a driving skills test of the applicant's ability to exercise ordinary and reasonable control in the operation of a representative vehicle. The department shall not administer a driving skills test to a person applying for authorization to operate "Class M" vehicles who has failed 2 previous such skills tests unless the person has successfully completed a rider course approved by the department. The department may, by rule, exempt certain persons from the rider course requirement of this paragraph. The department may not require a person who is applying for authorization to operate "Class M" vehicles and who has successfully completed a rider course approved by the Wisconsin department of transportation motorcycle safety program to hold an instruction permit under s. 343.07 (4) prior to the department's issuance of a license authorizing the operation of "Class M" vehicles. The department may not require a person applying for authorization to operate "Class M" vehicles who holds an instruction permit under s. 343.07 (4) to hold it for a minimum period of time before administering a driving skills test. The driving skills of applicants for endorsements authorizing the operation of commercial motor vehicles equipped with air brakes, the transportation of passengers in commercial motor vehicles or the operation of school buses, as provided in s. 343.04 (2) (b), (bm), (d) or (e), shall also be tested by an actual demonstration of driving skills. The department may endorse an applicant's commercial driver license for transporting hazardous materials requiring placarding or any quantity of a material listed as a select agent or toxin under 42 CFR 73, subject to s. 343.125, or for the operation of tank vehicles or vehicles towing double or triple trailers, as described in s. 343.04 (2) (a), (c) or (f), based on successful completion of a knowledge test. In administering the knowledge test, the

department shall attempt to accommodate any special needs of the applicant. Except as may be required by the department for an "H" or "S" endorsement, the knowledge test is not intended to be a test for literacy or English language proficiency. This paragraph does not prohibit the department from requiring an applicant to correctly read and understand highway signs.

SECTION 2788. 343.16 (1) (cm) of the statutes is created to read:

343.16 **(1)** (cm) *Driving skills test waiver.* The department may waive the driving skills test of an individual applying for an operator's license if all of the following apply:

1. The applicant is under 18 years of age.

2. The application is for authorization to operate only "Class D" vehicles.

3. The applicant has satisfactorily completed a course in driver education in a public school approved by the department of public instruction, or in a technical college approved by the technical college system board, or in a nonpublic and private school or tribal school, as defined in s. 115.001 (15m), that meets the minimum standards set by the department of public instruction, or has satisfactorily completed a substantially equivalent course in driver training approved by the department and given by a school licensed by the department under s. 343.61, or has satisfactorily completed a substantially equivalent course in driver education or training approved by another state.

4. The applicant has held an instruction permit issued under s. 343.07 for not less than 6 months.

5. The applicant has not committed a moving violation, specified by the department by rule, resulting in a conviction during the 6–month period immediately preceding application.

6. An adult sponsor who has signed for the applicant under s. 343.15 (1) consents to a waiver of the driving skills test.

SECTION 2789. 343.16 (3) (a) of the statutes is amended to read:

343.16 **(3)** (a) Except as provided in s. 343.165 (4) (d), the department shall examine every applicant for the renewal of an operator's license once every 8 years. The department may institute a method of selecting the date of renewal so that such examination shall be required for each applicant for renewal of a license to gain a uniform rate of examinations. Subject to ~~par.~~ pars. (am) and (c), the examination shall consist of a test of eyesight. The department shall make provisions for giving such examinations at examining stations in each county to all applicants for an operator's license. The person to be examined shall appear at the examining station nearest the person's place of residence or at such time and place as the department designates in answer to an applicant's request. In lieu of examination, the applicant may present or mail to the department a report of examination of the applicant's eyesight by an ophthalmologist, optometrist or physician licensed to practice medicine. The report shall be based on an examination made not more than 3 months prior to the date it is submitted. The report shall be on a form furnished and in the form required by the department. The department shall decide whether, in each case, the eyesight reported is sufficient to meet the current eyesight standards.

SECTION 2790. 343.16 (3) (c) of the statutes is created to read:

343.16 **(3)** (c) 1. An applicant for the renewal of an operator's license other than a commercial driver license may apply for the license, and the department may issue the license, by any electronic means offered by the department if all of the following apply:

a. The applicant's license is not subject to restrictions based on medical conditions, other than a requirement that the applicant use corrective lenses.

b. The applicant is not more than 65 years of age.

c. The applicant verifies that he or she is aware that the license will contain the marking specified in s. 343.03 (3r) and is not intended to be accepted by any federal agency for federal identification or any other official purpose.

d. The applicant verifies that his or her eyesight is sufficient to meet the current eyesight standards.

e. The applicant satisfies any eligibility criteria established by the department under subd. 2.

2. The department may establish additional criteria for eligibility for license renewal by electronic means under this paragraph.

3. a. The department may renew a license under this paragraph without a test of eyesight.

b. Subject to s. 343.165 (7), the department may renew a license under this paragraph without a photograph being taken if the department is able to produce a photograph of the applicant from its records.

4. The department may not make consecutive renewals of an operator's license by electronic means.

SECTION 2791. 343.165 (1) (c) of the statutes is amended to read:

343.165 **(1)** (c) Proof of the applicant's social security number or, except as provided in sub. (7) (c) 2. and s. 343.14 (2g) (a) 4., verification that the applicant is not eligible for a social security number.

SECTION 2792. 343.165 (1) (e) of the statutes is amended to read:

343.165 **(1)** (e) Subject to ss. 343.125 (2) (a) and (b) and 343.14 (2g) (a) 2. d., and except as provided in sub. (7) (c) 1. and s. 343.14 (2) (es) 2m., the documentary proof described in s. 343.14 (2) (es) 1m.

SECTION 2793. 343.165 (3) (b) of the statutes is amended to read:

343.165 **(3)** (b) The department may not accept any foreign document, other than an official passport, to satisfy a requirement under sub. (1). This paragraph does not apply to an application processed under sub. (7) (c).

SECTION 2794. 343.165 (3) (c) of the statutes is amended to read:

343.165 **(3)** (c) For purposes of par. (a) and sub. (1) (c), if an applicant presents a social security number that is already registered to or associated with another person, the department shall direct the applicant to investigate and take appropriate action to resolve the discrepancy and shall not issue any operator's license or identification card until the discrepancy is resolved. The department shall adopt procedures for purposes of verifying that an applicant is not eligible for a social security number, except with respect to applications processed under sub. (7) (c).

SECTION 2795. 343.165 (4) (b) of the statutes is amended to read:

343.165 **(4)** (b) The department shall establish an effective procedure to confirm or verify an applicant's information for purposes of any application described in par. (a). The procedure shall include verification of the applicant's social security number or, except with respect to applications processed under sub. (7) (c), ineligibility for a social security number.

SECTION 2796. 343.165 (4) (d) of the statutes is amended to read:

343.165 **(4)** (d) With any license or identification card renewal following a license or identification card expiration established under s. 343.20 (1) (a) or (1m) or 343.50 (5) (bm) or (c) at other than an 8–year interval, the department may

determine whether the applicant's photograph is to be taken, or if the renewal is for a license the applicant is to be examined, or both, at the time of such renewal, so long as the applicant's photograph is taken, and if the renewal is for a license the applicant is examined, with a license or card renewal at least once every 8 years and the applicant's license or identification card at all times includes a photograph unless an exception under s. 343.14 (3m) or 343.50 (4g) applies.

SECTION 2797. 343.165 (7) (a) (intro.) of the statutes is amended to read:

343.165 **(7)** (a) (intro.) ~~The~~ Subject to par. (c), the department may process an application for, and issue or renew, an operator's license or identification card without meeting the requirements under subs. (2) and (3) if all of the following apply:

SECTION 2798. 343.165 (7) (c) of the statutes is created to read:

343.165 **(7)** (c) 1. Notwithstanding s. 343.14 (2) (f), in processing an application for, and issuing or renewing, an operator's license that contains the marking specified in s. 343.03 (3r) or an identification card that contains the marking specified in s. 343.50 (3) (b), the department may not include any question or require any proof or documentation as to whether the applicant is a citizen or national of the United States or lawfully present in the United States.

2. For an application processed under this paragraph, if the applicant does not provide proof of the applicant's social security number, the applicant shall provide verification, in the manner described in s. 343.14 (2) (br) 2., that the applicant does not have a social security number.

3. Notwithstanding sub. (1) (a), for an application processed under this paragraph, an applicant may provide an individual taxpayer identification number, a foreign passport, or any other documentation deemed acceptable to the department, in lieu of the documentation required under sub. (1) (a).

4. Notwithstanding sub. (1) (b) and (d), for an application processed under this paragraph, an applicant may provide any documentation deemed acceptable to the department, in lieu of the documentation required under sub. (1) (b) or (d).

SECTION 2799. 343.17 (3) (a) 16. of the statutes is created to read:

343.17 **(3)** (a) 16. If the license is marked as provided in s. 343.03 (3r) and the license applicant did not provide a verified social security number with the license application, the words "Not valid for voting purposes. Not evidence of citizenship or immigration status."

SECTION 2800. 343.20 (1) (a) of the statutes is amended to read:

343.20 **(1)** (a) Except as otherwise expressly provided in this chapter, probationary licenses issued under s. 343.085 shall expire 2 years from the date of the applicant's next birthday. Licenses issued after cancellation shall expire on the expiration date for the prior license at the time of cancellation. Subject to s. 343.125 (3), all other licenses and license endorsements shall expire 8 years after the date of issuance or, if the license application was processed under s. 343.165 (7) (c) and the applicant did not provide a verified social security number, 4 years after the date of issuance. The department may institute any system of initial license issuance which it deems advisable for the purpose of gaining a uniform rate of renewals. In order to put such a system into operation, the department may issue licenses which are valid for any period less than the ordinary effective period of such license. If the department issues a license that is valid for less than the ordinary effective period as authorized by this paragraph, the fees due under s. 343.21 (1) (b) and (d) shall be prorated accordingly.

SECTION 2801. 343.20 (1) (f) of the statutes is amended to read:

343.20 **(1)** (f) The department shall cancel an operator's license, regardless of the license expiration date, if the department receives information from a local, state, or federal government agency that the licensee no longer satisfies the requirements for issuance of a license under ss. 343.14 (2) (es) and 343.165 (1) (e). This paragraph does not apply to an operator's license if the license application was processed under s. 343.165 (7) (c).

SECTION 2802. 343.20 (1m) of the statutes is amended to read:

343.20 **(1m)** Notwithstanding sub. (1) (a), and except as provided in s. 343.165 (4) (c) and as otherwise provided in this subsection, a license that is issued to a person who is not a United States citizen or permanent resident and who provides documentary proof of legal status as provided under s. 343.14 (2) (es) ~~2., 4., 5., 6., or 7.~~ 1m. b., d., e., f., or g. shall expire on the date that the person's legal presence in the United States is no longer authorized or on the expiration date determined under sub. (1), whichever date is earlier. If the documentary proof as provided under s. 343.14 (2) (es) 1m. does not state the date that the person's legal presence in the United States is no longer authorized, sub. (1) shall apply except that, if the license was issued or renewed based upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es) ~~4. to 7.~~ 1m. d. to g., the license shall, subject to s. 343.165 (4) (c), expire one year after the date of issuance or renewal. This subsection does not apply to a license that contains the marking specified in s. 343.03 (3r).

SECTION 2803. 343.20 (2) (a) of the statutes is amended to read:

343.20 **(2)** (a) At least 30 days prior to the expiration of an operator's license, the department shall provide to the licensee notice of renewal of the license either by mail at the licensee's last–known address or, if desired by the licensee, by any electronic means offered by the department. If the license was issued or last renewed

based upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es) ~~4. to 7.~~ 1m. d. to g., the notice shall inform the licensee of the requirement under s. 343.165 (4) (c).

SECTION 2804. 343.50 (1) (c) 1. of the statutes is amended to read:

343.50 **(1)** (c) 1. The department may issue a receipt to any applicant for an identification card, and shall issue a receipt to an applicant requesting an identification card under sub. (5) (a) 3., which receipt shall constitute a temporary identification card while the application is being processed and shall be valid for a period not to exceed ~~60~~ 180 days. If the application for an identification card is processed under the exception specified in s. 343.165 (7) or (8), the receipt shall include the marking specified in sub. (3) (b).

SECTION 2805. 343.50 (3) (a) and (b) of the statutes are amended to read:

343.50 **(3)** (a) The card shall be the same size as an operator's license but shall be of a design which is readily distinguishable from the design of an operator's license and bear upon it the words "IDENTIFICATION CARD ONLY." The information on the card shall be the same as specified under s. 343.17 (3). If the issuance of the card requires the applicant to present any documentary proof specified in s. 343.14 (2) (es) ~~4. to 7.~~ 1m. d. to g., the card shall display, on the front side of the card, a legend identifying the card as temporary. The card shall contain physical security features consistent with any requirement under federal law. The card may serve as a record of gift under s. 157.06 (2) (t) and the holder may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a record of refusal under s. 157.06 (2) (u). Except as provided in sub. (4g), the card shall contain the holder's photograph and, if applicable, shall be of the design specified under s. 343.17 (3) (a) 12.

(b) If an identification card is issued based upon the exception specified in s. 343.165 (7) or (8), the card shall, in addition to any other required legend or design, be of the design specified under s. 343.17 (3) (a) 14. and include a marking similar or identical to the marking described in s. 343.03 (3r) and, if applicable, the words specified in s. 343.17 (3) (a) 16.

SECTION 2806. 343.50 (5) (b) of the statutes is amended to read:

343.50 **(5)** (b) Except as provided in pars. (bm), (c), and (d) and s. 343.165 (4) (c), an original or reinstated card shall be valid for the succeeding period of 8 years from the applicant's next birthday after the date of issuance, and a renewed card shall be valid for the succeeding period of 8 years from the card's last expiration date.

SECTION 2807. 343.50 (5) (bm) of the statutes is created to read:

343.50 **(5)** (bm) Notwithstanding par. (d), if the identification card application was processed under s. 343.165 (7) (c) and the applicant did not provide a verified social security number, an original or reinstated card shall be valid for the succeeding period of 2 years from the applicant's next birthday after the date of issuance, and a renewed card shall be valid for the succeeding period of 2 years from the card's last expiration date.

SECTION 2808. 343.50 (5) (c) of the statutes is amended to read:

343.50 **(5)** (c) Except as provided in s. 343.165 (4) (c) and as otherwise provided in this paragraph, an identification card that is issued to a person who is not a United States citizen and who provides documentary proof of legal status as provided under s. 343.14 (2) (es) 1m. shall expire on the date that the person's legal presence in the United States is no longer authorized or on the expiration date determined under par. (b), whichever date is earlier. If the documentary proof as provided under s. 343.14 (2) (es) 1m. does not state the date that the person's legal presence in the

United States is no longer authorized, then the card shall be valid for the period specified in par. (b) except that, if the card was issued or renewed based upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es) ~~4. to 7.~~ 1m. d. to g., the card shall, subject to s. 343.165 (4) (c), expire one year after the date of issuance or renewal. This paragraph does not apply to an identification card that contains the marking specified in sub. (3) (b).

SECTION 2809. 343.50 (6) of the statutes is amended to read:

343.50 **(6)** RENEWAL NOTICE. At least 30 days prior to the expiration of an identification card, the department shall provide to the card holder notice of renewal of the card either by mail at the card holder's last–known address or, if desired by the card holder, by any electronic means offered by the department. If the card was issued or last renewed based upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es) ~~4. to 7.~~ 1m. d. to g., the notice shall inform the card holder of the requirement under s. 343.165 (4) (c). The department shall include with the notice information, as developed by all organ procurement organizations in cooperation with the department, that promotes anatomical donations and which relates to the anatomical donation opportunity available under s. 343.175. The department may renew an identification card by mail or by any electronic means available to the department, but the department may not make consecutive renewals by mail or electronic means.

SECTION 2810. 343.50 (8) (b) of the statutes is repealed.

SECTION 2811. 343.50 (8) (c) 1. of the statutes is amended to read:

343.50 **(8)** (c) 1. Notwithstanding ~~par. (b) and~~ ss. 343.027, 343.14 (2j), and 343.237 (2), the department shall, upon request, provide to the driver licensing agencies of other jurisdictions any record maintained by the department of

transportation under this subsection, including providing electronic access to any such record.

SECTION 2812. 343.50 (8) (c) 2. of the statutes is amended to read:

343.50 **(8)** (c) 2. Notwithstanding ~~par. (b) and~~ s. 343.14 (2j), the department may, upon request, provide to the department of health services any applicant information maintained by the department of transportation and identified in s. 343.14 (2), including providing electronic access to the information, for the sole purpose of verification by the department of health services of birth record information.

SECTION 2813. 343.50 (8) (c) 3. of the statutes is amended to read:

343.50 **(8)** (c) 3. Notwithstanding ~~par. (b) and~~ s. 343.14 (2j), the department may, upon request, provide to the elections commission for the sole purpose of allowing the chief election officer to comply with the terms of the agreement under s. 6.36 (1) (ae) any applicant information or identification card holder information maintained by the department of transportation and identified in s. 343.14 (2).

SECTION 2814. 343.50 (8) (c) 4. of the statutes is amended to read:

343.50 **(8)** (c) 4. Notwithstanding ~~par. (b) and~~ s. 343.14 (2j), the department may, upon request, provide to the department of revenue any applicant information, including social security numbers, maintained by the department of transportation and identified in s. 343.14 (2), including providing electronic access to the information. Any information obtained by the department of revenue under this subdivision is subject to the confidentiality provisions of s. 71.78.

SECTION 2815. 343.50 (8) (c) 5. of the statutes is repealed.

SECTION 2816. 343.50 (8) (c) 6. of the statutes is created to read:

343.50 **(8)** (c) 6. Notwithstanding any other provision of this paragraph, the department may not disclose to any person the fact that an applicant has provided verification under s. 343.165 (7) (c) 2. that the applicant does not have a social security number, except to the elections commission for purposes of administering the agreement described in s. 5.056.

SECTION 2817. 343.50 (10) (c) of the statutes is amended to read:

343.50 **(10)** (c) Whenever the department receives information from a local, state, or federal government agency that the card holder no longer satisfies the requirements for issuance of a card under ss. 343.14 (2) (es) and 343.165 (1) (e). A card cancelled under this paragraph may not be reinstated under sub. (5) until these requirements are again satisfied. This paragraph does not apply to a card if the card application was processed under s. 343.165 (7) (c).

SECTION 2818. 345.26 (1) (a) of the statutes is amended to read:

345.26 **(1)** (a) A person arrested under s. 345.22 ~~or 345.28 (5)~~ for the violation of a traffic regulation who is allowed to make a deposit under s. 345.23 (2) (a) ~~or 345.28 (5)~~ shall deposit the money as the arresting officer directs by either mailing the deposit at a nearby mailbox to the office of the sheriff, headquarters of the county traffic patrol, district headquarters or station of the state traffic patrol, city, village or town police headquarters or a precinct station, the office of the municipal judge, the office of the clerk of court, or by going, in the custody of the arresting officer, to any of those places to make the deposit.

SECTION 2819. 345.28 (3) (a) of the statutes is amended to read:

345.28 **(3)** (a) If the person does not pay the forfeiture or appear in court in response to the citation for a nonmoving traffic violation on the date specified in the citation or, if no date is specified in the citation, within 28 days after the citation is

issued, the authority that issued the citation may issue a summons under s. 968.04 (3) (b) to the person and, in lieu of or in addition to issuing the summons, may proceed under sub. (4) ~~or (5)~~ but~~, except as provided in this section,~~ no warrant may be issued for the person. If the person does not pay towing and storage charges associated with a citation for a nonmoving traffic violation, the authority that issued the citation may proceed under sub. (4).

SECTION 2820. 345.28 (5) of the statutes is repealed.

SECTION 2821. 345.28 (5m) (a) (intro.) of the statutes is amended to read:

345.28 **(5m)** (a) (intro.) No notice under sub. (4) (a) 1. may be sent to the department, or if the notice has already been sent the notice shall be canceled, and no further action may be taken against the owner under sub. (4) ~~or (5)~~ or s. 341.10 (7m) or 341.63 (1) (c) if:

SECTION 2822. 345.28 (5r) (a) (intro.) of the statutes is amended to read:

345.28 **(5r)** (a) (intro.) No notice under sub. (4) (a) 2. may be sent to the department, or if the notice has already been sent the notice shall be canceled, and no further action may be taken against the owner under sub. (4) ~~or (5)~~ or s. 341.10 (7m) or 341.63 (1) (c) if:

SECTION 2823. 345.28 (7) of the statutes is repealed.

SECTION 2824. 345.36 (3) of the statutes is amended to read:

345.36 **(3)** If the offense involved is a nonmoving traffic violation ~~and the defendant is subject to s. 345.28 (5) (c)~~, a default judgment may be entered and ~~opened as provided in s. 345.28 (5) (c)~~ the person shall be deemed to have entered a plea of no contest. The court shall accept the plea of no contest, find the defendant guilty, and proceed under s. 345.47. The court shall give notice of the entry of judgment to the defendant by mailing a copy of the judgment to the defendant's

last–known address. The court shall also mail to the defendant's last–known address a statement setting forth the actions the court may take under s. 345.47 if the judgment is not paid.

SECTION 2825. 345.37 (1) (b) of the statutes is amended to read:

345.37 **(1)** (b) Deem the nonappearance a plea of no contest and enter judgment accordingly. If the defendant has posted bond for appearance at that date, the court may also order the bond forfeited. The court shall promptly mail a copy or notice of the judgment to the defendant. The judgment shall allow not less than 20 days from the date thereof for payment of any forfeiture, plus costs, fees, and surcharges imposed under ch. 814. If the defendant moves to open the judgment within 6 months after the court appearance date fixed in the citation, and shows to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise, or excusable neglect, the court shall open the judgment, accept a not guilty plea, and set a trial date. The court may impose costs under s. 814.07. The court shall immediately notify the department to delete the record of conviction based upon the original judgment. ~~If the offense involved is a nonmoving traffic violation and the defendant is subject to s. 345.28 (5) (c), a default judgment may be entered and opened as provided in s. 345.28 (5) (c).~~

SECTION 2826. 345.37 (1) (c) of the statutes is created to read:

345.37 **(1)** (c) If the offense involved is a nonmoving traffic violation, a default judgment may be entered and the person shall be deemed to have entered a plea of no contest. The court shall accept the plea of no contest, find the defendant guilty, and proceed under s. 345.47. The court shall give notice of the entry of judgment to the defendant by mailing a copy of the judgment to the defendant's last–known address. The court shall also mail to the defendant's last–known address a

statement setting forth the actions the court may take under s. 345.47 if the judgment is not paid.

SECTION 2827. 345.47 (1) (intro.) of the statutes is amended to read:

345.47 **(1)** (intro.) If the defendant is found guilty, the court may enter judgment against the defendant for a monetary amount not to exceed the maximum forfeiture provided for the violation, plus costs, fees, and surcharges imposed under ch. 814~~, and, in~~. In addition, if the defendant is found guilty of a violation other than a nonmoving violation under s. 345.28, the court may suspend or revoke his or her operating privilege under s. 343.30. Upon entering judgment, the court shall notify the defendant personally, if the defendant is present, and in writing that the defendant should notify the court if he or she is unable to pay the judgment because of poverty, as that term is used in s. 814.29 (1) (d). If the defendant is present and the court, using the criteria in s. 814.29 (1) (d), determines that the defendant is unable to pay the judgment because of poverty, the court shall provide the defendant with an opportunity to pay the judgment in installments, taking into account the defendant's income. If the judgment is not paid or if the defendant fails to make any ordered installment payment, the court shall order:

SECTION 2828. 345.47 (1) (b) of the statutes is amended to read:

345.47 **(1)** (b) In lieu of imprisonment and in addition to any other suspension or revocation, that the defendant's operating privilege be suspended. The operating privilege shall be suspended for 30 days or until the person pays the forfeiture, plus costs, fees, and surcharges imposed under ch. 814, but not to exceed one year. If the defendant has notified the court that he or she is unable to pay the judgment because of poverty, and if the court, using the criteria in s. 814.29 (1) (d), determines that the defendant is unable to pay the judgment because of poverty, the court may not

suspend the defendant's operating privilege without first providing the defendant with an opportunity to pay the judgment in installments, taking into account the defendant's income. Suspension under this paragraph shall not affect the power of the court to suspend or revoke under s. 343.30 or the power of the secretary to suspend or revoke the operating privilege. This paragraph does not apply if the judgment was entered solely for violation of an ordinance unrelated to the violator's operation of a motor vehicle or for a nonmoving violation under s. 345.28.

SECTION 2829. 349.02 (2) (b) 4. of the statutes is amended to read:

349.02 **(2)** (b) 4. Local ordinances enacted under s. 59.54 (25) (a) or (25m) or 66.0107 (1) (bm).

SECTION 2830. 350.12 (3) (c) 2. of the statutes is amended to read:

350.12 **(3)** (c) 2. The fee for issuing or renewing a commercial snowmobile certificate is $90. Upon receipt of the application through an online application system or on a form required by the department and the fee required under this subdivision, the department shall issue to the applicant a commercial snowmobile certificate and 3 registration decals. The fee for additional registration decals is $30 per decal.

SECTION 2831. 350.12 (3) (d) 1. of the statutes is amended to read:

350.12 **(3)** (d) 1. Upon receipt of the required fee, a sales report, payment of sales and use taxes due under s. 77.61 (1), and an application through an online application system or on forms prescribed by the department, a temporary operating receipt or a registration certificate and 2 registration decals shall be issued to the applicant using one of the procedures specified in sub. (3h) (ag) 1.

SECTION 2832. 350.12 (3) (e) of the statutes is amended to read:

350.12 **(3)** (e) If a registration certificate, registration decal, or commercial snowmobile certificate is lost or destroyed, the holder of the certificate or decal may apply for a duplicate through an online application system or on forms provided ~~for~~ by the department accompanied by a fee of $5. Upon receipt of a proper application and the required fee, the department or an agent appointed under sub. (3h) (a) 3. shall issue a duplicate certificate, decal, or plate to the applicant.

SECTION 2833. 350.12 (3) (f) of the statutes is created to read:

350.12 **(3)** (f) All fees remitted to or collected by the department under pars. (a) and (e) shall be credited to the appropriation account under s. 20.370 (9) (hu).

SECTION 2834. 350.12 (3h) (ag) 3. of the statutes is created to read:

350.12 **(3h)** (ag) 3. Under either procedure under subd. 1., an agent may accept an application by facilitating an online application for registration documents.

SECTION 2835. 350.12 (3h) (ar) of the statutes is amended to read:

350.12 **(3h)** (ar) *Registration; supplemental fees.* In addition to the applicable fee under sub. (3) (a), ~~each~~ when an agent appointed under par. (a) 3. ~~who~~ accepts an application to renew registration documents ~~in person~~, or the department accepts an application to renew registration documents through a statewide automated system, the agent or the department shall collect an issuing fee of 50 cents and a transaction fee of 50 cents each time the agent or the department issues renewal registration documents or a renewal temporary operating receipt under par. (ag) 1. a. or b. The agent or the department shall retain the entire amount of each issuing fee and transaction fee the agent or the department collects.

SECTION 2836. 350.12 (3j) (e) 4. of the statutes is created to read:

350.12 **(3j)** (e) 4. All fees remitted to or collected by the department under subd. 2. shall be credited to the appropriation account under s. 20.370 (9) (hu).

SECTION 2837. 350.12 (4) (a) (intro.) of the statutes is amended to read:

350.12 **(4)** (a) *Enforcement, administration and related costs.* (intro.) The moneys appropriated from s. 20.370 (3) ~~(ak) and~~ (aq), (5) (es) and (9) (mu) and (mw) may be used for the following:

SECTION 2838. 350.12 (4) (a) 3m. of the statutes is amended to read:

350.12 **(4)** (a) 3m. The cost of state law enforcement efforts as appropriated under s. 20.370 (3) ~~(ak) and~~ (aq); and

SECTION 2839. 350.12 (4) (am) of the statutes is amended to read:

350.12 **(4)** (am) *Enforcement aids to department.* Of the amounts appropriated under s. 20.370 (3) ~~(ak) and~~ (aq), the department shall allocate $26,000 in each fiscal year to be used exclusively for the purchase of snowmobiles or trailers to carry snowmobiles, or both, to be used in state law enforcement efforts.

SECTION 2840. 350.12 (4) (b) (intro.) of the statutes is amended to read:

350.12 **(4)** (b) *Trail aids and related costs.* (intro.) The moneys appropriated under s. 20.370 (1) (mq) and (5) (cb), (cr), (cs), and (cw) shall be used for development and maintenance, the cooperative snowmobile sign program, major reconstruction or rehabilitation to improve bridges on existing approved trails, trail rehabilitation, signing of snowmobile routes, ~~and~~ state snowmobile trails and areas, and real–time online tracking of snowmobile trail grooming and geographic information system mapping of snowmobile trails. The department may also obligate from the appropriation account under s. 20.866 (2) (ta) moneys for any of these purposes, except maintenance and except online snowmobile trail grooming tracking and mapping of snowmobile trails. Except as provided in par. (bd), the moneys shall be distributed as follows:

SECTION 2841. 350.12 (4) (b) (intro.) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

350.12 **(4)** (b) *Trail aids and related costs.* (intro.) The moneys appropriated under s. 20.370 (1) (mq) and (5) (cb), (cr), (cs), and (cw) shall be used for development and maintenance, the cooperative snowmobile sign program, major reconstruction or rehabilitation to improve bridges on existing approved trails, trail rehabilitation, signing of snowmobile routes, state snowmobile trails and areas, and real–time online tracking of snowmobile trail grooming and geographic information system mapping of snowmobile trails. ~~The department may also obligate from the appropriation account under s. 20.866 (2) (ta) moneys for any of these purposes, except maintenance and except online snowmobile trail grooming tracking and mapping of snowmobile trails.~~ Except as provided in par. (bd), the moneys shall be distributed as follows:

SECTION 2842. 350.12 (4) (b) 5. of the statutes is created to read:

350.12 **(4)** (b) 5. For direct payment to a qualified vendor to provide real–time tracking of snowmobile trail grooming through the department's online trail grooming reporting system and to develop and maintain an accurate, statewide geographic information system map of snowmobile trails.

SECTION 2843. 440.03 (13) (b) 20m. of the statutes is created to read:

440.03 **(13)** (b) 20m. Dental therapist.

SECTION 2844. 440.08 (2) (a) 25m. of the statutes is created to read:

440.08 **(2)** (a) 25m. Dental therapist: October 1 of each odd–numbered year.

SECTION 2845. 440.11 (title) of the statutes is repealed and recreated to read:

440.11 (title) **Communications with department.**

SECTION 2846. 440.11 (1m) of the statutes is created to read:

440.11 **(1m)** (a) An applicant for or recipient of a credential shall provide the department with a current electronic mail address at the time of application or renewal that may be used to receive electronic communications from the department. An applicant for or recipient of a credential who changes his or her electronic mail address or whose current electronic mail address becomes inactive shall notify the department of such change within 30 days of the change in writing or in accordance with other notification procedures approved by the department.

(b) Electronic communications under this subsection may not be substituted for the service of any process, notice, or demand under sub. (2).

(c) Notwithstanding par. (a), an applicant for or recipient of a credential who does not have reasonable access to the Internet may maintain paper communication with the department.

SECTION 2847. 447.01 (6g) of the statutes is created to read:

447.01 **(6g)** "Dental therapist" means an individual who practices dental therapy.

SECTION 2848. 447.01 (6r) of the statutes is created to read:

447.01 **(6r)** "Dental therapy" means the limited practice of dentistry, consisting of the services, treatments, and procedures specified in s. 447.06 (3) (b).

SECTION 2849. 447.02 (1) (a) of the statutes is amended to read:

447.02 **(1)** (a) Governing the reexamination of an applicant who fails an examination specified in s. 447.04 (1) (a) 5., (1m) (a) 5., or (2) (a) 5. The rules may specify additional educational requirements for those applicants and may specify the number of times an applicant may be examined.

SECTION 2850. 447.02 (1) (b) of the statutes is amended to read:

447.02 **(1)** (b) Governing the standards and conditions for the use of radiation and ionizing equipment in the practice of dentistry or dental therapy.

SECTION 2851. 447.02 (1) (g) of the statutes is created to read:

447.02 **(1)** (g) Specifying services, treatments, or procedures, in addition to those specified under s. 447.06 (3) (c) 1. to 28., that are included within the practice of dental therapy.

SECTION 2852. 447.02 (2) (a) of the statutes is amended to read:

447.02 **(2)** (a) The conditions for supervision and the degree of supervision required under ss. 447.03 (3) (a), (am), (b) and (d) 2. and 447.065.

SECTION 2853. 447.02 (2) (k) of the statutes is created to read:

447.02 **(2)** (k) The settings in which a dental therapist may practice dental therapy. The examining board shall specify only settings that primarily serve low–income, uninsured, and underserved patients, including all of the following:

1. Settings located in areas that are designated as a dental health professional shortage area by the secretary of the federal department of health and human services under 42 USC 254e.

2. Military and veterans administration hospitals, clinics, and care settings.

3. Any other practice setting in which at least 50 percent of the patients consist of patients who are any of the following:

a. Patients who receive medical assistance.

b. Patients who do not have dental health coverage, either through a public health care program or private insurance, and have an annual gross family income equal to or less than 200 percent of the federal poverty line.

SECTION 2854. 447.02 (3) (a) (intro.) of the statutes is amended to read:

447.02 **(3)** (a) (intro.) The examining board may issue a permit authorizing the practice in this state, without compensation, of dentistry, dental therapy, or dental hygiene to an applicant who is licensed to practice dentistry, dental therapy, or dental hygiene in another state, if all of the following apply:

SECTION 2855. 447.02 (3) (a) 2. of the statutes is amended to read:

447.02 **(3)** (a) 2. The examining board determines that the applicant is qualified and satisfies the criteria specified under s. 447.04 (1) (b) 1. to 3., except that the examining board may not require the applicant to pass an examination of state statutes and rules relating to dentistry, dental therapy, or dental hygiene.

SECTION 2856. 447.02 (3) (b) of the statutes is amended to read:

447.02 **(3)** (b) A permit under this subsection shall authorize the practice of dentistry, dental therapy, or dental hygiene in a specified area of the state for a period of time not more than 10 days in a year and may be renewed by the examining board. The examining board may not require an applicant to pay a fee for the issuance or renewal of a permit under this subsection.

SECTION 2857. 447.02 (5) of the statutes is amended to read:

447.02 **(5)** Except as provided in ss. 447.058 and 447.063, nothing in this chapter may be construed as authorizing the examining board to regulate business or administrative support functions or services, that do not constitute the practice of dentistry, dental therapy, or dental hygiene, provided to a business that provides dental or dental hygiene services.

SECTION 2858. 447.03 (1m) of the statutes is created to read:

447.03 **(1m)** DENTAL THERAPISTS. Except as provided under sub. (3) and s. 447.02 (3), no person may do any of the following unless he or she is licensed to practice dental therapy under this chapter:

(a) Practice or offer to practice dental therapy.

(b) Represent himself or herself to the public as a dental therapist or use, in connection with his or her name, any title or description that may convey the impression that he or she is a dental therapist.

SECTION 2859. 447.03 (3) (am) of the statutes is created to read:

447.03 **(3)** (am) A dental therapy student who practices dental therapy under the supervision of a dentist in an infirmary, clinic, hospital, or other institution connected or associated for training purposes with an accredited dental therapy school.

SECTION 2860. 447.03 (3) (c) of the statutes is amended to read:

447.03 **(3)** (c) An individual licensed to practice dentistry, dental therapy, or dental hygiene in another state or country who practices dentistry, dental therapy, or dental hygiene in a program of dental education or research at the invitation of a group of dentists or practices dentistry, dental therapy, or dental hygiene under the jurisdiction of the army, navy, air force, U.S. public health service, or veterans bureau.

SECTION 2861. 447.04 (1m) of the statutes is created to read:

447.04 **(1m)** DENTAL THERAPISTS. (a) The examining board shall grant a license to practice dental therapy to an individual who does all of the following:

1. Submits an application for the license to the department on a form provided by the department.

2. Pays the fee specified in s. 440.05 (1).

3. Submits evidence satisfactory to the examining board that he or she has done one of the following:

a. Graduated from an accredited dental therapy education program.

b. Graduated from a dental therapy education program that was not accredited at the time of graduation, but was accredited or approved by a state dental licensing board, was certified as a community health aide program dental therapy education program under U.S. Indian health service standards, or is otherwise approved by the examining board as being substantially comparable to an accredited program.

4. Submits evidence satisfactory to the examining board that he or she has passed a national board dental therapy examination and a dental therapy clinical examination administered by a regional testing service that has been approved by the examining board to administer clinical examinations for dental professionals. If a national board examination or a regional testing service examination for dental therapy does not exist, the examining board shall accept evidence of passing an alternative examination administered by another entity or testing service that is approved by the examining board.

5. Passes an examination administered by the examining board on the statutes and rules relating to dental therapy.

5m. Submits evidence satisfactory to the examining board that he or she has current proficiency in cardiopulmonary resuscitation, including the use of an automated external defibrillator achieved through instruction provided by an individual, organization, or institution of higher education approved under s. 46.03 (38) to provide such instruction.

6. Completes any other requirements established by the examining board by rule that are comparable to and no more restrictive than the requirements established by the board for dentists under sub. (1) (a) 6. and dental hygienists under sub. (2) (a) 6.

(b) The examining board may grant a license to practice dental therapy to an individual who is licensed or certified in good standing to practice dental therapy in another state or territory of the United States or in another country, or by the U.S. Indian health service community health aide program, if the applicant complies with all of the following requirements:

1. Meets the requirements for licensure established by the examining board by rule. The board shall establish requirements under this subdivision that are comparable to and no more restrictive than the requirements established by the board for dentists under sub. (1) (b) 1. and dental hygienists under sub. (2) (b) 1.

2. Submits evidence satisfactory to the examining board that the person has current proficiency in cardiopulmonary resuscitation, including the use of an automated external defibrillator achieved through instruction provided by an individual, organization, or institution of higher education qualified to provide such instruction. The examining board shall consult with the department of health services to determine whether an individual, organization, or institution of higher education is qualified to provide instruction under this subdivision.

3. Presents the license or certification to the examining board and pays the fee specified under s. 440.05 (2).

SECTION 2862. 447.05 of the statutes is amended to read:

447.05 Expiration and renewal. Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee determined by the department under s. 440.03 (9) (a). The examining board may not renew a license to practice dentistry unless the applicant for renewal attests that he or she has complied with s. 447.056, that he or she has current

proficiency in cardiopulmonary resuscitation, ~~including~~ and that he or she has current proficiency in the use of an automated external defibrillator achieved through instruction provided by an individual, organization, or institution of higher education approved under s. 46.03 (38) to provide such instruction. The examining board may not renew a license to practice dental therapy unless the applicant for renewal attests that he or she has complied with s. 447.057 and any rules promulgated under s. 447.057, that he or she has current proficiency in cardiopulmonary resuscitation, and that he or she has current proficiency in the use of an automated external defibrillator achieved through instruction provided by an individual, organization, or institution of higher education approved under s. 46.03 (38) to provide such instruction. The examining board may not renew a license to practice dental hygiene unless the applicant for renewal attests that he or she has complied with s. 447.055 and any rules promulgated by the examining board under s. 447.055, that he or she has a current certification in cardiopulmonary resuscitation, and that he or she has current proficiency in the use of an automated external defibrillator achieved through instruction provided by an individual, organization, or institution of higher education approved under s. 46.03 (38) to provide such instruction.

SECTION 2863. 447.057 of the statutes is created to read:

447.057 Continuing education; dental therapists. (1) (a) Except as provided in subs. (3) and (4), a person is not eligible for renewal of a license to practice dental therapy, other than a permit issued under s. 447.02 (3), unless the person has taught, prepared, attended, or otherwise completed, during the 2–year period immediately preceding the renewal date specified under s. 440.08 (2) (a), 12 credit hours of continuing education relating to the clinical practice of dental therapy that

is sponsored or recognized by a local, state, regional, national, or international dental, dental therapy, dental hygiene, dental assisting, or medical–related professional organization.

(b) Continuing education required under par. (a) may include training in all of the following:

1. Basic life support or cardiopulmonary resuscitation. Not more than 2 of the credit hours required under par. (a) may be satisfied by such training.

2. Infection control. Not less than 2 of the credit hours required under par. (a) shall be satisfied by such training.

(c) After consultation with the department of health services, the examining board may promulgate rules requiring that continuing education credit hours under par. (a) include courses in specific clinical subjects.

(2) The credit hours required under sub. (1) (a) may be satisfied by independent study, correspondence, or Internet programs or courses.

(3) Subsection (1) (a) does not apply to an applicant for renewal of a license that expires on the first renewal date after the date on which the examining board initially granted the license.

(4) A person may substitute credit hours of college level courses related to the practice of dental therapy for the credit hours required under sub. (1) (a). For purposes of this subsection, one credit hour of a college level course is equivalent to 6 credit hours of continuing education.

(5) For purposes of sub. (1) (a), one hour of teaching or preparing a continuing education program is equivalent to one credit hour of continuing education, but a person who teaches or prepares a continuing education program may obtain credit

for the program only once during the 2–year period immediately preceding the renewal date.

(6) The examining board may require applicants for renewal of a license to practice dental therapy to submit proof of compliance with the requirements of this section.

SECTION 2864. 447.06 (1) of the statutes is amended to read:

447.06 **(1)** No contract of employment entered into between a dentist or dental therapist and any other party under which the dentist or dental therapist renders dental services may require the dentist or dental therapist to act in a manner ~~which~~ that violates the professional standards for dentistry or dental therapy set forth in this chapter. Nothing in this subsection limits the ability of the other party to control the operation of the dental practice in a manner in accordance with the professional standards for dentistry or dental therapy set forth in this chapter.

SECTION 2865. 447.06 (1m) of the statutes is created to read:

447.06 **(1m)** No contract of employment entered into between a dental therapist and any other party under which the dental therapist is employed to practice dental therapy may require a dental therapist to meet a minimum quota for the number of patients seen or the number of procedures performed.

SECTION 2866. 447.06 (2) (a) 3. of the statutes is amended to read:

447.06 **(2)** (a) 3. For a school for the education of dentists, dental therapists, or dental hygienists.

SECTION 2867. 447.06 (2) (b) of the statutes is amended to read:

447.06 **(2)** (b) A dental hygienist may practice dental hygiene or perform remediable procedures under par. (a) 1. only as authorized by a dentist or dental therapist who is licensed to practice dentistry or dental therapy under this chapter

and who is present in the facility in which those practices or procedures are performed, except as provided in par. (c).

SECTION 2868. 447.06 (2) (c) (intro.) of the statutes is amended to read:

447.06 **(2)** (c) (intro.) A dental hygienist may practice dental hygiene or perform remediable procedures under par. (a) 1. if a dentist or dental therapist who is licensed to practice dentistry or dental therapy under this chapter is not present in the facility in which those practices or procedures are performed only if all of the following conditions are met:

SECTION 2869. 447.06 (2) (c) 2. (intro.) of the statutes is amended to read:

447.06 **(2)** (c) 2. (intro.) The dentist or dental therapist who made the written or oral prescription has examined the patient at least once during the 12–month period immediately preceding:

SECTION 2870. 447.06 (3) of the statutes is created to read:

447.06 **(3)** (a) In this subsection:

1. "Collaborative management agreement" means an agreement under par. (d).

2. "Permitted practice settings" means the settings that a dental therapist is allowed to practice dental therapy, as established by the board under s. 447.02 (2) (k).

3. "Qualifying dentist" means a dentist who is licensed in this state and who is actively practicing in this state.

(b) A dental therapist licensed under this chapter may practice only in permitted practice settings.

(c) The scope of practice of a dental therapist shall, subject to the terms of a collaborative management agreement, be limited to providing the following services, treatments, and procedures:

1. Oral evaluation and assessment of dental disease and formulation of an individualized treatment plan.

2. Identification of oral and systemic conditions requiring evaluation or treatment by dentists, physicians, or other health care providers and the management of referrals.

3. Comprehensive charting of the oral cavity.

4. Oral health instruction and disease prevention education, including nutritional counseling and dietary analysis.

5. Exposure and evaluation of radiographic images.

6. Dental prophylaxis, including subgingival scaling and polishing procedures.

7. Dispensing and administration via the oral or topical route of nonnarcotic analgesic, anti–inflammatory, and antibiotic medications as prescribed by a licensed health care provider.

8. Application of topical preventive or prophylactic agents, including fluoride varnish, antimicrobial agents, caries arresting medicaments, and pit and fissure sealants.

9. Pulp vitality testing.

10. Application of desensitizing medications or resins.

11. Fabrication of athletic mouth guards and soft occlusal guards.

12. Changing of periodontal dressings.

13. Administration of local anesthetic and nitrous oxide.

14. Simple extraction of erupted primary teeth.

15. Nonsurgical extraction of periodontally diseased permanent teeth with tooth mobility of +3 to +4 to the extent authorized in the dental therapist's collaborative management agreement, except that the scope of practice of a dental

therapist does not include the extraction of a tooth that is unerupted, impacted, or fractured or that needs to be sectioned for removal.

16. Emergency palliative treatment of dental pain limited to the procedures in this paragraph.

17. Preparation and placement of direct restoration in primary and permanent teeth.

18. Fabrication and placement of single–tooth temporary crowns.

19. Preparation and placement of preformed crowns on primary teeth.

20. Indirect and direct pulp capping on permanent teeth.

21. Indirect pulp capping on primary teeth.

22. Intraoral suture placement and removal.

23. Minor adjustment and repair of removable prostheses.

24. Placement and removal of space maintainers.

25. Pulpotomy on primary teeth.

26. Tooth reimplantation and stabilization.

27. Recementing of a permanent crown.

28. Any additional services, treatments, or procedures specified in the rules promulgated under s. 447.02 (1) (g).

(d) 1. A dental therapist licensed under this chapter may provide dental therapy services only under the general supervision of a qualifying dentist with whom the dental therapist has entered into a collaborative management agreement. For purposes of this subdivision, general supervision of a dental therapist by a qualifying dentist requires that a task or procedure be performed by a dental therapist with the prior knowledge and consent of the qualifying dentist but does not require the presence of the qualifying dentist in the office or on the premises at the

time a task or procedure is being performed by the dental therapist and does not require prior examination or diagnosis of a patient by the qualifying dentist before the dental therapist provides dental therapy services to the patient.

2. A supervising dentist under subd. 1. shall accept responsibility for all services performed by a dental therapist pursuant to a collaborative management agreement. If services needed by a patient are beyond the dental therapist's scope of practice or authorization under the collaborative management agreement, the dental therapist shall, to the extent required under the collaborative management agreement, consult with the supervising dentist under subd. 1. as needed to arrange for those services to be provided by a qualifying dentist or another qualified health care professional.

(e) 1. Prior to providing any dental therapy services, a dental therapist shall enter into a written collaborative management agreement with a qualifying dentist who will serve as a supervising dentist under par. (d). The agreement must be signed by the dental therapist and the qualifying dentist and address all of the following:

a. The practice settings in which services may be provided and the patient populations that may be served.

b. Any conditions or limitations on the services that may be provided by the dental therapist, the level of supervision required, and any circumstances requiring consultation prior to performing services.

c. Age–specific and procedure–specific practice protocols.

d. Dental record–keeping procedures.

e. Plans for managing dental or medical emergencies.

f. A quality assurance plan for monitoring care provided by the dental therapist.

g. Protocols for administering and dispensing medications.

h. Criteria or protocols relating to the provision of care to patients with specific medical conditions, treatments, or medications.

i. Policies relating to supervision of dental hygienists and other staff.

j. A plan for the referral of patients to other dental or health care professionals or clinics when services needed are beyond the scope of practice or authorization of the dental therapist.

k. Whether and to what extent the dental therapist may perform services described in par. (c) 15.

2. a. A collaborative management agreement shall be limited to covering one qualifying dentist and one dental therapist.

b. A dental therapist may enter into multiple collaborative management agreements.

c. No qualifying dentist may have collaborative management agreements with more than 5 dental therapists at any time.

SECTION 2871. 447.065 of the statutes is amended to read:

447.065 Delegation of remediable procedures and dental practices. (1) A dentist or dental therapist who is licensed ~~to practice dentistry~~ under this chapter may delegate to an individual who is not licensed under this chapter only the performance of remediable procedures, and only if all of the following conditions are met:

(a) The unlicensed individual performs the remediable procedures in accordance with a treatment plan approved by the dentist or dental therapist.

(b) The dentist or dental therapist is on the premises when the unlicensed individual performs the remediable procedures.

(c) The unlicensed individual's performance of the remediable procedures is subject to inspection by the dentist or dental therapist.

(2) Subject to the requirements under s. 447.06 (2), a dentist or dental therapist who is licensed ~~to practice dentistry~~ under this chapter may delegate to a dental hygienist who is licensed to practice dental hygiene under this chapter the performance of remediable procedures and the administration of oral systemic premedications, local anesthesia, nitrous oxide inhalation analgesia, and subgingival sustained release chemotherapeutic agents, to the extent the dentist or dental therapist has the authority to perform the activity personally.

(3) A dentist or dental therapist who delegates to another individual the performance of any practice or remediable procedure is responsible for that individual's performance of that delegated practice or procedure.

SECTION 2872. 447.07 (1) of the statutes is amended to read:

447.07 **(1)** The examining board may, without further notice or process, limit, suspend, or revoke the license or certificate of any dentist, dental therapist, or dental hygienist, or the registration of a mobile dentistry program registrant, who fails, within 60 days after the mailing of written notice to the dentist's, dental therapist's, dental hygienist's, or registrant's last–known address, to renew the license, certificate, or registration.

SECTION 2873. 447.07 (3) (intro.) of the statutes is amended to read:

447.07 **(3)** (intro.) Subject to the rules promulgated under s. 440.03 (1), the examining board may make investigations and conduct hearings in regard to any alleged action of any dentist, dental therapist, or dental hygienist, of a mobile dentistry program registrant, or of any other person it has reason to believe is engaged in or has engaged in the practice of dentistry, dental therapy, or dental

hygiene, or the operation of a mobile dentistry program, in this state, and may, on its own motion, or upon complaint in writing, reprimand any dentist, dental therapist, or dental hygienist who is licensed or certified under this chapter, or any mobile dentistry program registrant, or deny, limit, suspend, or revoke his or her license or certificate, or the registration of the mobile dentistry program registrant, if it finds that the dentist, dental therapist, dental hygienist, or mobile dentistry program registrant has done any of the following:

SECTION 2874. 447.07 (3) (e) to (h) of the statutes are amended to read:

447.07 **(3)** (e) Subject to ss. 111.321, 111.322, and 111.335, been convicted of a crime, the circumstances of which substantially relate to the practice of dentistry, dental therapy, or dental hygiene or the operation of a mobile dentistry program.

(f) Violated this chapter or any federal or state statute or rule that relates to the practice of dentistry, dental therapy, or dental hygiene, or the operation of a mobile dentistry program.

(g) Subject to ss. 111.321, 111.322 and 111.34, practiced dentistry, dental therapy, or dental hygiene while his or her ability was impaired by alcohol or other drugs.

(h) Engaged in conduct that indicates a lack of knowledge of, an inability to apply or the negligent application of, principles or skills of dentistry, dental therapy, or dental hygiene.

SECTION 2875. 447.40 (intro.) of the statutes is amended to read:

447.40 Informed consent. (intro.) Any dentist or dental therapist who treats a patient shall inform the patient about the availability of reasonable alternate modes of treatment and about the benefits and risks of these treatments. The reasonable dentist standard is the standard for informing a patient under this

section. The reasonable dentist standard requires disclosure only of information that a reasonable dentist would know and disclose under the circumstances. The dentist's or dental therapist's duty to inform the patient under this section does not require disclosure of any of the following:

SECTION 2876. 447.40 (6) of the statutes is amended to read:

447.40 **(6)** Information about alternate modes of treatment for any condition the dentist or dental therapist has not included in his or her diagnosis, assessment, or treatment plan at the time the dentist or dental therapist informs the patient.

SECTION 2877. 448.03 (2) (a) of the statutes is amended to read:

448.03 **(2)** (a) Any person lawfully practicing within the scope of a license, permit, registration, certificate or certification granted to practice midwifery under subch. XIII of ch. 440, to practice professional or practical nursing or nurse–midwifery under ch. 441, to practice chiropractic under ch. 446, to practice dentistry, dental therapy, or dental hygiene under ch. 447, to practice optometry under ch. 449, to practice acupuncture under ch. 451 or under any other statutory provision, or as otherwise provided by statute.

SECTION 2878. 448.21 (1) (a) of the statutes is amended to read:

448.21 **(1)** (a) The practice of dentistry, dental therapy, or dental hygiene within the meaning of ch. 447.

SECTION 2879. 450.02 (2c) of the statutes is created to read:

450.02 **(2c)** The board shall promulgate rules to require all pharmacists to receive training on delivering or dispensing an opioid antagonist.

SECTION 2880. 450.03 (1) (e) of the statutes is amended to read:

450.03 **(1)** (e) Any person lawfully practicing within the scope of a license, permit, registration, certificate, or certification granted to provide home medical

oxygen under s. 450.076, to practice professional or practical nursing or nurse–midwifery under ch. 441, to practice dentistry, dental therapy, or dental hygiene under ch. 447, to practice medicine and surgery under ch. 448, to practice optometry under ch. 449 or to practice veterinary medicine under ch. 89, or as otherwise provided by statute.

SECTION 2881. 450.062 (4) of the statutes is amended to read:

450.062 **(4)** A juvenile correctional facility under s. 938.02 (10p), juvenile detention facility under s. 938.02 (10r), residential care center for children and youth under s. 938.02 (15d), secured residential care center for children and youth under s. 938.02 (15g), ~~type 1 juvenile correctional facility under s. 938.02 (19),~~ type 2 residential care center for children and youth under s. 938.02 (19r), 2019 stats., or type 2 juvenile correctional facility under s. 938.02 (20), 2019 stats.

SECTION 2882. 450.085 (1) of the statutes is amended to read:

450.085 **(1)** An applicant for renewal of a license under s. 450.08 (2) (a) shall submit proof that he or she has completed, within the 2–year period immediately preceding the date of his or her application, 30 hours of continuing education in courses conducted by a provider that is approved by the Accreditation Council for Pharmacy Education or in courses approved by the board. The board may approve training prescribed under s. 450.02 (2c) as continuing education for purposes of this subsection. Courses specified in s. 450.035 (1r) and (2) are courses in continuing education for purposes of this subsection. This subsection does not apply to an applicant for renewal of a license that expires on the first renewal date after the date on which the board initially granted the license.

SECTION 2883. 450.085 (3) of the statutes is created to read:

450.085 **(3)** An applicant for renewal of a license under s. 450.08 (2) (a) may count, for purposes of the continuing education requirement under sub. (1), up to 10 hours spent as a volunteer at a free and charitable clinic approved by the board.

SECTION 2884. 450.10 (3) (a) 4. of the statutes is amended to read:

450.10 **(3)** (a) 4. A dentist or dental therapist licensed under ch. 447.

SECTION 2885. 450.13 (5m) of the statutes is created to read:

450.13 **(5m)** DISCLOSURES TO CONSUMERS. (a) Each pharmacy shall post in a prominent place at or near the place where prescriptions are dispensed a sign that clearly describes a pharmacist's ability under this state's law to substitute a less expensive drug product equivalent under sub. (1s) unless the consumer or the prescribing practitioner has indicated otherwise under sub. (2).

(b) The pharmacy examining board shall create a list of the 100 most commonly prescribed generic drug product equivalents, including the generic and brand names of the drugs, and provide, either directly or on the department's Internet site, the list to each pharmacy on an annual basis. Each pharmacy shall make available to the public information on how to access the list under this paragraph.

(c) Each pharmacy shall have available for the public a listing of the retail price, updated no less frequently than monthly, of the 100 most commonly prescribed prescription drugs, which includes brand name and generic equivalent drugs and biological products and interchangeable biological products, that are available for purchase at the pharmacy.

SECTION 2886. 450.135 (8m) of the statutes is created to read:

450.135 **(8m)** DISCLOSURE TO CONSUMERS. Each pharmacy shall post in a prominent place at or near the place where prescriptions are dispensed a sign that clearly describes a pharmacist's ability under this state's law to substitute a less

expensive interchangeable biological product under sub. (2) unless the consumer or the prescribing practitioner has indicated otherwise under sub. (3).

SECTION 2887. 450.135 (9) of the statutes is amended to read:

450.135 **(9)** LINKS TO BE MAINTAINED BY BOARD. The board shall maintain links on the department's Internet site to the federal food and drug administration's lists of all currently approved interchangeable biological products. Each pharmacy shall make available for the public information on how to access the federal food and drug administration's lists of all currently approved interchangeable biological products through the department's Internet site.

SECTION 2888. 452.14 (3) (n) of the statutes is amended to read:

452.14 **(3)** (n) Treated any person unequally solely because of sex, race, color, handicap, national origin, ancestry, marital status, lawful source of income, status as a holder or nonholder of a license under s. 343.03 (3r), or status as a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u).

SECTION 2889. 462.02 (2) (d) of the statutes is amended to read:

462.02 **(2)** (d) A dentist licensed under s. 447.04 (1), a dental therapist licensed under s. 447.04 (1m), a dental hygienist licensed under s. 447.04 (2), or a person under the direct supervision of a dentist.

SECTION 2890. 462.04 of the statutes is amended to read:

462.04 Prescription or order required. A person who holds a license or limited X–ray machine operator permit under this chapter may not use diagnostic X–ray equipment on humans for diagnostic purposes unless authorized to do so by prescription or order of a physician licensed under s. 448.04 (1) (a), a dentist licensed under s. 447.04 (1), a dental therapist licensed under s. 447.04 (1m), a podiatrist licensed under s. 448.63, a chiropractor licensed under s. 446.02, an advanced

practice nurse certified under s. 441.16 (2), a physician assistant licensed under s. 448.04 (1) (f), or, subject to s. 448.56 (7) (a), a physical therapist who is licensed under s. 448.53 or who holds a compact privilege under subch. IX of ch. 448.

SECTION 2891. 463.10 (5) of the statutes is amended to read:

463.10 **(5)** EXCEPTION. Subsections (2) to (4m) do not apply to a dentist ~~who is licensed under s. 447.03 (1) or to a~~ , dental therapist, or physician who tattoos or offers to tattoo a person in the course of the dentist's, dental therapist's, or physician's professional practice.

SECTION 2892. 463.12 (5) of the statutes is amended to read:

463.12 **(5)** EXCEPTION. Subsections (2) to (4m) do not apply to a dentist ~~who is licensed under s. 447.03 (1) or to a~~ , dental therapist, or physician who pierces the body of or offers to pierce the body of a person in the course of the dentist's, dental therapist's, or physician's professional practice.

SECTION 2893. 551.614 (2) of the statutes is amended to read:

551.614 **(2)** FEES RELATED TO BROKER–DEALERS, AGENTS, INVESTMENT ADVISERS, INVESTMENT ADVISER REPRESENTATIVES, AND FEDERAL COVERED ADVISERS. Every applicant for an initial or renewal license under s. 551.401, 551.402, 551.403, or 551.404 shall pay a filing fee of ~~$200~~ $300 in the case of a broker–dealer or investment adviser and ~~$80~~ $100 in the case of an agent representing a broker–dealer or issuer or an investment adviser representative, except that, in the case of an agent representing a broker–dealer or issuer or an investment adviser representative, no fee is required for an individual who is eligible for the veterans fee waiver program under s. 45.44. Every federal covered adviser in this state that is required to make a notice filing under s. 551.405 shall pay an initial or renewal notice filing fee of ~~$200~~ $300. A broker–dealer, investment adviser, or federal covered

adviser maintaining a branch office within this state shall pay an additional filing fee of ~~$80~~ $100 for each branch office. When an application is denied, or an application or a notice filing is withdrawn, the filing fee shall be retained.

SECTION 2894. 563.055 (6) of the statutes is amended to read:

563.055 **(6)** All moneys received under this section shall be credited to the appropriation account under s. 20.505 (8) ~~(jm)~~ (jn).

SECTION 2895. 563.13 (4) of the statutes is amended to read:

563.13 **(4)** A $10 license fee for each bingo occasion proposed to be conducted and $5 for an annual license for the designated member responsible for the proper utilization of gross receipts. All moneys received under this subsection shall be credited to the appropriation account under s. 20.505 (8) ~~(jm)~~ (jn).

SECTION 2896. 563.135 (2m) of the statutes is amended to read:

563.135 **(2m)** All moneys received under sub. (1) shall be credited to the appropriation account under s. 20.505 (8) ~~(jm)~~ (jn).

SECTION 2897. 563.16 of the statutes is amended to read:

563.16 Amendment of license to conduct bingo. Upon application by a licensed organization, a license may be amended, if the subject matter of the amendment properly and lawfully could have been included in the original license. An application for an amendment to a license shall be filed and processed in the same manner as an original application. An application for the amendment of a license shall be accompanied by a $3 fee. If any application for amendment seeks approval of additional bingo occasions or designates a new member responsible for the proper utilization of gross receipts, the appropriate fee under s. 563.13 (4) also shall be paid. If the department approves an application for an amendment to a license, a copy of the amendment shall be sent to the applicant who shall attach it to the original

license. All moneys received under this section shall be credited to the appropriation account under s. 20.505 (8) ~~(jm)~~ (jn).

SECTION 2898. 563.22 (2) (c) of the statutes is amended to read:

563.22 **(2)** (c) All moneys received under this subsection shall be credited to the appropriation account under s. 20.505 (8) ~~(jm)~~ (jn).

SECTION 2899. 563.80 (2m) of the statutes is amended to read:

563.80 **(2m)** All moneys received under sub. (1) shall be credited to the appropriation account under s. 20.505 (8) ~~(jm)~~ (jn).

SECTION 2900. 563.92 (2) of the statutes is amended to read:

563.92 **(2)** The fee for a raffle license shall be $25 and shall be remitted with the application. A raffle license shall be valid for 12 months and may be renewed as provided in s. 563.98 (1g). The department shall issue the license within 30 days after the filing of a complete application if the applicant qualifies under s. 563.907 and has not exceeded the limits of s. 563.91. The department shall notify the applicant within 15 days after it is filed if the raffle license application is incomplete or the application shall be considered complete. A complete license application that is not denied within 30 days after its filing shall be considered approved. All moneys received by the department under this subsection shall be credited to the appropriation account under s. 20.505 (8) ~~(j)~~ (jn).

SECTION 2901. 563.98 (1g) of the statutes is amended to read:

563.98 **(1g)** An organization licensed under this subchapter may renew the license by submitting a $25 renewal fee. All moneys received under this subsection shall be credited to the appropriation account under s. 20.505 (8) ~~(j)~~ (jn).

SECTION 2902. 565.01 (4f) of the statutes is amended to read:

565.01 **(4f)** "Multijurisdictional" means pertaining to another state of the United States of America, the District of Columbia, the Commonwealth of Puerto Rico or any territory or possession of the United States of America ~~or~~, the government of Canada or any province thereof, or any other country or nation.

SECTION 2903. 601.31 (1) (mv) of the statutes is created to read:

601.31 **(1)** (mv) For initial licensure and renewal of licensure for pharmacy benefit management brokers and consultants, amounts set by the commissioner by rule.

SECTION 2904. 601.31 (1) (nv) of the statutes is created to read:

601.31 **(1)** (nv) For issuing or renewing a license to a pharmaceutical representative under s. 632.863, an amount to be set by the commissioner by rule.

SECTION 2905. 601.31 (1) (nw) of the statutes is created to read:

601.31 **(1)** (nw) For issuing or renewing a license to a pharmacy services administrative organization under s. 632.864, an amount to be set by the commissioner by rule.

SECTION 2906. 601.31 (1) (w) of the statutes is amended to read:

601.31 **(1)** (w) For initial issuance and for each annual renewal of a license as an administrator or pharmacy benefit manager under ch. 633, $100.

SECTION 2907. 601.41 (12) of the statutes is created to read:

601.41 **(12)** EMPLOYEE MISCLASSIFICATION OUTREACH AND EDUCATION. The commissioner shall, on at least an annual basis, conduct outreach and education to persons subject to regulation under chs. 600 to 655 on how to identify the misclassification of employees as independent contractors and how to report suspected misclassifications to the appropriate federal and state agencies.

SECTION 2908. 601.41 (13) of the statutes is created to read:

601.41 **(13)** VALUE-BASED DIABETES MEDICATION PILOT PROJECT. The commissioner shall develop a pilot project to direct a pharmacy benefit manager, as defined in s. 632.865 (1) (c), and a pharmaceutical manufacturer to create a value–based, sole–source arrangement to reduce the costs of prescription medication used to treat diabetes. The commissioner may promulgate rules to implement this subsection.

SECTION 2909. 601.415 (3) of the statutes is repealed.

SECTION 2910. 601.415 (14) of the statutes is created to read:

601.415 **(14)** PATIENT PHARMACY BENEFITS TOOL. (a) From the appropriation under s. 20.145 (1) (a), beginning in the 2022–23 fiscal year, the office shall award grants in a total amount of up to $500,000 each fiscal year to health care providers to develop and implement a tool for prescribers to disclose the cost of prescription drugs for patients. The tool must be usable by physicians and other prescribers to determine the cost of prescription drugs for their patients.

(b) Any health care provider that receives a grant under par. (a) shall contribute matching funds equal to at least 50 percent of the grant amount awarded.

SECTION 2911. 601.46 (3) (b) of the statutes is amended to read:

601.46 **(3)** (b) A general review of the insurance business in this state, including a report on emerging regulatory problems, developments and trends, including trends related to prescription drugs;

SECTION 2912. 601.575 of the statutes is created to read:

601.575 Prescription drug importation program. (1) IMPORTATION PROGRAM REQUIREMENTS. The commissioner, in consultation with persons interested in the sale and pricing of prescription drugs and appropriate officials and agencies of the federal government, shall design and implement a prescription drug

importation program for the benefit of residents of this state, that generates savings for residents, and that satisfies all of the following:

(a) The commissioner shall designate a state agency to become a licensed wholesale distributor or to contract with a licensed wholesale distributor and shall seek federal certification and approval to import prescription drugs.

(b) The prescription drug importation program under this section shall comply with relevant requirements of 21 USC 384, including safety and cost savings requirements.

(c) The prescription drug importation program under this section shall import prescription drugs from Canadian suppliers regulated under any appropriate Canadian or provincial laws.

(d) The prescription drug importation program under this section shall have a process to sample the purity, chemical composition, and potency of imported prescription drugs.

(e) The prescription drug importation program under this section shall import only those prescription drugs for which importation creates substantial savings for residents of the state and only those prescription drugs that are not brand–name drugs and that have fewer than 4 competitor prescription drugs in the United States.

(f) The commissioner shall ensure that prescription drugs imported under the program under this section are not distributed, dispensed, or sold outside of the state.

(g) The prescription drug importation program under this section shall ensure all of the following:

1. Participation by any pharmacy or health care provider in the program is voluntary.

2. Any pharmacy or health care provider participating in the program has the appropriate license or other credential in this state.

3. Any pharmacy or health care provider participating in the program charges a consumer or health plan the actual acquisition cost of the imported prescription drug that is dispensed.

(h) The prescription drug importation program under this section shall ensure that a payment by a health plan or health insurance policy for a prescription drug imported under the program reimburses no more than the actual acquisition cost of the imported prescription drug that is dispensed.

(i) The prescription drug importation program under this section shall ensure that any health plan or health insurance policy participating in the program does all of the following:

1. Maintains a formulary and claims payment system with current information on prescription drugs imported under the program.

2. Bases cost–sharing amounts for participants or insureds under the plan or policy on no more than the actual acquisition cost of the prescription drug imported under the program that is dispensed to the participant or insured.

3. Demonstrates to the commissioner or a state agency designated by the commissioner how premiums under the policy or plan are affected by savings on prescription drugs imported under the program.

(j) Any wholesale distributor importing prescription drugs under the program under this section shall limit its profit margin to the amount established by the commissioner or a state agency designated by the commissioner.

(k) The prescription drug importation program under this section may not import any generic prescription drug that would violate federal patent laws on branded products in this country.

(L) The prescription drug importation program under this section shall comply to the extent practical and feasible, before the prescription drug to be imported comes into the possession of the state's wholesale distributor and fully after the prescription drug to be imported is in the possession of the state's wholesale distributor, with tracking and tracing requirements of 21 USC 360eee to 360eee–1.

(m) The prescription drug importation program under this section shall establish a fee or other mechanism to finance the program that does not jeopardize significant savings to residents of the state.

(n) The prescription drug importation program under this section shall have an audit function that ensures all of the following:

1. The commissioner has a sound methodology to determine the most cost–effective prescription drugs to include in the importation program under this section.

2. The commissioner has a process in place to select Canadian suppliers that are high quality, high performing, and in full compliance with Canadian laws.

3. Prescription drugs imported under the program are pure, unadulterated, potent, and safe.

4. The prescription drug importation program is complying with the requirements of this subsection.

5. The prescription drug importation program under this section is adequately financed to support administrative functions of the program while generating significant cost savings to residents of the state.

6. The prescription drug importation program under this section does not put residents of the state at a higher risk than if the program did not exist.

7. The prescription drug importation program under this section provides and is projected to continue to provide substantial cost savings to residents of the state.

(2) ANTICOMPETITIVE BEHAVIOR. The commissioner, in consultation with the attorney general, shall identify the potential for and monitor anticompetitive behavior in industries affected by a prescription drug importation program.

(3) APPROVAL OF PROGRAM DESIGN; CERTIFICATION. No later than the first day of the 7th month beginning after the effective date of this subsection .... [LRB inserts date], the commissioner shall submit to the joint committee on finance a report that includes the design of the prescription drug importation program in accordance with this section. The commissioner may not submit the proposed prescription drug importation program to the federal department of health and human services unless the joint committee on finance approves the proposed prescription drug implementation program. Within 14 days of the date of approval by the joint committee on finance of the proposed prescription drug importation program, the commissioner shall submit to the federal department of health and human services a request for certification of the approved prescription drug importation program.

(4) IMPLEMENTATION OF CERTIFIED PROGRAM. After the federal department of health and human services certifies the prescription drug importation program submitted under sub. (3), the commissioner shall begin implementation of the program, and the program shall be fully operational by 180 days after the date of certification by the federal department of health and human services. The commissioner shall do all of the following to implement the prescription drug

importation program to the extent the action is in accordance with other state laws and the certification by the federal department of health and human services:

(a) Become a licensed wholesale distributor, designate another state agency to become a licensed wholesale distributor, or contract with a licensed wholesale distributor.

(b) Contract with one or more Canadian suppliers that meet the criteria in sub. (1) (c) and (n).

(c) Create an outreach and marketing plan to communicate with and provide information to health plans and health insurance policies, employers, pharmacies, health care providers, and residents of the state on participating in the prescription drug importation program.

(d) Develop and implement a registration process for health plans and health insurance policies, pharmacies, and health care providers interested in participating in the prescription drug importation program.

(e) Create a publicly accessible source for listing prices of prescription drugs imported under the program.

(f) Create, publicize, and implement a method of communication to promptly answer questions from and address the needs of persons affected by the implementation of the program before the program is fully operational.

(g) Establish the audit functions under sub. (1) (n) with a timeline to complete each audit function every 2 years.

(h) Conduct any other activities determined by the commissioner to be important to successful implementation of the prescription drug importation program under this section.

(5) REPORT. By January 1 and July 1 of each year, the commissioner shall submit to the joint committee on finance a report including all of the following:

(a) A list of prescription drugs included in the importation program under this section.

(b) The number of pharmacies, health care providers, and health plans and health insurance policies participating in the prescription drug importation program under this section.

(c) The estimated amount of savings to residents of the state, health plans and health insurance policies, and employers resulting from the implementation of the prescription drug importation program under this section reported from the date of the previous report under this subsection and from the date the program was fully operational.

(d) Findings of any audit functions under sub. (1) (n) completed since the date of the previous report under this subsection.

(6) RULEMAKING. The commissioner may promulgate any rules necessary to implement this section.

SECTION 2913. 601.59 of the statutes is created to read:

601.59 State-based exchange. (1) DEFINITIONS. In this section:

(a) "Exchange" has the meaning given in 45 CFR 155.20.

(b) "State–based exchange on the federal platform" means an exchange that is described in and meets the requirements of 45 CFR 155.200 (f) and is approved by the federal secretary of health and human services under 45 CFR 155.106.

(c) "State–based exchange without the federal platform" means an exchange, other than one described in 45 CFR 155.200 (f), that performs all the functions

described in 45 CFR 155.200 (a) and is approved by the federal secretary of health and human services under 45 CFR 155.106.

(2) ESTABLISHMENT AND OPERATION OF STATE–BASED EXCHANGE. The commissioner shall establish and operate an exchange that at first is a state–based exchange on the federal platform and then subsequently transitions to a state–based exchange without the federal platform. The commissioner shall develop procedures to address the transition from the state–based exchange on the federal platform to the state–based exchange without the federal platform, including the circumstances that shall be met in order for the transition to occur.

(3) AGREEMENT WITH FEDERAL GOVERNMENT. The commissioner may enter into any agreement with the federal government necessary to facilitate the implementation of this section.

(4) USER FEES. The commissioner shall impose a user fee, as authorized under 45 CFR 155.160 (b) (1), on each insurer that offers a health plan through the state–based exchange on the federal platform or the state–based exchange without the federal platform. The user fee shall be applied at one of the following rates on the total monthly premiums charged by an insurer for each policy under the plan where enrollment is through the exchange:

(a) For any plan year for which the commissioner operates a state–based exchange on the federal platform, the rate is 0.5 percent.

(b) For the first 2 plan years for which the commissioner operates a state–based exchange without the federal platform, the rate is 3 percent.

(c) Beginning with the 3rd plan year for which the commissioner operates a state–based exchange without the federal platform, the rate shall be set by the commissioner by rule.

(5) RULES. The commissioner may promulgate rules necessary to implement this section.

SECTION 2914. Subchapter VI (title) of chapter 601 [precedes 601.78] of the statutes is created to read:

CHAPTER 601

SUBCHAPTER VI

PRESCRIPTION DRUG

AFFORDABILITY REVIEW BOARD

SECTION 2915. 601.78 of the statutes is created to read:

601.78 Definitions. In this subchapter:

(1) "Biologic" means a drug that is produced or distributed in accordance with a biologics license application approved under 21 CFR 601.20.

(2) "Biosimilar" means a drug that is produced or distributed in accordance with a biologics license application approved under 42 USC 262 (k) (3).

(3) "Board" means the prescription drug affordability review board established under s. 15.735 (1).

(4) "Brand name drug" means a drug that is produced or distributed in accordance with an original new drug application approved under 21 USC 355 (c), other than an authorized generic drug, as defined in 42 CFR 447.502.

(5) "Drug product" means a brand name drug, a generic drug, a biologic, a biosimilar, or an over–the–counter drug.

(6) "Financial benefit" includes an honoraria, fee, stock, the value of the stock holdings of a member of the board or any immediate family member, as defined in s. 97.605 (4) (a) 2., and any direct financial benefit deriving from the finding of a review conducted under s. 601.79.

(7) "Generic drug" means any of the following:

(a) A retail drug that is marketed or distributed in accordance with an abbreviated new drug application approved under 21 USC 355 (j).

(b) An authorized generic drug, as defined in 42 CFR 447.502.

(c) A drug that entered the market prior to 1962 and was not originally marketed under a new drug application.

(8) "Manufacturer" means an entity that does all of the following:

(a) Engages in the manufacture of a drug product or enters into a lease with another manufacturer to market and distribute a prescription drug product under the entity's own name.

(b) Sets or changes the wholesale acquisition cost of the drug product or prescription drug product described in par. (a).

(9) "Over–the–counter drug" means a drug intended for human use that does not require a prescription and meets the requirements of 21CFR parts 328 to 364.

(10) "Pharmacy benefit manager" has the meaning given in s. 632.865 (1) (c).

(11) "Prescription drug product" means a brand name drug, a generic drug, a biologic, or a biosimilar.

SECTION 2916. 601.785 of the statutes is created to read:

601.785 Prescription drug affordability review board. (1) MISSION. The purpose of the board is to protect state residents, the state, local governments, health plans, healthcare providers, pharmacies licensed in this state, and other stakeholders of the healthcare system in this state from the high costs of prescription drug products.

(2) POWERS AND DUTIES. (a) The board shall do all of the following:

1. Meet in open session at least 4 times per year to review prescription drug product pricing information, except that the chair may cancel or postpone a meeting if there is no business to transact.

2. To the extent practicable, access and assess pricing information for prescription drug products by doing all of the following:

a. Accessing and assessing information from other states by entering into memoranda of understanding with other states to which manufacturers report pricing information.

b. Assessing spending for specific prescription drug products in this state.

c. Accessing other available pricing information.

(b) The board may:

1. Promulgate rules for the administration of this subchapter.

2. Enter into a contract with an independent 3rd party for any service necessary to carry out the powers and duties of the board. Unless written permission is granted by the board, any person with whom the board contracts may not release, publish, or otherwise use any information to which the person has access under the contract.

(3) MEETING REQUIREMENTS. (a) Pursuant to s. 19.84, the board shall provide public notice of each board meeting at least 2 weeks prior to the meeting and shall make the materials for each meeting publicly available at least one week prior to the meeting.

(b) Notwithstanding s. 19.84 (2), the board shall provide an opportunity for public comment at each open meeting and shall provide the public with the opportunity to provide written comments on pending decisions of the board.

(c) Notwithstanding subch. V of ch. 19, any portion of a meeting of the board concerning proprietary data and information shall be conducted in closed session and shall in all respects remain confidential.

(d) The board may allow expert testimony at any meeting, including when the board meets in closed session.

(4) CONFLICTS OF INTEREST. (a) A member of the board shall recuse himself or herself from a decision by the board relating to a prescription drug product if the member or an immediate family member, as defined in s. 97.605 (4) (a) 2., has received or could receive any of the following:

1. A direct financial benefit deriving from a determination, or a finding of a study or review, by the board relating to the prescription drug product.

2. A financial benefit in excess of $5,000 in a calendar year from any person who owns, manufactures, or provides a prescription drug product to be studied or reviewed by the board.

(b) A conflict of interest shall be disclosed by the board when hiring board staff, by the appointing authority when appointing members to the board, and by the board when a member of the board is recused from any final decision resulting from a review of a prescription drug product.

(c) A conflict of interest shall be disclosed no later than 5 days after the conflict is identified, except that, if the conflict is identified within 5 days of an open meeting of the board, the conflict shall be disclosed prior to the meeting.

(d) The board shall disclose a conflict of interest under this subsection on the board's Internet site unless the chair of the board recuses the member from a final decision resulting from a review of the prescription drug product. The disclosure

shall include the type, nature, and magnitude of the interests of the member involved.

(e) A member of the board or a 3rd party contractor may not accept any gift or donation of services or property that indicates a potential conflict of interest or has the appearance of biasing the work of the board.

SECTION 2917. 601.79 of the statutes is created to read:

601.79 Drug cost affordability review. (1) IDENTIFICATION OF DRUGS. The board shall identify prescription drug products that are any of the following:

(a) A brand name drug or biologic that, as adjusted annually to reflect adjustments to the U.S. consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of labor, has a launch wholesale acquisition cost of at least $30,000 per year or course of treatment or whose wholesale acquisition cost increased at least $3,000 during a 12–month period.

(b) A biosimilar drug that has a launch wholesale acquisition cost that is not at least 15 percent lower than the referenced brand biologic at the time the biosimilar is launched.

(c) A generic drug that has a wholesale acquisition cost, as adjusted annually to reflect adjustments to the U.S. consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of labor, that meets all of the following conditions:

1. Is at least $100 for a supply lasting a patient for a period of 30 consecutive days based on the recommended dosage approved for labeling by the U.S. food and drug administration, a supply lasting a patient for fewer than 30 days based on the recommended dosage approved for labeling by the federal food and drug

administration, or one unit of the drug if the labeling approved by the federal food and drug administration does not recommend a finite dosage.

2. Increased by at least 200 percent during the preceding 12–month period, as determined by the difference between the resulting wholesale acquisition cost and the average of the wholesale acquisition cost reported over the preceding 12 months.

(d) Other prescription drug products, including drugs to address public health emergencies, that may create affordability challenges for the healthcare system and patients in this state.

(2) AFFORDABILITY REVIEW. (a) After identifying prescription drug products under sub. (1), the board shall determine whether to conduct an affordability review for each identified prescription drug product by seeking stakeholder input about the prescription drug product and considering the average patient cost share of the prescription drug product.

(b) The information to conduct an affordability review under par. (a) may include any document and research related to the manufacturer's selection of the introductory price or price increase of the prescription drug product, including life cycle management, net average price in this state, market competition and context, projected revenue, and the estimated value or cost–effectiveness of the prescription drug product.

(c) The failure of a manufacturer to provide the board with information for an affordability review does not affect the authority of the board to conduct the review.

(3) AFFORDABILITY CHALLENGE. When conducting an affordability review of a prescription drug product, the board shall determine whether use of the prescription drug product that is fully consistent with the labeling approved by the federal food and drug administration or standard medical practice has led or will lead to an

affordability challenge for the healthcare system in this state, including high out–of–pocket costs for patients. To the extent practicable, in determining whether a prescription drug product has led or will lead to an affordability challenge, the board shall consider all of the following factors:

(a) The wholesale acquisition cost for the prescription drug product sold in this state.

(b) The average monetary price concession, discount, or rebate the manufacturer provides, or is expected to provide, to health plans in this state as reported by manufacturers and health plans, expressed as a percent of the wholesale acquisition cost for the prescription drug product under review.

(c) The total amount of the price concessions, discounts, and rebates the manufacturer provides to each pharmacy benefit manager for the prescription drug product under review, as reported by the manufacturer and pharmacy benefit manager and expressed as a percent of the wholesale acquisition costs.

(d) The price at which therapeutic alternatives have been sold in this state.

(e) The average monetary concession, discount, or rebate the manufacturer provides or is expected to provide to health plan payors and pharmacy benefit managers in this state for therapeutic alternatives.

(f) The costs to health plans based on patient access consistent with labeled indications by the federal food and drug administration and recognized standard medical practice.

(g) The impact on patient access resulting from the cost of the prescription drug product relative to insurance benefit design.

(h) The current or expected dollar value of drug–specific patient access programs that are supported by the manufacturer.

(i) The relative financial impacts to health, medical, or social services costs that can be quantified and compared to baseline effects of existing therapeutic alternatives.

(j) The average patient copay or other cost sharing for the prescription drug product in the state.

(k) Any information a manufacturer chooses to provide.

(L) Any other factors as determined by the board by rule.

(4) UPPER PAYMENT LIMIT. (a) If the board determines under sub. (3) that use of a prescription drug product has led or will lead to an affordability challenge, the board shall establish an upper payment limit for the prescription drug product after considering all of the following:

1. The cost of administering the drug.

2. The cost of delivering the drug to consumers.

3. Other relevant administrative costs related to the drug.

(b) For a prescription drug product identified in sub. (1) (d), the board shall solicit information from the manufacturer regarding the price increase. To the extent that the price increase is not a result of the need for increased manufacturing capacity or other effort to improve patient access during a public health emergency, the board shall establish an upper payment limit under par. (a) that is equal to the cost to consumers prior to the price increase.

(c) 1. The upper payment limit established under this subsection shall apply to all purchases and payor reimbursements of the prescription drug product dispensed or administered to individuals in this state in person, by mail, or by other means.

2. Notwithstanding subd. 1., while state–sponsored and state–regulated health plans and health programs shall limit drug reimbursements and drug payment to no more than the upper payment limit established under this subsection, a plan subject to the Employee Retirement Income Security Act of 1974 or Part D of Medicare under 42 USC 1395w–101 et seq. may choose to reimburse more than the upper payment limit. A provider who dispenses and administers a prescription drug product in this state to an individual in this state may not bill a payor more than the upper payment limit to the patient regardless of whether a plan subject to the Employee Retirement Income Security Act of 1974 or Part D of Medicare under 42 USC 1395w–101 et seq. chooses to reimburse the provider above the upper payment limit.

(5) PUBLIC INSPECTION. Information submitted to the board under this section shall be open to public inspection only as provided under ss. 19.31 to 19.39.

(6) NO PROHIBITION ON MARKETING. Nothing in this section may be construed to prevent a manufacturer from marketing a prescription drug product approved by the federal food and drug administration while the prescription drug product is under review by the board.

(7) APPEALS. A person aggrieved by a decision of the board may request an appeal of the decision no later than 30 days after the board makes the determination. The board shall hear the appeal and make a final decision no later than 60 days after the appeal is requested. A person aggrieved by a final decision of the board may petition for judicial review in a court of competent jurisdiction.

SECTION 2918. 601.83 (1) (a) of the statutes is amended to read:

601.83 **(1)** (a) The commissioner shall administer a state–based reinsurance program known as the healthcare stability plan in accordance with the specific terms

and conditions approved by the federal department of health and human services dated July 29, 2018. Before December 31, 2023, the commissioner may not request from the federal department of health and human services a modification, suspension, withdrawal, or termination of the waiver under 42 USC 18052 under which the healthcare stability plan under this subchapter operates unless legislation has been enacted specifically directing the modification, suspension, withdrawal, or termination. Before December 31, 2023, the commissioner may request renewal, without substantive change, of the waiver under 42 USC 18052 under which the health care stability plan operates ~~in accordance with s. 20.940 (4)~~ unless legislation has been enacted that is contrary to such a renewal request. ~~The commissioner shall comply with applicable timing in and requirements of s. 20.940.~~

SECTION 2919. 609.045 of the statutes is created to read:

609.045 Balance billing; emergency medical services. (1) DEFINITIONS. In this section:

(a) "Emergency medical services" means emergency medical services for which coverage is required under s. 632.85 (2) and includes emergency medical services described under s. 632.85 (2) as if section 1867 of the federal Social Security Act applied to an independent freestanding emergency department.

(b) "Preferred provider plan," notwithstanding s. 609.01 (4), includes only any preferred provider plan, as defined under s. 609.01 (4), that has a network of participating providers and imposes on enrollees different requirements for using providers that are not participating providers.

(c) "Self–insured governmental plan" means a self–insured health plan of the state or a county, city, village, town, or school district that has a network of

participating providers and imposes on enrollees in the self–insured health plan different requirements for using providers that are not participating providers.

(2) EMERGENCY MEDICAL SERVICES. A defined network plan, preferred provider plan, or self–insured governmental plan that covers any benefits or services provided in an emergency department of a hospital or emergency medical services provided in an independent freestanding emergency department shall cover emergency medical services in accordance with all of the following:

(a) The plan may not require a prior authorization determination.

(b) The plan may not deny coverage based on whether or not the health care provider providing the services is a participating provider or participating emergency facility.

(c) If the emergency medical services are provided to an enrollee by a provider or in a facility that is not a participating provider or facility, the plan complies with all of the following:

1. The emergency medical services are covered without imposing on an enrollee a requirement for prior authorization or any coverage limitation that is more restrictive than requirements or limitations that apply to emergency medical services provided by participating providers or in participating facilities.

2. Any cost–sharing requirement imposed on an enrollee for the emergency medical service is no greater than the requirements that would apply if the emergency medical service were provided by a participating provider or in a participating facility.

3. Any cost–sharing amount imposed on an enrollee for the emergency medical service is calculated as if the total amount that would have been charged for the emergency medical service if provided by a participating provider or in a

participating facility is equal to the amount paid to the provider or facility that is not a participating provider or facility as determined by the commissioner.

4. The plan does all of the following:

a. No later than 30 days after the provider or facility transmits to the plan the bill for emergency medical services, sends to the provider or facility an initial payment or a notice of denial of payment.

b. Pays to the provider or facility a total amount that, incorporating any initial payment under subd. 4. a., is equal to the amount by which the rate for a provider or facility that is not a participating provider or facility exceeds the cost–sharing amount.

5. The plan counts any cost–sharing payment made by the enrollee for the emergency medical services toward any in–network deductible or out–of–pocket maximum applied by the plan in the same manner as if the cost–sharing payment was made for an emergency medical service provided by a participating provider or in a participating facility.

(3) PROVIDER BILLING LIMITATION FOR EMERGENCY MEDICAL SERVICES; AMBULANCE SERVICES. A provider of emergency medical services or a facility in which emergency medical services are provided that is entitled to payment under sub. (2) may not bill or hold liable an enrollee for any amount for the emergency medical service that is more than the cost–sharing amount determined under sub. (2) (c) 3. for the emergency service. A provider of ambulance services that is not a participating provider under an enrollee's defined network plan, preferred provider plan, or self–insured governmental plan may not bill or hold liable an enrollee for any amount of the ambulance service that is more than the cost–sharing amount that the

enrollee would be charged if the provider of ambulance services was a participating provider under the enrollee's plan.

(4) NONPARTICIPATING PROVIDER IN PARTICIPATING FACILITY. For items or services other than emergency medical services that are provided to an enrollee of a defined network plan, preferred provider plan, or self–insured governmental plan by a provider who is not a participating provider but who is providing services at a participating facility, the plan shall provide coverage for the item or service in accordance with all of the following:

(a) The plan may not impose on an enrollee a cost–sharing requirement for the item or service that is greater than the cost–sharing requirement that would have been imposed if the item or service was provided by a participating provider.

(b) Any cost–sharing amount imposed on an enrollee for the item or service is calculated as if the total amount that would have been charged for the item or service if provided by a participating provider is equal to the amount paid to the provider that is not a participating provider as determined by the commissioner.

(c) No later than 30 days after the provider transmits the bill for services, the plan shall send to the provider an initial payment or a notice of denial of payment.

(d) The plan shall make a total payment directly to the provider that provided the item or service to the enrollee that, added to any initial payment described under par. (c), is equal to the amount by which the out–of–network rate for the item or service exceeds the cost–sharing amount.

(e) The plan counts any cost–sharing payment made by the enrollee for the item or service toward any in–network deductible or out–of–pocket maximum applied by the plan in the same manner as if the cost–sharing payment was made for the item or service when provided by a participating provider.

(5) CHARGING FOR SERVICES BY NONPARTICIPATING PROVIDER; NOTICE AND CONSENT. (a) Except as provided in par. (c), a provider of an item or service that is entitled to payment under sub. (4) may not bill or hold liable an enrollee for any amount for the item or service that is more than the cost–sharing amount determined under sub. (4) (b) for the item or service unless the nonparticipating provider provides notice and obtains consent in accordance with all of the following:

1. The notice states that the provider is not a participating provider in the enrollee's defined network plan, preferred provider plan, or self–insured governmental plan.

2. The notice provides a good faith estimate of the amount that the provider may charge the enrollee for the item or service involved, including notification that the estimate does not constitute a contract with respect to the charges estimated for the item or service.

3. The notice includes a list of the participating providers at the facility that would be able to provide the item or service and notification that the enrollee may be referred to one of those participating providers.

4. The notice includes information about whether or not prior authorization or other care management limitations may be required before receiving an item or service at the participating facility.

5. The enrollee provides consent to the provider to be treated by the nonparticipating provider, and the consent acknowledges that the enrollee has been informed that the charge paid by the enrollee may not meet a limitation that the enrollee's defined network plan, preferred provider plan, or self–insured governmental plan places on cost sharing, such as an in–network deductible.

6. A signed copy of the consent described under subd. 5. is provided to the enrollee.

(b) To be considered adequate, the notice and consent under par. (a) shall meet one of the following requirements, as applicable:

1. If the enrollee makes an appointment for the item or service at least 72 hours before the day on which the item or service is to be provided, any notice under par. (a) shall be provided to the enrollee at least 72 hours before the day of the appointment at which the item or service is to be provided.

2. If the enrollee makes an appointment for the item or service less than 72 hours before the day on which the item or service is to be provided, any notice under par. (a) shall be provided to the enrollee on the day that the appointment is made.

(c) A provider of an item or service that is entitled to payment under sub. (4) may not bill or hold liable an enrollee for any amount for the ancillary item or service that is more than the cost–sharing amount determined under sub. (4) (b) for the item or service, unless the commissioner specifies by rule that the provider may balance bill for the specified item or service, if the ancillary item or service is any of the following:

1. Related to an emergency medical service.

2. Anesthesiology.

3. Pathology.

4. Radiology.

5. Neonatology.

6. A item or service provided by an assistant surgeon, hospitalist, or intensivist.

7. Diagnostic service, including a radiology or laboratory service.

8. An item or service provided by a specialty practitioner that the commissioner specifies by rule.

9. An item or service provided by a nonparticipating provider when there is no participating provider who can furnish the item or service at the participating facility.

(6) NOTICE BY PROVIDER OR FACILITY. Beginning no later than January 1, 2022, a health care provider or health care facility shall make available, including posting on an Internet site, to enrollees in defined network plans, preferred provider plans, and self–insured governmental plans notice of the requirements on a provider or facility under subs. (3) and (5), of any other applicable state law requirements on the provider or facility with respect to charging an enrollee for an item or service if the provider or facility does not have a contractual relationship with the plan, and of information on contacting appropriate state or federal agencies in the event the enrollee believes the provider or facility violates any of the requirements under this section or other applicable law.

(7) NEGOTIATION; DISPUTE RESOLUTION. A provider or facility that is entitled to receive an initial payment or notice of denial under sub. (2) (c) 4. a. or (4) (c) may initiate, within 30 days of receiving the initial payment or notice of denial, open negotiations with the defined network plan, preferred provider plan, or self–insured governmental plan to determine a payment amount for the emergency medical service or other item or service for a period that terminates 30 days after initiating open negotiations. If the open negotiation period under this subsection terminates without determination of a payment amount, the provider, facility, defined network plan, preferred provider plan, or self–insured governmental plan may initiate, within the 4 days beginning on the day after the open negotiation period ends, the

independent dispute resolution process as specified by the commissioner. If the independent dispute resolution decision maker determines the payment amount, the party to the independent dispute resolution process whose amount was not selected shall pay the fees for the independent dispute resolution. If the parties to the independent dispute resolution reach a settlement on the payment amount, the parties to the independent dispute resolution shall equally divide the payment for the fees for the independent dispute resolution.

(8) CONTINUITY OF CARE. (a) In this subsection:

1. "Continuing care patient" means an individual who is any of the following:

a. Undergoing a course of treatment for a serious and complex condition from a provider or facility.

b. Undergoing a course of institutional or inpatient care from a provider or facility.

c. Scheduled to undergo nonelective surgery, including receipt of postoperative care, from a provider or facility.

d. Pregnant and undergoing a course of treatment for the pregnancy from a provider or facility.

e. Terminally ill and receiving treatment for the illness from a provider or facility.

2. "Serious and complex condition" means any of the following:

a. In the case of an acute illness, a condition that is serious enough to require specialized medical treatment to avoid the reasonable possibility of death or permanent harm.

b. In the case of a chronic illness or condition, a condition that is life–threatening, degenerative, potentially disabling, or congenital and requires specialized medical care over a prolonged period of time.

(b) If an enrollee is a continuing care patient and is obtaining items or services from a participating provider or facility and the contract between the defined network plan, preferred provider plan, or self–insured governmental plan and the participating provider or facility is terminated or the coverage of benefits that include the items or services provided by the participating provider or facility are terminated by the plan, the plan shall do all of the following:

1. Notify each enrollee of the termination of the contract or benefits and of the right for the enrollee to elect to continue transitional care from the provider or facility under this subsection.

2. Provide the enrollee an opportunity to notify the plan of the need for transitional care.

3. Allow the enrollee to elect to continue to have the benefits provided under the plan under the same terms and conditions as would have applied to the item or service if the termination had not occurred for the course of treatment related to the enrollee's status as a continuing care patient beginning on the date on which the notice under subd. 1. is provided and ending 90 days after the date on which the notice under subd. 1. is provided or the date on which the enrollee is no longer a continuing care patient, whichever is earlier.

(9) RULE MAKING. The commissioner may promulgate any rules necessary to implement this section, including specifying the independent dispute resolution process. The commissioner may promulgate rules to modify the list of those items and services for which a provider may not balance bill under sub. (5) (c).

SECTION 2920. 609.713 of the statutes is created to read:

609.713 Essential health benefits; preventive services. Defined network plans and preferred provider plans are subject to s. 632.895 (13m) and (14m).

SECTION 2921. 609.719 of the statutes is created to read:

609.719 Telehealth services. Limited service health organizations, preferred provider plans, and defined network plans are subject to s. 632.871.

SECTION 2922. 609.83 of the statutes is amended to read:

609.83 Coverage of drugs and devices; application of payments. Limited service health organizations, preferred provider plans, and defined network plans are subject to ss. 632.853, 632.862, and 632.895 (16t) and (16v).

SECTION 2923. 609.83 of the statutes, as affected by 2021 Wisconsin Act .... (this act), section 2922, is amended to read:

609.83 Coverage of drugs and devices; application of payments. Limited service health organizations, preferred provider plans, and defined network plans are subject to ss. 632.853, 632.862, and 632.895 (6) (b), (16t), and (16v).

SECTION 2924. 609.83 of the statutes, as affected by 2021 Wisconsin Act .... (this act), section 2923, is amended to read:

609.83 Coverage of drugs and devices; application of payments. Limited service health organizations, preferred provider plans, and defined network plans are subject to ss. 632.853, 632.861, 632.862, and 632.895 (6) (b), (16t), and (16v).

SECTION 2925. 609.847 of the statutes is created to read:

609.847 Preexisting condition discrimination and certain benefit limits prohibited. Limited service health organizations, preferred provider plans, and defined network plans are subject to s. 632.728.

SECTION 2926. 616.09 (1) (a) 2. of the statutes is amended to read:

616.09 **(1)** (a) 2. Plans authorized under s. 616.06 are subject to s. 610.21, 1977 stats., s. 610.55, 1977 stats., s. 610.57, 1977 stats., and ss. 628.34 to 628.39, 1977 stats., to chs. 600, 601, 620, 625, 627 and 645, to ss. 632.72, 632.755, ~~632.86~~ 632.861 and 632.87 and to this subchapter except s. 616.08.

SECTION 2927. 625.12 (1) (a) of the statutes is amended to read:

625.12 **(1)** (a) Past and prospective loss and expense experience within and outside of this state, except as provided in s. 632.728.

SECTION 2928. 625.12 (1) (e) of the statutes is amended to read:

625.12 **(1)** (e) Subject to ~~s.~~ ss. 632.365 and 632.728, all other relevant factors, including the judgment of technical personnel.

SECTION 2929. 625.12 (2) of the statutes is amended to read:

625.12 **(2)** CLASSIFICATION. Except as provided in ~~s.~~ ss. 632.728 and 632.729, risks may be classified in any reasonable way for the establishment of rates and minimum premiums, except that no classifications may be based on race, color, creed or national origin, and classifications in automobile insurance may not be based on physical condition or developmental disability as defined in s. 51.01 (5). Subject to ss. 632.365, 632.728, and 632.729, rates thus produced may be modified for individual risks in accordance with rating plans or schedules that establish reasonable standards for measuring probable variations in hazards, expenses, or both. Rates may also be modified for individual risks under s. 625.13 (2).

SECTION 2930. 625.15 (1) of the statutes is amended to read:

625.15 **(1)** RATE MAKING. ~~An~~ Except as provided in s. 632.728, an insurer may itself establish rates and supplementary rate information for one or more market segments based on the factors in s. 625.12 and, if the rates are for motor vehicle

liability insurance, subject to s. 632.365, or the insurer may use rates and supplementary rate information prepared by a rate service organization, with average expense factors determined by the rate service organization or with such modification for its own expense and loss experience as the credibility of that experience allows.

SECTION 2931. 628.34 (3) (a) of the statutes is amended to read:

628.34 **(3)** (a) No insurer may unfairly discriminate among policyholders by charging different premiums or by offering different terms of coverage except on the basis of classifications related to the nature and the degree of the risk covered or the expenses involved, subject to ss. 632.365, 632.729, 632.746 ~~and~~, 632.748, and 632.7496. Rates are not unfairly discriminatory if they are averaged broadly among persons insured under a group, blanket or franchise policy, and terms are not unfairly discriminatory merely because they are more favorable than in a similar individual policy.

SECTION 2932. 628.34 (3) (a) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

628.34 **(3)** (a) No insurer may unfairly discriminate among policyholders by charging different premiums or by offering different terms of coverage except on the basis of classifications related to the nature and the degree of the risk covered or the expenses involved, subject to ss. 632.365, 632.728, 632.729, 632.746, 632.748, and 632.7496. Rates are not unfairly discriminatory if they are averaged broadly among persons insured under a group, blanket or franchise policy, and terms are not unfairly discriminatory merely because they are more favorable than in a similar individual policy.

SECTION 2933. 628.495 of the statutes is created to read:

628.495 Pharmacy benefit management broker and consultant licenses. (1) DEFINITION. In this section, "pharmacy benefit manager" has the meaning given in s. 632.865 (1) (c).

(2) LICENSE REQUIRED. No person may serve as a pharmacy benefit management broker or consultant or any other person who procures the services of a pharmacy benefit manager on behalf of a client without a license.

(3) RULES. The commissioner may promulgate rules to establish criteria and procedures for initial licensure and renewal of licensure and to implement licensure under this section.

SECTION 2934. 632.35 of the statutes is amended to read:

632.35 Prohibited rejection, cancellation and nonrenewal. No insurer may cancel or refuse to issue or renew an automobile insurance policy wholly or partially because of one or more of the following characteristics of any person: age, sex, residence, race, color, creed, religion, national origin, ancestry, marital status ~~or~~, occupation, or status as a holder or nonholder of a license under s. 343.03 (3r).

SECTION 2935. 632.728 of the statutes is created to read:

632.728 Coverage of persons with preexisting conditions; guaranteed issue; benefit limits. (1) DEFINITIONS. In this section:

(a) "Cost sharing" includes deductibles, coinsurance, copayments, or similar charges.

(b) "Health benefit plan" has the meaning given in s. 632.745 (11).

(c) "Self–insured health plan" has the meaning given in s. 632.85 (1) (c).

(2) GUARANTEED ISSUE. (a) Every individual health benefit plan shall accept every individual in this state who, and every group health benefit plan shall accept every employer in this state that, applies for coverage, regardless of sexual

orientation, gender identity, or whether or not any employee or individual has a preexisting condition. A health benefit plan may restrict enrollment in coverage described in this paragraph to open or special enrollment periods.

(b) The commissioner shall establish a statewide open enrollment period of no shorter than 30 days for every individual health benefit plan to allow individuals, including individuals who do not have coverage, to enroll in coverage.

(3) PROHIBITING DISCRIMINATION BASED ON HEALTH STATUS. (a) An individual health benefit plan or a self–insured health plan may not establish rules for the eligibility of any individual to enroll, or for the continued eligibility of any individual to remain enrolled, under the plan based on any of the following health status–related factors in relation to the individual or a dependent of the individual:

1. Health status.

2. Medical condition, including both physical and mental illnesses.

3. Claims experience.

4. Receipt of health care.

5. Medical history.

6. Genetic information.

7. Evidence of insurability, including conditions arising out of acts of domestic violence.

8. Disability.

(b) An insurer offering an individual health benefit plan or a self–insured health plan may not require any individual, as a condition of enrollment or continued enrollment under the plan, to pay, on the basis of any health status–related factor under par. (a) with respect to the individual or a dependent of the individual, a premium or contribution or a deductible, copayment, or coinsurance amount that is

greater than the premium or contribution or deductible, copayment, or coinsurance amount respectively for a similarly situated individual enrolled under the plan.

(c) Nothing in this subsection prevents an insurer offering an individual health benefit plan or a self–insured health plan from establishing premium discounts or rebates or modifying otherwise applicable cost sharing in return for adherence to programs of health promotion and disease prevention.

(4) PREMIUM RATE VARIATION. A health benefit plan offered on the individual or small employer market or a self–insured health plan may vary premium rates for a specific plan based only on the following considerations:

(a) Whether the policy or plan covers an individual or a family.

(b) Rating area in the state, as established by the commissioner.

(c) Age, except that the rate may not vary by more than 3 to 1 for adults over the age groups and the age bands shall be consistent with recommendations of the National Association of Insurance Commissioners.

(d) Tobacco use, except that the rate may not vary by more than 1.5 to 1.

(5) STATEWIDE RISK POOL. An insurer offering a health benefit plan may not segregate enrollees into risk pools other than a single statewide risk pool for the individual market and a single statewide risk pool for the small employer market or a single statewide risk pool that combines the individual and small employer markets.

(6) ANNUAL AND LIFETIME LIMITS. An individual or group health benefit plan or a self–insured health plan may not establish any of the following:

(a) Lifetime limits on the dollar value of benefits for an enrollee or a dependent of an enrollee under the plan.

(b) Annual limits on the dollar value of benefits for an enrollee or a dependent of an enrollee under the plan.

(7) COST SHARING MAXIMUM. A health benefit plan offered on the individual or small employer market may not require an enrollee under the plan to pay more in cost sharing than the maximum amount calculated under 42 USC 18022 (c), including the annual indexing of the limits.

(8) MEDICAL LOSS RATIO. (a) In this subsection, "medical loss ratio" means the proportion, expressed as a percentage, of premium revenues spent by a health benefit plan on clinical services and quality improvement.

(b) A health benefit plan on the individual or small employer market shall have a medical loss ratio of at least 80 percent.

(c) A group health benefit plan other than one described under par. (b) shall have a medical loss ratio of at least 85 percent.

(9) ACTUARIAL VALUES OF PLAN TIERS. Any health benefit plan offered on the individual or small employer market shall provide a level of coverage that is designed to provide benefits that are actuarially equivalent to at least 60 percent of the full actuarial value of the benefits provided under the plan.

SECTION 2936. 632.746 (1) (a) of the statutes is renumbered 632.746 (1) and amended to read:

632.746 **(1)** ~~Subject to subs. (2) and (3), an~~ An insurer that offers a group health benefit plan may~~, with respect to a participant or beneficiary under the plan,~~ not impose a preexisting condition exclusion ~~only if the exclusion relates to a condition, whether physical or mental, regardless of the cause of the condition, for which medical advice, diagnosis, care or treatment was recommended or received within~~

~~the 6–month period ending on the participant's or beneficiary's enrollment date under the plan~~ on a participant or beneficiary under the plan.

SECTION 2937. 632.746 (1) (b) of the statutes is repealed.

SECTION 2938. 632.746 (2) (a) of the statutes is amended to read:

632.746 **(2)** (a) An insurer offering a group health benefit plan may not ~~treat~~ impose a preexisting condition exclusion based on genetic information ~~as a preexisting condition under sub. (1) without a diagnosis of a condition related to the information~~.

SECTION 2939. 632.746 (2) (c), (d) and (e) of the statutes are repealed.

SECTION 2940. 632.746 (3) (a) of the statutes is repealed.

SECTION 2941. 632.746 (3) (d) 1. of the statutes is renumbered 632.746 (3) (d).

SECTION 2942. 632.746 (3) (d) 2. and 3. of the statutes are repealed.

SECTION 2943. 632.746 (5) of the statutes is repealed.

SECTION 2944. 632.746 (8) (a) (intro.) of the statutes is amended to read:

632.746 **(8)** (a) (intro.) A health maintenance organization that offers a group health benefit plan ~~and that does not impose any preexisting condition exclusion under sub. (1)~~ with respect to a particular coverage option may impose an affiliation period for that coverage option, but only if all of the following apply:

SECTION 2945. 632.748 (2) of the statutes is amended to read:

632.748 **(2)** An insurer offering a group health benefit plan may not require any individual, as a condition of enrollment or continued enrollment under the plan, to pay, on the basis of any health status–related factor with respect to the individual or a dependent of the individual, a premium or contribution or a deductible, copayment, or coinsurance amount that is greater than the premium or contribution

or deductible, copayment, or coinsurance amount respectively for a similarly situated individual enrolled under the plan.

SECTION 2946. 632.7495 (4) (b) of the statutes is amended to read:

632.7495 **(4)** (b) The coverage has a term of not more than ~~12~~ 3 months.

SECTION 2947. 632.7495 (4) (c) of the statutes is amended to read:

632.7495 **(4)** (c) The coverage term aggregated with all consecutive periods of the insurer's coverage of the insured by individual health benefit plan coverage not required to be renewed under this subsection does not exceed ~~18~~ 6 months. For purposes of this paragraph, coverage periods are consecutive if there are no more than 63 days between the coverage periods.

SECTION 2948. 632.7496 of the statutes is created to read:

632.7496 Coverage requirements for short-term plans. (1) DEFINITION. In this section, "short–term, limited duration plan" means an individual health benefit plan described in s. 632.7495 (4) that an insurer is not required to renew.

(2) GUARANTEED ISSUE. Every short–term, limited duration plan shall accept every individual in this state who applies for coverage whether or not any individual has a preexisting condition.

(3) PROHIBITING DISCRIMINATION BASED ON HEALTH STATUS. (a) A short–term, limited duration plan may not establish rules for the eligibility of any individual to enroll, or for the continued eligibility of any individual to remain enrolled, under the plan based on any of the following health status–related factors in relation to the individual or a dependent of the individual:

1. Health status.

2. Medical condition, including both physical and mental illnesses.

3. Claims experience.

4. Receipt of health care.

5. Medical history.

6. Genetic information.

7. Evidence of insurability, including conditions arising out of acts of domestic violence.

8. Disability.

(b) A short–term, limited duration plan may not require any individual, as a condition of enrollment or continued enrollment under the plan, to pay, on the basis of any health status–related factor under par. (a) with respect to the individual or a dependent of the individual, a premium or contribution or a deductible, copayment, or coinsurance amount that is greater than the premium or contribution or deductible, copayment, or coinsurance amount respectively for a similarly situated individual enrolled under the plan.

(4) PREMIUM RATE VARIATION. A short–term, limited duration plan may vary premium rates for a specific plan based only on the following considerations:

(a) Whether the policy or plan covers an individual or a family.

(b) Rating area in the state, as established by the commissioner.

(c) Age, except that the rate may not vary by more than 3 to 1 for adults over the age groups and the age bands shall be consistent with recommendations of the National Association of Insurance Commissioners.

(d) Tobacco use, except that the rate may not vary by more than 1.5 to 1.

(5) ANNUAL AND LIFETIME LIMITS. A short–term, limited duration plan may not establish any of the following:

(a) Lifetime limits on the dollar value of benefits for an enrollee or a dependent of an enrollee under the plan.

(b) Limits on the dollar value of benefits for an enrollee or a dependent of an enrollee under the plan for the initial or cumulative duration of the plan.

SECTION 2949. 632.76 (2) (a) and (ac) 1. and 2. of the statutes are amended to read:

632.76 **(2)** (a) No claim for loss incurred or disability commencing after 2 years from the date of issue of the policy may be reduced or denied on the ground that a disease or physical condition existed prior to the effective date of coverage, unless the condition was excluded from coverage by name or specific description by a provision effective on the date of loss. This paragraph does not apply to a group health benefit plan, as defined in s. 632.745 (9), which is subject to s. 632.746, a disability insurance policy, as defined in s. 632.895 (1) (a), or a self–insured health plan, as defined in s. 632.85 (1) (c).

(ac) 1. ~~Notwithstanding par. (a), no~~ No claim or loss incurred or disability commencing ~~after 12 months from the date of issue of~~ under an individual disability insurance policy, as defined in s. 632.895 (1) (a), may be reduced or denied on the ground that a disease or physical condition existed prior to the effective date of coverage~~, unless the condition was excluded from coverage by name or specific description by a provision effective on the date of the loss~~.

2. ~~Except as provided in subd. 3., an~~ An individual disability insurance policy, as defined in s. 632.895 (1) (a), other than a short–term policy subject to s. 632.7495 (4) and (5), may not define a preexisting condition more restrictively than a condition that was present before the date of enrollment for the coverage, whether physical or mental, regardless of the cause of the condition, ~~for which~~ and regardless of whether medical advice, diagnosis, care, or treatment was recommended or received ~~within 12 months before the effective date of coverage~~.

SECTION 2950. 632.76 (2) (ac) 3. (intro.) of the statutes is amended to read:

632.76 **(2)** (ac) 3. (intro.) Except as the commissioner provides by rule under s. 632.7495 (5), all of the following apply to an individual disability insurance policy that is a short–term, limited duration policy subject to s. 632.7495 (4) and (5):

SECTION 2951. 632.76 (2) (ac) 3. b. of the statutes is amended to read:

632.76 **(2)** (ac) 3. b. The policy ~~shall reduce the length of time during which a~~ may not impose any preexisting condition exclusion ~~may be imposed by the aggregate of the insured's consecutive periods of coverage under the insurer's individual disability insurance policies that are short–term policies subject to s. 632.7495 (4) and (5). For purposes of this subd. 3. b., coverage periods are consecutive if there are no more than 63 days between the coverage periods~~.

SECTION 2952. 632.795 (4) (a) of the statutes is amended to read:

632.795 **(4)** (a) An insurer subject to sub. (2) shall provide coverage under the same policy form and for the same premium as it originally offered in the most recent enrollment period, subject only to the medical underwriting used in that enrollment period. Unless otherwise prescribed by rule, the insurer may apply deductibles, ~~preexisting condition limitations,~~ waiting periods, or other limits only to the extent that they would have been applicable had coverage been extended at the time of the most recent enrollment period and with credit for the satisfaction or partial satisfaction of similar provisions under the liquidated insurer's policy or plan. The insurer may exclude coverage of claims that are payable by a solvent insurer under insolvency coverage required by the commissioner or by the insurance regulator of another jurisdiction. Coverage shall be effective on the date that the liquidated insurer's coverage terminates.

SECTION 2953. 632.796 of the statutes is created to read:

632.796 Drug cost report. (1) DEFINITION. In this section, "disability insurance policy" has the meaning given in s. 632.895 (1) (a).

(2) REPORT REQUIRED. Annually, at the time the insurer files its rate request with the commissioner, each insurer that offers a disability insurance policy that covers prescription drugs shall submit to the commissioner a report that identifies the 25 prescription drugs that are the highest cost to the insurer and the 25 prescription drugs that have the highest cost increases over the 12 months before the submission of the report.

SECTION 2954. 632.86 of the statutes is repealed.

SECTION 2955. 632.861 of the statutes is created to read:

632.861 Prescription drug charges. (1) DEFINITIONS. In this section:

(a) "Disability insurance policy" has the meaning given in s. 632.895 (1) (a).

(b) "Enrollee" means an individual who is covered under a disability insurance policy or a self–insured health plan.

(c) "Pharmacy benefit manager" has the meaning given in s. 632.865 (1) (c).

(d) "Prescription drug" has the meaning given in s. 450.01 (20).

(e) "Prescription drug benefit" has the meaning given in s. 632.865 (1) (e).

(f) "Self–insured health plan" has the meaning given in s. 632.85 (1) (c).

(2) ALLOWING DISCLOSURES. (a) A disability insurance policy or self–insured health plan that provides a prescription drug benefit may not restrict, directly or indirectly, any pharmacy that dispenses a prescription drug to an enrollee in the policy or plan from informing, or penalize such pharmacy for informing, an enrollee of any differential between the out–of–pocket cost to the enrollee under the policy or plan with respect to acquisition of the drug and the amount an individual would pay

for acquisition of the drug without using any health plan or health insurance coverage.

(b) A disability insurance policy or self–insured health plan that provides a prescription drug benefit shall ensure that any pharmacy benefit manager that provides services under a contract with the policy or plan does not, with respect to such policy or plan, restrict, directly or indirectly, any pharmacy that dispenses a prescription drug to an enrollee in the policy or plan from informing, or penalize such pharmacy for informing, an enrollee of any differential between the out–of–pocket cost to the enrollee under the policy or plan with respect to acquisition of the drug and the amount an individual would pay for acquisition of the drug without using any health plan or health insurance coverage.

(3) COST-SHARING LIMITATION. A disability insurance policy or self–insured health plan that provides a prescription drug benefit or a pharmacy benefit manager that provides services under a contract with a policy or plan may not require an enrollee to pay at the point of sale for a covered prescription drug an amount that is greater than the lowest of all of the following amounts:

(a) The cost–sharing amount for the prescription drug for the enrollee under the policy or plan.

(b) The amount a person would pay for the prescription drug if the enrollee purchased the prescription drug at the dispensing pharmacy without using any health plan or health insurance coverage.

(4) DRUG SUBSTITUTION. (a) Except as provided in par. (b), a disability insurance policy that offers a prescription drug benefit, a self–insured health plan that offers a prescription drug benefit, or a pharmacy benefit manager acting on behalf of a disability insurance policy or self–insured health plan shall provide to an enrollee

advanced written notice of a formulary change that removes a prescription drug from the formulary of the policy or plan or that reassigns a prescription drug to a benefit tier for the policy or plan that has a higher deductible, copayment, or coinsurance. The advanced written notice of a formulary change under this paragraph shall be provided no fewer than 30 days before the expected date of the removal or reassignment and shall include information on the procedure for the enrollee to request an exception to the formulary change. The policy, plan, or pharmacy benefit manager is required to provide the advanced written notice under this paragraph only to those enrollees in the policy or plan who are using the drug at the time the notification must be sent according to available claims history.

(b) 1. A disability insurance policy, self–insured health plan, or pharmacy benefit manager is not required to provide advanced written notice under par. (a) if the prescription drug that is to be removed or reassigned is any of the following:

a. No longer approved by the federal food and drug administration.

b. The subject of a notice, guidance, warning, announcement, or other statement from the federal food and drug administration relating to concerns about the safety of the prescription drug.

c. Approved by the federal food and drug administration for use without a prescription.

2. A disability insurance policy, self–insured health plan, or pharmacy benefit manager is not required to provide advanced written notice under par. (a) if, for the prescription drug that is being removed from the formulary or reassigned to a benefit tier that has a higher deductible, copayment, or coinsurance, the policy, plan, or pharmacy benefit manager adds to the formulary a generic prescription drug that is approved by the federal food and drug administration for use as an alternative to

the prescription drug or a prescription drug in the same pharmacologic class or with the same mechanism of action at any of the following benefit tiers:

a. The same benefit tier from which the prescription drug is being removed or reassigned.

b. A benefit tier that has a lower deductible, copayment, or coinsurance than the benefit tier from which the prescription drug is being removed or reassigned.

(c) A pharmacist or pharmacy shall notify an enrollee in a disability insurance policy or self–insured health plan if a prescription drug for which an enrollee is filling or refilling a prescription is removed from the formulary and the policy or plan or a pharmacy benefit manager acting on behalf of a policy or plan adds to the formulary a generic prescription drug that is approved by the federal food and drug administration for use as an alternative to the prescription drug or a prescription drug in the same pharmacologic class or with the same mechanism of action at any of the following benefit tiers:

1. The same benefit tier from which the prescription drug is being removed or reassigned.

2. A benefit tier that has a lower deductible, copayment, or coinsurance than the benefit tier from which the prescription drug is being removed or reassigned.

(d) If an enrollee has had an adverse reaction to the generic prescription drug or the prescription drug in the same pharmacologic class or with the same mechanism of action that is being substituted for an originally prescribed drug, the pharmacist or pharmacy may extend the prescription order for the originally prescribed drug to fill one 30–day supply of the originally prescribed drug for the cost–sharing amount that applies to the prescription drug at the time of the substitution.

SECTION 2956. 632.862 of the statutes is created to read:

632.862 Application of prescription drug payments. (1) DEFINITIONS. In this section:

(a) "Brand name" has the meaning given in s. 450.12 (1) (a).

(b) "Brand name drug" means any of the following:

1. A prescription drug that contains a brand name and that has no generic equivalent.

2. A prescription drug that contains a brand name and has a generic equivalent but for which the enrollee has received prior authorization from the insurer offering the disability insurance policy or the self–insured health plan or authorization from a physician to obtain the prescription drug under the policy or plan.

(c) "Disability insurance policy" has the meaning given in s. 632.895 (1) (a).

(d) "Prescription drug" has the meaning given in s. 450.01 (20)

(e) "Self–insured health plan" has the meaning given in s. 632.85 (1) (c).

(2) APPLICATION OF DISCOUNTS. A disability insurance policy that offers a prescription drug benefit or a self–insured health plan shall apply to any calculation of an out–of–pocket maximum and to any deductible of the policy or plan for an enrollee the amount that any discount provided by the manufacturer of a brand name drug reduces the cost sharing amount charged to an enrollee for that brand name drug.

SECTION 2957. 632.863 of the statutes is created to read:

632.863 Pharmaceutical representatives. (1) DEFINITIONS. In this section:

(a) "Health care professional" means a physician or other health care practitioner who is licensed to provide health care services or to prescribe pharmaceutical or biologic products.

(b) "Pharmaceutical" means a medication that may legally be dispensed only with a valid prescription from a health care professional.

(c) "Pharmaceutical representative" means an individual who markets or promotes pharmaceuticals to health care professionals on behalf of a pharmaceutical manufacturer for compensation.

(d) "Wholesale acquisition cost" means the most recently reported manufacturer list or catalog price for a brand–name drug or generic drug available to wholesalers or direct purchasers in the United States, before application of discounts, rebates, or reductions in price.

(2) LICENSURE. (a) No individual may act as a pharmaceutical representative in this state without obtaining a pharmaceutical representative license. In order to obtain a license, an individual shall apply to the commissioner, on a form prescribed by the commissioner. A license issued under this paragraph shall be renewed on an annual basis. The application to obtain or renew a license shall include all of the following information:

1. The applicant's full name, residence address and telephone number, and business address and telephone number.

2. A description of the type of work in which the applicant will engage.

3. The fee under s. 601.31 (1) (nv).

4. An attestation that the applicant meets the professional education requirements under sub. (3).

5. Proof that the applicant has paid any assessed penalties and fees.

6. Any other information required by the commissioner.

(b) The pharmaceutical representative shall report, in writing, to the commissioner any change to the information submitted on the application under par.

(a) or any material change to the pharmaceutical representative's business operations or to any information provided under this section. The report shall be made no later than 4 business days after the change or material change occurs.

(c) A pharmaceutical representative shall display his or her license during each visit with a health care professional.

(3) PROFESSIONAL EDUCATION REQUIREMENTS. (a) In order to become initially licensed under sub. (2) (a), a pharmaceutical representative shall complete a professional education course as determined by the commissioner. A pharmaceutical representative shall, upon request, provide the commissioner with proof of the coursework's completion.

(b) In order to renew a license under sub. (2) (a), a pharmaceutical representative shall complete a minimum of 5 hours of continuing professional education courses. A pharmaceutical representative shall, upon request, provide the commissioner with proof of the coursework's completion.

(c) The professional education coursework required under pars. (a) and (b) shall include training in ethical standards, whistleblower protections, laws and rules applicable to pharmaceutical marketing, and other areas that the commissioner may identify by rule.

(d) The commissioner shall regularly designate courses that fulfill the requirements under this subsection and publish a list of the designated courses.

(e) The professional education coursework required under this subsection may not be provided by the employer of a pharmaceutical representative or be funded, in any way, by the pharmaceutical industry or a 3rd party funded by the pharmaceutical industry. A provider of a course designated under par. (d) shall disclose any conflict of interest.

(4) DISCLOSURE TO COMMISSIONER. (a) No later than June 1 of each year, a pharmaceutical representative shall provide to the commissioner, in the manner prescribed by the commissioner, all of the following information from the previous calendar year:

1. The total number of times the pharmaceutical representative contacted health care professionals in this state and the specialties of the health care professionals contacted.

2. For each contact with a health care professional in this state, the location and duration of the contact, the pharmaceuticals for which the pharmaceutical representative provides information, and the value of any item, including a product sample, compensation, material, or gift, provided to the health care professional.

(b) The commissioner shall publish the information provided under par. (a) on the commissioner's Internet site in a manner in which individual health care professionals are not identifiable by name or other identifiers.

(5) DISCLOSURE TO HEALTH CARE PROFESSIONALS. During each contact with a health care professional, a pharmaceutical representative shall disclose the wholesale acquisition cost of any pharmaceutical for which the pharmaceutical representative provides information and the names of at least 3 generic prescription drugs from the same therapeutic class, or if 3 are not available, as many as are available for prescriptive use.

(6) ETHICAL STANDARDS. The commissioner shall promulgate a rule that contains ethical standards for pharmaceutical representatives and shall publish the ethical standards on the commissioner's Internet site. In addition to the ethical standards contained in the rule, a pharmaceutical representative may not do any of the following:

(a) Engage in deceptive or misleading marketing of a pharmaceutical, including the knowing concealment, suppression, omission, misleading representation, or misstatement of a material fact.

(b) Use a title or designation that could reasonably lead a licensed health care professional, or an employee or representative of a licensed health care professional, to believe that the pharmaceutical representative is licensed to practice medicine, nursing, dentistry, optometry, pharmacy, or other similar health occupation in this state unless the pharmaceutical representative holds a license to practice.

(c) Attend a patient examination without the patient's consent.

(7) ENFORCEMENT. (a) Any individual violating this section shall be fined not less than $1,000 nor more than $3,000 for each offense. Each day the violation continues shall constitute a separate offense.

(b) The commissioner may suspend or revoke the license of a pharmaceutical representative who violates this section. A suspended or revoked license may not be reinstated until all violations related to the suspension or revocation have been remedied and all assessed penalties and fees have been paid. An individual whose pharmaceutical representative license is revoked for any cause may not be issued a license under sub. (2) (a) until at least 2 years after the date of revocation.

(c) A health care professional who meets with a pharmaceutical representative who does not display his or her license or share the information required under sub. (5) may report the pharmaceutical representative to the commissioner for further action.

(8) RULES. The commissioner may promulgate rules to implement this section.

SECTION 2958. 632.864 of the statutes is created to read:

632.864 Pharmacy services administrative organizations. (1) DEFINITIONS. In this section:

(a) "Administrative service" means any of the following:

1. Assisting with claims.

2. Assisting with audits.

3. Providing centralized payment.

4. Performing certification in a specialized care program.

5. Providing compliance support.

6. Setting flat fees for generic drugs.

7. Assisting with store layout.

8. Managing inventory.

9. Providing marketing support.

10. Providing management and analysis of payment and drug dispensing data.

11. Providing resources for retail cash cards.

(b) "Independent pharmacy" means a pharmacy operating in this state that is licensed under s. 450.06 or 450.065 and is under common ownership with no more than 2 other pharmacies.

(c) "Pharmacy benefit manager" has the meaning given in s. 632.865 (1) (c).

(d) "Pharmacy services administrative organization" means an entity operating in this state that does all of the following:

1. Contracts with an independent pharmacy to conduct business on the pharmacy's behalf with a 3rd–party payer.

2. Provides at least one administrative service to an independent pharmacy and negotiates and enters into a contract with a 3rd–party payer or pharmacy benefit manager on behalf of the pharmacy.

(e) "Third–party payer" means an entity, including a plan sponsor, health maintenance organization, or insurer, operating in this state that pays or insures health, medical, or prescription drug expenses on behalf of beneficiaries.

(2) LICENSURE. (a) A person may not operate as a pharmacy services administrative organization in this state without a pharmacy services administrative organization license. In order to obtain a license, a person shall apply to the commissioner in the form and manner prescribed by the commissioner. The application shall include all of the following:

1. The name, address, telephone number, and federal employer identification number of the applicant.

2. The name, business address, and telephone number of a contact person for the applicant.

3. The fee under s. 601.31 (1) (nw).

4. Evidence of financial responsibility of at least $1,000,000.

5. Any other information required by the commissioner.

(b) The term of a license issued under par. (a) shall be 2 years from the date of issuance.

(3) DISCLOSURE TO THE COMMISSIONER. (a) A pharmacy services administrative organization shall disclose to the commissioner the extent of any ownership or control of the pharmacy services administrative organization by an entity that does any of the following:

1. Provides pharmacy services.

2. Provides prescription drug or device services.

3. Manufactures, sells, or distributes prescription drugs, biologicals, or medical devices.

(b) A pharmacy services administrative organization shall notify the commissioner in writing within 5 days of any material change in its ownership or control relating to an entity described in par. (a).

(4) RULES. The commissioner may promulgate rules to implement this section.

SECTION 2959. 632.865 (1) (a) of the statutes is renumbered 632.865 (1) (aw).

SECTION 2960. 632.865 (1) (ae) and (ak) of the statutes are created to read:

632.865 **(1)** (ae) "Health benefit plan" has the meaning given in s. 632.745 (11).

(ak) "Health care provider" has the meaning given in s. 146.81 (1).

SECTION 2961. 632.865 (1) (c) of the statutes is renumbered 632.865 (1) (c) (intro.) and amended to read:

632.865 **(1)** (c) (intro.) "Pharmacy benefit manager" means an entity doing business in this state that contracts to administer or manage prescription drug benefits on behalf of any of the following:

1. An insurer ~~or other.~~

3. Another entity that provides prescription drug benefits to residents of this state.

SECTION 2962. 632.865 (1) (c) 2. of the statutes is created to read:

632.865 **(1)** (c) 2. A cooperative, as defined in s. 185.01 (2).

SECTION 2963. 632.865 (1) (dm) of the statutes is created to read:

632.865 **(1)** (dm) "Prescription drug" has the meaning given in s. 450.01 (20).

SECTION 2964. 632.865 (2m) of the statutes is created to read:

632.865 **(2m)** FIDUCIARY DUTY AND DISCLOSURES TO HEALTH BENEFIT PLAN SPONSORS. (a) A pharmacy benefit manager owes a fiduciary duty to the health benefit plan sponsor to act according to the health benefit plan sponsor's instructions and in the best interests of the health benefit plan sponsor.

(b) A pharmacy benefit manager shall annually provide, no later than the date and using the method prescribed by the commissioner by rule, the health benefit plan sponsor all of the following information from the previous calendar year:

1. The indirect profit received by the pharmacy benefit manager from owning any interest in a pharmacy or service provider.

2. Any payment made by the pharmacy benefit manager to a consultant or broker who works on behalf of the health benefit plan sponsor.

3. From the amounts received from all drug manufacturers, the amounts retained by the pharmacy benefit manager, and not passed through to the health benefit plan sponsor, that are related to the health benefit plan sponsor's claims or bona fide service fees.

4. The amounts, including pharmacy access and audit recovery fees, received from all pharmacies that are in the pharmacy benefit manager's network or have a contract to be in the network and, from these amounts, the amount retained by the pharmacy benefit manager and not passed through to the health benefit plan sponsor.

SECTION 2965. 632.865 (3) to (7) of the statutes are created to read:

632.865 **(3)** LICENSE REQUIRED. No person may perform any activities of a pharmacy benefit manager without being licensed by the commissioner as an administrator or pharmacy benefit manager under s. 633.14.

(4) ACCREDITATION FOR NETWORK PARTICIPATION. A pharmacy benefit manager or a representative of a pharmacy benefit manager shall provide to a pharmacy, within 30 days of receipt of a written request from the pharmacy, a written notice of any certification or accreditation requirements used by the pharmacy benefit manager or its representative as a determinant of network participation. A pharmacy benefit

manager or a representative of a pharmacy benefit manager may change its accreditation requirements no more frequently than once every 12 months.

(5) RETROACTIVE CLAIM REDUCTION. Unless required otherwise by federal law, a pharmacy benefit manager may not retroactively deny or reduce a pharmacist's or pharmacy's claim after adjudication of the claim unless any of the following is true:

(a) The original claim was submitted fraudulently.

(b) The payment for the original claim was incorrect. Recovery for an incorrect payment under this paragraph is limited to the amount that exceeds the allowable claim.

(c) The pharmacy services were not rendered by the pharmacist or pharmacy.

(d) In making the claim or performing the service that is the basis for the claim, the pharmacist or pharmacy violated state or federal law.

(e) The reduction is permitted in a contract between a pharmacy and a pharmacy benefit manager and is related to a quality program.

(6) AUDITS OF PHARMACIES OR PHARMACISTS. (a) *Definitions*. In this subsection:

1. "Audit" means a review of the accounts and records of a pharmacy or pharmacist by or on behalf of an entity that finances or reimburses the cost of health care services or prescription drugs.

2. "Entity" means a defined network plan, as defined in s. 609.01 (1b), insurer, self–insured health plan, or pharmacy benefit manager or a person acting on behalf of a defined network plan, insurer, self–insured health plan, or pharmacy benefit manager.

3. "Self–insured health plan" has the meaning given in s. 632.85 (1) (c).

(b) *Procedures*. An entity conducting an on–site or desk audit of pharmacist or pharmacy records shall do all of the following:

1. If the audit is an audit on the premises of the pharmacist or pharmacy, notify the pharmacist or pharmacy in writing of the audit at least 2 weeks before conducting the audit.

2. Refrain from auditing a pharmacist or pharmacy within the first 5 business days of a month unless the pharmacist or pharmacy consents to an audit during that time.

3. If the audit involves clinical or professional judgment, conduct the audit by or in consultation with a pharmacist licensed in any state.

4. Limit the audit review to no more than 250 separate prescriptions. For purposes of this subdivision, a refill of a prescription is not a separate prescription.

5. Limit the audit review to claims submitted no more than 2 years before the date of the audit, unless required otherwise by state or federal law.

6. Allow the pharmacist or pharmacy to use authentic and verifiable records of a hospital, physician, or other health care provider to validate the pharmacist's or pharmacy's records relating to delivery of a prescription drug and use any valid prescription that complies with requirements of the pharmacy examining board to validate claims in connection with a prescription, refill of a prescription, or change in prescription.

7. Allow the pharmacy or pharmacist to document the delivery of a prescription drug or pharmacist services to an enrollee under a health benefit plan using either paper or electronic signature logs.

8. Before leaving the pharmacy after concluding the on–site portion of an audit, provide to the representative of the pharmacy or the pharmacist a complete list of the pharmacy records reviewed.

(c) *Results of audit.* An entity that has conducted an audit of a pharmacist or pharmacy shall do all of the following:

1. Deliver to the pharmacist or pharmacy a preliminary report of the audit within 60 days after the date the auditor departs from an on–site audit or the pharmacy or pharmacist submits paperwork for a desk audit. A preliminary report under this subdivision shall include claim–level information for any discrepancy reported, the estimated total amount of claims subject to recovery, and contact information for the entity or person that completed the audit so the pharmacist or pharmacy subject to the audit may review audit results, procedures, and discrepancies.

2. Allow a pharmacist or pharmacy that is the subject of an audit to provide documentation to address any discrepancy found in the audit within 30 days after the date the pharmacist or pharmacy receives the preliminary report.

3. Deliver to the pharmacist or pharmacy a final audit report, which may be delivered electronically, within 90 days of the date the pharmacist or pharmacy receives the preliminary report or the date of the final appeal of the audit, whichever is later. The final audit report under this subdivision shall include any response provided to the auditor by the pharmacy or pharmacist and consider and address the pharmacy's or pharmacist's response.

4. Refrain from assessing a recoupment or other penalty on a pharmacist or pharmacy until the appeal process is exhausted and the final report under subd. 3. is delivered to the pharmacist or pharmacy.

5. Refrain from accruing or charging interest between the time the notice of the audit is given under par. (b) 1. and the final report under subd. 3. has been delivered.

6. Exclude dispensing fees from calculations of overpayments.

7. Establish and follow a written appeals process that allows a pharmacy or pharmacist to appeal the final report of an audit and allow the pharmacy or pharmacist as part of the appeal process to arrange for, at the cost of the pharmacy or pharmacist, an independent audit.

8. Refrain from subjecting the pharmacy or pharmacist to a recoupment or recovery for a clerical or record–keeping error in a required document or record, including a typographical or computer error, unless the error resulted in an overpayment to the pharmacy or pharmacist.

(d) *Confidentiality of audit.* Information obtained in an audit under this subsection is confidential and may not be shared unless the information is required to be shared under state or federal law and except that the audit may be shared with the entity on whose behalf the audit is performed. An entity conducting an audit may have access to the previous audit reports on a particular pharmacy only if the audit is conducted by the same entity.

(e) *Cooperation with audit.* If an entity is conducting an audit that is complying with this subsection in auditing a pharmacy or pharmacist, the pharmacy or pharmacist that is the subject of the audit may not interfere with or refuse to participate in the audit.

(f) *Payment of auditors.* A pharmacy benefit manager or entity conducting an audit may not pay an auditor employed by or contracted with the pharmacy benefit manager or entity based on a percentage of the amount recovered in an audit.

(g) *Applicability.* 1. This subsection does not apply to an investigative audit that is initiated as a result of a credible allegation of fraud or willful misrepresentation or criminal wrongdoing.

2. If an entity conducts an audit to which a federal law applies that is in conflict with all or part of this subsection, the entity shall comply with this subsection only to the extent that it does not conflict with federal law.

(7) TRANSPARENCY REPORTS. (a) Beginning on June 1, 2021, and annually thereafter, every pharmacy benefit manager shall submit to the commissioner a report that contains, from the previous calendar year, the aggregate rebate amount that the pharmacy benefit manager received from all pharmaceutical manufacturers but retained and did not pass through to health benefit plan sponsors and the percentage of the aggregate rebate amount that is retained rebates. Information required under this paragraph is limited to contracts held with pharmacies located in this state.

(b) Reports under this subsection shall be considered a trade secret under the uniform trade secret act under s. 134.90.

(c) The commissioner may not expand upon the reporting requirement under this subsection, except that the commissioner may effectuate this subsection.

SECTION 2966. 632.8655 of the statutes is created to read:

632.8655 Hospital drug cost reporting. (1) DEFINITIONS. In this section:

(a) "Brand–name drug" means a prescription drug approved under 21 USC 355 (b) or 42 USC 262.

(b) "Covered hospital" means an entity described in 42 USC 256b (a) (4) (L) to (N) that participates in the federal drug pricing program under 42 USC 256b.

(c) "Generic drug" means a prescription drug approved under 21 USC 355 (j).

(d) "Margin" means, for a covered hospital, the difference between the net cost of a brand–name drug or generic drug covered under the federal drug pricing

program under 42 USC 256b and the net payment by the covered hospital for that brand–name drug or generic drug.

(e) "Net payment" means the amount paid for a brand–name drug or generic drug after all discounts and rebates have been applied.

(2) HOSPITAL MARGIN SPENDING. By March 1 annually, each covered hospital operating in this state shall report to the commissioner the per unit margin for each drug covered under the federal drug pricing program under 42 USC 256b dispensed in the previous year multiplied by the number of units dispensed at that margin and how the margin revenue was used.

(3) PUBLIC REPORTING. The commissioner shall publicly post covered hospital documentation of how each hospital spends the margin revenue. The commissioner shall analyze data collected under this section and publish annually a report including an analysis on hospital–specific margins and how that revenue is spent or allocated on a hospital–specific basis. The commissioner shall keep any trade secret or proprietary information confidential.

SECTION 2967. 632.8665 of the statutes is created to read:

632.8665 Prescription drug cost reporting. (1) DEFINITIONS. In this section:

(a) "Brand–name drug" means a prescription drug approved under 21 USC 355 (b) or 42 USC 262.

(b) "Generic drug" means a prescription drug approved under 21 USC 355 (j).

(c) "Manufacturer" has the meaning given in s. 450.01 (12). "Manufacturer" does not include an entity that is engaged only in the dispensing, as defined in s. 450.01 (7), of a brand–name drug or generic drug.

(d) "Manufacturer–sponsored assistance program" means a program offered by a manufacturer or an intermediary under contract with a manufacturer through which a brand–name drug or generic drug is provided to a patient at no charge or at a discount.

(e) "Pharmacy benefit manager" has the meaning given in s. 632.865 (1) (c).

(f) "Pharmacy services administrative organization" means an entity that provides contracting and other administrative services to a pharmacy to assist the pharmacy in interactions with a 3rd–party payer, pharmacy benefit manager, wholesale drug distributor, or other entity.

(g) "Wholesale acquisition cost" means the most recently reported manufacturer list or catalog price for a brand–name drug or generic drug available to wholesalers or direct purchasers in the United States, before application of discounts, rebates, or reductions in price.

(2) PRICE INCREASE OR INTRODUCTION NOTICE; JUSTIFICATION REPORT. (a) A manufacturer shall notify the commissioner if it is increasing the wholesale acquisition cost of a brand–name drug on the market in this state by more than 10 percent or by more than $10,000 during any 12–month period or if it intends to introduce to market in this state a brand–name drug that has an annual wholesale acquisition cost of $30,000 or more.

(b) A manufacturer shall notify the commissioner if it is increasing the wholesale acquisition cost of a generic drug by more than 25 percent or by more than $300 during any 12–month period or if it intends to introduce to market a generic drug that has an annual wholesale acquisition cost of $3,000 or more.

(c) The manufacturer shall provide the notice under par. (a) or (b) in writing at least 30 days before the planned effective date of the cost increase or drug

introduction with a justification that includes all documents and research related to the manufacturer's selection of the cost increase or introduction price and a description of life cycle management, market competition and context, and estimated value or cost–effectiveness of the product.

(3) NET PRICES PAID BY PHARMACY BENEFIT MANAGERS. By March 1 annually, the manufacturer shall report to the commissioner the value of price concessions, expressed as a percentage of the wholesale acquisition cost, provided to each pharmacy benefit manager for each drug sold in this state.

(4) REBATES AND PRICE CONCESSIONS. By March 1 annually, each pharmacy benefit manager shall report to the commissioner the amount received from manufacturers as drug rebates and the value of price concessions, expressed as a percentage of the wholesale acquisition cost, provided by manufacturers for each drug.

(5) MANUFACTURER-SPONSORED ASSISTANCE PROGRAMS. By March 1 annually, each manufacturer shall provide the commissioner with a description of each manufacturer–sponsored patient assistance program in effect during the previous year that includes all of the following:

(a) The terms of the programs.

(b) The number of prescriptions provided to state residents under the program.

(c) The total market value of assistance provided to residents of this state under the program.

(6) PHARMACY SERVICES ADMINISTRATIVE ORGANIZATIONS. By March 1 annually, each pharmacy services administrative organization shall report to the commissioner all of the following information:

(a) The negotiated reimbursement rate of the 25 prescription drugs with the highest reimbursement rates during the previous year.

(b) The 25 prescription drugs with the highest year–to–year change in reimbursement rate for the previous year.

(c) The schedule of fees charged by the organization to pharmacies.

(7) CERTIFICATION AND PENALTIES FOR NONCOMPLIANCE. Each manufacturer and pharmacy services administrative organization that is required to report under this section shall certify each report as accurate under the penalty of perjury. A manufacturer or pharmacy services administrative organization that fails to submit a report required under this section is subject to a forfeiture of no more than $10,000 each day the report is overdue.

(8) HEARING AND PUBLIC REPORTING. (a) The commissioner shall publicly post manufacturer price justification documents. The commissioner shall keep any trade secret or proprietary information confidential.

(b) The commissioner shall analyze data collected under this section and publish annually a report on emerging trends in prescription prices and price increases and shall annually conduct a public hearing based on the analysis under this paragraph. The report under this paragraph shall include analysis of manufacturer prices and price increases and analysis of how pharmacy benefit manager discounts and net costs compare to retail prices paid by patients.

SECTION 2968. 632.868 of the statutes is created to read:

632.868 Insulin safety net programs. (1) DEFINITIONS. In this section:

(a) "Manufacturer" means a person engaged in the manufacturing of insulin that is self–administered on an outpatient basis.

(b) "Navigator" has the meaning given in s. 628.90 (3).

(c) "Patient assistance program" means a program established by a manufacturer under sub. (3) (a).

(d) "Pharmacy" means an entity licensed under s. 450.06 or 450.065.

(e) "Urgent need of insulin" means having less than a 7–day supply of insulin readily available for use and needing insulin in order to avoid the likelihood of suffering a significant health consequence.

(f) "Urgent need safety net program" means a program established by a manufacturer under sub. (2) (a).

(2) URGENT NEED SAFETY NET PROGRAM. (a) *Establishment of program*. No later than July 1, 2022, each manufacturer shall establish an urgent need safety net program to make insulin available in accordance with this subsection to individuals who meet the eligibility requirements under par. (b).

(b) *Eligible individual.* An individual shall be eligible to receive insulin under an urgent need safety net program if all of the following conditions are met:

1. The individual is in urgent need of insulin.

2. The individual is a resident of this state.

3. The individual is not receiving public assistance under ch. 49.

4. The individual is not enrolled in prescription drug coverage through an individual or group health plan that limits the total cost sharing amount, including copayments, deductibles, and coinsurance, that an enrollee is required to pay for a 30–day supply of insulin to no more than $75, regardless of the type or amount of insulin prescribed.

5. The individual has not received insulin under an urgent need safety net program within the previous 12 months, except as allowed under par. (d).

(c) *Provision of insulin under an urgent need safety net program*. 1. In order to receive insulin under an urgent need safety net program, an individual who meets the eligibility requirements under par. (b) shall provide a pharmacy with all of the following:

a. A completed application, on a form prescribed by the commissioner that shall include an attestation by the individual, or the individual's parent or legal guardian if the individual is under the age of 18, that the individual meets all of the eligibility requirements under par. (b).

b. A valid insulin prescription.

c. A valid Wisconsin driver's license or state identification card. If the individual is under the age of 18, the individual's parent or legal guardian shall meet this requirement.

2. Upon receipt of the information described in subd. 1. a. to c., the pharmacist shall dispense a 30–day supply of the prescribed insulin to the individual. The pharmacy shall also provide the individual with the information sheet described in sub. (8) (b) 2. and the list of navigators described in sub. (8) (c). The pharmacy may collect a copayment, not to exceed $35, from the individual to cover the pharmacy's costs of processing and dispensing the insulin. The pharmacy shall notify the health care practitioner who issued the prescription no later than 72 hours after the insulin is dispensed.

3. A pharmacy that dispenses insulin under subd. 2. may submit to the manufacturer, or the manufacturer's vendor, a claim for payment that is in accordance with the national council for prescription drug programs' standards for electronic claims processing, except that no claim may be submitted if the manufacturer agrees to send the pharmacy a replacement of the same insulin in the

amount dispensed. If the pharmacy submits an electronic claim, the manufacturer or vendor shall reimburse the pharmacy in an amount that covers the pharmacy's acquisition cost.

4. A pharmacy that dispenses insulin under subd. 2. shall retain a copy of the application form described in subd. 1. a.

(d) *Eligibility of certain individuals*. An individual who has applied for public assistance under ch. 49 but for whom a determination of eligibility has not been made or whose coverage has not become effective or an individual who has an appeal pending under sub. (3) c. 4. may access insulin under this subsection if the individual is in urgent need of insulin. To access a 30–day supply of insulin, the individual shall attest to the pharmacy that the individual is described in this paragraph and comply with par. (c) 1.

(3) PATIENT ASSISTANCE PROGRAM. (a) *Establishment of program*. No later than July 1, 2022, each manufacturer shall establish a patient assistance program to make insulin available in accordance with this subsection to individuals who meet the eligibility requirements under par. (b). Under the program, the manufacturer shall do all of the following:

1. Provide the commissioner with information regarding the program, including contact information for individuals to call for assistance in accessing the program.

2. Provide a hotline for individuals to call or access between 8 a.m. and 10 p.m. on weekdays and between 10 a.m. and 6 p.m. on Saturdays.

3. List the eligibility requirements under par. (b) on the manufacturer's Internet site.

4. Maintain the privacy of all information received from an individual applying for or participating in the program and not sell, share, or disseminate the information unless required under this section or authorized, in writing, by the individual.

(b) *Eligible individual*. An individual shall be eligible to receive insulin under a patient assistance program if all of the following conditions are met:

1. The individual is a resident of this state.

2. The individual, or the individual's parent or legal guardian if the individual is under the age of 18, has a valid Wisconsin driver's license or state identification card.

3. The individual has a valid insulin prescription.

4. The family income of the individual does not exceed 400 percent of the poverty line as defined and revised annually under 42 USC 9902 (2) for a family the size of the individual's family,

5. The individual is not receiving public assistance under ch. 49.

6. The individual is not eligible to receive health care through a federally funded program or receive prescription drug benefits through the U.S. department of veterans affairs, except that this subdivision does not apply to an individual who is enrolled in a policy under Part D of Medicare under 42 USC 1395w–101 et seq. if the individual has spent at least $1,000 on prescription drugs in the current calendar year.

7. The individual is not enrolled in prescription drug coverage through an individual or group health plan that limits the total cost sharing amount, including copayments, deductibles, and coinsurance, that an enrollee is required to pay for a

30–day supply of insulin to no more than $75, regardless of the type or amount of insulin needed.

(c) *Application for patient assistance program*. 1. An individual may apply to participate in a patient assistance program by filing an application with the manufacturer who established the program, the individual's health care practitioner if the practitioner participates in the program, or a navigator included on the list under sub. (8) (c). A health care practitioner or navigator shall immediately submit the application to the manufacturer. Upon receipt of an application, the manufacturer shall determine the individual's eligibility under par. (b) and, except as provided in subd. 2., notify the individual of the determination no later than 10 days after receipt of the application.

2. If necessary to determine the individual's eligibility under par. (b), the manufacturer may request additional information from an individual who has filed an application under subd. 1. no later than 5 days after receipt of the application. Upon receipt of the additional information, the manufacturer shall determine the individual's eligibility under par. (b) and notify the individual of the determination no later than 3 days after receipt of the requested information.

3. Except as provided in subd. 5., if the manufacturer determines under subd. 1. or 2. that the individual is eligible for the patient assistance program, the manufacturer shall provide the individual with a statement of eligibility. The statement of eligibility shall be valid for 12 months and may be renewed upon a determination by the manufacturer that the individual continues to meet the eligibility requirements of par. (b).

4. If the manufacturer determines under subd. 1. or 2. that the individual is not eligible for the patient assistance program, the manufacturer shall provide the

reason for the determination in the notification under subd. 1. or 2. The individual may appeal the determination by filing an appeal with the commissioner that shall include all of the information provided to the manufacturer under subds. 1. and 2. The commissioner shall establish procedures for deciding appeals under this subdivision. The commissioner shall issue a decision no later than 10 days after the appeal is filed, and the commissioner's decision shall be final. If the commissioner determines that the individual meets the eligibility requirements under par. (b), the manufacturer shall provide the individual with the statement of eligibility described in subd. 3.

5. In the case of an individual who has prescription drug coverage through an individual or group health plan, if the manufacturer determines under subd. 1. or 2. that the individual is eligible for the patient assistance program but also determines that the individual's insulin needs are better addressed through the use of the manufacturer's copayment assistance program rather than the patient assistance program, the manufacturer shall inform the individual of the determination and provide the individual with the necessary coupons to submit to a pharmacy. The individual may not be required to pay more than the copayment amount specified in par. (d) 2.

(d) *Provision of insulin under a patient assistance program*. 1. Upon receipt from an individual of the eligibility statement described in par. (c) 3. and a valid insulin prescription, a pharmacy shall submit an order containing the name of the insulin and daily dosage amount to the manufacturer. The pharmacy shall include with the order the pharmacy's name, shipping address, office telephone number, fax number, electronic mail address, and contact name, as well as any days or times when deliveries are not accepted by the pharmacy.

2. Upon receipt of an order meeting the requirements under subd. 1., the manufacturer shall send the pharmacy a 90–day supply of insulin, or lesser amount if requested in the order, at no charge to the individual or pharmacy. The pharmacy shall dispense the insulin to the individual associated with the order. The insulin shall be dispensed at no charge to the individual, except that the pharmacy may collect a copayment from the individual to cover the pharmacy's costs for processing and dispensing in an amount not to exceed $50 for each 90–day supply of insulin. The pharmacy may not seek reimbursement from the manufacturer or a 3rd–party payer.

3. The pharmacy may submit a reorder to the manufacturer if the individual's eligibility statement described in par. (c) 3. has not expired. The reorder shall be treated as an order for purposes of subd. 2.

4. Notwithstanding subds. 2. and 3., a manufacturer may send the insulin directly to the individual if the manufacturer provides a mail–order service option, in which case the pharmacy may not collect a copayment from the individual.

(4) EXCEPTIONS. (a) This section does not apply to a manufacturer who shows to the commissioner's satisfaction that the manufacturer's annual gross revenue from insulin sales in this state does not exceed $2,000,000.

(b) A manufacturer may not be required to make an insulin product available under sub. (2) or (3) if the wholesale acquisition cost of the insulin product does not exceed $8, as adjusted annually based on the U.S. consumer price index for all urban consumers, U.S. city average, per milliliter or the applicable national council for prescription drug programs' plan billing unit.

(5) CONFIDENTIALITY. All medical information solicited or obtained by any person under this section shall be subject to the applicable provisions of state law relating to confidentiality of medical information, including s. 610.70.

(6) REIMBURSEMENT PROHIBITION. No person, including a manufacturer, pharmacy, pharmacist, or 3rd–party administrator, as part of participating in an urgent need safety net program or patient assistance program may request or seek, or cause another person to request or seek, any reimbursement or other compensation for which payment may be made in whole or in part under a federal health care program, as defined in 42 USC 1320a–7b (f).

(7) REPORTS. (a) Annually, no later than March 1, each manufacturer shall report to the commissioner all of the following information for the previous calendar year:

1. The number of individuals who received insulin under the manufacturer's urgent need safety net program.

2. The number of individuals who sought assistance under the manufacturer's patient assistance program and the number of individuals who were determined to be ineligible under sub. (3) (c) 4.

3. The wholesale acquisition cost of the insulin provided by the manufacturer through the urgent need safety net program and patient assistance program.

(b) Annually, no later than April 1, the commissioner shall submit to the governor and the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), a report on the urgent need safety net programs and patient assistance programs that includes all of the following:

1. The information provided to the commissioner under par. (a).

2. The penalties assessed under sub. (9) during the previous calendar year, including the name of the manufacturer and amount of the penalty.

(8) ADDITIONAL RESPONSIBILITIES OF COMMISSIONER. (a) *Application form*. The commissioner shall make the application form described in sub. (2) (c) 1. a. available on the office's Internet site and shall make the form available to pharmacies and health care providers who prescribe or dispense insulin, hospital emergency departments, urgent care clinics, and community health clinics.

(b) *Public outreach*. 1. The commissioner shall conduct public outreach to create awareness of the urgent need safety net programs and patient assistance programs.

2. The commissioner shall develop and make available on the office's Internet site an information sheet that contains all of the following information:

a. A description of how to access insulin through an urgent need safety net program.

b. A description of how to access insulin through a patient assistance program.

c. Information on how to contact a navigator for assistance in accessing insulin through an urgent need safety net program or patient assistance program.

d. Information on how to contact the commissioner if a manufacturer determines that an individual is not eligible for a patient assistance program.

e. A notification that an individual may contact the commissioner for more information or assistance in accessing ongoing affordable insulin options.

(c) *Navigators*. The commissioner shall develop a training program to provide navigators with information and the resources necessary to assist individuals in accessing appropriate long–term insulin options. The commissioner shall compile a list of navigators who have completed the training program and are available to

assist individuals in accessing affordable insulin coverage options. The list shall be made available on the office's Internet site and to pharmacies and health care practitioners who dispense and prescribe insulin.

(d) *Satisfaction surveys*. 1. The commissioner shall develop and conduct a satisfaction survey of individuals who have accessed insulin through urgent need safety net programs and patient assistance programs. The survey shall ask whether the individual is still in need of a long–term solution for affordable insulin and shall include questions about the individual's satisfaction with all of the following, if applicable:

a. Accessibility to urgent–need insulin.

b. Adequacy of the information sheet and list of navigators received from the pharmacy.

c. Helpfulness of a navigator.

d. Ease of access in applying for a patient assistance program and receiving insulin from the pharmacy under the program.

2. The commissioner shall develop and conduct a satisfaction survey of pharmacies that have dispensed insulin through urgent need safety net programs and patient assistance programs. The survey shall include questions about the pharmacy's satisfaction with all of the following, if applicable:

a. Timeliness of reimbursement from manufacturers for insulin dispensed by the pharmacy under urgent need safety net programs.

b. Ease in submitting insulin orders to manufacturers.

c. Timeliness of receiving insulin orders from manufacturers.

3. The commissioner may contract with a nonprofit entity to develop and conduct the surveys under subds. 1. and 2. and to evaluate the survey results.

4. No later than July 1, 2024, the commissioner shall submit to the governor and the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), a report on the results of the surveys under subds. 1. and 2.

(9) PENALTY. A manufacturer that fails to comply with this section may be assessed a penalty of up to $200,000 per month of noncompliance, with the maximum penalty increasing to $400,000 per month if the manufacturer continues to be in noncompliance after 6 months and increasing to $600,000 per month if the manufacturer continues to be in noncompliance after one year.

SECTION 2969. 632.869 of the statutes is created to read:

632.869 Reimbursement to federal drug pricing program participants.

(**1)** In this section:

(a) "Covered entity" means an entity described in 42 USC 256b (a) (4) (A), (D), (E), (J), or (N) that participates in the federal drug pricing program under 42 USC 256b, a pharmacy of the entity, or a pharmacy contracted with the entity to dispense drugs purchased through the federal drug pricing program under 42 USC 256b.

(b) "Pharmacy benefit manager" has the meaning given in s. 632.865 (1) (c).

(2) Any person, including a pharmacy benefit manager and 3rd–party payer, may not do any of the following:

(a) Reimburse a covered entity for a drug that is subject to an agreement under 42 USC 256b at a rate lower than that paid for the same drug to pharmacies that are not covered entities and are similar in prescription volume to the covered entity.

(b) Assess a covered entity any fee, charge back, or other adjustment on the basis of the covered entity's participation in the federal drug pricing program under 42 USC 256b.

SECTION 2970. 632.87 (4) of the statutes is amended to read:

632.87 **(4)** No policy, plan or contract may exclude coverage for diagnosis and treatment of a condition or complaint by a licensed dentist or dental therapist within the scope of the dentist's or dental therapist's license, if the policy, plan or contract covers diagnosis and treatment of the condition or complaint by another health care provider, as defined in s. 146.81 (1) (a) to (p).

SECTION 2971. 632.871 of the statutes is created to read:

632.871 Telehealth services. (1) DEFINITIONS. In this section:

(a) "Disability insurance policy" has the meaning given in s. 632.895 (1) (a).

(b) "Self–insured health plan" has the meaning given in s. 632.85 (1) (c).

(c) "Telehealth" means a practice of health care delivery, diagnosis, consultation, treatment, or transfer of medically relevant data by means of audio, video, or data communications that are used either during a patient visit or a consultation or are used to transfer medically relevant data about a patient. "Telehealth" does not include communications delivered solely by audio–only telephone, facsimile machine, or e–mail unless specified otherwise by rule.

(2) COVERAGE DENIAL PROHIBITED. No disability insurance policy or self–insured health plan may deny coverage for a treatment or service provided through telehealth on the basis that the treatment or service is provided through telehealth if that treatment or service is covered by the policy or plan when provided in person. A disability insurance policy or self–insured health plan may limit coverage of treatments or services provided through telehealth to those treatments or services that are medically necessary.

(3) CERTAIN LIMITATIONS ON TELEHEALTH PROHIBITED. A disability insurance policy or self–insured health plan may not subject a treatment or service provided

through telehealth for which coverage is required under sub. (2) to any of the following:

(a) Any greater deductible, copayment, or coinsurance amount than would be applicable if the treatment or service is provided in person.

(b) Any policy or calendar year or lifetime benefit limit or other maximum limitation that is not imposed on other treatments or services covered by the plan that are not provided through telehealth.

(c) Prior authorization requirements that are not required for the same treatment or service when provided in person.

(d) Unique location requirements.

(4) DISCLOSURE OF COVERAGE OF CERTAIN TELEHEALTH SERVICES. A disability insurance policy or self–insured health plan that covers a telehealth treatment or service that has no equivalent in–person treatment or service, such as remote patient monitoring, shall specify in policy or plan materials the coverage of that telehealth treatment or service.

SECTION 2972. 632.895 (6) (title) of the statutes is amended to read:

632.895 **(6)** (title) EQUIPMENT AND SUPPLIES FOR TREATMENT OF DIABETES; INSULIN.

SECTION 2973. 632.895 (6) of the statutes is renumbered 632.895 (6) (a) and amended to read:

632.895 **(6)** (a) Every disability insurance policy ~~which~~ that provides coverage of expenses incurred for treatment of diabetes shall provide coverage for expenses incurred by the installation and use of an insulin infusion pump, coverage for all other equipment and supplies, including insulin or any other prescription medication, used in the treatment of diabetes, and coverage of diabetic self–management education programs. ~~Coverage~~ Except as provided in par. (b),

coverage required under this subsection shall be subject to the same exclusions, limitations, deductibles, and coinsurance provisions of the policy as other covered expenses, except that insulin infusion pump coverage may be limited to the purchase of one pump per year and the insurer may require the insured to use a pump for 30 days before purchase.

SECTION 2974. 632.895 (6) (b) of the statutes is created to read:

632.895 **(6)** (b) 1. In this paragraph:

a. "Cost sharing" means the total of any deductible, copayment, or coinsurance amounts imposed on a person covered under a policy or plan.

b. "Self–insured health plan" has the meaning given in s. 632.85 (1) (c).

2. Every disability insurance policy and self–insured health plan that covers insulin and imposes cost sharing on prescription drugs may not impose cost sharing on insulin in an amount that exceeds $50 for a one–month supply of insulin.

3. Nothing in this paragraph prohibits a disability insurance policy or self–insured health plan from imposing cost sharing on insulin in an amount less than the amount specified under subd. 2. Nothing in this paragraph requires a disability insurance policy or self–insured health plan to impose any cost sharing on insulin.

SECTION 2975. 632.895 (8) (d) of the statutes is amended to read:

632.895 **(8)** (d) Coverage is required under this subsection despite whether the woman shows any symptoms of breast cancer. Except as provided in pars. (b), (c), and (e), coverage under this subsection may only be subject to exclusions and limitations, including ~~deductibles, copayments and~~ restrictions on excessive charges, that are applied to other radiological examinations covered under the disability insurance

policy. Coverage under this subsection may not be subject to any deductibles, copayments, or coinsurance.

SECTION 2976. 632.895 (13m) of the statutes is created to read:

632.895 **(13m)** PREVENTIVE SERVICES. (a) In this section, "self–insured health plan" has the meaning given in s. 632.85 (1) (c).

(b) Every disability insurance policy, except any disability insurance policy that is described in s. 632.745 (11) (b) 1. to 12., and every self–insured health plan shall provide coverage for all of the following preventive services:

1. Mammography in accordance with sub. (8).

2. Genetic breast cancer screening and counseling and preventive medication for adult women at high risk for breast cancer.

3. Papanicolaou test for cancer screening for women 21 years of age or older with an intact cervix.

4. Human papillomavirus testing for women who have attained the age of 30 years but have not attained the age of 66 years.

5. Colorectal cancer screening in accordance with sub. (16m).

6. Annual tomography for lung cancer screening for adults who have attained the age of 55 years but have not attained the age of 80 years and who have health histories demonstrating a risk for lung cancer.

7. Skin cancer screening for individuals who have attained the age of 10 years but have not attained the age of 22 years.

8. Counseling for skin cancer prevention for adults who have attained the age of 18 years but have not attained the age of 25 years.

9. Abdominal aortic aneurysm screening for men who have attained the age of 65 years but have not attained the age of 75 years and who have ever smoked.

10. Hypertension screening for adults and blood pressure testing for adults, for children under the age of 3 years who are at high risk for hypertension, and for children 3 years of age or older.

11. Lipid disorder screening for minors 2 years of age or older, adults 20 years of age or older at high risk for lipid disorders, and all men 35 years of age or older.

12. Aspirin therapy for cardiovascular health for adults who have attained the age of 55 years but have not attained the age of 80 years and for men who have attained the age of 45 years but have not attained the age of 55 years.

13. Behavioral counseling for cardiovascular health for adults who are overweight or obese and who have risk factors for cardiovascular disease.

14. Type II diabetes screening for adults with elevated blood pressure.

15. Depression screening for minors 11 years of age or older and for adults when follow–up supports are available.

16. Hepatitis B screening for minors at high risk for infection and adults at high risk for infection.

17. Hepatitis C screening for adults at high risk for infection and onetime hepatitis C screening for adults born in any year from 1945 to 1965.

18. Obesity screening and management for all minors and adults with a body mass index indicating obesity, counseling and behavioral interventions for obese minors who are 6 years of age or older, and referral for intervention for obesity for adults with a body mass index of 30 kilograms per square meter or higher.

19. Osteoporosis screening for all women 65 years of age or older and for women at high risk for osteoporosis under the age of 65 years.

20. Immunizations in accordance with sub. (14).

21. Anemia screening for individuals 6 months of age or older and iron supplements for individuals at high risk for anemia and who have attained the age of 6 months but have not attained the age of 12 months.

22. Fluoride varnish for prevention of tooth decay for minors at the age of eruption of their primary teeth.

23. Fluoride supplements for prevention of tooth decay for minors 6 months of age or older who do not have fluoride in their water source.

24. Gonorrhea prophylaxis treatment for newborns.

25. Health history and physical exams for prenatal visits and for minors.

26. Length and weight measurements for newborns and height and weight measurements for minors.

27. Head circumference and weight–for–length measurements for newborns and minors who have not attained the age of 3 years.

28. Body mass index for minors 2 years of age or older.

29. Blood pressure measurements for minors 3 years of age or older and a blood pressure risk assessment at birth.

30. Risk assessment and referral for oral health issues for minors who have attained the age of 6 months but have not attained the age of 7 years.

31. Blood screening for newborns and minors who have not attained the age of 2 months.

32. Screening for critical congenital health defects for newborns.

33. Lead screenings in accordance with sub. (10).

34. Metabolic and hemoglobin screening and screening for phenylketonuria, sickle cell anemia, and congenital hypothyroidism for minors including newborns.

35. Tuberculin skin test based on risk assessment for minors one month of age or older.

36. Tobacco counseling and cessation interventions for individuals who are 5 years of age or older.

37. Vision and hearing screening and assessment for minors including newborns.

38. Sexually transmitted infection and human immunodeficiency virus counseling for sexually active minors.

39. Risk assessment for sexually transmitted infection for minors who are 10 years of age or older and screening for sexually transmitted infection for minors who are 16 years of age or older.

40. Alcohol misuse screening and counseling for minors 11 years of age or older.

41. Autism screening for minors who have attained the age of 18 months but have not attained the age of 25 months.

42. Developmental screening and surveillance for minors including newborns.

43. Psychosocial and behavioral assessment for minors including newborns.

44. Alcohol misuse screening and counseling for pregnant adults and a risk assessment for all adults.

45. Fall prevention and counseling and preventive medication for fall prevention for community–dwelling adults 65 years of age or older.

46. Screening and counseling for intimate partner violence for adult women.

47. Well–woman visits for women who have attained the age of 18 years but have not attained the age of 65 years and well–woman visits for recommended preventive services, preconception care, and prenatal care.

48. Counseling on, consultations with a trained provider on, and equipment rental for breastfeeding for pregnant and lactating women.

49. Folic acid supplement for adult women with reproductive capacity.

50. Iron deficiency anemia screening for pregnant and lactating women.

51. Preeclampsia preventive medicine for pregnant adult women at high risk for preeclampsia.

52. Low–dose aspirin after 12 weeks of gestation for pregnant women at high risk for miscarriage, preeclampsia, or clotting disorders.

53. Screenings for hepatitis B and bacteriuria for pregnant women.

54. Screening for gonorrhea for pregnant and sexually active females 24 years of age or younger and females older than 24 years of age who are at risk for infection.

55. Screening for chlamydia for pregnant and sexually active females 24 years of age and younger and females older than 24 years of age who are at risk for infection.

56. Screening for syphilis for pregnant women and adults who are at high risk for infection.

57. Human immunodeficiency virus screening for adults who have attained the age of 15 years but have not attained the age of 66 years and individuals at high risk of infection who are younger than 15 years of age or older than 65 years of age.

58. All contraceptives and services in accordance with sub. (17).

59. Any services not already specified under this paragraph having an A or B rating in current recommendations from the U.S. preventive services task force.

60. Any preventive services not already specified under this paragraph that are recommended by the federal health resources and services administration's Bright Futures project.

61. Any immunizations, not already specified under sub. (14), that are recommended and determined to be for routine use by the federal advisory committee on immunization practices.

(c) Subject to par. (d), no disability insurance policy and no self–insured health plan may subject the coverage of any of the preventive services under par. (b) to any deductibles, copayments, or coinsurance under the policy or plan.

(d) 1. If an office visit and a preventive service specified under par. (b) are billed separately by the health care provider, the disability insurance policy or self–insured health plan may apply deductibles to and impose copayments or coinsurance on the office visit but not on the preventive service.

2. If the primary reason for an office visit is not to obtain a preventive service, the disability insurance policy or self–insured health plan may apply deductibles to and impose copayments or coinsurance on the office visit.

3. Except as otherwise provided in this subdivision, if a preventive service specified under par. (b) is provided by a health care provider that is outside the disability insurance policy's or self–insured health plan's network of providers, the policy or plan may apply deductibles to and impose copayments or coinsurance on the office visit and the preventive service. If a preventive service specified under par. (b) is provided by a health care provider that is outside the disability insurance policy's or self–insured health plan's network of providers because there is no available health care provider in the policy's or plan's network of providers that provides the preventive service, the policy or plan may not apply deductibles to or impose copayments or coinsurance on the preventive service.

4. If multiple well–woman visits described under par. (b) 47. are required to fulfill all necessary preventive services and are in accordance with clinical

recommendations, the disability insurance policy or self–insured health plan may not apply a deductible to or impose a copayment or coinsurance on any of those well–woman visits.

SECTION 2977. 632.895 (14) (a) 1. i. and j. of the statutes are amended to read:

632.895 **(14)** (a) 1. i. Hepatitis A and B.

j. Varicella and herpes zoster.

SECTION 2978. 632.895 (14) (a) 1. k. to o. of the statutes are created to read:

632.895 **(14)** (a) 1. k. Human papillomavirus.

L. Meningococcal meningitis.

m. Pneumococcal pneumonia.

n. Influenza.

o. Rotavirus.

SECTION 2979. 632.895 (14) (b) of the statutes is amended to read:

632.895 **(14)** (b) Except as provided in par. (d), every disability insurance policy, and every self–insured health plan of the state or a county, city, town, village, or school district, ~~that provides coverage for a dependent of the insured~~ shall provide coverage of appropriate and necessary immunizations~~, from birth to the age of 6 years,~~ for an insured or plan participant, including a dependent ~~who is a child~~ of the insured or plan participant.

SECTION 2980. 632.895 (14) (c) of the statutes is amended to read:

632.895 **(14)** (c) The coverage required under par. (b) may not be subject to any deductibles, copayments, or coinsurance under the policy or plan. ~~This paragraph applies to a defined network plan, as defined in s. 609.01 (1b), only with respect to appropriate and necessary immunizations provided by providers participating, as defined in s. 609.01 (3m), in the plan.~~

SECTION 2981. 632.895 (14) (d) 3. of the statutes is amended to read:

632.895 **(14)** (d) 3. A health care plan offered by a limited service health organization, as defined in s. 609.01 (3)~~, or by a preferred provider plan, as defined in s. 609.01 (4), that is not a defined network plan, as defined in s. 609.01 (1b)~~.

SECTION 2982. 632.895 (14m) of the statutes is created to read:

632.895 **(14m)** ESSENTIAL HEALTH BENEFITS. (a) In this subsection, "self–insured health plan" has the meaning given in s. 632.85 (1) (c).

(b) On a date specified by the commissioner, by rule, every disability insurance policy, except as provided in par. (g), and every self–insured health plan shall provide coverage for essential health benefits as determined by the commissioner, by rule, subject to par. (c).

(c) In determining the essential health benefits for which coverage is required under par. (b), the commissioner shall do all of the following:

1. Include benefits, items, and services in, at least, all of the following categories:

a. Ambulatory patient services.

b. Emergency services.

c. Hospitalization.

d. Maternity and newborn care.

e. Mental health and substance use disorder services, including behavioral health treatment.

f. Prescription drugs.

g. Rehabilitative and habilitative services and devices.

h. Laboratory services.

i. Preventive and wellness services and chronic disease management.

j. Pediatric services, including oral and vision care.

2. Conduct a survey of employer–sponsored coverage to determine benefits typically covered by employers and ensure that the scope of essential health benefits for which coverage is required under this subsection is equal to the scope of benefits covered under a typical disability insurance policy offered by an employer to its employees.

3. Ensure that essential health benefits reflect a balance among the categories described in subd. 1. such that benefits are not unduly weighted toward one category.

4. Ensure that essential health benefit coverage is provided with no or limited cost–sharing requirements.

5. Require that disability insurance policies and self–insured health plans do not make coverage decisions, determine reimbursement rates, establish incentive programs, or design benefits in ways that discriminate against individuals because of their age, disability, or expected length of life.

6. Establish essential health benefits in a way that takes into account the health care needs of diverse segments of the population, including women, children, persons with disabilities, and other groups.

7. Ensure that essential health benefits established under this subsection are not subject to a coverage denial based on an insured's or plan participant's age, expected length of life, present or predicted disability, degree of dependency on medical care, or quality of life.

8. Require that disability insurance policies and self–insured health plans cover emergency department services that are essential health benefits without imposing any requirement to obtain prior authorization for those services and without limiting coverage for services provided by an emergency services provider

that is not in the provider network of a policy or plan in a way that is more restrictive than requirements or limitations that apply to emergency services provided by a provider that is in the provider network of the policy or plan.

9. Require a disability insurance policy or self–insured health plan to apply to emergency department services that are essential health benefits provided by an emergency department provider that is not in the provider network of the policy or plan the same copayment amount or coinsurance rate that applies if those services are provided by a provider that is in the provider network of the policy or plan.

(d) The commissioner shall periodically update, by rule, the essential health benefits under this subsection to address any gaps in access to coverage.

(e) If an essential health benefit is also subject to mandated coverage elsewhere under this section and the coverage requirements are not identical, the disability insurance policy or self–insured health plan shall provide coverage under whichever subsection provides the insured or plan participant with more comprehensive coverage of the medical condition, item, or service.

(f) Nothing in this subsection or rules promulgated under this subsection prohibits a disability insurance policy or a self–insured health plan from providing benefits in excess of the essential health benefit coverage required under this subsection.

(g) This subsection does not apply to any disability insurance policy that is described in s. 632.745 (11) (b) 1. to 12.

SECTION 2983. 632.895 (16m) (b) of the statutes is amended to read:

632.895 **(16m)** (b) The coverage required under this subsection may be subject to any limitations~~,~~ or exclusions~~, or cost–sharing provisions~~ that apply generally under the disability insurance policy or self–insured health plan. The coverage

required under this subsection may not be subject to any deductibles, copayments, or coinsurance.

SECTION 2984. 632.895 (17) (b) 2. of the statutes is amended to read:

632.895 **(17)** (b) 2. Outpatient consultations, examinations, procedures, and medical services that are necessary to prescribe, administer, maintain, or remove a contraceptive, ~~if covered for any other drug benefits under the policy or plan~~ sterilization procedures, and patient education and counseling for all females with reproductive capacity.

SECTION 2985. 632.895 (17) (c) of the statutes is amended to read:

632.895 **(17)** (c) Coverage under par. (b) may be subject only to the exclusions~~,~~ and limitations~~, or cost–sharing provisions~~ that apply generally to the coverage of outpatient health care services, preventive treatments and services, or prescription drugs and devices that is provided under the policy or self–insured health plan. A disability insurance policy or self–insured health plan may not apply a deductible or impose a copayment or coinsurance to at least one of each type of contraceptive method approved by the federal food and drug administration for which coverage is required under this subsection. The disability insurance policy or self–insured health plan may apply reasonable medical management to a method of contraception to limit coverage under this subsection that is provided without being subject to a deductible, copayment, or coinsurance to prescription drugs without a brand name. The disability insurance policy or self–insured health plan may apply a deductible or impose a copayment or coinsurance for coverage of a contraceptive that is prescribed for a medical need if the services for the medical need would otherwise be subject to a deductible, copayment, or coinsurance.

SECTION 2986. 632.897 (11) (a) of the statutes is amended to read:

632.897 **(11)** (a) Notwithstanding subs. (2) to (10), the commissioner may promulgate rules establishing standards requiring insurers to provide continuation of coverage for any individual covered at any time under a group policy who is a terminated insured or an eligible individual under any federal program that provides for a federal premium subsidy for individuals covered under continuation of coverage under a group policy, including rules governing election or extension of election periods, notice, rates, premiums, premium payment, ~~application of preexisting condition exclusions,~~ election of alternative coverage, and status as an eligible individual, as defined in s. 149.10 (2t), 2011 stats.

SECTION 2987. Chapter 633 (title) of the statutes is amended to read:

CHAPTER 633

EMPLOYEE BENEFIT PLAN

ADMINISTRATORS ~~AND~~, PRINCIPALS,

AND PHARMACY BENEFIT MANAGERS

SECTION 2988. 633.01 (1) (intro.) and (c) of the statutes are amended to read:

633.01 **(1)** (intro.) "Administrator" means a person who directly or indirectly solicits or collects premiums or charges or otherwise effects coverage or adjusts or settles claims for ~~a~~ an employee benefit plan, but does not include the following persons if they perform these acts under the circumstances specified for each:

(c) A creditor on behalf of its debtor, if to obtain payment, reimbursement or other method of satisfaction from ~~a~~ an employee benefit plan for any part of a debt owed to the creditor by the debtor.

SECTION 2989. 633.01 (2r) of the statutes is created to read:

633.01 **(2r)** "Enrollee" has the meaning given in s. 632.861 (1) (b).

SECTION 2990. 633.01 (3) of the statutes is amended to read:

633.01 **(3)** "Insured employee" means an employee who is a resident of this state and who is covered under ~~a~~ an employee benefit plan.

SECTION 2991. 633.01 (4) of the statutes is renumbered 633.01 (2g) and amended to read:

633.01 **(2g)** "~~Plan~~ Employee benefit plan" means an insured or wholly or partially self–insured employee benefit plan which by means of direct payment, reimbursement or other arrangement provides to one or more employees who are residents of this state benefits or services that include, but are not limited to, benefits for medical, surgical or hospital care, benefits in the event of sickness, accident, disability or death, or benefits in the event of unemployment or retirement.

SECTION 2992. 633.01 (4g) of the statutes is created to read:

633.01 **(4g)** "Pharmacy benefit manager" has the meaning given in s. 632.865 (1) (c).

SECTION 2993. 633.01 (4r) of the statutes is created to read:

633.01 **(4r)** "Prescription drug benefit" has the meaning given in s. 632.865 (1) (e).

SECTION 2994. 633.01 (5) of the statutes is amended to read:

633.01 **(5)** "Principal" means a person, including an insurer, that uses the services of an administrator to provide ~~a~~ an employee benefit plan.

SECTION 2995. 633.01 (6) of the statutes is created to read:

633.01 **(6)** "Self–insured health plan" has the meaning given in s. 632.85 (1) (c).

SECTION 2996. 633.04 (intro.) of the statutes is amended to read:

633.04 Written agreement required. (intro.) An administrator may not administer ~~a~~ an employee benefit plan in the absence of a written agreement between the administrator and a principal. The administrator and principal shall

each retain a copy of the written agreement for the duration of the agreement and for 5 years thereafter. The written agreement shall contain the following terms:

SECTION 2997. 633.05 of the statutes is amended to read:

633.05 Payment to administrator. If a principal is an insurer, payment to the administrator of a premium or charge by or on behalf of an insured employee is payment to the insurer, but payment of a return premium or claim by the insurer to the administrator is not payment to an insured employee until the payment is received by the insured employee. This section does not limit any right of the insurer against the administrator for failure to make payments to the insurer or an insured employee.

SECTION 2998. 633.06 of the statutes is amended to read:

633.06 Examination and inspection of books and records. (1) The commissioner may examine, audit or accept an audit of the books and records of an administrator or pharmacy benefit manager as provided for examination of licensees under s. 601.43 (1), (3), (4) and (5), to be conducted as provided in s. 601.44, and with costs to be paid as provided in s. 601.45.

(2) A principal that uses an administrator may inspect the books and records of the administrator, subject to any restrictions set forth in ss. 146.81 to 146.835 and in the written agreement required under s. 633.04, for the purpose of enabling the principal to fulfill its contractual obligations to ~~insureds~~ insured employees.

SECTION 2999. 633.07 of the statutes is amended to read:

633.07 Approval of advertising. An administrator may not use any advertising for ~~a~~ an employee benefit plan underwritten by an insurer unless the insurer approves the advertising in advance.

SECTION 3000. 633.09 (4) (b) 2. and 3. of the statutes are amended to read:

633.09 **(4)** (b) 2. To ~~a~~ an employee benefit plan policyholder for payment to a principal, the funds belonging to the principal.

3. To an insured employee, the funds belonging to the insured employee.

SECTION 3001. 633.11 of the statutes is amended to read:

633.11 Claim adjustment compensation. If an administrator adjusts or settles claims under ~~a~~ an employee benefit plan, the commission, fees or charges that the principal pays the administrator may not be based on the employee benefit plan's loss experience. This section does not prohibit compensation based on the number or amount of premiums or charges collected, or the number or amount of claims paid or processed by the administrator.

SECTION 3002. 633.12 (1) (intro.), (b) and (c) of the statutes are amended to read:

633.12 **(1)** (intro.) An administrator shall prepare sufficient copies of a written notice approved in advance by the principal for distribution to all ~~insureds~~ insured employees of the principal and either shall distribute the copies to the ~~insureds~~ insured employees or shall provide the copies to the principal for distribution to the ~~insureds~~ insured employees. The written notice shall contain all of the following:

(b) An explanation of the respective rights and responsibilities of the administrator, the principal and the ~~insureds~~ insured employees.

(c) A statement of the extent to which the employee benefit plan is insured or self–insured, and an explanation of the terms "insured" and "self–insured".

SECTION 3003. 633.13 (1) and (3) of the statutes are amended to read:

633.13 **(1)** GENERAL. Except as provided in sub. (2), a person may not perform, offer to perform or advertise any service as an administrator or a pharmacy benefit manager unless the person has obtained a license under s. 633.14. A pharmacy

benefit manager that also performs services as an administrator need only obtain an administrator license under s. 633.14.

(3) RESPONSIBILITIES OF PRINCIPAL. A principal may not use the services of an administrator unless the administrator furnishes proof of licensure under s. 633.14 or exemption under sub. (2). An insurer or a self–insured health plan may not use the services of a pharmacy benefit manager unless the pharmacy benefit manager furnishes proof of licensure under s. 633.14.

SECTION 3004. 633.14 (2) (intro.) and (c) 1. and 3. and (3) of the statutes are amended to read:

633.14 **(2)** (intro.) The commissioner shall issue a license to act as an administrator or pharmacy benefit manager to a corporation, limited liability company or partnership that does all of the following:

(c) 1. That the corporation, limited liability company or partnership intends in good faith to act as an administrator or pharmacy benefit manager through individuals designated under subd. 3. in compliance with applicable laws of this state and rules and orders of the commissioner.

3. That for each employee benefit plan or prescription drug benefit to be administered, the corporation, limited liability company or partnership has designated or will designate an individual in the corporation, limited liability company or partnership to directly administer the employee benefit plan or prescription drug benefit.

(3) The commissioner shall promulgate rules establishing the specifications that a bond supplied by an administrator or pharmacy benefit manager under sub. (1) (b) or (2) (b) must satisfy to guarantee faithful performance of the administrator or pharmacy benefit manager.

SECTION 3005. 633.15 (1) (a), (1m), and (2) (a) 1., 2. and 3. and (b) 1. of the statutes are amended to read:

633.15 **(1)** (a) *Payment.* An administrator or pharmacy benefit manager shall pay the annual renewal fee under s. 601.31 (1) (w) for each annual renewal of a license by the date specified by a schedule established under par. (b).

(1m) SOCIAL SECURITY NUMBER, FEDERAL EMPLOYER IDENTIFICATION NUMBER OR STATEMENT. At an annual renewal, an administrator or pharmacy benefit manager shall provide his or her social security number, if the administrator is an individual unless he or she does not have a social security number, or its federal employer identification number, if the administrator or pharmacy benefit manager is a corporation, limited liability company or partnership, if the social security number or federal employer identification number was not previously provided on the application for the license or at a previous renewal of the license. If an administrator who is an individual does not have a social security number, the individual shall provide to the commissioner, at each annual renewal and on a form prescribed by the department of children and families, a statement made or subscribed under oath or affirmation that the administrator does not have a social security number.

(2) (a) 1. If an administrator or pharmacy benefit manager fails to pay the annual renewal fee as provided under sub. (1) or fails to provide a social security number, federal employer identification number or statement made or subscribed under oath or affirmation as required under sub. (1m), the commissioner shall suspend the administrator's or pharmacy benefit manager's license effective the day following the last day when the annual renewal fee may be paid, if the commissioner has given the administrator or pharmacy benefit manager reasonable notice of when the fee must be paid to avoid suspension.

2. If, within 60 days from the effective date of suspension under subd. 1., an administrator or pharmacy benefit manager pays the annual renewal fee or provides the social security number, federal employer identification number or statement made or subscribed under oath or affirmation, or both if the suspension was based upon a failure to do both, the commissioner shall reinstate the administrator's or pharmacy benefit manager's license effective as of the date of suspension.

3. If payment is not made or the social security number, federal employer identification number or statement made or subscribed under oath or affirmation is not provided within 60 days from the effective date of suspension under subd. 1., the commissioner shall revoke the administrator's or pharmacy benefit manager's license.

(b) 1. Except as provided in pars. (c) to (e), the commissioner may revoke, suspend or limit the license of an administrator or pharmacy benefit manager after a hearing if the commissioner makes any of the following findings:

a. That the administrator or pharmacy benefit manager is unqualified to perform the responsibilities of an administrator or pharmacy benefit manager.

b. That the administrator or pharmacy benefit manager has repeatedly or knowingly violated an applicable law, rule or order of the commissioner.

c. ~~That~~ If the licensee is an administrator, that the administrator's methods or practices in administering ~~a~~ an employee benefit plan endanger the interests of ~~insureds~~ insured employees or the public, or that the financial resources of the administrator are inadequate to safeguard the interests of ~~insureds~~ insured employees or the public.

SECTION 3006. 633.15 (2) (b) 1. d. of the statutes is created to read:

633.15 **(2)** (b) 1. d. If the licensee is a pharmacy benefit manager, that the pharmacy benefit manager's methods or practices in administering a prescription drug benefit endanger the interests of enrollees or the public, or that the financial resources of the pharmacy benefit manager are inadequate to safeguard the interests of enrollees or the public.

SECTION 3007. 633.15 (2) (b) 2. of the statutes is amended to read:

633.15 **(2)** (b) 2. A person whose license has been revoked under subd. 1. may apply for a new license under s. 633.14 only after the expiration of 5 years from the date of the order revoking the administrator's or pharmacy benefit manager's license, unless the order specifies a lesser period.

SECTION 3008. 633.15 (2) (f) of the statutes is created to read:

633.15 **(2)** (f) The commissioner, after ordering a suspension or revocation under this subsection, may allow a pharmacy benefit manager to continue to provide services for the purpose of providing continuity of care in prescription drug benefits to existing enrollees.

SECTION 3009. 633.16 of the statutes is amended to read:

633.16 Regulation. Nothing in this chapter gives the commissioner the authority to impose requirements on ~~a~~ an employee benefit plan that is exempt from state law under 29 USC 1144 (b).

SECTION 3010. 700.19 (2) of the statutes is amended to read:

700.19 **(2)** ~~HUSBAND AND WIFE~~ SPOUSES. If persons named as owners in a document of title, transferees in an instrument of transfer, or buyers in a bill of sale are described in the document, instrument, or bill of sale as ~~husband and wife~~ married to each other, or are in fact ~~husband and wife~~ married to each other, they are joint tenants, unless the intent to create a tenancy in common is expressed in the

document, instrument, or bill of sale. This subsection applies to property acquired before January 1, 1986, and, if ch. 766 does not apply when the property is acquired, to property acquired on or after January 1, 1986.

SECTION 3011. 704.07 (2) (bm) 1. of the statutes is repealed.

SECTION 3012. 704.07 (2) (bm) 3. of the statutes is amended to read:

704.07 **(2)** (bm) 3. The violation presents a ~~significant~~ threat to the prospective tenant's health or safety.

SECTION 3013. 704.17 (3m) of the statutes is repealed.

SECTION 3014. 704.17 (5) (a) of the statutes is renumbered 704.17 (5) and amended to read:

704.17 **(5)** CONTRARY PROVISION IN THE LEASE. ~~Except as provided in par. (b), provisions~~ Provisions in the lease or rental agreement for termination contrary to this section are invalid except in leases for more than one year.

SECTION 3015. 704.17 (5) (b) of the statutes is repealed.

SECTION 3016. 704.19 (2) (b) 2. of the statutes is amended to read:

704.19 **(2)** (b) 2. Notwithstanding subd. 1., nothing in this section prevents termination of a tenancy before the end of a rental period because of an imminent threat of serious physical harm, as provided in s. 704.16, or for ~~criminal activity or drug–related criminal activity,~~ nonpayment of rent, or breach of any other condition of the tenancy, as provided in s. 704.17.

SECTION 3017. 705.01 (4) of the statutes is amended to read:

705.01 **(4)** "Joint account" means an account, other than a marital account, payable on request to one or more of 2 or more parties whether or not mention is made of any right of survivorship. "Joint account" also means any account established with the right of survivorship on or after January 1, 1986, by 2 parties who claim to be

~~husband and wife~~ married to each other, which is payable on request to either or both of the parties.

SECTION 3018. 705.01 (4m) of the statutes is amended to read:

705.01 **(4m)** "Marital account" means an account established without the right of survivorship on or after January 1, 1986, by 2 parties who claim to be ~~husband and wife~~ married to each other, which is payable on request to either or both of the parties and which is designated as a marital account. An account established by those parties with the right of survivorship under s. 766.58 (3) (f) or 766.60 is a joint account.

SECTION 3019. 706.09 (1) (e) of the statutes is amended to read:

706.09 **(1)** (e) *Marital interests.* Homestead of the spouse of any transferor of an interest in real estate, if the recorded conveyance purporting to transfer the homestead states that the person executing it is single, unmarried, or ~~widowed~~ a surviving spouse or fails to indicate the marital status of the transferor, and if the conveyance has, in either case, appeared of record for 5 years. This paragraph does not apply to the interest of a married person who is described of record as a holder in joint tenancy or of marital property with that transferor.

SECTION 3020. 753.06 (4) (a) of the statutes is amended to read:

753.06 **(4)** (a) Calumet County. The circuit has ~~one branch~~ 2 branches.

SECTION 3021. 753.06 (7) (e) of the statutes is amended to read:

753.06 **(7)** (e) Jackson County. The circuit has ~~one branch~~ 2 branches.

SECTION 3022. 753.06 (9) (g) of the statutes is amended to read:

753.06 **(9)** (g) Marathon County. The circuit has ~~5~~ 6 branches.

SECTION 3023. 753.06 (10) (f) of the statutes is amended to read:

753.06 **(10)** (f) Dunn County. The circuit has ~~2~~ 3 branches.

SECTION 3024. 757.69 (1) (j) of the statutes is amended to read:

757.69 **(1)** (j) Hold hearings, make findings and issue temporary restraining orders under s. 813.122 ~~or,~~ 813.123, or 813.124.

SECTION 3025. 757.69 (1m) (g) of the statutes is amended to read:

757.69 **(1m)** (g) Make any dispositional order under s. 938.34 (4d)~~, (4h),~~ or (4m).

SECTION 3026. 757.69 (1m) (g) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

757.69 **(1m)** (g) Make any dispositional order under s. 938.34 ~~(4d) or~~ (4m).

SECTION 3027. 765.001 (2) of the statutes is amended to read:

765.001 **(2)** INTENT. It is the intent of chs. 765 to 768 to promote the stability and best interests of marriage and the family. It is the intent of the legislature to recognize the valuable contributions of both spouses during the marriage and at termination of the marriage by dissolution or death. Marriage is the institution that is the foundation of the family and of society. Its stability is basic to morality and civilization, and of vital interest to society and the state. The consequences of the marriage contract are more significant to society than those of other contracts, and the public interest must be taken into account always. The seriousness of marriage makes adequate premarital counseling and education for family living highly desirable and courses thereon are urged upon all persons contemplating marriage. The impairment or dissolution of the marriage relation generally results in injury to the public wholly apart from the effect upon the parties immediately concerned. Under the laws of this state, marriage is a legal relationship between 2 equal persons~~, a husband and wife,~~ who owe to each other mutual responsibility and support. Each spouse has an equal obligation in accordance with his or her ability to contribute money or services or both which are necessary for the adequate support

and maintenance of his or her minor children and of the other spouse. No spouse may be presumed primarily liable for support expenses under this subsection.

SECTION 3028. 765.01 of the statutes is amended to read:

765.01 A civil contract. Marriage, so far as its validity at law is concerned, is a civil contract, to which the consent of the parties capable in law of contracting is essential, and which creates the legal status of ~~husband and wife~~ spouse to each other.

SECTION 3029. 765.02 (3) of the statutes is created to read:

765.02 **(3)** Marriage may be contracted between persons of the same sex or different sexes.

SECTION 3030. 765.03 (1) of the statutes is amended to read:

765.03 **(1)** No marriage shall be contracted while either of the parties has a ~~husband or wife~~ spouse living, nor between persons who are nearer of kin than 2nd cousins except that marriage may be contracted between first cousins ~~where the female has attained the age of 55 years or where~~ if either party, at the time of application for a marriage license, submits an affidavit signed by a physician stating that either party is permanently sterile or that the 2 parties are otherwise permanently biologically incapable of producing a child together. Relationship under this section shall be computed by the rule of the civil law, whether the parties to the marriage are of the half or of the whole blood. A marriage may not be contracted if either party has such want of understanding as renders him or her incapable of assenting to marriage.

SECTION 3031. 765.16 (1m) (intro.) of the statutes is amended to read:

765.16 **(1m)** (intro.) Marriage may be validly solemnized and contracted in this state only after a marriage license has been issued therefor, and only by the mutual

declarations of the 2 parties to be joined in marriage that ~~they take~~ each takes the other as ~~husband and wife~~ his or her spouse, made before an authorized officiating person and in the presence of at least 2 competent adult witnesses other than the officiating person. The following are authorized to be officiating persons:

SECTION 3032. 765.16 (1m) (c) of the statutes is amended to read:

765.16 **(1m)** (c) The 2 parties themselves, by mutual declarations that ~~they take~~ each takes the other as ~~husband and wife~~ his or her spouse, in accordance with the customs, rules, and regulations of any religious society, denomination, or sect to which either of the parties may belong.

SECTION 3033. 765.23 of the statutes is amended to read:

765.23 Immaterial irregularities otherwise. No marriage hereafter contracted shall be void either by reason of the marriage license having been issued by a county clerk not having jurisdiction to issue the same; or by reason of any informality or irregularity of form in the application for the marriage license or in the marriage license itself, or the incompetency of the witnesses to such marriage; or because the marriage may have been solemnized in a county other than the county prescribed in s. 765.12, or more than 30 days after the date of the marriage license, if the marriage is in other respects lawful and is consummated with the full belief on the part of the persons so married, or either of them, that they have been lawfully joined in marriage. Where a marriage has been celebrated in one of the forms provided for in s. 765.16 (1m), and the parties thereto have immediately thereafter assumed the habit and repute of ~~husband and wife~~ a married couple, and having continued the same uninterruptedly thereafter for the period of one year, or until the death of either of them, it shall be deemed that a marriage license has been issued as required by ss. 765.05 to 765.24 and 767.803.

SECTION 3034. 765.24 of the statutes is amended to read:

765.24 Removal of impediments to subsequent marriage. If a person during the lifetime of a ~~husband or wife~~ spouse with whom the marriage is in force, enters into a subsequent marriage contract in accordance with s. 765.16, and the parties thereto live together thereafter as ~~husband and wife~~ a married couple, and such subsequent marriage contract was entered into by one of the parties in good faith, in the full belief that the former ~~husband or wife~~ spouse was dead, or that the former marriage had been annulled, or dissolved by a divorce, or without knowledge of such former marriage, ~~they~~ the parties shall, after the impediment to their marriage has been removed by the death or divorce of the other party to such former marriage, if they continue to live together as ~~husband and wife~~ a married couple in good faith on the part of one of them, be held to have been legally married from and after the removal of such impediment and ~~the issue of~~ any children born during such subsequent marriage shall be considered as the marital ~~issue~~ children of both ~~parents~~ parties.

SECTION 3035. 765.30 (3) (a) of the statutes is amended to read:

765.30 **(3)** (a) *Penalty for unlawful solemnization of marriage.* Any officiating person who solemnizes a marriage unless the contracting parties have first obtained a proper marriage license as heretofore provided; or unless the parties to such marriage declare that ~~they take~~ each takes the other as ~~husband and wife~~ his or her spouse; or without the presence of 2 competent adult witnesses; or solemnizes a marriage knowing of any legal impediment thereto; or solemnizes a marriage more than 30 days after the date of the marriage license; or falsely certifies to the date of a marriage solemnized by the officiating person; or solemnizes a marriage in a county other than the county prescribed in s. 765.12.

SECTION 3036. 766.587 (7) (form) 9. of the statutes is amended to read:

766.587 **(7)** (form) 9. BOTH SPOUSES MUST SIGN THIS AGREEMENT. IF SIGNED BEFORE JANUARY 1, 1986, IT IS EFFECTIVE ON JANUARY 1, 1986, OR THE DATE THE PARTIES MARRY, WHICHEVER IS LATER. IF SIGNED ON OR AFTER JANUARY 1, 1986, IT IS EFFECTIVE ON THE DATE SIGNED OR THE DATE THE PARTIES MARRY, WHICHEVER IS LATER.

STATUTORY INDIVIDUAL

PROPERTY CLASSIFICATION AGREEMENT

(Pursuant to Section 766.587, Wisconsin Statutes)

This agreement is made and entered into by .... and ...., (~~husband and wife~~ who are married) (who intend to marry) (strike one).

The parties to this agreement agree to classify all their property, including property owned by them now and property acquired before January 1, 1987, as the individual property of the owning spouse, and agree that ownership of their property shall be determined as if it were December 31, 1985.

This agreement terminates on January 1, 1987.

Signature .... Date ....

Print Name Here: ....

Address: ....

Signature .... Date ....

Print Name Here: ....

Address: ....

[NOTE: Each spouse should retain a copy of the agreement for himself or herself.]

SECTION 3037. 766.588 (9) (form) 13. of the statutes is amended to read:

766.588 **(9)** (form) 13. IF AFTER ENTERING INTO THIS AGREEMENT ONE OR BOTH OF YOU ESTABLISH A DOMICILE OUTSIDE THIS STATE, YOU ARE URGED TO SEEK LEGAL ADVICE CONCERNING THE CONTINUED EFFECTIVENESS OF THIS AGREEMENT.

STATUTORY TERMINABLE MARITAL

PROPERTY CLASSIFICATION AGREEMENT

(Pursuant to Section 766.588, Wisconsin Statutes)

This agreement is entered into by .... and .... (~~husband and wife~~ who are married) (who intend to marry) (strike one). The parties hereby classify all of the property owned by them when this agreement becomes effective, and property acquired during the term of this agreement, as marital property.

One spouse may terminate this agreement at any time by giving signed notice of termination to the other spouse. Notice of termination by a spouse is given upon personal delivery or when sent by certified mail to the other spouse's last–known address. The agreement terminates 30 days after such notice is given.

The parties (have) (have not) (strike one) completed Schedule "A", "Financial Disclosure", attached to this agreement. If Schedule "A" has not been completed, the duration of this agreement is 3 years after both parties have signed the agreement. If Schedule "A" has been completed, the duration of this agreement is not limited to 3 years after it is signed.

IF THE DURATION OF THIS AGREEMENT IS NOT TO BE LIMITED TO 3 YEARS, MAKE SURE SCHEDULE "A", "FINANCIAL DISCLOSURE", IS COMPLETED AND THAT YOU HAVE REVIEWED THE SCHEDULE BEFORE SIGNING THE AGREEMENT. IF YOU AND YOUR SPOUSE HAVE PREVIOUSLY ENTERED INTO A STATUTORY TERMINABLE MARITAL PROPERTY

CLASSIFICATION AGREEMENT WITH EACH OTHER WHICH WAS EFFECTIVE DURING YOUR PRESENT MARRIAGE AND YOU AND YOUR SPOUSE DID NOT COMPLETE SCHEDULE "A", YOU MAY NOT EXECUTE THIS AGREEMENT IF YOU DO NOT COMPLETE SCHEDULE "A".

Signature of One Spouse: ....

Date: ....

Print Name Here: ....

Residence Address: ....

(Make Sure Your Signature is Authenticated or Acknowledged Below.)

AUTHENTICATION

Signature .... authenticated this .... day of ...., ... (year)

*....

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, ... authorized by s. 706.06, Wis. Stats.)

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
.... County)

Personally came before me this .... day of ...., ... (year) the above named .... to me known to be the person who executed the foregoing instrument and acknowledge the same.

*....

Notary Public ...., ... County, Wisconsin.

My Commission is permanent.

(If not, state expiration date: ...., ... (year))

(Signatures may be authenticated or
acknowledged. Both are not necessary.)
*Names of persons signing in any capacity should be
typed or printed below their signatures.
Signature of Other Spouse: ....
Date: ....
Print Name Here: ....
Residence Address: ....
(Make Sure Your Signature is Authenticated or Acknowledged Below.)

AUTHENTICATION

Signature .... authenticated this .... day of ...., ... (year)
*....
TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, ... authorized by s. 706.06, Wis. Stats.)

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
.... County)

Personally came before me this .... day of ...., ... (year) the above named .... to me known to be the person who executed the foregoing instrument and acknowledge the same.
*....
Notary Public ...., ... County, Wisconsin.
My Commission is permanent.
(If not, state expiration date: ...., ... (year))

(Signatures may be authenticated or
acknowledged. Both are not necessary.)
*Names of persons signing in any capacity should be
typed or printed below their signatures.

TERMINATION OF STATUTORY TERMINABLE

MARITAL PROPERTY CLASSIFICATION AGREEMENT

I UNDERSTAND THAT:

1. THIS TERMINATION TAKES EFFECT 30 DAYS AFTER MY SPOUSE IS NOTIFIED OF THE TERMINATION, AS PROVIDED UNDER SECTION 766.588 (4) OF THE WISCONSIN STATUTES.

2. THIS TERMINATION IS PROSPECTIVE; IT DOES NOT AFFECT THE CLASSIFICATION OF PROPERTY ACQUIRED BEFORE THE TERMINATION BECOMES EFFECTIVE. PROPERTY ACQUIRED AFTER THE TERMINATION BECOMES EFFECTIVE IS CLASSIFIED AS PROVIDED UNDER THE MARITAL PROPERTY LAW.

3. IN GENERAL, THIS TERMINATION IS NOT BINDING ON CREDITORS UNLESS THEY ARE PROVIDED A COPY OF THE TERMINATION BEFORE CREDIT IS EXTENDED.

The undersigned terminates the statutory terminable marital property classification agreement entered into by me and my spouse on .... (date last spouse signed the agreement) under section 766.588 of the Wisconsin Statutes.

Signature: ....

Date: ....

Print Name Here: ....

Residence Address: ....

SCHEDULE "A"

FINANCIAL DISCLOSURE

The following general categories of assets and liabilities are not all inclusive and if other assets or liabilities exist they should be listed. Assets should be listed according to which spouse has title (including assets owned by a spouse or the spouses with one or more third parties) and at their approximate market value.

~~*Husband Wife*~~ *Spouse (Name)* *Spouse (Name)* *Both Names*

I. ASSETS

A. Real estate (gross value)

B. Stocks, bonds and mutual funds

C. Accounts at and certificates or other instruments issued by financial institutions

D. Mortgages, land contracts, promissory notes and cash

E. Partnership interests

EL. Limited liability company interests.

F. Trust interests

G. Livestock, farm products, crops

H. Automobiles and other vehicles

I. Jewelry and personal effects

J. Household furnishings

K. Life insurance and annuities:

1. Face value

2. Cash surrender value

L. Retirement benefits (include value):

1. Pension plans
2. Profit sharing plans
3. HR–10 KEOGH plans
4. IRAs
5. Deferred compensation plans

M. Other assets not listed elsewhere

II. OBLIGATIONS (TOTAL OUTSTANDING BALANCE):

A. Mortgages and liens

B. Credit cards

C. Other obligations to financial institutions

D. Alimony, maintenance and child support (per month)

E. Other obligations (such as other obligations to individuals, guarantees, contingent liabilities)

III. ANNUAL COMPENSATION FOR SERVICES:

(for example, wages and income from self–employment; also include social security, disability and similar income here)

(IF YOU NEED ADDITIONAL SPACE, ADD ADDITIONAL SHEETS)

SECTION 3038. 766.589 (10) (form) 14. of the statutes is amended to read:

766.589 **(10)** (form) 14. IF AFTER ENTERING INTO THIS AGREEMENT ONE OR BOTH OF YOU ESTABLISH A DOMICILE OUTSIDE THIS STATE, YOU

ARE URGED TO SEEK LEGAL ADVICE CONCERNING THE CONTINUED EFFECTIVENESS OF THIS AGREEMENT.

STATUTORY TERMINABLE INDIVIDUAL

PROPERTY CLASSIFICATION AGREEMENT

(Pursuant to Section 766.589, Wisconsin Statutes)

This agreement is entered into by .... and .... (~~husband and wife~~ who are married) (who intend to marry) (strike one). The parties hereby classify the marital property owned by them when this agreement becomes effective, and property acquired during the term of this agreement ~~which~~ that would otherwise have been marital property, as the individual property of the owning spouse. The parties agree that ownership of such property shall be determined by the name in which the property is held and, if property is not held by either or both spouses, ownership shall be determined as if the parties were unmarried persons when the property was acquired.

Upon the death of either spouse the surviving spouse may, except as otherwise provided in a subsequent marital property agreement, and regardless of whether this agreement has terminated, elect against the property of the decedent spouse as provided in section 766.589 (7) of the Wisconsin Statutes.

One spouse may terminate this agreement at any time by giving signed notice of termination to the other spouse. Notice of termination by a spouse is given upon personal delivery or when sent by certified mail to the other spouse's last–known address. The agreement terminates 30 days after such notice is given.

The parties (have) (have not) (strike one) completed Schedule "A", "Financial Disclosure", attached to this agreement. If Schedule "A" has not been completed, the duration of this agreement is 3 years after both parties have signed the agreement.

If Schedule "A" has been completed, the duration of this agreement is not limited to 3 years after it is signed.

IF THE DURATION OF THIS AGREEMENT IS NOT TO BE LIMITED TO 3 YEARS, MAKE SURE THAT SCHEDULE "A", "FINANCIAL DISCLOSURE", IS COMPLETED AND THAT YOU HAVE REVIEWED THE SCHEDULE BEFORE SIGNING THE AGREEMENT. IF YOU AND YOUR SPOUSE HAVE PREVIOUSLY ENTERED INTO A STATUTORY TERMINABLE INDIVIDUAL PROPERTY CLASSIFICATION AGREEMENT WITH EACH OTHER WHICH WAS EFFECTIVE DURING YOUR PRESENT MARRIAGE AND YOU AND YOUR SPOUSE DID NOT COMPLETE SCHEDULE "A", YOU MAY NOT EXECUTE THIS AGREEMENT IF YOU DO NOT COMPLETE SCHEDULE "A".

Signature of One Spouse: ....

Date: ....

Print Name Here: ....

Residence Address: ....

(Make Sure Your Signature is Authenticated or Acknowledged Below.)

AUTHENTICATION

Signature .... authenticated this .... day of ...., ... (year)

*....

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, ... authorized by s. 706.06, Wis. Stats.)

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
.... County)

Personally came before me this .... day of ...., ... (year) the above named .... to me known to be the person who executed the foregoing instrument and acknowledge the same.

*....

Notary Public ...., ... County, Wisconsin.

My Commission is permanent.

(If not, state expiration date: ...., ... (year))

(Signatures may be authenticated or
acknowledged. Both are not necessary.)

*Names of persons signing in any capacity should be
typed or printed below their signatures.

Signature of Other Spouse: ....

Date: ....

Print Name Here: ....

Residence Address: ....

(Make Sure Your Signature is Authenticated or Acknowledged Below.)

AUTHENTICATION

Signature .... authenticated this .... day of ...., ... (year)

*....

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, ... authorized by s. 706.06, Wis. Stats.)

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
.... County)

Personally came before me this .... day of ...., ... (year) the above named .... to me known to be the person who executed the foregoing instrument and acknowledge the same.

*....

Notary Public ...., ... County, Wisconsin.

My Commission is permanent.

(If not, state expiration date: ...., ... (year))

(Signatures may be authenticated or

acknowledged. Both are not necessary.)

*Names of persons signing in any capacity should

be typed or printed below their signatures.

TERMINATION OF

STATUTORY TERMINABLE INDIVIDUAL

PROPERTY CLASSIFICATION AGREEMENT

I UNDERSTAND THAT:

1. THIS TERMINATION TAKES EFFECT 30 DAYS AFTER MY SPOUSE IS NOTIFIED OF THE TERMINATION, AS PROVIDED UNDER SECTION 766.589 (4) OF THE WISCONSIN STATUTES.

2. THIS TERMINATION IS PROSPECTIVE; IT DOES NOT AFFECT THE CLASSIFICATION OF PROPERTY ACQUIRED BEFORE THE TERMINATION BECOMES EFFECTIVE. PROPERTY ACQUIRED AFTER THE TERMINATION BECOMES EFFECTIVE IS CLASSIFIED AS PROVIDED UNDER THE MARITAL PROPERTY LAW.

3. IN GENERAL, THIS TERMINATION IS NOT BINDING ON CREDITORS UNLESS THEY ARE PROVIDED A COPY OF THE TERMINATION BEFORE CREDIT IS EXTENDED.

The undersigned terminates the statutory terminable individual property classification agreement entered into by me and my spouse on .... (date last spouse signed the agreement) under section 766.589 of the Wisconsin Statutes.

Signature: ....

Date: ....

Print Name Here: ....

Residence Address: ....

SCHEDULE "A"

FINANCIAL DISCLOSURE

The following general categories of assets and liabilities are not all inclusive and if other assets or liabilities exist they should be listed. Assets should be listed according to which spouse has title (including assets owned by a spouse or the spouses with one or more third parties) and at their approximate market value.

	~~*Husband*~~ ~~*Wife*~~	*Spouse (Name)*	*Spouse (Name)*	*Both Names*
I. ASSETS:				
A. Real estate (gross value)				
B. Stocks, bonds and mutual funds				
C. Accounts at and certificates and other instruments issued by financial institutions				
D. Mortgages, land contracts, promissory notes and cash				
E. Partnership interests				

EL. Limited liability company interests

F. Trust interests

G. Livestock, farm products, crops

H. Automobiles and other vehicles

I. Jewelry and personal effects

J. Household furnishings

K. Life insurance and annuities:

1. Face value

2. Cash surrender value

L. Retirement benefits (include value):

1. Pension plans

2. Profit sharing plans

3. HR–10 KEOGH plans

4. IRAs

5. Deferred compensation plans

M. Other assets not listed elsewhere

II. OBLIGATIONS (TOTAL OUTSTANDING BALANCE):

A. Mortgages and liens

B. Credit cards

C. Other obligations to financial institutions

D. Alimony, maintenance and child support (per month)

E. Other obligations (such as other obligations to individuals, guarantees, contingent liabilities)

III. ANNUAL COMPENSATION FOR SERVICES:
(for example, wages and income from
self–employment; also include social security,
disability and similar income here)
(IF YOU NEED ADDITIONAL SPACE,
ADD ADDITIONAL SHEETS.)

SECTION 3039. 767.215 (2) (b) of the statutes is amended to read:

767.215 **(2)** (b) The name and birthdate of each minor child of the parties and each other child born to ~~the wife~~ a party during the marriage, and whether ~~the wife~~ a party is pregnant.

SECTION 3040. 767.215 (5) (a) 2. of the statutes is amended to read:

767.215 **(5)** (a) 2. The name, date of birth, and social security number of each minor child of the parties and of each child who was born to ~~the wife~~ a party during the marriage and who is a minor.

SECTION 3041. 767.323 of the statutes is amended to read:

767.323 Suspension of proceedings to effect reconciliation. During the pendency of an action for divorce or legal separation, the court may, upon written stipulation of both parties that they desire to attempt a reconciliation, enter an order suspending any and all orders and proceedings for such period, not exceeding 90 days, as the court determines advisable to permit the parties to attempt a reconciliation without prejudice to their respective rights. During the suspension period, the parties may resume living together as ~~husband and wife~~ a married couple and their acts and conduct do not constitute an admission that the marriage is not irretrievably broken or a waiver of the ground that the parties have voluntarily lived apart continuously for 12 months or more immediately prior to the commencement

of the action. Suspension may be revoked upon the motion of either party by an order of the court. If the parties become reconciled, the court shall dismiss the action. If the parties are not reconciled after the period of suspension, the action shall proceed as though no reconciliation period was attempted.

SECTION 3042. 767.80 (1) (intro.) of the statutes is amended to read:

767.80 **(1)** WHO MAY BRING ACTION OR FILE MOTION. (intro.) The following persons may bring an action or file a motion, including an action or motion for declaratory judgment, for the purpose of determining the paternity of a child, or for the purpose of rebutting the presumption of ~~paternity~~ parentage under s. 891.405, 891.407, or 891.41 (1):

SECTION 3043. 767.80 (1) (c) of the statutes is amended to read:

767.80 **(1)** (c) Unless s. 767.804 (1) or 767.805 (1) applies, a ~~male~~ person presumed to be the child's ~~father~~ parent under s. 891.405, 891.407, or 891.41 (1).

SECTION 3044. 767.80 (2) of the statutes is amended to read:

767.80 **(2)** CERTAIN AGREEMENTS NOT A BAR TO ACTION. Regardless of its terms, an agreement made after July 1, 1981, other than an agreement approved by the court between an alleged or presumed ~~father~~ parent and the mother or child, does not bar an action under this section. Whenever the court approves an agreement in which one of the parties agrees not to commence an action under this section, the court shall first determine whether or not the agreement is in the best interest of the child. The court shall not approve any provision waiving the right to bring an action under this section if this provision is contrary to the best interests of the child.

SECTION 3045. 767.803 of the statutes is amended to read:

767.803 Determination of marital children. If the ~~father and mother~~ natural parents of a nonmarital child enter into a lawful marriage or a marriage

which appears and they believe is lawful, except where the parental rights of the ~~mother~~ parent who gave birth were terminated before either of these circumstances, the child becomes a marital child, is entitled to a change in birth record under s. 69.15 (3) (b), and shall enjoy all of the rights and privileges of a marital child as if he or she had been born during the marriage of the parents. This section applies to all cases before, on, or after its effective date, but no estate already vested shall be divested by this section and ss. 765.05 to 765.24 and 852.05. The children of all marriages declared void under the law are nevertheless marital children.

SECTION 3046. 767.804 (1) (a) 4. of the statutes is amended to read:

767.804 **(1)** (a) 4. No other ~~male~~ person is presumed to be the ~~father~~ natural parent under s. 891.405 or 891.41 (1).

SECTION 3047. 767.805 (title), (1), (1m), (2) and (3) (title) and (a) of the statutes are amended to read:

767.805 (title) **Voluntary acknowledgment of ~~paternity~~ parentage. (1)** CONCLUSIVE DETERMINATION OF ~~PATERNITY~~ PARENTAGE. A statement acknowledging ~~paternity~~ parentage that is on file with the state registrar under s. 69.15 (3) (b) 3. after the last day on which a person may timely rescind the statement, as specified in s. 69.15 (3m), is a conclusive determination, which shall be of the same effect as a judgment, of ~~paternity~~ parentage.

(1m) MINOR PARENT MAY NOT SIGN. A minor may not sign a statement acknowledging ~~paternity~~ parentage.

(2) RESCISSION OF ACKNOWLEDGMENT. (a) A statement acknowledging ~~paternity~~ parentage that is filed with the state registrar under s. 69.15 (3) (b) 3. may be rescinded as provided in s. 69.15 (3m) by a person who signed the statement as a parent of the child who is the subject of the statement.

(b) If a statement acknowledging ~~paternity~~ parentage is timely rescinded as provided in s. 69.15 (3m), a court may not enter an order specified in sub. (4) with respect to the ~~male~~ person who signed the statement as the ~~father~~ parent of the child unless the ~~male~~ person is adjudicated the child's ~~father~~ parent using the procedures set forth in this subchapter, except for this section.

(3) (title) ACTIONS WHEN ~~PATERNITY~~ PARENTAGE ACKNOWLEDGED. (a) Unless the statement acknowledging ~~paternity~~ parentage has been rescinded, an action affecting the family concerning custody, child support or physical placement rights may be brought with respect to persons who, with respect to a child, jointly signed and filed with the state registrar under s. 69.15 (3) (b) 3. as parents of the child a statement acknowledging ~~paternity~~ parentage.

SECTION 3048. 767.805 (4) (intro.) of the statutes is amended to read:

767.805 **(4)** ORDERS WHEN ~~PATERNITY~~ PARENTAGE ACKNOWLEDGED. (intro.) In an action under sub. (3) (a), if the persons who signed and filed the statement acknowledging ~~paternity as parents~~ parentage of the child had notice of the hearing, the court shall make an order that contains all of the following provisions:

SECTION 3049. 767.805 (4) (d) of the statutes is amended to read:

767.805 **(4)** (d) 1. An order establishing the amount of the ~~father's~~ obligation to pay or contribute to the reasonable expenses of ~~the mother's~~ pregnancy and ~~the child's birth~~ childbirth by the parent who did not give birth. The amount established may not exceed one–half of the total actual and reasonable pregnancy and birth expenses. The order also shall specify the court's findings as to whether the ~~father's~~ parent who did not give birth has an income that is at or below the poverty line established under 42 USC 9902 (2), and shall specify whether periodic payments are

due on the obligation, based on the ~~father's~~ parent's ability to pay or contribute to those expenses.

2. If the order does not require periodic payments because the ~~father~~ parent has no present ability to pay or contribute to the expenses, the court may modify the judgment or order at a later date to require periodic payments if the ~~father~~ parent has the ability to pay at that time.

SECTION 3050. 767.805 (5) of the statutes is amended to read:

767.805 **(5)** VOIDING DETERMINATION. (a) A determination of ~~paternity~~ parentage that arises under this section may be voided at any time upon a motion or petition stating facts that show fraud, duress or a mistake of fact. Except for good cause shown, any orders entered under sub. (4) shall remain in effect during the pendency of a proceeding under this paragraph.

(b) If a court in a proceeding under par. (a) determines that the ~~male~~ person is not the ~~father~~ parent of the child, the court shall vacate any order entered under sub. (4) with respect to the ~~male~~ person. The court or the county child support agency under s. 59.53 (5) shall notify the state registrar, in the manner provided in s. 69.15 (1) (b), to remove the ~~male's~~ person's name as the ~~father~~ parent of the child from the child's birth record. No paternity action may thereafter be brought against the ~~male~~ person with respect to the child.

SECTION 3051. 767.805 (6) (a) (intro.) of the statutes is amended to read:

767.805 **(6)** (a) (intro.) This section does not apply unless all of the following apply to the statement acknowledging ~~paternity~~ parentage:

SECTION 3052. 767.855 of the statutes is amended to read:

767.855 Dismissal if adjudication not in child's best interest. Except as provided in s. 767.863 (1m), at any time in an action to establish the paternity of a

child, upon the motion of a party or guardian ad litem or the child's mother if she is not a party, the court or supplemental court commissioner under s. 757.675 (2) (g) may, if the court or supplemental court commissioner determines that a judicial determination of whether a male is the father of the child is not in the best interest of the child, dismiss the action with respect to the male, regardless of whether genetic tests have been performed or what the results of the tests, if performed, were. Notwithstanding ss. 767.813 (5g) (form) 4., 767.84 (1) and (2), 767.863 (2), 767.865 (2), and 767.88 (4), if genetic tests have not yet been performed with respect to the male, the court or supplemental court commissioner is not required to order those genetic tests.

SECTION 3053. 767.863 (1m) of the statutes is amended to read:

767.863 **(1m)** PATERNITY ALLEGATION BY ~~MALE~~ PERSON OTHER THAN ~~HUSBAND~~ SPOUSE; WHEN DETERMINATION NOT IN BEST INTEREST OF CHILD. In an action to establish the paternity of a child who was born to a woman while she was married, if a ~~male~~ person other than the woman's ~~husband~~ spouse alleges that he, not the ~~husband~~ woman's spouse, is the child's ~~father~~ biological parent, a party, or the woman if she is not a party, may allege that a judicial determination that a ~~male~~ person other than the ~~husband~~ woman's spouse is the ~~father~~ biological parent is not in the best interest of the child. If the court or a supplemental court commissioner under s. 757.675 (2) (g) determines that a judicial determination of whether a ~~male~~ person other than the ~~husband~~ woman's spouse is the ~~father~~ biological parent is not in the best interest of the child, no genetic tests may be ordered and the action shall be dismissed.

SECTION 3054. 767.87 (1m) (intro.) of the statutes is amended to read:

767.87 **(1m)** BIRTH RECORD REQUIRED. (intro.) If the child was born in this state, the petitioner shall present a certified copy of the child's birth record or a printed copy

of the record from the birth database of the state registrar to the court, so that the court is aware of whether a name has been inserted on the birth record as the ~~father~~ parent of the child other than the mother, at the earliest possible of the following:

SECTION 3055. 767.87 (8) of the statutes is amended to read:

767.87 **(8)** BURDEN OF PROOF. The party bringing an action for the purpose of determining paternity or for the purpose of declaring the nonexistence of paternity presumed under s. ~~891.405,~~ 891.407~~,~~ or the nonexistence of parentage presumed under s. 891.405 or 891.41 (1) shall have the burden of proving the issues involved by clear and satisfactory preponderance of the evidence.

SECTION 3056. 767.87 (9) of the statutes is amended to read:

767.87 **(9)** ARTIFICIAL INSEMINATION; NATURAL ~~FATHER~~ PARENT. ~~Where~~ If a child is conceived by artificial insemination, the ~~husband~~ spouse of the mother of the child at the time of the conception of the child is the natural ~~father~~ parent of the child, as provided in s. 891.40.

SECTION 3057. 767.883 (1) of the statutes is amended to read:

767.883 **(1)** TWO PARTS. The trial shall be divided into 2 parts, the first part dealing with the determination of ~~paternity~~ parentage and the 2nd part dealing with child support, legal custody, periods of physical placement, and related issues. The main issue at the first part shall be whether the alleged or presumed ~~father~~ parent is or is not the ~~father~~ parent of the mother's child, but if the child was born to the mother while she was the lawful ~~wife~~ spouse of a specified ~~male~~ person, the prior issue of whether the ~~husband~~ mother's spouse was not the ~~father~~ parent of the child shall be determined first, as provided under s. 891.39. The first part of the trial shall be by jury only if the defendant verbally requests a jury trial either at the initial appearance or pretrial hearing or requests a jury trial in writing prior to the pretrial

hearing. The court may direct and, if requested by either party before the introduction of any testimony in the party's behalf, shall direct the jury to find a special verdict as to any of the issues specified in this section, except that the court shall make all of the findings enumerated in s. 767.89 (2) to (4). If the mother is dead, becomes insane, cannot be found within the jurisdiction, or fails to commence or pursue the action, the proceeding does not abate if any of the persons under s. 767.80 (1) makes a motion to continue. The testimony of the mother taken at the pretrial hearing may in any such case be read in evidence if it is competent, relevant, and material. The issues of child support, custody, and visitation, and related issues shall be determined by the court either immediately after the first part of the trial or at a later hearing before the court.

SECTION 3058. 769.316 (9) of the statutes is amended to read:

769.316 **(9)** The defense of immunity based on the relationship ~~of husband and wife~~ between spouses or parent and child does not apply in a proceeding under this chapter.

SECTION 3059. 769.401 (2) (a) of the statutes is amended to read:

769.401 **(2)** (a) A parent or presumed ~~father~~ parent of the child.

SECTION 3060. 769.401 (2) (g) of the statutes is repealed.

SECTION 3061. 801.02 (1) of the statutes is amended to read:

801.02 **(1)** ~~A~~ Except as provided in s. 20.9315 (5) (b), a civil action in which a personal judgment is sought is commenced as to any defendant when a summons and a complaint naming the person as defendant are filed with the court, provided service of an authenticated copy of the summons and of the complaint is made upon the defendant under this chapter within 90 days after filing.

SECTION 3062. 801.50 (5sb) of the statutes is created to read:

801.50 **(5sb)** Venue of an action under s. 813.124 shall be in the county in which the cause of action arose or where the petitioner or the respondent resides.

SECTION 3063. 803.09 (1) of the statutes is amended to read:

803.09 **(1)** ~~Upon~~ Except as provided in s. 20.9315, upon timely motion anyone shall be permitted to intervene in an action when the movant claims an interest relating to the property or transaction which is the subject of the action and the movant is so situated that the disposition of the action may as a practical matter impair or impede the movant's ability to protect that interest, unless the movant's interest is adequately represented by existing parties.

SECTION 3064. 803.09 (2) of the statutes is amended to read:

803.09 **(2)** ~~Upon~~ Except as provided in s. 20.9315, upon timely motion anyone may be permitted to intervene in an action when a movant's claim or defense and the main action have a question of law or fact in common. When a party to an action relies for ground of claim or defense upon any statute or executive order or rule administered by a federal or state governmental officer or agency or upon any regulation, order, rule, requirement or agreement issued or made pursuant to the statute or executive order, the officer or agency upon timely motion may be permitted to intervene in the action. In exercising its discretion the court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties.

SECTION 3065. 803.09 (2m) of the statutes is repealed.

SECTION 3066. 804.01 (2) (intro.) of the statutes is amended to read:

804.01 **(2)** SCOPE OF DISCOVERY. (intro.) ~~Unless~~ Except as provided in s. 20.9315 (9), and unless otherwise limited by order of the court in accordance with the provisions of this chapter, the scope of discovery is as follows:

SECTION 3067. 805.04 (1) of the statutes is amended to read:

805.04 **(1)** BY PLAINTIFF; BY STIPULATION. ~~An~~ Except as provided in sub. (2p), an action may be dismissed by the plaintiff without order of court by serving and filing a notice of dismissal at any time before service by an adverse party of responsive pleading or motion or by the filing of a stipulation of dismissal signed by all parties who have appeared in the action. Unless otherwise stated in the notice of dismissal or stipulation, the dismissal is not on the merits, except that a notice of dismissal operates as an adjudication on the merits when filed by a plaintiff who has once dismissed in any court an action based on or including the same claim.

SECTION 3068. 805.04 (2p) of the statutes is created to read:

805.04 **(2p)** FALSE CLAIMS. An action filed under s. 20.9315 may be dismissed only by order of the court. In determining whether to dismiss the action filed under s. 20.9315, the court shall take into account the best interests of the parties and the purposes of s. 20.9315.

SECTION 3069. 806.04 (11) of the statutes is amended to read:

806.04 **(11)** PARTIES. When declaratory relief is sought, all persons shall be made parties who have or claim any interest which would be affected by the declaration, and no declaration may prejudice the right of persons not parties to the proceeding. In any proceeding which involves the validity of a municipal ordinance or franchise, the municipality shall be made a party, and shall be entitled to be heard. If a statute, ordinance, or franchise is alleged to be unconstitutional, ~~or to be in violation of or preempted by federal law, or if the construction or validity of a statute is otherwise challenged,~~ the attorney general shall also be served with a copy of the proceeding and be entitled to be heard. ~~If a statute is alleged to be unconstitutional, or to be in violation of or preempted by federal law, or if the construction or validity~~

~~of a statute is otherwise challenged, the speaker of the assembly, the president of the senate, and the senate majority leader shall also be served with a copy of the proceeding, and the assembly, the senate, and the state legislature are entitled to be heard. If the assembly, the senate, or the joint committee on legislative organization intervenes as provided under s. 803.09 (2m), the assembly shall represent the assembly, the senate shall represent the senate, and the joint committee on legislative organization shall represent the legislature.~~ In any proceeding under this section in which the constitutionality, construction, or application of any provision of ch. 227, or of any statute allowing a legislative committee to suspend, or to delay or prevent the adoption of, a rule as defined in s. 227.01 (13) is placed in issue by the parties, the joint committee for review of administrative rules shall be served with a copy of the petition and, with the approval of the joint committee on legislative organization, shall be made a party and be entitled to be heard. In any proceeding under this section in which the constitutionality, construction, or application of any provision of ch. 13, 20, 111, 227, or 230 or subch. I, III, or IV of ch. 16 or s. 753.075, or of any statute allowing a legislative committee to suspend, or to delay or prevent the adoption of, a rule as defined in s. 227.01 (13) is placed in issue by the parties, the joint committee on legislative organization shall be served with a copy of the petition and the joint committee on legislative organization, the senate committee on organization, or the assembly committee on organization may intervene as a party to the proceedings and be heard.

SECTION 3070. 808.075 (4) (g) 3. of the statutes is amended to read:

808.075 **(4)** (g) 3. Imposition of sentence upon revocation of probation under s. 973.10 (2) ~~(a)~~ (bm) 2. a.

SECTION 3071. 809.13 of the statutes is amended to read:

809.13 Rule (Intervention). A person who is not a party to an appeal may file in the court of appeals a petition to intervene in the appeal. A party may file a response to the petition within 11 days after service of the petition. The court may grant the petition upon a showing that the petitioner's interest meets the requirements of s. 803.09 (1)~~,~~ or (2)~~, or (2m)~~.

SECTION 3072. 813.06 of the statutes is amended to read:

813.06 Security for damages. In proceedings under s. 767.225 the court or judge may, and in all other proceedings except proceedings under ss. 813.12, 813.122, 813.124, 813.125 and 823.113 the court or judge shall, require a bond of the party seeking an injunction, with sureties, to the effect that he or she will pay to the party enjoined such damages, not exceeding an amount to be specified, as he or she may sustain by reason of the injunction if the court finally decides that the party was not entitled thereto. Copies of such bond, affidavit or other pleading shall be served upon the party enjoined and the officer serving the same shall, within 8 days after such service, file his or her return in the office of the clerk of the court.

SECTION 3073. 813.124 of the statutes is created to read:

813.124 Extreme risk protection injunctions. (1) DEFINITIONS. In this section:

(a) "Family or household member" means any of the following:

1. A person related by blood, adoption, or marriage to the respondent.

2. A person with whom the respondent has or had a dating relationship, as defined in s. 813.12 (1) (ag), or with whom the respondent has a child in common.

3. A person who resides with, or within the 6 months before filing a petition, had resided with, the respondent.

4. A domestic partner under ch. 770 of the respondent.

5. A person who is acting or has acted as the respondent's legal guardian or who is or was a foster parent or other physical custodian described in s. 48.62 (2) of the respondent.

6. A person for whom the respondent is acting or has acted as a legal guardian or for whom the respondent is or was the foster parent or other physical custodian described in s. 48.62 (2).

(b) "Firearms dealer" has the meaning given in s. 175.35 (1) (ar).

(c) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

(2) COMMENCEMENT OF ACTION AND RESPONSE. (a) No action under this section may be commenced by complaint and summons. An action under this section may be commenced only by a petition described under sub. (4) (a). The action commences with the sheriff serving the petition on the respondent if a copy of the petition is filed before service or promptly after service. If the petitioner files an affidavit with the court stating that personal service by the sheriff under s. 801.11 (1) (a) or (b) was unsuccessful because the respondent is avoiding service by concealment or otherwise, the judge or circuit court commissioner shall inform the petitioner that the petitioner may serve the respondent by publication of a summary of the petition as a class 1 notice, under ch. 985, and by mailing or sending a facsimile if the respondent's post–office address or facsimile number is known or can with due diligence be ascertained. The mailing or sending of a facsimile may be omitted if the post–office address or facsimile number cannot be ascertained with due diligence. A summary of the petition published as a class 1 notice shall include the name of the respondent and of the petitioner, notice of the temporary restraining order, and notice of the date, time, and place of the hearing regarding the injunction. The court

shall inform the petitioner in writing that the petitioner should contact the sheriff to verify the proof of service of the petition.

(b) Section 813.06 does not apply to an action under this section. The respondent may respond to the petition either in writing before or at the injunction hearing or orally at the injunction hearing.

(c) When the respondent is served with the petition under this subsection, the respondent shall be provided notice of the requirements and penalties under s. 941.29.

(2m) TWO-PART PROCEDURE. Procedure for an action under this section is in 2 parts. First, if the petitioner requests a temporary restraining order, the court shall issue or refuse to issue that order. Second, the court shall hold a hearing on whether to issue an injunction, which is the final relief, under sub. (3). If the court issues a temporary restraining order, the order shall set forth the date for the hearing on an injunction. If the court does not issue a temporary restraining order, the date for the hearing shall be set upon motion by either party.

(2t) TEMPORARY RESTRAINING ORDER. (a) A judge or circuit court commissioner shall issue a temporary restraining order prohibiting the respondent from possessing a firearm and ordering the respondent to surrender all of the firearms in the respondent's possession if the judge or circuit court commissioner finds reasonable grounds that the respondent is substantially likely to injure the respondent or another person if the respondent possesses a firearm.

(am) The order issued under par. (a) shall require one of the following:

1. If the respondent is present at the hearing, the respondent to immediately surrender all firearms in the respondent's possession to the sheriff of the county in which the action under this section was commenced or to the sheriff of the county in

which the respondent resides. The sheriff to whom the firearms are surrendered may, at the request of the respondent, arrange for the transfer or sale of the firearms to a firearms dealer.

2. One of the following:

a. If the respondent is not present at the hearing and the sheriff personally serves the respondent with the order issued under par. (a), the sheriff to require the respondent to immediately surrender all firearms in the respondent's possession. The sheriff may, at the request of the respondent, arrange for the transfer or sale of the firearms to a firearms dealer.

b. If the respondent is not present at the hearing and the sheriff does not personally serve the respondent with the order issued under par. (a), the respondent to, within 24 hours of service, surrender all firearms in the respondent's possession to the sheriff or transfer or sell all firearms in the respondent's possession to a firearms dealer. Within 48 hours of service, the respondent shall file with the court that issued the order under par. (a) a receipt from the sheriff or firearms dealer indicating that the respondent surrendered the firearms.

(an) 1. The court may schedule a hearing to surrender firearms for any reason relevant to the surrender of firearms.

2. If the respondent does not comply with par. (am) or, if applicable, an order issued at a hearing to surrender firearms, or a law enforcement officer has probable cause to believe that the respondent possesses a firearm, the law enforcement officer shall request a search warrant to seize the firearms and may use information contained in the petition to establish probable cause.

(b) Notice need not be given to the respondent before issuing a temporary restraining order under this subsection. A temporary restraining order may be entered only against the respondent named in the petition.

(c) A temporary restraining order issued under this subsection is in effect until a hearing is held on issuance of an injunction under sub. (3). A judge shall hold a hearing on issuance of an injunction under sub. (3) within 14 days after the temporary restraining order is issued, unless the time is extended once for up to 14 days upon the written consent of the parties or upon a finding that the respondent has not been served with a copy of the temporary restraining order although the petitioner has exercised due diligence. A judge may not extend the temporary restraining order in lieu of ruling on the issuance of an injunction.

(d) The judge or circuit court commissioner shall advise the petitioner of the right to serve the respondent the petition by published notice if with due diligence the respondent cannot be served as provided under s. 801.11 (1) (a) or (b). The clerk of the circuit court shall assist the petitioner with the preparation of the notice and filing of the affidavit of printing.

(3) INJUNCTION. (a) A judge may grant an injunction prohibiting the respondent from possessing a firearm and, if the respondent was not subject to a temporary restraining order under sub. (2t), ordering the respondent to surrender all firearms in the respondent's possession if all of the following occur:

1. The petitioner files a petition alleging the elements set forth under sub. (4) (a).

2. The petitioner serves upon the respondent a copy or summary of the petition and notice of the time for hearing on the issuance of the injunction, or the respondent

serves upon the petitioner notice of the time for hearing on the issuance of the injunction.

3. The judge finds by clear and convincing evidence that the respondent is substantially likely to injure himself or herself or another person if the respondent possesses a firearm.

(b) The judge may enter an injunction only against the respondent named in the petition.

(c) 1. Unless a judge vacates the injunction under par. (d), an injunction under this subsection is effective for a period determined by the judge that is no longer than one year.

2. When an injunction expires, the court shall extend the injunction, upon petition, for up to one year if the judge finds by clear and convincing evidence that the respondent is still substantially likely to injure himself or herself or another person if the respondent possesses a firearm.

(d) A respondent who is subject to an injunction issued under this subsection may request in writing a judge to vacate the injunction one time during any injunction period. If a respondent files a request under this paragraph, the petitioner shall be notified of the request before the judge considers the request. The judge shall vacate the injunction if the respondent demonstrates by clear and convincing evidence that the respondent is no longer substantially likely to injure himself or herself or another person if the respondent possesses a firearm.

(e) An injunction issued under this subsection shall inform the respondent named in the petition of the requirements and penalties under s. 941.29.

(4) PETITION. (a) The petition shall allege facts sufficient to show the following:

1. The name of the petitioner and, unless the petitioner is a law enforcement officer, how the petitioner is a family or household member of the respondent.

2. The name of the respondent.

3. That the respondent is substantially likely to injure himself or herself or another person if the respondent possesses a firearm.

4. If the petitioner knows, the number, types, and locations of any firearms that the respondent possesses.

(b) The clerk of the circuit court shall provide simplified forms to help a person file a petition.

(c) Only the following persons may file a petition under this section:

1. A law enforcement officer.

2. A family or household member of the respondent.

(5) ENFORCEMENT ASSISTANCE. (a) 1. If an injunction is issued, extended, or vacated under sub. (3), the clerk of the circuit court shall notify the department of justice of the action and shall provide the department of justice with information concerning the period during which the injunction is in effect or the date on which the injunction is vacated and with information necessary to identify the respondent for purposes of responding to a request under s. 165.63 or for purposes of a firearms restrictions record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).

2. Except as provided in subd. 3., the department of justice may disclose information that it receives under subd. 1. only to respond to a request under s. 165.63 or as part of a firearms restrictions record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).

3. The department of justice shall disclose any information that it receives under subd. 1. to a law enforcement agency when the information is needed for law enforcement purposes.

(b) Within one business day after an injunction is issued, extended, or vacated under this section, the clerk of the circuit court shall send a copy of the injunction, or of the order extending or vacating an injunction, to the sheriff or to any other local law enforcement agency which is the central repository for injunctions and which has jurisdiction over the petitioner's premises.

(c) No later than 24 hours after receiving the information under par. (b), the sheriff or other appropriate local law enforcement agency under par. (b) shall enter the information concerning an injunction issued, extended, or vacated under this section into the transaction information for management of enforcement system. The sheriff or other appropriate local law enforcement agency shall also make available to other law enforcement agencies, through a verification system, information on the existence and status of any injunction issued under this section. The information need not be maintained after the injunction is no longer in effect.

(d) 1. The court may schedule a hearing to surrender firearms for any reason relevant to the surrender of firearms.

2. If the respondent does not comply with an order issued at a hearing to surrender firearms, or a law enforcement officer has probable cause to believe that the respondent possesses a firearm, the law enforcement officer shall request a search warrant to seize the firearms and may use information contained in the petition to establish probable cause.

(6) PENALTY FOR FALSE SWEARING. Whoever files a petition under this section for an injunction knowing the information in the petition to be false is subject to prosecution for false swearing under s. 946.32 (1), a Class H felony.

(7) RETURN OF FIREARMS AND FORM. (a) A firearm surrendered under this section may not be returned to the respondent until the respondent completes a petition for the return of firearms under par. (c) and a judge or circuit court commissioner determines all of the following:

1. That the temporary restraining order or injunction has been vacated or has expired and not been extended.

2. That the person is not prohibited from possessing a firearm under any state or federal law or by the order of any federal court or state court, other than an order from which the judge or circuit court commissioner is competent to grant relief. The judge or commissioner shall use the information provided under s. 165.63 to aid in making the determination under this subdivision.

(b) If a respondent surrenders under this section a firearm that is owned by a person other than the respondent, the person who owns the firearm may apply for its return to the circuit court for the county in which the person to whom the firearm was surrendered is located. The court shall order such notice as it considers adequate to be given to all persons who have or may have an interest in the firearm and shall hold a hearing to hear all claims to its true ownership. If the right to possession is proved to the court's satisfaction, it shall order the firearm returned. If the court returns a firearm under this paragraph, the court shall inform the person to whom the firearm is returned of the requirements and penalties under s. 941.2905.

(c) The director of state courts shall develop a petition for the return of firearms form that is substantially the same as the form under s. 813.1285 (5) (b).

(8) NOTICE OF FULL FAITH AND CREDIT. An order or injunction issued under sub. (2t) or (3) shall include a statement that the order or injunction may be accorded full faith and credit in every civil or criminal court of the United States, civil or criminal courts of any other state, and Indian tribal courts to the extent that such courts may have personal jurisdiction over nontribal members.

SECTION 3074. 813.126 (1) of the statutes is amended to read:

813.126 **(1)** TIME LIMITS. If a party seeks to have the judge conduct a hearing de novo under s. 757.69 (8) of a determination, order, or ruling entered by a court commissioner in an action under s. 813.12, 813.122, 813.123, 813.124, or 813.125, including a denial of a request for a temporary restraining order, the motion requesting the hearing must be filed with the court within 30 days after the circuit court commissioner issued the determination, order, or ruling. The court shall hold the de novo hearing within 30 days after the motion requesting the hearing is filed with the court unless the court finds good cause for an extension. Any determination, order, or ruling entered by a court commissioner in an action under s. 813.12, 813.122, 813.123, 813.124, or 813.125 remains in effect until the judge in the de novo hearing issues his or her final determination, order, or ruling.

SECTION 3075. 813.127 of the statutes is amended to read:

813.127 Combined actions; domestic abuse, child abuse, extreme risk protection, and harassment. A petitioner may combine in one action 2 or more petitions under one or more of the provisions in ss. 813.12, 813.122, 813.124, and 813.125 if the respondent is the same person in each petition. In any such action, there is only one fee applicable under s. 814.61 (1) (a). In any such action, the hearings for different types of temporary restraining orders or injunctions may be combined.

SECTION 3076. 813.128 (2g) (b) of the statutes is amended to read:

813.128 **(2g)** (b) A foreign protection order or modification of the foreign protection order that meets the requirements under this section has the same effect as an order issued under s. 813.12, 813.122, 813.123, 813.124, or 813.125, except that the foreign protection order or modification shall be enforced according to its own terms.

SECTION 3077. 814.04 (intro.) of the statutes is amended to read:

814.04 Items of costs. (intro.) Except as provided in ss. 93.20, 100.195 (5m) (b), 100.30 (5m), 106.50 (6) (i) and (6m) (a), 111.397 (2) (a), 115.80 (9), 767.553 (4) (d), 769.313, 802.05, 814.245, 895.035 (4), 895.044, 895.443 (3), 895.444 (2), 895.445 (3), 895.446 (3), 895.506, 943.212 (2) (b), 943.245 (2) (d), 943.51 (2) (b), and 995.10 (3), when allowed costs shall be as follows:

SECTION 3078. 815.20 (1) of the statutes is amended to read:

815.20 **(1)** An exempt homestead as defined in s. 990.01 (14) selected by a resident owner and occupied by him or her shall be exempt from execution, from the lien of every judgment, and from liability for the debts of the owner to the amount of $75,000, except mortgages, laborers', mechanics', and purchase money liens, and taxes, and except as otherwise provided. The exemption shall not be impaired by temporary removal with the intention to reoccupy the premises as a homestead nor by the sale of the homestead, but shall extend to the proceeds derived from the sale to an amount not exceeding $75,000, while held, with the intention to procure another homestead with the proceeds, for 2 years. The exemption extends to land owned by ~~husband and wife~~ spouses jointly or in common or as marital property, and each spouse may claim a homestead exemption of not more than $75,000. The

exemption extends to the interest therein of tenants in common, having a homestead thereon with the consent of the cotenants, and to any estate less than a fee.

SECTION 3079. 822.40 (4) of the statutes is amended to read:

822.40 **(4)** A privilege against disclosure of communications between spouses and a defense of immunity based on the relationship ~~of husband and wife~~ between spouses or parent and child may not be invoked in a proceeding under this subchapter.

SECTION 3080. 851.30 (2) (a) of the statutes is amended to read:

851.30 **(2)** (a) An individual who obtains or consents to a final decree or judgment of divorce from the decedent or an annulment of their marriage, if the decree or judgment is not recognized as valid in this state, unless they subsequently participate in a marriage ceremony purporting to marry each other or they subsequently hold themselves out as ~~husband and wife~~ married to each other.

SECTION 3081. 852.01 (1) (f) 1. of the statutes is amended to read:

852.01 **(1)** (f) 1. One–half to the ~~maternal~~ grandparents on one side equally if both survive, or to the surviving ~~maternal~~ grandparent on that side; if both ~~maternal~~ grandparents on that side are deceased, to the issue of the ~~maternal~~ grandparents on that side or either of them, per stirpes.

SECTION 3082. 852.01 (1) (f) 2. of the statutes is amended to read:

852.01 **(1)** (f) 2. One–half to the ~~paternal~~ relations on the other side in the same manner as to the ~~maternal~~ relations under subd. 1.

SECTION 3083. 852.01 (1) (f) 3. of the statutes is amended to read:

852.01 **(1)** (f) 3. If either ~~the maternal side or the paternal~~ side has no surviving grandparent or issue of a grandparent, the entire estate to the decedent's relatives on the other side.

SECTION 3084. 854.03 (3) of the statutes is amended to read:

854.03 **(3)** MARITAL PROPERTY. Except as provided in subs. (4) and (5), if ~~a husband and wife~~ 2 spouses die leaving marital property and it is not established that one survived the other by at least 120 hours, 50 percent of the marital property shall be distributed as if it were ~~the husband's~~ the first spouse's individual property and the ~~husband~~ 2nd spouse had survived, and 50 percent of the marital property shall be distributed as if it were the ~~wife's~~ 2nd spouse's individual property and the ~~wife~~ first spouse had survived.

SECTION 3085. 891.39 (title) of the statutes is amended to read:

891.39 (title) **Presumption as to whether a child is marital or nonmarital; ~~self-crimination~~ self-incrimination; birth certificates.**

SECTION 3086. 891.39 (1) (a) of the statutes is amended to read:

891.39 **(1)** (a) Whenever it is established in an action or proceeding that a child was born to a woman while she was ~~the lawful wife of~~ legally married to a specified ~~man~~ person, any party asserting in such action or proceeding that the ~~husband was~~ spouse is not the ~~father~~ parent of the child shall have the burden of proving that assertion by a clear and satisfactory preponderance of the evidence. In all such actions or proceedings the ~~husband and the wife~~ spouses are competent to testify as witnesses to the facts. The court or judge in such cases shall appoint a guardian ad litem to appear for and represent the child whose ~~paternity~~ parentage is questioned. Results of a genetic test, as defined in s. 767.001 (1m), showing that a ~~man~~ person other than the ~~husband~~ mother's spouse is not excluded as the father of the child and that the statistical probability of the ~~man's~~ person's parentage is 99.0 percent or higher constitute a clear and satisfactory preponderance of the evidence of the

assertion under this paragraph, even if the ~~husband~~ mother's spouse is unavailable to submit to genetic tests, as defined in s. 767.001 (1m).

SECTION 3087. 891.39 (1) (b) of the statutes is amended to read:

891.39 **(1)** (b) In actions affecting the family~~,~~ in which the question of ~~paternity~~ parentage is raised, and in paternity proceedings, the court, upon being satisfied that the parties to the action are unable to adequately compensate any such guardian ad litem for the guardian ad litem's services and expenses, shall then make an order specifying the guardian ad litem's compensation and expenses, which compensation and expenses shall be paid as provided in s. 967.06. If the court orders a county to pay the compensation of the guardian ad litem, the amount ordered may not exceed the compensation paid to private attorneys under s. 977.08 (4m) (b).

SECTION 3088. 891.39 (3) of the statutes is amended to read:

891.39 **(3)** If any court under this section adjudges a child to be a nonmarital child, the clerk of court shall report the facts to the state registrar, who shall issue a new birth record showing the correct facts as found by the court, and shall dispose of the original, with the court's report attached under s. 69.15 (3). If the ~~husband~~ mother's spouse is a party to the action and the court makes a finding as to whether or not the ~~husband~~ mother's spouse is the ~~father~~ parent of the child, such finding shall be conclusive in all other courts of this state.

SECTION 3089. 891.40 (1) of the statutes is renumbered 891.40 (1) (a) and amended to read:

891.40 **(1)** (a) If, ~~under the supervision of a licensed physician and~~ with the spouse's consent ~~of her husband~~, a ~~wife~~ person is inseminated artificially as provided in par. (b) with semen donated by a ~~man~~ person who is not ~~her husband~~ the spouse of the person being inseminated, the ~~husband~~ spouse of the ~~mother~~ inseminated

person at the time of the conception of the child shall be the natural ~~father~~ parent of a child conceived. The ~~husband's~~ spouse's consent must be in writing and signed by him or her and ~~his wife. The~~ by the inseminated person.

(c) 1. If the artificial insemination under par. (a) takes place under the supervision of a licensed physician, the physician shall certify ~~their~~ the signatures on the consent and the date of the insemination, and shall file the ~~husband's~~ spouse's consent with the department of health services~~, where it shall be kept~~. If the artificial insemination under par. (a) does not take place under the supervision of a licensed physician, the spouses shall file the signed consent, which shall include the date of the insemination, with the department of health services.

2. The department of health services shall keep a consent filed under subd. 1. confidential and in a sealed file except as provided in s. 46.03 (7) (bm). ~~However,~~

3. Notwithstanding subd. 1., the physician's or spouses' failure to file the consent form does not affect the legal status of ~~father~~ natural parent and child.

(d) All papers and records pertaining to the artificial insemination under par. (a), whether part of the permanent record of a court or of a file held by ~~the~~ a supervising physician or sperm bank or elsewhere, may be inspected only upon an order of the court for good cause shown.

SECTION 3090. 891.40 (1) (b) of the statutes is created to read:

891.40 **(1)** (b) The artificial insemination under par. (a) must satisfy any of the following:

1. The artificial insemination takes place under the supervision of a licensed physician.

2. The semen used for the insemination is obtained from a sperm bank.

SECTION 3091. 891.40 (2) of the statutes is amended to read:

891.40 **(2)** The donor of semen provided to a licensed physician or obtained from a sperm bank for use in the artificial insemination of a woman other than the donor's ~~wife~~ spouse is not the natural ~~father~~ parent of a child conceived, bears no liability for the support of the child, and has no parental rights with regard to the child.

SECTION 3092. 891.40 (3) of the statutes is created to read:

891.40 **(3)** This section applies with respect to children conceived before, on, or after the effective date of this subsection .... [LRB inserts date], as a result of artificial insemination.

SECTION 3093. 891.405 of the statutes is amended to read:

891.405 Presumption of ~~paternity~~ parentage based on acknowledgment. A ~~man~~ person is presumed to be the natural ~~father~~ parent of a child if ~~he~~ the person and the ~~mother~~ person who gave birth have acknowledged ~~paternity~~ parentage under s. 69.15 (3) (b) 1. or 3. and no other ~~man~~ person is presumed to be the ~~father~~ natural parent under s. 891.41 (1).

SECTION 3094. 891.407 of the statutes is amended to read:

891.407 Presumption of paternity based on genetic test results. A man is presumed to be the natural father of a child if the man has been conclusively determined from genetic test results to be the father under s. 767.804 and no other ~~man~~ person is presumed to be the ~~father~~ natural parent under s. 891.405 or 891.41 (1).

SECTION 3095. 891.41 (title) of the statutes is amended to read:

891.41 (title) **Presumption of ~~paternity~~ parentage based on marriage of the parties.**

SECTION 3096. 891.41 (1) (intro.) of the statutes is amended to read:

891.41 **(1)** (intro.) A ~~man~~ person is presumed to be the natural ~~father~~ parent of a child if any of the following applies:

SECTION 3097. 891.41 (1) (a) of the statutes is amended to read:

891.41 **(1)** (a) ~~He~~ The person and the child's established natural ~~mother~~ parent are or have been married to each other and the child is conceived or born after marriage and before the granting of a decree of legal separation, annulment, or divorce between the parties.

SECTION 3098. 891.41 (1) (b) of the statutes is renumbered 891.41 (1) (b) (intro.) and amended to read:

891.41 **(1)** (b) (intro.) ~~He~~ The person and the child's established natural ~~mother~~ parent were married to each other after the child was born but ~~he~~ the person and the child's established natural ~~mother~~ parent had a relationship with one another during the period of time within which the child was conceived and ~~no other man~~ all of the following apply:

1. No person has been adjudicated to be the father ~~or~~.

2. No other person is presumed to be the ~~father~~ parent of the child under par. (a).

SECTION 3099. 891.41 (2) of the statutes is amended to read:

891.41 **(2)** In a legal action or proceeding, a presumption under sub. (1) is rebutted by results of a genetic test, as defined in s. 767.001 (1m), that show that a ~~man~~ person other than the ~~man~~ person presumed to be the ~~father~~ parent under sub. (1) is not excluded as the father of the child and that the statistical probability of the ~~man's~~ person's parentage is 99.0 percent or higher, even if the ~~man~~ person presumed to be the ~~father~~ natural parent under sub. (1) is unavailable to submit to genetic tests, as defined in s. 767.001 (1m).

SECTION 3100. 891.41 (3) of the statutes is created to read:

891.41 **(3)** This section applies with respect to children born before, on, or after the effective date of this subsection .... [LRB inserts date].

SECTION 3101. Subchapter VIII (title) of chapter 893 [precedes 893.80] of the statutes is amended to read:

CHAPTER 893

SUBCHAPTER VIII

CLAIMS AGAINST GOVERNMENTAL

BODIES, OFFICERS AND EMPLOYEES~~;~~

~~STATUTORY CHALLENGES~~

SECTION 3102. 893.825 of the statutes is repealed.

SECTION 3103. 893.9815 of the statutes is created to read:

893.9815 False claims. An action or claim under s. 20.9315 shall be commenced within 10 years after the cause of the action or claim accrues or be barred.

SECTION 3104. 895.440 of the statutes is created to read:

895.440 Unnecessarily summoning officer; action for. (1) A person may bring a civil cause of action for damages against another person who, with the intent to do any of the following, knowingly causes a law enforcement officer to arrive at a location to contact the person:

(a) Infringe upon a right of the person under the Wisconsin Constitution or the U.S. Constitution.

(b) Unlawfully discriminate against the person.

(c) Cause the person to feel harassed, humiliated, or embarrassed.

(d) Cause the person to be expelled from a place in which the person is lawfully located.

(e) Damage the person's reputation or standing within the community.

(f) Damage the person's financial, economic, consumer, or business prospects or interests.

(2) The burden of proof in a civil action under sub. (1) rests with the plaintiff to prove his or her case by a preponderance of the credible evidence.

(3) If the plaintiff prevails in a civil action under sub. (1), he or she may recover the greater of special and general damages, including damages for emotional distress, or an amount equal to $250 from each defendant found liable; punitive damages; and costs, including all reasonable attorney fees and other costs of the investigation and litigation that were reasonably incurred.

SECTION 3105. 895.48 (1m) (a) (intro.) of the statutes is amended to read:

895.48 **(1m)** (a) (intro.) Except as provided in par. (b), any physician, physician assistant, podiatrist, or athletic trainer licensed under ch. 448, chiropractor licensed under ch. 446, dentist or dental therapist licensed under ch. 447, emergency medical services practitioner licensed under s. 256.15, emergency medical responder certified under s. 256.15 (8), registered nurse licensed under ch. 441, or a massage therapist or bodywork therapist licensed under ch. 460 who renders voluntary health care to a participant in an athletic event or contest sponsored by a nonprofit corporation, as defined in s. 66.0129 (6) (b), a private school, as defined in s. 115.001 (3r), a tribal school, as defined in s. 115.001 (15m), a public agency, as defined in s. 46.856 (1) (b), or a school, as defined in s. 609.655 (1) (c), is immune from civil liability for his or her acts or omissions in rendering that care if all of the following conditions exist:

SECTION 3106. 895.48 (1m) (a) 2. of the statutes is amended to read:

895.48 **(1m)** (a) 2. The physician, podiatrist, athletic trainer, chiropractor, dentist, dental therapist, emergency medical services practitioner, as defined in s. 256.01 (5), emergency medical responder, as defined in s. 256.01 (4p), physician assistant, registered nurse, massage therapist or bodywork therapist does not receive compensation for the health care, other than reimbursement for expenses.

SECTION 3107. 895.483 (4) of the statutes is amended to read:

895.483 **(4)** ~~A regional structural collapse team~~ An urban search and rescue task force, a member of such a ~~team~~ task force, and a local agency, as defined in s. 323.70 (1) (b), that contracts with the division of emergency management in the department of military affairs for the provision of ~~a regional structural collapse team~~ emergency services, are immune from civil liability for acts or omissions related to carrying out responsibilities under a contract under s. 323.72 (1).

SECTION 3108. 895.537 of the statutes is created to read:

895.537 Liability exemption; sexual assault evidence collection. (1) In this section:

(a) "Health care professional" has the meaning given in s. 154.01 (3).

(b) "Sexual assault forensic examination" has the meaning given in s. 165.775 (1) (d).

(2) Any health care professional conducting a sexual assault forensic examination pursuant to informed consent or a court order is immune from any civil or criminal liability for the act, except for civil liability for negligence in the performance of the act.

(3) Any employer of the health care professional under sub. (2) or any health care facility where the sexual assault forensic examination is conducted by that health care professional has the same immunity from liability under sub (2).

SECTION 3109. 905.05 (title) of the statutes is amended to read:

905.05 (title) ~~**Husband–wife**~~ **Spousal and domestic partner privilege.**

SECTION 3110. 911.01 (4) (c) of the statutes is amended to read:

911.01 **(4)** (c) *Miscellaneous proceedings.* Proceedings for extradition or rendition; sentencing, granting or revoking probation, modification of a bifurcated sentence under s. 302.113 (9g), or adjustment of a bifurcated sentence under s. 973.01 (5m), 973.195 (1r) or 973.198; issuance of subpoenas or warrants under s. 968.375, arrest warrants, criminal summonses, and search warrants; hearings under s. 980.09 (2); proceedings under s. 971.14 (1r) (c); proceedings with respect to pretrial release under ch. 969 except where habeas corpus is utilized with respect to release on bail or as otherwise provided in ch. 969; or proceedings under s. 165.76 (6) to compel provision of a biological specimen for deoxyribonucleic acid analysis.

SECTION 3111. 938.02 (1) of the statutes is amended to read:

938.02 **(1)** "Adult" means a person who is 18 years of age or older~~, except that for purposes of investigating or prosecuting a person who is alleged to have violated any state or federal criminal law or any civil law or municipal ordinance, "adult" means a person who has attained 17 years of age~~.

SECTION 3112. 938.02 (3m) of the statutes is amended to read:

938.02 **(3m)** "Delinquent" means a juvenile who is ~~10~~ 12 years of age or older who has violated any state or federal criminal law, except as provided in ss. 938.17, 938.18 and 938.183, or who has committed a contempt of court, as defined in s. 785.01 (1), as specified in s. 938.355 (6g).

SECTION 3113. 938.02 (4) of the statutes is amended to read:

938.02 **(4)** "Department" means the department of children and families, except that with respect to a juvenile who is under the supervision of the department of corrections under ~~s. 938.183, 938.34 (2), (4h), (4m), (4n), or (7g), or 938.357 (3) or (4)~~ a court order under this chapter, "department" means the department of corrections.

SECTION 3114. 938.02 (4) of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

938.02 **(4)** "Department" means the department of children and families except that with respect to a juvenile who is under the supervision of the department of corrections under a court order under this chapter, "department" means the department of corrections.

SECTION 3115. 938.02 (10m) of the statutes is amended to read:

938.02 **(10m)** "Juvenile," when used without further qualification, means a person who is less than 18 years of age~~, except that for purposes of investigating or prosecuting a person who is alleged to have violated a state or federal criminal law or any civil law or municipal ordinance, "juvenile" does not include a person who has attained 17 years of age~~.

SECTION 3116. 938.02 (10p) of the statutes is amended to read:

938.02 **(10p)** "Juvenile correctional facility" means a correctional institution operated or contracted for by the department of corrections or operated by the department of health services for holding in secure custody persons adjudged delinquent. "Juvenile correctional facility" includes the Mendota juvenile treatment center ~~under s. 46.057 and a facility authorized under s. 938.533 (3) (b), 938.538 (4)~~

~~(b), or 938.539 (5)~~ and a secured residential care center for children and youth operated by the department of corrections.

SECTION 3117. 938.02 (12d) of the statutes is created to read:

938.02 **(12d)** "Mendota juvenile treatment center" means the center established and operated by the department of health services under s. 46.057.

SECTION 3118. 938.02 (13) of the statutes is amended to read:

938.02 **(13)** "Parent" means a ~~biological~~ natural parent~~, a husband who has consented to the artificial insemination of his wife under s. 891.40,~~ or a parent by adoption. If the juvenile is a nonmarital child who is not adopted or whose parents do not subsequently intermarry under s. 767.803, "parent" includes a person conclusively determined from genetic test results to be the father under s. 767.804 or a person acknowledged under s. 767.805 or a substantially similar law of another state or adjudicated to be the ~~biological father~~ natural parent. "Parent" does not include any person whose parental rights have been terminated. For purposes of the application of s. 938.028 and the federal Indian Child Welfare Act, 25 USC 1901 to 1963, "parent" means a ~~biological~~ natural parent of an Indian child, an Indian ~~husband~~ spouse who has consented to the artificial insemination of his ~~wife~~ or her spouse under s. 891.40, or an Indian person who has lawfully adopted an Indian juvenile, including an adoption under tribal law or custom, and includes, in the case of a nonmarital Indian child who is not adopted or whose parents do not subsequently intermarry under s. 767.803, a person conclusively determined from genetic test results to be the father under s. 767.804, a person acknowledged under s. 767.805, a substantially similar law of another state, or tribal law or custom to be the ~~biological father~~ natural parent, or a person adjudicated to be the ~~biological father~~

natural parent, but does not include any person whose parental rights have been terminated.

SECTION 3119. 938.02 (14m) of the statutes is created to read:

938.02 **(14m)** "Qualified individual" has the meaning given under 42 USC 675a (c) (1) (D).

SECTION 3120. 938.02 (15g) of the statutes is amended to read:

938.02 **(15g)** "Secured residential care center for children and youth" means a facility that complies with the requirements of ss. 301.37 and 938.48 (16) (b) operated by the department of corrections, by an Indian tribe or a county under ss. 46.20, 59.53 (8m), and 938.22 (1) (a), or by a child welfare agency that is licensed under s. 48.66 (1) (b) to hold in secure custody persons adjudged delinquent.

SECTION 3121. 938.02 (17r) of the statutes is created to read:

938.02 **(17r)** "Status offense" means an offense committed by a juvenile that would not be an offense if committed by an adult.

SECTION 3122. 938.02 (17t) of the statutes is created to read:

938.02 **(17t)** "Standardized assessment" means an assessment, using a tool determined by the department, of the strengths and needs of a juvenile to determine appropriateness of a placement in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675.

SECTION 3123. 938.02 (19) of the statutes is repealed.

SECTION 3124. 938.02 (19r) of the statutes is repealed.

SECTION 3125. 938.02 (20) of the statutes is repealed.

SECTION 3126. 938.06 (5) (a) 1. of the statutes is amended to read:

938.06 **(5)** (a) 1. Use placement in a juvenile detention facility or juvenile portion of the county jail as a disposition under s. 938.34 (3) (f)~~, as a sanction under~~

~~s. 938.355 (6m) (a) 1g.,~~ or as a place of short–term detention under s. 938.355 (6d) (a) 1. or 2. or (b) 1. or 2. or 938.534 (1) (b) 1. or 2.

SECTION 3127. 938.06 (5) (b) of the statutes is amended to read:

938.06 **(5)** (b) The use by the court of a disposition under s. 938.34 (3) (f) or (6) (am)~~, a sanction under s. 938.355 (6m) (a) 1g.,~~ or short–term detention under s. 938.355 (6d) (a) 1. or 2. or (b) 1. or 2. or 938.534 (1) (b) 1. or 2. is subject to any resolution adopted under par. (a).

SECTION 3128. 938.069 (1) (intro.) of the statutes is amended to read:

938.069 **(1)** DUTIES. (intro.) ~~The staff of the department of corrections shall provide community supervision services for juveniles as provided in s. 938.533.~~ Subject to sub. (2), the staff of the department of corrections, the court, a county department, or a licensed child welfare agency designated by the court to carry out the objectives of this chapter shall:

SECTION 3129. 938.12 (1) of the statutes is amended to read:

938.12 **(1)** IN GENERAL. The court has exclusive jurisdiction, except as provided in ss. 938.17, 938.18, and 938.183, over any juvenile ~~10~~ 12 years of age or older who is alleged to be delinquent.

SECTION 3130. 938.12 (2) of the statutes is amended to read:

938.12 **(2)** ~~SEVENTEEN–YEAR–OLDS~~ JUVENILES WHO BECOME ADULTS. If a petition alleging that a juvenile is delinquent is filed before the juvenile ~~is 17 years of age~~ becomes an adult, but the juvenile becomes ~~17 years of age~~ an adult before admitting the facts of the petition at the plea hearing or, if the juvenile denies the facts, before an adjudication, the court retains jurisdiction over the case.

SECTION 3131. 938.13 (12) of the statutes is amended to read:

938.13 **(12)** DELINQUENT ACT BEFORE AGE ~~10~~ 12. The juvenile is under ~~10~~ 12 years of age and has committed a delinquent act.

SECTION 3132. 938.18 (1) (a) of the statutes is amended to read:

938.18 **(1)** (a) The juvenile is alleged to have ~~violated~~ attempted or committed a violation of s. 940.01 on or after the juvenile's 14th birthday or to have committed a violation of s. 940.02, 940.03, 940.05, 940.06, 940.225 (1) or (2), 940.305, 940.31, 943.10 (2), 943.32 (2), or 943.87 ~~or 961.41 (1)~~ on or after the juvenile's 14th birthday.

SECTION 3133. 938.18 (1) (bm) of the statutes is created to read:

938.18 **(1)** (bm) 1. The juvenile has been adjudicated delinquent and is alleged to have committed a violation of s. 940.20 (1) or 946.43 while placed in a juvenile correctional facility, a juvenile detention facility, or a secured residential care center for children and youth on or after the juvenile's 14th birthday.

2. The juvenile has been adjudicated delinquent and is alleged to have committed a violation of s. 940.20 (2m) on or after the juvenile's 14th birthday.

SECTION 3134. 938.18 (1) (c) of the statutes is amended to read:

938.18 **(1)** (c) The juvenile is alleged to have violated any state criminal law that would be a felony if committed by an adult on or after the juvenile's ~~15th~~ 16th birthday.

SECTION 3135. 938.18 (2) of the statutes is amended to read:

938.18 **(2)** PETITION. The petition for waiver of jurisdiction may be filed by the district attorney or the juvenile or may be initiated by the court and shall contain a brief statement of the facts supporting the request for waiver. The petition for waiver of jurisdiction shall be accompanied by or filed after the filing of a petition alleging delinquency and shall be filed prior to the plea hearing, except that if the juvenile denies the facts of the petition and becomes ~~17 years of age~~ an adult before an

adjudication, the petition for waiver of jurisdiction may be filed at any time prior to the adjudication. If the court initiates the petition for waiver of jurisdiction, the judge shall disqualify himself or herself from any future proceedings on the case.

SECTION 3136. 938.183 (1) (intro.) of the statutes is amended to read:

938.183 **(1)** JUVENILES UNDER ADULT COURT JURISDICTION. (intro.) Notwithstanding ss. 938.12 (1) and 938.18, but subject to sub. (1d), courts of criminal jurisdiction have exclusive original jurisdiction over all of the following:

SECTION 3137. 938.183 (1) (am) of the statutes is amended to read:

938.183 **(1)** (am) A juvenile who is alleged to have attempted or committed a violation of s. 940.01 or to have committed a violation of s. 940.02 or 940.05 on or after the juvenile's ~~10th~~ 12th birthday.

SECTION 3138. 938.183 (1d) of the statutes is created to read:

938.183 **(1d)** NONAPPLICABILITY. A court of criminal jurisdiction does not have exclusive original jurisdiction over a juvenile as provided in sub. (1) with respect to any violation committed on or after the effective date of this subsection .... [LRB inserts date]. A juvenile who is alleged to have committed a violation described in sub. (1) on or after the effective date of this subsection .... [LRB inserts date], is subject to the jurisdiction of the court assigned to exercise jurisdiction under this chapter as provided in s. 938.12.

SECTION 3139. 938.183 (3) of the statutes is amended to read:

938.183 **(3)** PLACEMENT IN STATE PRISON; PAROLE. ~~When~~ Subject to s. 973.013 (3m), when a juvenile who is subject to a criminal penalty under sub. (1m) or s. 938.183 (2), 2003 stats., ~~attains the age of 17 years~~ becomes an adult, the department of corrections may place the juvenile in a state prison named in s. 302.01, except that that department may not place any person under the age of 18 years in the

correctional institution authorized in s. 301.16 (1n). A juvenile who is subject to a criminal penalty under sub. (1m) or under s. 938.183 (2), 2003 stats., for an act committed before December 31, 1999, is eligible for parole under s. 304.06.

SECTION 3140. 938.184 of the statutes is created to read:

938.184 Extended juvenile jurisdiction. (1) EXTENDED JUVENILE COURT JURISDICTION; CONDITIONS FOR. A petition requesting extended juvenile jurisdiction may be granted if the court finds, after hearing, and by clear and convincing evidence, that all of the following conditions are met:

(a) The juvenile qualifies for waiver of juvenile court jurisdiction under s. 938.18.

(b) If adjudged delinquent, the juvenile qualifies for a correctional placement under s. 938.34 (4m).

(c) If adjudged delinquent, a disposition under s. 938.34 (4m) is insufficient to protect public safety or for rehabilitation of the juvenile.

(2) PETITION. A district attorney or a juvenile may file a petition requesting extended juvenile jurisdiction under this section or the court may initiate a hearing under this section on its own motion. The petition shall contain a brief statement of the facts supporting the request for extended juvenile jurisdiction and shall be accompanied by or filed after the filing of a petition alleging delinquency but prior to the plea hearing.

(3) AGENCY REPORT. The court may designate an agency, as defined in s. 938.38 (1) (a), to submit a report evaluating the juvenile's eligibility for jurisdiction under this section. The agency shall file the report with the court, and the court shall cause copies of the report to be given to the juvenile; any parent, guardian, or legal custodian of the juvenile; and the juvenile's counsel at least 3 days before the hearing.

The court may rely on facts stated in the report in making its findings with respect to the criteria under sub. (1) (a) and (b).

(4) RIGHTS OF JUVENILE. The juvenile shall be represented by counsel. Written notice of the time, place, and purpose of the hearing shall be given to the juvenile; any parent, guardian, or legal custodian; and the juvenile's counsel at least 3 days prior to the hearing. The notice shall contain a statement of the requirements of s. 938.29 (2) with regard to substitution of the judge. If parents entitled to notice have the same address, notice to one constitutes notice to the other. Counsel for the juvenile shall have access to the social records and other reports under s. 938.293.

(5) DECISION ON PETITION. A hearing on a petition under this section shall be to the court. If the court determines on the record that the juvenile qualifies for extended juvenile jurisdiction based on the criteria in sub. (1), the court shall grant the petition and maintain jurisdiction of the juvenile.

(6) EFFECT OF EXTENDED JUVENILE JURISDICTION. If a juvenile is subject to extended juvenile jurisdiction, all of the following apply:

(a) The juvenile has a right to a jury in the hearing under s. 938.31.

(b) The court may impose any disposition available under s. 938.34.

(c) If the court imposes a disposition under s. 938.34 (4p), the court maintains jurisdiction over the individual until the termination of the order under that subsection, as provided under s. 938.355 (4) (b) 5.

SECTION 3141. 938.19 (1) (d) 6. of the statutes is amended to read:

938.19 **(1)** (d) 6. The juvenile has violated a condition of court–ordered supervision~~, community supervision,~~ or aftercare supervision~~; a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential~~

~~care center for children and youth;~~ or a condition of the juvenile's participation in the intensive supervision program under s. 938.534.

SECTION 3142. 938.20 (2) (cm) of the statutes is amended to read:

938.20 **(2)** (cm) If the juvenile has violated a condition of ~~community supervision or~~ aftercare supervision~~, a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth,~~ or a condition of the juvenile's participation in the intensive supervision program under s. 938.534, the person who took the juvenile into custody may release the juvenile to the department of corrections or county department, whichever has supervision over the juvenile.

SECTION 3143. 938.20 (7) (c) 1m. of the statutes is amended to read:

938.20 **(7)** (c) 1m. In the case of a juvenile who has violated a condition of ~~community supervision or~~ aftercare supervision~~, a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth,~~ or a condition of the juvenile's participation in the intensive supervision program under s. 938.534, to the department of corrections or county department, whichever has supervision of the juvenile.

SECTION 3144. 938.20 (8) (c) of the statutes is amended to read:

938.20 **(8)** (c) If a juvenile who has violated a condition of ~~community supervision or~~ aftercare supervision~~, a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth,~~ or a condition of the juvenile's participation in the intensive supervision program under s. 938.534 is held in custody, the intake worker shall also notify the department of corrections or county department, whichever has supervision over the juvenile, of the reasons for holding the juvenile in custody, of the juvenile's

whereabouts, and of the time and place of the detention hearing required under s. 938.21.

SECTION 3145. 938.205 (1) (c) of the statutes is amended to read:

938.205 **(1)** (c) That the juvenile will run away or be taken away so as to be unavailable for proceedings of the court or its officers, proceedings of the division of hearings and appeals in the department of administration for revocation of ~~community supervision or~~ aftercare supervision, or action by the department of corrections or county department relating to a violation of ~~a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth or~~ a condition of the juvenile's participation in the intensive supervision program under s. 938.534.

SECTION 3146. 938.208 (1) (intro.) of the statutes is amended to read:

938.208 **(1)** DELINQUENT ACT AND RISK OF HARM OR RUNNING AWAY. (intro.) Probable cause exists to believe that the juvenile has committed a delinquent act and either presents a substantial risk of physical harm to another person or a substantial risk of running away so as to be unavailable for a court hearing, a revocation of ~~community supervision or~~ aftercare supervision hearing, or action by the department of corrections or county department relating to a violation of ~~a condition of the juvenile's placement in a Type 2 juvenile correctional facility or a Type 2 residential care center for children and youth or a condition of~~ the juvenile's participation in the intensive supervision program under s. 938.534. For juveniles who have been adjudged delinquent, the delinquent act referred to in this section may be the act for which the juvenile was adjudged delinquent. If the intake worker determines that any of the following conditions applies, the juvenile is considered to present a substantial risk of physical harm to another person:

SECTION 3147. 938.208 (1) (b) of the statutes is amended to read:

938.208 **(1)** (b) Probable cause exists to believe that the juvenile possessed, used or threatened to use a handgun, as defined in s. ~~175.35 (1) (b)~~ 941.237 (1) (d), short–barreled rifle, as defined in s. 941.28 (1) (b), or short–barreled shotgun, as defined in s. 941.28 (1) (c), while committing a delinquent act that would be a felony under ch. 940 if committed by an adult.

SECTION 3148. 938.21 (1) (c) of the statutes is created to read:

938.21 **(1)** (c) If the juvenile is held in custody in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the agency primarily responsible for providing services under the custody order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including all of the following, to the court and all persons who are required to receive a copy of the petition or request under par. (b) no later than the hearing or, if not available by that time, no later than 30 days after the date on which the placement is made:

1. Whether the proposed placement will provide the juvenile with the most effective and appropriate level of care in the least restrictive environment.

2. How the placement is consistent with the short–term and long–term goals for the juvenile, as specified in the permanency plan.

3. The reasons why the juvenile's needs can or cannot be met by the juvenile's family or in a foster home. A shortage or lack of foster homes is not an acceptable reason for determining that the juvenile's needs cannot be met in a foster home.

4. The placement preference of the family permanency team under s. 938.38 (3m) and, if that preference is not the placement recommended by the qualified individual, why that recommended placement is not preferred.

SECTION 3149. 938.21 (5) (b) 2g. of the statutes is created to read:

938.21 **(5)** (b) 2g. Except as provided in par. (cm), if the juvenile is held in custody in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, a finding as to each of the following, the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the recommendation submitted by the qualified individual who conducted the standardized assessment under sub. (1) (c):

a. Whether the needs of the juvenile can be met through placement in a foster home.

b. Whether placement of the juvenile in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675 provides the most effective and appropriate level of care for the juvenile in the least restrictive environment.

c. Whether the placement is consistent with the short–term and long–term goals for the juvenile, as identified in the permanency planning.

d. Whether the court approves or disapproves the placement.

SECTION 3150. 938.21 (5) (cm) of the statutes is created to read:

938.21 **(5)** (cm) If the results of the standardized assessment and recommendation of the qualified individual who conducted the standardized assessment are required under sub. (1) (c) but not available at the time of the order, the court shall defer making the findings under par. (b) 2g. as provided in this

paragraph. No later than 60 days after the date on which the placement is made, the court shall issue an order making the findings under par. (b) 2g.

SECTION 3151. 938.217 (1) (b) 2. of the statutes is amended to read:

938.217 **(1)** (b) 2. The notice shall contain the name and address of the new placement, the reasons for the change in placement, whether the new placement is certified under s. 48.675, and a statement describing why the new placement is preferable to the present placement. The person sending the notice shall file the notice with the court on the same day that the notice is sent.

SECTION 3152. 938.217 (1) (b) 3. and 4. of the statutes are created to read:

938.217 **(1)** (b) 3. If the proposed change in placement would place the juvenile in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the intake worker or agency primarily responsible for providing services under a temporary physical custody order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including all of the following, to the court and all persons who are required to receive the notice under subd. 1. no later than the filing of that notice or, if not available by that time, and except as provided under subd. 4., no later than 10 days after the notice is filed:

a. Whether the proposed placement will provide the juvenile with the most effective and appropriate level of care in the least restrictive environment.

b. How the placement is consistent with the short–term and long–term goals for the juvenile, as specified in the permanency plan.

c. The reasons why the juvenile's needs can or cannot be met by the juvenile's family or in a foster home. A shortage or lack of foster homes is not an acceptable reason for determining that the juvenile's needs cannot be met in a foster home.

d. The placement preference of the family permanency team under s. 938.38 (3m) and, if that preference is not the placement recommended by the qualified individual, why that recommended placement is not preferred.

4. If, for good cause shown, the information required to be submitted under subd. 3. is not available by the deadline under that subdivision, the intake worker or agency primarily responsible for providing services under a temporary physical custody order shall submit it no later than 30 days after the date on which the placement is made.

SECTION 3153. 938.217 (2) of the statutes is renumbered 938.217 (2) (a).

SECTION 3154. 938.217 (2) (b) and (c) of the statutes are created to read:

938.217 **(2)** (b) 1. If the emergency change in placement under par. (a) results in a juvenile being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the intake worker or agency primarily responsible for providing services under a temporary physical custody order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including the information specified under sub. (1) (b) 3. with the notice under par. (a) or, if not available at that time, and except as provided under subd. 2., no later than 10 days after the filing of that notice.

2. If, for good cause shown, the information required to be submitted under subd. 1. is not available by the deadline under that subdivision, the intake worker or agency primarily responsible for providing services under a temporary physical

custody order shall submit it no later than 30 days after the date on which the placement was made.

(c) If the emergency change in placement under par. (a) results in a juvenile being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the court shall, no later than 60 days after the placement is made, issue an order making all of the findings required under sub. (2v) (d) 1., the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment.

SECTION 3155. 938.217 (2m) (b) 3. of the statutes is created to read:

938.217 **(2m)** (b) 3. If the change in placement results in a juvenile being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the agency primarily responsible for providing services under the temporary physical custody order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including the information under sub. (1) (b) 3., to the court and to all persons who are required to receive the notice under subd. 2., no later than the hearing or, if not available by that time, no later than 30 days after the date on which the placement is made.

SECTION 3156. 938.217 (2v) (d) 1. and 2. of the statutes are created to read:

938.217 **(2v)** (d) 1. Except as provided in subd. 2., if the court changes the placement to a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the change–in–placement order shall contain a finding as to each of the following, the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the

recommendation of the qualified individual who conducted the standardized assessment:

a. Whether the needs of the juvenile can be met through placement in a foster home.

b. Whether placement of the juvenile in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675 provides the most effective and appropriate level of care for the juvenile in the least restrictive environment.

c. Whether the placement is consistent with the short–term and long–term goals for the juvenile, as specified in the permanency plan.

d. Whether the court approves or disapproves the placement.

2. If the results of the standardized assessment and recommendation of the qualified individual who conducted the standardized assessment are not available at the time of the order, the court shall defer making the findings under subd. 1. as provided in this subdivision. No later than 60 days after the date on which the placement was made, the court shall issue an order making the findings under subd. 1.

SECTION 3157. 938.22 (2) (d) of the statutes is repealed.

SECTION 3158. 938.23 (1m) (as) of the statutes is created to read:

938.23 **(1m)** (as) A juvenile subject to a dispositional order under s. 938.34 (4p) is entitled to representation by counsel at the hearing under s. 938.369.

SECTION 3159. 938.245 (2g) of the statutes is amended to read:

938.245 **(2g)** GRAFFITI VIOLATION. If the deferred prosecution agreement is based on an allegation that the juvenile violated s. 943.017 and the juvenile has attained ~~10~~ 12 years of age, the agreement may require that the juvenile participate

for not less than 10 hours nor more than 100 hours in a supervised work program under s. 938.34 (5g) or perform not less than 10 hours nor more than 100 hours of other community service work, except that if the juvenile has not attained 14 years of age the maximum number of hours is 40.

SECTION 3160. 938.255 (1) (intro.) of the statutes is amended to read:

938.255 **(1)** TITLE AND CONTENTS. (intro.) A petition initiating proceedings under this chapter, other than a petition initiating proceedings under s. 938.12, 938.125, or 938.13 (12), shall be entitled, "In the interest of (juvenile's name), a person under the age of 18"~~.~~." A petition initiating proceedings under s. 938.12, 938.125, or 938.13 (12) shall be entitled, "In the interest of (juvenile's name), a ~~person under the age of 17".~~ juvenile." A petition initiating proceedings under this chapter shall specify all of the following:

SECTION 3161. 938.299 (1) (a) of the statutes is amended to read:

938.299 **(1)** (a) ~~Except as provided in par. (ar), the~~ The general public shall be excluded from hearings under this chapter unless a public fact–finding hearing is demanded by a juvenile through his or her counsel. The court shall refuse to grant the public hearing, however, if the victim of an alleged sexual assault objects or, in a nondelinquency proceeding, if a parent or guardian objects. If a public hearing is not held, only the parties, their counsel, witnesses, a representative of the news media who wishes to attend the hearing for the purpose of reporting news without revealing the identity of the juvenile involved and other persons requested by a party and approved by the court may be present. Any other person the court finds to have a proper interest in the case or in the work of the court, including a member of the bar or a person engaged in the bona fide research, monitoring, or evaluation of

activities conducted under 42 USC 629h, as determined by the director of state courts, may be admitted by the court.

SECTION 3162. 938.299 (1) (ar) of the statutes is repealed.

SECTION 3163. 938.299 (1) (av) of the statutes is amended to read:

938.299 **(1)** (av) If a public hearing is held under par. (a) ~~or (ar)~~, any person may disclose to anyone any information obtained as a result of that hearing.

SECTION 3164. 938.299 (2) of the statutes is created to read:

938.299 **(2)** USE OF RESTRAINTS ON A JUVENILE. (a) Except as provided in par. (b), instruments of restraint such as handcuffs, chains, irons, or straitjackets, cloth and leather restraints, or other similar items may not be used on a juvenile during a court proceeding under this chapter and shall be removed prior to the juvenile being brought into the courtroom to appear before the court.

(b) A court may order a juvenile to be restrained during a court proceeding upon request of the district attorney, corporation counsel, or other appropriate official specified under s. 938.09 if the court finds all of the following:

1. That the use of restraints is necessary due to one of the following factors:

a. Instruments of restraint are necessary to prevent physical harm to the juvenile or another person.

b. The juvenile has a history of disruptive courtroom behavior that has placed others in potentially harmful situations or the juvenile presents a substantial risk of inflicting physical harm on himself or herself or others as evidenced by recent behavior.

c. There is a reasonable belief that the juvenile presents a substantial risk of flight from the courtroom.

2. That there are no less restrictive alternatives to restraints that will prevent flight or physical harm to the juvenile or another person, including the presence of court personnel, law enforcement officers, or bailiffs.

(c) The court shall provide the juvenile's attorney an opportunity to be heard before the court orders the use of restraints under par. (b). The court shall make written findings of fact in support of any order to use restraints under par. (b).

(d) If the court orders a juvenile to be restrained under par. (b), the restraints shall allow the juvenile limited movement of the hands to read and handle documents and writings necessary to the hearing.

(e) No juvenile may be restrained during a court proceeding under this chapter using fixed restraints attached to a wall, floor, or furniture.

SECTION 3165. 938.31 (2) of the statutes is amended to read:

938.31 **(2)** HEARING ~~TO THE COURT~~; PROCEDURES. ~~The~~ Except as provided in s. 938.184 (6) (a), the hearing shall be to the court. If the hearing involves a child victim, as defined in s. 938.02 (20m) (a) 1., or a child witness, as defined in s. 950.02 (5), the court may order that a deposition be taken by audiovisual means and allow the use of a recorded deposition under s. 967.04 (7) to (10) and, with the district attorney, shall comply with s. 971.105. At the conclusion of the hearing, the court shall make a determination of the facts. If the court finds that the juvenile is not within the jurisdiction of the court or the court finds that the facts alleged in the petition or citation have not been proved, the court shall dismiss the petition or citation with prejudice.

SECTION 3166. 938.32 (1) (br) of the statutes is created to read:

938.32 **(1)** (br) If the consent decree places a juvenile in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675,

the qualified individual shall conduct a standardized assessment and the agency primarily responsible for providing services to the juvenile shall submit it and the recommendation of the qualified individual who completed the assessment, including all of the following, to the court and to all persons who are parties to the consent decree, no later than the time the consent decree is entered or, if not available by that time, no later than 30 days after the date on which the placement is made:

1. Whether the proposed placement will provide the juvenile with the most effective and appropriate level of care in the least restrictive environment.

2. How the placement is consistent with the short–term and long–term goals for the juvenile, as specified in the permanency plan.

3. The reasons why the juvenile's needs can or cannot be met by the juvenile's family or in a foster home. A shortage or lack of foster homes is not an acceptable reason for determining that the juvenile's needs cannot be met in a foster home.

4. The placement preference of the family permanency team under s. 938.38 (3m) and, if that preference is not the placement recommended by the qualified individual, why that recommended placement is not preferred.

SECTION 3167. 938.32 (1) (c) 1r. of the statutes is created to read:

938.32 **(1)** (c) 1r. Except as provided in par. (cd), if the juvenile is placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, a finding as to each of the following, the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment under par. (br):

a. Whether the needs of the juvenile can be met through placement in a foster home.

b. Whether placement of the juvenile in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675 provides the most effective and appropriate level of care for the juvenile in the least restrictive environment.

c. Whether the placement is consistent with the short–term and long–term goals for the juvenile, as specified in the permanency plan.

d. Whether the court approves or disapproves the placement.

SECTION 3168. 938.32 (1) (cd) of the statutes is created to read:

938.32 **(1)** (cd) If the results of the standardized assessment and recommendation of the qualified individual who conducted the standardized assessment are required but not available at the time of the order, the court shall defer making the findings under par. (c) 1r. as provided in this paragraph. No later than 60 days after the date on which the placement was made, the court shall issue an order making the findings under par. (c) 1r.

SECTION 3169. 938.32 (1x) of the statutes is amended to read:

938.32 **(1x)** SUPERVISED WORK PROGRAM. If the petition alleges that the juvenile violated s. 943.017 and the juvenile has attained ~~10~~ 12 years of age, the court may require, as a condition of the consent decree, that the juvenile participate for not less than 10 hours nor more than 100 hours in a supervised work program under s. 938.34 (5g) or perform not less than 10 hours nor more than 100 hours of other community service work, except that if the juvenile has not attained 14 years of age the maximum number of hours is a total of 40 under the consent decree.

SECTION 3170. 938.33 (3) (c) of the statutes is created to read:

938.33 **(3)** (c) A recommendation for the specific juvenile correctional facility or secured residential care center for children and youth in which the juvenile should

be placed. An agency recommending placement of the juvenile under the supervision of the department of corrections in a juvenile correctional facility shall, in consultation with the department of corrections, base its recommendation on an assessment of the juvenile's needs.

SECTION 3171. 938.33 (3r) of the statutes is repealed.

SECTION 3172. 938.33 (4) (cm) of the statutes is created to read:

938.33 **(4)** (cm) A statement indicating whether the recommended placement is certified under s. 48.675.

SECTION 3173. 938.33 (4) (cr) of the statutes is created to read:

938.33 **(4)** (cr) 1. If the report recommends placement of a juvenile in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, except as provided in subd. 2., the report shall contain the results of the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment, including all of the following:

a. Whether the proposed placement will provide the juvenile with the most effective and appropriate level of care in the least restrictive environment.

b. How the placement is consistent with the short–term and long–term goals for the juvenile, as specified in the permanency plan.

c. The reasons why the juvenile's needs can or cannot be met by the juvenile's family or in a foster home. A shortage or lack of foster homes is not an acceptable reason for determining that the juvenile's needs cannot be met in a foster home.

d. The placement preference of the family permanency team under s. 938.38 (3m) and, if that preference is not the placement recommended by the qualified individual, why that recommended placement is not preferred.

2. If the information under subd. 1. is not available at the time of the report, the agency shall submit it by the date of the dispositional hearing or, if it is not available on that date, no later than 30 days after the date on which the placement was made.

SECTION 3174. 938.34 (intro.) of the statutes is amended to read:

938.34 Disposition of juvenile adjudged delinquent. (intro.) If the court adjudges a juvenile delinquent, the court shall enter an order deciding one or more of the dispositions of the case as provided in this section under a care and treatment plan. A disposition under sub. (4m) must be combined with a disposition under sub. (4n), and a disposition under sub. (4p) must be combined with a disposition under subs. (4m) and (4n). In deciding the dispositions for a juvenile who is adjudicated delinquent, the court shall consider the seriousness of the act for which the juvenile is adjudicated delinquent and may consider any other delinquent act that is read into the record and dismissed at the time of the adjudication. The dispositions under this section are:

SECTION 3175. 938.34 (3) (f) 1. of the statutes is amended to read:

938.34 **(3)** (f) 1. The placement may be for any combination of single or consecutive days totalling not more than ~~365 in a juvenile detention facility under s. 938.22 (2) (d) 1. and may be for no more than 30 consecutive days in any other juvenile detention facility~~ 30, including any placement under pars. (a) to (e). The juvenile shall be given credit against the period of detention or nonsecure custody imposed under this paragraph for all time spent in secure detention in connection with the course of conduct for which the detention or nonsecure custody was imposed.

SECTION 3176. 938.34 (3g) of the statutes is amended to read:

938.34 **(3g)** ELECTRONIC MONITORING. Monitoring by an electronic monitoring system for a juvenile subject to an order under sub. (2), (2r), (3) (a) to (e), ~~(4h)~~ or (4n) who is placed in the community.

SECTION 3177. 938.34 (4d) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is repealed.

SECTION 3178. 938.34 (4d) (b) of the statutes is amended to read:

938.34 **(4d)** (b) The juvenile has been found to be a danger to the public and to be in need of restrictive custodial treatment. If the court determines that any of the conditions specified in sub. (4m) (b) 1., 2., or 3. applies, but that placement in ~~the serious juvenile offender program under sub. (4h) or in~~ a juvenile correctional facility under sub. (4m) would not be appropriate, that determination shall be prima facie evidence that the juvenile is a danger to the public and in need of restrictive custodial treatment under this subsection.

SECTION 3179. 938.34 (4h) of the statutes is repealed.

SECTION 3180. 938.34 (4m) (intro.) of the statutes, as affected by 2019 Wisconsin Act 8, section 33, is amended to read:

938.34 **(4m)** CORRECTIONAL PLACEMENT. (intro.) Place the juvenile under the supervision of the department of corrections in a juvenile correctional facility or the county department in a secured residential care center for children and youth ~~identified by the county department~~ if all of the following apply:

SECTION 3181. 938.34 (4m) (b) (intro.) of the statutes is amended to read:

938.34 **(4m)** (b) (intro.) The juvenile has been found to be a danger to the public and to be in need of restrictive custodial treatment. If the court determines that any of the following conditions applies, ~~but that placement in the serious juvenile offender program under sub. (4h) is not appropriate,~~ that determination shall be

prima facie evidence that the juvenile is a danger to the public and in need of restrictive custodial treatment under this subsection:

SECTION 3182. 938.34 (4m) (b) 2. of the statutes is amended to read:

938.34 **(4m)** (b) 2. The juvenile has possessed, used or threatened to use a handgun, as defined in s. ~~175.35 (1) (b)~~ 941.237 (1) (d), short–barreled rifle, as defined in s. 941.28 (1) (b), or short–barreled shotgun, as defined in s. 941.28 (1) (c), while committing a delinquent act that would be a felony under ch. 940 if committed by an adult.

SECTION 3183. 938.34 (4m) (c) of the statutes is created to read:

938.34 **(4m)** (c) For a placement under the supervision of the department of corrections, the placement is recommended in the report under s. 938.33. For a placement under the supervision of a county department, the specific residential care center for children and youth in which the juvenile is placed is identified by the county department.

SECTION 3184. 938.34 (4n) (intro.) of the statutes, as affected by 2019 Wisconsin Act 8, is amended to read:

938.34 **(4n)** AFTERCARE SUPERVISION. (intro.) In the case of a juvenile who has received a ~~correctional~~ placement under sub. (4m), designate one of the following to provide aftercare supervision for the juvenile following the juvenile's release from a secured residential care center for children and youth or ~~Type 1~~ juvenile correctional facility:

SECTION 3185. 938.34 (4p) of the statutes is created to read:

938.34 **(4p)** EXTENDED JUVENILE DISPOSITION. In the case of a juvenile who has received a correctional placement under sub. (4m) and is subject to extended juvenile jurisdiction under s. 938.184, place the juvenile under the supervision of the

department of corrections in an extended juvenile disposition upon termination of the order imposing the disposition under sub. (4m) if the court finds that a disposition under sub. (4m) is insufficient to protect public safety or for rehabilitation, considering the juvenile's risk, treatment needs, and age and the severity of the offense. A disposition under this subsection shall be stayed pending the outcome of the hearing under s. 938.369.

SECTION 3186. 938.34 (8) of the statutes is amended to read:

938.34 **(8)** FORFEITURE. Impose a forfeiture based upon a determination that this disposition is in the best interest of the juvenile and the juvenile's rehabilitation. The maximum forfeiture that the court may impose under this subsection for a violation by a juvenile is the maximum amount of the fine that may be imposed on an adult for committing that violation or, if the violation is applicable only to ~~a person under 18 years of age~~ juveniles, $100. The order shall include a finding that the juvenile alone is financially able to pay the forfeiture and shall allow up to 12 months for payment. If the juvenile fails to pay the forfeiture, the court may vacate the forfeiture and order other alternatives under this section; or the court may suspend any license issued under ch. 29 for not less than 30 days nor more than 5 years, or suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not more than 2 years. If the court suspends any license under this subsection, the clerk of the court shall immediately take possession of the suspended license if issued under ch. 29 or, if the license is issued under ch. 343, the court may take possession of, and if possession is taken, shall destroy, the license. The court shall forward to the department ~~which~~ that issued the license a notice of suspension stating that the suspension is for failure to pay a forfeiture imposed by the court, together with any license issued under ch. 29 of which the court takes possession. If the forfeiture is

paid during the period of suspension, the suspension shall be reduced to the time period ~~which~~ that has already elapsed and the court shall immediately notify the department, which shall then, if the license is issued under ch. 29, return the license to the juvenile. Any recovery under this subsection shall be reduced by the amount recovered as a forfeiture for the same act under s. 938.45 (1r) (b).

SECTION 3187. 938.341 of the statutes is amended to read:

938.341 Delinquency adjudication; restriction on firearm possession. Whenever a court adjudicates a juvenile delinquent for an act that if committed by an adult in this state would be a felony or for a violation under s. 175.33 (2), the court shall inform the juvenile of the requirements and penalties under s. 941.29.

SECTION 3188. 938.343 (2) of the statutes is amended to read:

938.343 **(2)** FORFEITURE. Impose a forfeiture not to exceed the maximum forfeiture that may be imposed on an adult for committing that violation or, if the violation is only applicable to ~~a person under 18 years of age~~ juveniles, $50. The order shall include a finding that the juvenile alone is financially able to pay and shall allow up to 12 months for the payment. If a juvenile fails to pay the forfeiture, the court may suspend any license issued under ch. 29 or suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not more than 2 years. The court shall immediately take possession of the suspended license if issued under ch. 29 or, if the license is issued under ch. 343, the court may take possession of, and if possession is taken, shall destroy, the license. The court shall forward to the department ~~which~~ that issued the license the notice of suspension stating that the suspension is for failure to pay a forfeiture imposed by the court, together with any license issued under ch. 29 of which the court takes possession. If the forfeiture is paid during the period of suspension, the court shall immediately notify the

department, which shall, if the license is issued under ch. 29, return the license to the person. Any recovery under this subsection shall be reduced by the amount recovered as a forfeiture for the same act under s. 938.45 (1r) (b).

SECTION 3189. 938.344 (3) of the statutes is amended to read:

938.344 **(3)** PROSECUTION IN ADULT COURT. If the juvenile alleged to have committed the violation is within 3 months of ~~his or her 17th birthday~~ becoming an adult, the court assigned to exercise jurisdiction under this chapter and ch. 48 may, at the request of the district attorney or on its own motion, dismiss the citation without prejudice and refer the matter to the district attorney for prosecution under s. 125.07 (4). The juvenile is entitled to a hearing only on the issue of his or her age. This subsection does not apply to violations under s. 961.573 (2), 961.574 (2), or 961.575 (2) or a local ordinance that strictly conforms to one of those statutes.

SECTION 3190. 938.35 (1m) of the statutes is amended to read:

938.35 **(1m)** FUTURE CRIMINAL PROCEEDINGS BARRED. Disposition by the court assigned to exercise jurisdiction under this chapter and ch. 48 of any allegation under s. 938.12 or 938.13 (12) shall bar any future proceeding on the same matter in criminal court when the juvenile ~~attains 17 years of age~~ becomes an adult. This subsection does not affect proceedings in criminal court that have been transferred under s. 938.18.

SECTION 3191. 938.355 (2) (b) 2. of the statutes is amended to read:

938.355 **(2)** (b) 2. If the juvenile is placed outside the home under s. 938.34 (3) ~~or (4d)~~, the name of the place or facility, including transitional placements, where the juvenile shall be cared for or treated, except that if the placement is a foster home and the name and address of the foster parent is not available at the time of the order, the name and address of the foster parent shall be furnished to the court and the

parent within 21 days after the order. If, after a hearing on the issue with due notice to the parent or guardian, the court finds that disclosure of the identity of the foster parent would result in imminent danger to the juvenile or the foster parent, the court may order the name and address of the prospective foster parents withheld from the parent or guardian.

SECTION 3192. 938.355 (2) (b) 2m. of the statutes is amended to read:

938.355 **(2)** (b) 2m. If the juvenile is placed outside the home under s. 938.34 (4m) under supervision of a county department, the name of the county department that will provide supervision and determine placement for the juvenile.

SECTION 3193. 938.355 (2) (b) 6. of the statutes is amended to read:

938.355 **(2)** (b) 6. If the juvenile is placed outside the home, a finding that continued placement of the juvenile in his or her home would be contrary to the welfare of the juvenile or, if the juvenile has been adjudicated delinquent and is placed outside the home under s. 938.34 (3) (a), (c), (cm), or (d) ~~or (4d)~~, a finding that the juvenile's current residence will not safeguard the welfare of the juvenile or the community due to the serious nature of the act for which the juvenile was adjudicated delinquent. The court order shall also contain a finding as to whether the county department or the agency primarily responsible for providing services under a court order has made reasonable efforts to prevent the removal of the juvenile from the home, while assuring that the juvenile's health and safety are the paramount concerns, unless the court finds that any of the circumstances under sub. (2d) (b) 1. to 4. applies, and, if a permanency plan has previously been prepared for the juvenile, a finding as to whether the county department or agency has made reasonable efforts to achieve the permanency goal of the juvenile's permanency plan, including, if appropriate, through an out–of–state placement. The court shall make the findings

specified in this subdivision on a case–by–case basis based on circumstances specific to the juvenile and shall document or reference the specific information on which those findings are based in the court order. A court order that merely references this subdivision without documenting or referencing that specific information in the court order or an amended court order that retroactively corrects an earlier court order that does not comply with this subdivision is not sufficient to comply with this subdivision.

SECTION 3194. 938.355 (2) (b) 6d. of the statutes is created to read:

938.355 **(2)** (b) 6d. Except as provided in par. (cd), if the juvenile is placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, a finding as to each of the following, the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment:

a. Whether the needs of the juvenile can be met through placement in a foster home.

b. Whether placement of the juvenile in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675 provides the most effective and appropriate level of care for the juvenile in the least restrictive environment.

c. Whether the placement is consistent with the short–term and long–term goals for the juvenile, as specified in the permanency plan.

d. Whether the court approves or disapproves the placement.

SECTION 3195. 938.355 (2) (b) 6m. of the statutes is amended to read:

938.355 **(2)** (b) 6m. If the juvenile is placed outside the home in a placement under s. 938.34 (3) ~~or (4d)~~ recommended by the agency designated under s. 938.33 (1), a statement that the court approves the placement recommended by the agency or, if the juvenile is placed outside the home in a placement other than a placement recommended by that agency, a statement that the court has given bona fide consideration to the recommendations made by the agency and all parties relating to the juvenile's placement.

SECTION 3196. 938.355 (2) (b) 6o. of the statutes is created to read:

938.355 **(2)** (b) 6o. If the juvenile is placed under the supervision of the department of corrections under s. 938.34 (4p), a finding that a disposition under s. 938.34 (4m) is insufficient to protect public safety or for rehabilitation, considering the juvenile's risk, treatment needs, and age and the severity of the offense.

SECTION 3197. 938.355 (2) (cd) of the statutes is created to read:

938.355 **(2)** (cd) If the results of the standardized assessment and recommendation of the qualified individual who conducted the standardized assessment are required but not available at the time of the order, the court shall defer making the findings under par. (b) 6d. as provided in this paragraph. No later than 60 days after the date on which the placement was made, the court shall issue an order making the findings under par. (b) 6d.

SECTION 3198. 938.355 (4) (b) of the statutes is renumbered 938.355 (4) (b) 1. and amended to read:

938.355 **(4)** (b) 1. Except as provided in s. 938.368, an order under s. 938.34 (4d) or (4m) made before the juvenile attains 18 years of age may apply for up to 2 years after the date on which the order is granted or until the juvenile's ~~18th~~ 19th birthday, whichever is earlier, unless the court specifies a shorter period of time or the court

terminates the order sooner. If the order does not specify a termination date, it shall apply for one year after the date on which the order is granted or until the juvenile's ~~18th~~ 19th birthday, whichever is earlier, unless the court terminates the order sooner. ~~Except as provided in s. 938.368, an order under s. 938.34 (4h) made before the juvenile attains 18 years of age shall apply for 5 years after the date on which the order is granted, if the juvenile is adjudicated delinquent for committing a violation of s. 943.10 (2) or for committing an act that would be punishable as a Class B or C felony if committed by an adult, or until the juvenile reaches 25 years of age, if the juvenile is adjudicated delinquent for committing an act that would be punishable as a Class A felony if committed by an adult.~~

2. Except as provided in s. 938.368, an extension of an order under s. 938.34 (4d), ~~(4h),~~ (4m), or (4n) made before the juvenile ~~attains 17 years of age~~ becomes an adult shall terminate at the end of one year after the date on which the order is granted unless the court specifies a shorter period of time or the court terminates the order sooner.

4. No extension under s. 938.365 of an original dispositional order under s. 938.34 (4d), ~~(4h),~~ (4m), or (4n) may be granted for a juvenile who ~~is 17 years of age or older when~~ becomes an adult by the time the original dispositional order terminates.

SECTION 3199. 938.355 (4) (b) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

938.355 **(4)** (b) 1. Except as provided in s. 938.368, an order under s. 938.34 ~~(4d) or~~ (4m) made before the juvenile attains 18 years of age may apply for up to 2 years after the date on which the order is granted or until the juvenile's 19th birthday, whichever is earlier, unless the court specifies a shorter period of time or the court

terminates the order sooner. If the order does not specify a termination date, it shall apply for one year after the date on which the order is granted or until the juvenile's 19th birthday, whichever is earlier, unless the court terminates the order sooner.

2. Except as provided in s. 938.368, an extension of an order under s. 938.34 ~~(4d),~~ (4m)~~,~~ or (4n) made before the juvenile becomes an adult shall terminate at the end of one year after the date on which the order is granted unless the court specifies a shorter period of time or the court terminates the order sooner.

4. No extension under s. 938.365 of an original dispositional order under s. 938.34 ~~(4d),~~ (4m)~~,~~ or (4n) may be granted for a juvenile who becomes an adult by the time the original dispositional order terminates.

SECTION 3200. 938.355 (4) (b) 5. of the statutes is created to read:

938.355 **(4)** (b) 5. An order under ss. 938.34 (4p) and 938.369 (3) shall terminate on the juvenile's 23rd birthday, or, if the juvenile was convicted of a violation or attempted violation of s. 940.01, the juvenile's 25th birthday unless the court specifies a shorter period of time or the court terminates the order sooner.

SECTION 3201. 938.355 (4m) (a) of the statutes is amended to read:

938.355 **(4m)** (a) A juvenile who has been adjudged delinquent under s. 48.12, 1993 stats., or s. 938.12 may, on ~~attaining 17 years of age~~ becoming an adult, petition the court to expunge the court's record of the juvenile's adjudication. Subject to par. (b), the court may expunge the record if the court determines that the juvenile has satisfactorily complied with the conditions of his or her dispositional order and that the juvenile will benefit from, and society will not be harmed by, the expungement.

SECTION 3202. 938.355 (6) (a) 1. of the statutes is amended to read:

938.355 **(6)** (a) 1. Except as provided in ~~subd.~~ subds. 3. and 4., if a juvenile who has been adjudged delinquent or to have violated a civil law or ordinance, other than

an ordinance enacted under s. 118.163 (1m) or (2), violates a condition specified in sub. (2) (b) 7., the court may impose on the juvenile any of the sanctions specified in par. (d).

SECTION 3203. 938.355 (6) (a) 4. of the statutes is created to read:

938.355 **(6)** (a) 4. The court may only place a juvenile in a juvenile detention facility or juvenile portion of a county jail under subd. 1. if all of the following apply:

a. The court finds that the juvenile poses a threat to public safety.

b. The underlying offense for which the juvenile court order was imposed is not a status offense.

SECTION 3204. 938.355 (6) (d) 1. of the statutes is renumbered 938.355 (6) (d) 1. (intro.) and amended to read:

938.355 **(6)** (d) 1. (intro.) Placement of the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department of corrections by rule or in a place of nonsecure custody, for not more than 10 days and the provision of educational services consistent with his or her current course of study during the period of placement. The juvenile shall be given credit against the period of detention or nonsecure custody imposed under this subdivision for all time spent in secure detention in connection with the course of conduct for which the detention or nonsecure custody was imposed. If the court orders placement of the juvenile in a place of nonsecure custody under the supervision of the county department, the court shall order the juvenile into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and shall assign the county department primary responsibility for providing services to the juvenile. A court may order placement of a juvenile in a

juvenile detention facility or juvenile portion of a county jail under this subdivision only if all of the following apply:

SECTION 3205. 938.355 (6) (d) 1. a. and b. of the statutes are created to read:

938.355 **(6)** (d) 1. a. The court finds that the juvenile poses a threat to public safety.

b. The underlying offense for which the dispositional order was imposed is not a status offense.

SECTION 3206. 938.355 (6d) (a) 1. of the statutes is amended to read:

938.355 **(6d)** (a) 1. Notwithstanding ss. 938.19 to 938.21, but subject to subds. 2g., 2m., 2p., and 2r., if a juvenile who has been adjudged delinquent violates a condition specified in sub. (2) (b) 7., the juvenile's caseworker or any other person authorized to provide or providing intake or dispositional services for the court under s. 938.067 or 938.069 may, without a hearing, take the juvenile into custody and place the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department of corrections by rule or in a place of nonsecure custody designated by that person for not more than 72 hours while the alleged violation and the appropriateness of a sanction under sub. (6) are being investigated.

SECTION 3207. 938.355 (6d) (a) 2. of the statutes is amended to read:

938.355 **(6d)** (a) 2. Notwithstanding ss. 938.19 to 938.21, but subject to subds. 2g., 2m., 2p., and 2r., if a juvenile who has been adjudged delinquent violates a condition specified in sub. (2) (b) 7., the juvenile's caseworker or any other person authorized to provide or providing intake or dispositional services for the court under s. 938.067 or 938.069 may, without a hearing, take the juvenile into custody and place the juvenile in a juvenile detention facility or juvenile portion of a county jail that

meets the standards promulgated by the department of corrections by rule or in a place of nonsecure custody designated by that person for not more than 72 hours as a consequence of that violation. A person who takes a juvenile into custody under this subdivision shall permit the juvenile to make a written or oral statement concerning the possible placement of the juvenile and the course of conduct for which the juvenile was taken into custody. A person designated by the court or county department who is employed in a supervisory position by a person authorized to provide or providing intake or dispositional services under s. 938.067 or 938.069 shall review that statement and either approve the placement, modify the terms of the placement, or order the juvenile to be released from custody.

SECTION 3208. 938.355 (6d) (a) 2p. of the statutes is created to read:

938.355 **(6d)** (a) 2p. A court may only order placement of a juvenile in a juvenile detention facility or juvenile portion of a county jail under under subd. 1. or 2. if all of the following apply:

a. The court finds that the juvenile poses a threat to public safety.

b. The underlying offense for which the delinquency order was imposed is not a status offense.

SECTION 3209. 938.355 (6d) (b) 1. of the statutes is amended to read:

938.355 **(6d)** (b) 1. Notwithstanding ss. 938.19 to 938.21, but subject to subds. 2g., 2m., 2p., and 2r., if a juvenile who is on aftercare supervision violates a condition of that supervision, the juvenile's caseworker or any other person authorized to provide or providing intake or dispositional services for the court under s. 938.067 or 938.069 may, without a hearing, take the juvenile into custody and place the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department of corrections by rule or in a place of

nonsecure custody designated by that person for not more than 72 hours while the alleged violation and the appropriateness of revoking the juvenile's aftercare status are being investigated.

SECTION 3210. 938.355 (6d) (b) 2. of the statutes is amended to read:

938.355 **(6d)** (b) 2. Notwithstanding ss. 938.19 to 938.21, but subject to subds. 2g., 2m., 2p., and 2r., if a juvenile who is on aftercare supervision violates a condition of that supervision, the juvenile's caseworker or any other person authorized to provide or providing intake or dispositional services for the court under s. 938.067 or 938.069 may, without a hearing, take the juvenile into custody and place the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department of corrections by rule or in a place of nonsecure custody designated by that person for not more than 72 hours as a consequence of that violation. A person who takes a juvenile into custody under this subdivision shall permit the juvenile to make a written or oral statement concerning the possible placement of the juvenile and the course of conduct for which the juvenile was taken into custody. A person designated by the court or the county department who is employed in a supervisory position by a person authorized to provide or providing intake or dispositional services under s. 938.067 or 938.069 shall review that statement and either approve the placement of the juvenile, modify the terms of the placement, or order the juvenile to be released from custody.

SECTION 3211. 938.355 (6d) (b) 2p. of the statutes is created to read:

938.355 **(6d)** (b) 2p. A court may only order placement of a juvenile in a juvenile detention facility or juvenile portion of a county jail under under subd. 1. or 2. if all of the following apply:

a. The court finds that the juvenile poses a threat to public safety.

b. The underlying offense for which the aftercare supervision was imposed is not a status offense.

SECTION 3212. 938.355 (6m) (a) 1g. of the statutes is amended to read:

938.355 **(6m)** (a) 1g. Placement of the juvenile in ~~a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department of corrections by rule or in~~ a place of nonsecure custody, for not more than 10 days and the provision of educational services consistent with his or her current course of study during the period of placement. The juvenile shall be given credit against the period of ~~detention or~~ nonsecure custody imposed under this subdivision for all time spent in secure detention in connection with the course of conduct for which the ~~detention or~~ nonsecure custody was imposed. ~~The use of placement in a juvenile detention facility or in a juvenile portion of a county jail as a sanction under this subdivision is subject to the adoption of a resolution by the county board of supervisors under s. 938.06 (5) authorizing the use of those placements as a sanction.~~ If the court orders placement of the juvenile in a place of nonsecure custody under the supervision of the county department, the court shall order the juvenile into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and shall assign the county department primary responsibility for providing services to the juvenile.

SECTION 3213. 938.357 (1) (am) 1. of the statutes is amended to read:

938.357 **(1)** (am) 1. Except as provided in par. (c), the person or agency primarily responsible for implementing the dispositional order, the district attorney, or the corporation counsel may request a change in placement under this subsection by causing written notice of the proposed change in placement to be sent to the juvenile, the juvenile's counsel or guardian ad litem, the parent, guardian, and legal

custodian of the juvenile, and any foster parent or other physical custodian described in s. 48.62 (2) of the juvenile. If the request is for a change in placement under sub. (3), notice shall be sent to the entity that operates the secured residential care center for children and youth or ~~Type 1~~ juvenile correctional facility where placement is proposed. If the juvenile is an Indian juvenile who has been removed from the home of his or her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), written notice shall also be sent to the Indian juvenile's Indian custodian and tribe. The notice shall contain the name and address of the new placement, the reasons for the change in placement, a statement describing why the new placement is preferable to the present placement, and a statement of how the new placement satisfies objectives of the treatment plan or permanency plan ordered by the court. The person sending the notice shall file the notice with the court on the same day that the notice is sent.

SECTION 3214. 938.357 (1) (am) 1. of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

938.357 **(1)** (am) 1. Except as provided in par. (c), the person or agency primarily responsible for implementing the dispositional order, the district attorney, or the corporation counsel may request a change in placement under this subsection by causing written notice of the proposed change in placement to be sent to the juvenile, the juvenile's counsel or guardian ad litem, the parent, guardian, and legal custodian of the juvenile, and any foster parent or other physical custodian described in s. 48.62 (2) of the juvenile. If the request is for a change in placement under sub. (3), notice shall be sent to the entity that operates the secured residential care center for children and youth or juvenile correctional facility where placement is proposed. If the juvenile is an Indian juvenile who has been removed from the home of his or

her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), written notice shall also be sent to the Indian juvenile's Indian custodian and tribe. The notice shall contain the name and address of the new placement, the reasons for the change in placement, whether the new placement is certified under s. 48.675, a statement describing why the new placement is preferable to the present placement, and a statement of how the new placement satisfies objectives of the treatment plan or permanency plan ordered by the court. The person sending the notice shall file the notice with the court on the same day that the notice is sent.

SECTION 3215. 938.357 (1) (am) 1m. and 1r. of the statutes are created to read:

938.357 **(1)** (am) 1m. If the proposed change in placement would place the juvenile in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the person or agency primarily responsible for implementing the dispositional order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including all of the following, to the court and all persons who are required to receive the notice under subd. 1. no later than time of filing that notice or, if not available by that time, and except as provided under subd. 1r., no later than 10 days after the notice is filed:

a. Whether the proposed placement will provide the juvenile with the most effective and appropriate level of care in the least restrictive environment.

b. How the placement is consistent with the short–term and long–term goals for the juvenile, as specified in the permanency plan.

c. The reasons why the juvenile's needs can or cannot be met by the juvenile's family or in a foster home. A shortage or lack of foster homes is not an acceptable reason for determining that the juvenile's needs cannot be met in a foster home.

d. The placement preference of the family permanency team under s. 938.38 (3m) and, if that preference is not the placement recommended by the qualified individual, why that recommended placement is not preferred.

1r. If, for good cause shown, the information required to be submitted under subd. 1m. is not available by the deadline under that subdivision, the person or agency primarily responsible for implementing the dispositional order shall submit it no later than 30 days after the date on which the placement is made.

SECTION 3216. 938.357 (1) (c) 1r. of the statutes is created to read:

938.357 **(1)** (c) 1r. If the proposed change in placement would place the juvenile in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the person or agency primarily responsible for implementing the dispositional order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including the information specified in sub. (1) (am) 1m., to the court and to the party that requested the change in placement under subd. 1. no later than the filing of that request or, if not available by that time, no later than 30 days after the date on which the placement was made.

SECTION 3217. 938.357 (2) (a) of the statutes is renumbered 938.357 (2) (a) 1.

SECTION 3218. 938.357 (2) (a) 2., 3. and 4. of the statutes are created to read:

938.357 **(2)** (a) 2. If the emergency change in placement under subd. 1. results in a juvenile being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the person or agency primarily responsible for implementing the dispositional order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including the

information specified under sub. (1) (am) 1m. with the notice under subd. 1. or, if not available at that time, and except as provided under subd. 3., no later than 10 days after the filing of that notice.

3. If, for good cause shown, the information required to be submitted under subd. 2. is not available by the deadline under that subdivision, the person or agency primarily responsible for implementing the dispositional order shall submit it no later than 30 days after the date on which the placement was made.

4. If the emergency change in placement under subd. 1. results in a juvenile being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the court shall, no later than 60 days after the placement is made, issue an order making the findings under sub. (2v) (a) 5., the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment.

SECTION 3219. 938.357 (2) (b) 5. and 6. of the statutes are created to read:

938.357 **(2)** (b) 5. If the emergency change in placement under this paragraph results in a juvenile being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the person or agency primarily responsible for implementing the dispositional order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including the information specified in sub. (1) (am) 1m., to the court and all persons who are required to receive the notice under subd. 2. that requested the change in placement no later than the filing of that request or, if not available by that time, no later than 30 days after the date on which the placement was made.

6. If the emergency change in placement this paragraph results in a juvenile being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the court shall, no later than 60 days after the placement is made, issue an order making the findings under sub. (2v) (a) 5., the answers to which do not affect whether the placement may be made, after considering the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment.

SECTION 3220. 938.357 (2m) (a) of the statutes is renumbered 938.357 (2m) (a) 1.

SECTION 3221. 938.357 (2m) (a) 2. of the statutes is created to read:

938.357 **(2m)** (a) 2. If the change in placement results in the juvenile being placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the qualified individual shall conduct a standardized assessment and the person or agency primarily responsible for implementing the dispositional order shall submit it and the recommendation of the qualified individual who conducted the standardized assessment, including the information under sub. (1) (am) 1m., to the court and to the party that requested the change in placement under subd. 1. no later than the filing of that request or, if not available by that time, no later than 30 days after the date on which the placement was made.

SECTION 3222. 938.357 (2v) (a) 5. and 6. of the statutes are created to read:

938.357 **(2v)** (a) 5. Except as provided in subd. 6., if the court changes the placement to a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the change–in–placement order shall contain a finding as to each of the following, the answers to which do not affect whether the

placement may be made, after considering the standardized assessment and the recommendation of the qualified individual who conducted the standardized assessment:

a. Whether the needs of the juvenile can be met through placement in a foster home.

b. Whether placement of the juvenile in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675 provides the most effective and appropriate level of care for the juvenile in the least restrictive environment.

c. Whether the placement is consistent with the short–term and long–term goals for the juvenile, as specified in the permanency plan.

d. Whether the court approves or disapproves the placement.

6. If the results of the standardized assessment and recommendation of the qualified individual who conducted the standardized assessment are not available at the time of the order, the court shall defer making the findings under subd. 5. as provided in this paragraph. No later than 60 days after the date on which the placement was made, the court shall issue an order making the findings under subd. 5.

SECTION 3223. 938.357 (3) (a) of the statutes is amended to read:

938.357 **(3)** (a) Subject to subs. (4) ~~(b), (c), and~~ (d) and (5) (e), if the proposed change in placement would involve placing a juvenile in a juvenile correctional facility or a secured residential care center for children and youth, notice shall be given as provided in sub. (1) (am) 1. A hearing shall be held, unless waived by the juvenile, parent, guardian, and legal custodian, before the court makes a decision on the request. The juvenile is entitled to counsel at the hearing, and any party

opposing or favoring the proposed new placement may present relevant evidence and cross–examine witnesses. ~~The~~ Under par. (b), the department of corrections shall have the opportunity to object to a change of placement of a juvenile from a secured residential care center for children and youth operated by a county, Indian tribe, or child welfare agency to a ~~Type 1 juvenile correctional facility under par. (b)~~ secured residential care center for children and youth operated by the department of corrections. The proposed new placement may be approved only if the court finds, on the record, that the conditions set forth in s. 938.34 (4m) (a) and (b) have been met.

SECTION 3224. 938.357 (3) (b) (intro.) of the statutes is amended to read:

938.357 **(3)** (b) (intro.) ~~Notwithstanding s. 938.34 (4m) and subject to par. (c), the court may order placement in a Type 1 juvenile correctional facility operated by the department of corrections for a juvenile who was adjudicated delinquent under s. 938.34 (4m)~~ If the proposed change in placement would involve placing a juvenile who is under the supervision of a county department under s. 938.34 (4m) in a secured residential care center for children and youth operated by the department of corrections, the court may order the placement only if the court finds, after a hearing under this section, that any of the following apply:

SECTION 3225. 938.357 (3) (b) 1. b. of the statutes is amended to read:

938.357 **(3)** (b) 1. b. The programming available at the proposed ~~Type 1 juvenile correctional facility~~ secured residential care center for children and youth as of the date of the hearing is able to meet the treatment needs of the juvenile.

SECTION 3226. 938.357 (3) (c) of the statutes is amended to read:

938.357 **(3)** (c) ~~Notwithstanding s. 938.34 (4m), upon~~ Upon the recommendation of the department of health services, the court may order the placement of a juvenile who was ~~adjudicated delinquent~~ placed under the

supervision of a county department under s. 938.34 (4m) at the Mendota juvenile treatment center if par. (b) 1. a. to c. are met. A court may not order a placement under this paragraph at the Mendota juvenile treatment center that the department of health services has not approved. A juvenile under the supervision of a county in a secured residential care center for children and youth who is transferred to Mendota juvenile treatment center under this paragraph remains under the supervision of that county. The department of health services shall determine the date for the actual transfer of the juvenile to the Mendota juvenile treatment center, and no change of placement to the Mendota juvenile treatment center may be ordered without the prior agreement of the department of health services to admit the juvenile. No further hearing or court order is necessary for the department of health services to transfer the juvenile back to the custody of the county department.

SECTION 3227. 938.357 (3) (d) of the statutes is amended to read:

938.357 **(3)** (d) A juvenile who is placed in a ~~Type 1~~ juvenile correctional facility under par. (b) or (c) is the financial responsibility of the county department of the county where the juvenile was adjudicated delinquent. The county department shall reimburse the department of corrections at the rate specified by the department of corrections under s. 301.26 (4) (d) 2. ~~or 3., whichever is applicable,~~ for the cost of ~~a~~ the juvenile's care ~~while placed in a Type 1 juvenile correctional facility other than the Mendota juvenile treatment center~~ in a placement under par. (b), and these payments shall be deposited in the appropriation account under s. 20.410 (3) (hm). The county department shall reimburse the department of health services at a rate specified by ~~that department~~ the department of health services for the cost of ~~a~~ the juvenile's care ~~while placed at the Mendota juvenile treatment center~~ in a placement

under par. (c), and these payments shall be deposited in the appropriation account under s. 20.435 (2) (gk).

SECTION 3228. 938.357 (3) (e) of the statutes is amended to read:

938.357 **(3)** (e) A juvenile who is placed ~~in a Type 1 juvenile correctional facility~~ under par. (b) in a secured residential care center for children and youth operated by the department of corrections is under the supervision of the department of corrections. The change of placement order shall designate ~~the department of corrections to provide community supervision or~~ the county department to provide aftercare supervision for the juvenile following the juvenile's release from the ~~Type 1 juvenile correctional facility~~ secured residential care center for children and youth.

SECTION 3229. 938.357 (4) (ab) of the statutes is renumbered 938.357 (4) (ab) (intro.) and amended to read:

938.357 **(4)** (ab) (intro.) In this subsection~~, "operating:~~

1. "Operating entity" means the county department, the Indian tribe, or the child welfare agency, whichever entity operates a secured residential care center for children and youth.

SECTION 3230. 938.357 (4) (ab) 2. of the statutes is created to read:

938.357 **(4)** (ab) 2. "Secured residential care center for children and youth" does not include a secured residential care center for children and youth operated by the department of corrections.

SECTION 3231. 938.357 (4) (am) of the statutes is amended to read:

938.357 **(4)** (am) When the juvenile is placed with the department of corrections, that department may, after an examination under s. 938.50, place the juvenile in a juvenile correctional facility or, with the consent of the operating entity, a secured residential care center for children and youth or on ~~community supervision~~

~~or~~ aftercare supervision, either immediately or after a period of placement in a juvenile correctional facility or a secured residential care center for children and youth. The department of corrections shall send written notice of the change in placement to the parent, guardian, legal custodian, county department designated under s. 938.34 (4n), if any, and committing court. ~~If the department of corrections places a juvenile in a Type 2 juvenile correctional facility operated by a child welfare agency, that department shall reimburse the child welfare agency at the rate established under s. 49.343 that is applicable to the type of placement that the child welfare agency is providing for the juvenile.~~ If the department of corrections places a juvenile in a secured residential care center for children and youth under this paragraph, the department of corrections shall contract with the operating entity for the care and services provided under s. 301.08. A juvenile who is placed in ~~a Type 2 juvenile correctional facility or~~ a secured residential care center for children and youth under this paragraph remains under the supervision of the department of corrections, remains subject to the rules and discipline of that department, and is considered to be in custody, as defined in s. 946.42 (1) (a).

SECTION 3232. 938.357 (4) (b) of the statutes is repealed.

SECTION 3233. 938.357 (4) (c) of the statutes is repealed.

SECTION 3234. 938.357 (4g) (title) of the statutes is amended to read:

938.357 **(4g)** (title) ~~COMMUNITY SUPERVISION OR AFTERCARE~~ AFTERCARE PLAN.

SECTION 3235. 938.357 (4g) (a) of the statutes, as affected by 2019 Wisconsin Act 8, is amended to read:

938.357 **(4g)** (a) Not later than 120 days after the date on which the juvenile is placed in a juvenile correctional facility or a secured residential care center for children and youth, or within 30 days after the date on which the department of

corrections requests the ~~community supervision or~~ aftercare plan, whichever is earlier, the ~~community supervision provider or the~~ aftercare provider designated under s. 938.34 (4n) shall prepare ~~a community supervision or~~ an aftercare plan for the juvenile. ~~If the juvenile is to be placed on aftercare supervision, the~~ The county department designated as the aftercare provider shall submit the aftercare plan to the department of corrections within the applicable period specified in this paragraph, unless the department of corrections waives the period under par. (b).

SECTION 3236. 938.357 (4g) (b) of the statutes is amended to read:

938.357 **(4g)** (b) The department of corrections may waive the period within which ~~a community supervision plan or~~ an aftercare plan must be prepared and submitted under par. (a) if ~~that department~~ the department of corrections anticipates that the juvenile will remain in the juvenile correctional facility or secured residential care center for children and youth for a period exceeding 8 months or if the juvenile is subject to s. 938.183. If the department of corrections waives that period, the designated ~~community supervision or~~ aftercare provider shall prepare the ~~community supervision or~~ aftercare plan within 30 days after the date on which the department of corrections requests the ~~community supervision or~~ aftercare plan.

SECTION 3237. 938.357 (4g) (c) (intro.), 2., 3. and 4. of the statutes are amended to read:

938.357 **(4g)** (c) (intro.) ~~A community supervision or~~ An aftercare plan shall include all of the following:

2. The conditions, if any, under which the juvenile's ~~community supervision or~~ aftercare status may be revoked.

3. Services or programming to be provided to the juvenile while on ~~community supervision or~~ aftercare supervision.

4. The estimated length of time that ~~community supervision and services or~~ aftercare supervision and services shall be provided to the juvenile.

SECTION 3238. 938.357 (4g) (d) of the statutes is amended to read:

938.357 **(4g)** (d) A juvenile may be released from a juvenile correctional facility or a secured residential care center for children and youth whether or not ~~a community supervision or~~ an aftercare plan has been prepared under this subsection.

SECTION 3239. 938.357 (4m) of the statutes is amended to read:

938.357 **(4m)** RELEASE TO ~~COMMUNITY SUPERVISION OR~~ AFTERCARE SUPERVISION. The department of corrections ~~shall try to release a juvenile to community supervision and the~~ or the county department with supervision of a juvenile shall try to release the juvenile to aftercare supervision under sub. (4) within 30 days after the date on which the department of corrections or county department determines the juvenile is eligible for the release.

SECTION 3240. 938.357 (5) (title) of the statutes is amended to read:

938.357 **(5)** (title) REVOCATION OF ~~COMMUNITY SUPERVISION OR~~ AFTERCARE SUPERVISION.

SECTION 3241. 938.357 (5) (a) of the statutes is amended to read:

938.357 **(5)** (a) ~~If a juvenile has been placed on community supervision, the department of corrections may revoke the community supervision status of that juvenile as provided in this subsection.~~ If a juvenile has been placed on aftercare supervision, the county department that has been designated as a juvenile's aftercare provider may revoke the aftercare status of that juvenile as provided in this

subsection. Prior notice of a change in placement under sub. (1) (am) 1. is not required.

SECTION 3242. 938.357 (5) (b) of the statutes is amended to read:

938.357 **(5)** (b) ~~A juvenile on community supervision status may be taken into custody only as provided in ss. 938.19 to 938.21 or 938.533 (3) (a).~~ A juvenile on aftercare status may be taken into custody only as provided in ss. 938.19 to 938.21 or 938.355 (6d) (b).

SECTION 3243. 938.357 (5) (d) of the statutes is amended to read:

938.357 **(5)** (d) A hearing on the revocation shall be conducted by the division of hearings and appeals in the department of administration within 30 days after the juvenile is taken into custody for an alleged violation of a condition of the juvenile's ~~community supervision or~~ aftercare supervision. This period may be waived only upon the agreement of the ~~community supervision or~~ aftercare provider, the juvenile, and the juvenile's counsel.

SECTION 3244. 938.357 (5) (e) of the statutes is amended to read:

938.357 **(5)** (e) If the hearing examiner finds that the juvenile has violated a condition of ~~community supervision or~~ aftercare supervision, the hearing examiner shall determine whether confinement in a juvenile correctional facility or a secured residential care center for children and youth is necessary to protect the public, to provide for the juvenile's rehabilitation, or to not depreciate the seriousness of the violation.

SECTION 3245. 938.357 (5) (g) of the statutes is amended to read:

938.357 **(5)** (g) The department of corrections shall promulgate rules setting standards to be used by a hearing examiner to determine whether to revoke a juvenile's ~~community supervision or~~ aftercare status. The standards shall specify

that the burden is on the ~~department of corrections or~~ county department seeking revocation to show by a preponderance of the evidence that the juvenile violated a condition of ~~community supervision or~~ aftercare supervision.

SECTION 3246. 938.357 (5d) of the statutes is created to read:

938.357 **(5d)** REVOCATION OF EXTENDED JUVENILE PROBATION AND EXTENDED JUVENILE SUPERVISION. Notwithstanding ss. 973.10 (2) and 301.113 (9), if a juvenile who is subject to an extended juvenile disposition under ss. 938.34 (4p) and 938.369 (3) and is placed on extended juvenile probation or extended juvenile supervision violates a condition of probation or extended supervision, the department of corrections may initiate a revocation proceeding before the division of hearings and appeals in the department of administration. A hearing examiner for the division shall conduct an administrative hearing and enter an order either revoking or not revoking probation or extended supervision. An order entered under this subsection shall provide one of the following:

(a) If extended juvenile probation is revoked, order the juvenile to confinement specified in the extended juvenile disposition. If the extended juvenile disposition did not specify a term of confinement, the order shall refer the matter to the court, which shall revise the extended juvenile disposition and order a term of confinement in accordance with s. 938.369 (3) (b) or (c).

(b) If extended juvenile supervision is revoked, order the juvenile to be returned to extended juvenile confinement for the remainder of the extended juvenile disposition entered under s. 938.369 (3). A juvenile returned to confinement under this paragraph remains subject to the department of correction's authority to release the juvenile under s. 301.03 (10) (d) or to discharge the juvenile under s. 938.53.

SECTION 3247. 938.365 (5) (a) of the statutes is amended to read:

938.365 **(5)** (a) Except as provided in s. 938.368, an order under this section that continues the placement of a juvenile in his or her home or that extends an order under s. 938.34 (4d), ~~(4h),~~ (4m), or (4n) or s. 938.34 (4h), 2019 stats., shall be for a specified length of time not to exceed one year after the date on which the order is granted.

SECTION 3248. 938.365 (5) (a) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

938.365 **(5)** (a) Except as provided in s. 938.368, an order under this section that continues the placement of a juvenile in his or her home or that extends an order under s. 938.34 ~~(4d),~~ (4m)~~,~~ or (4n) or s. 938.34 (4d) or (4h), 2019 stats., shall be for a specified length of time not to exceed one year after the date on which the order is granted.

SECTION 3249. 938.365 (7) of the statutes is amended to read:

938.365 **(7)** CHANGES IN PLACEMENT AND TRIAL REUNIFICATIONS NOT PERMITTED. Nothing in this section may be construed to allow any changes in placement, trial reunification, or revocation of ~~community supervision or~~ aftercare supervision. Revocation and other changes in placement may take place only under s. 938.357, and trial reunifications may take place only under s. 938.358.

SECTION 3250. 938.369 of the statutes is created to read:

938.369 Extended juvenile jurisdiction; extended disposition hearing. **(1)** Except as provided under sub. (6), no sooner than a juvenile's 18th birthday and no later than 90 days before the juvenile's 19th birthday, the court shall hold a hearing to determine whether to impose a stayed portion of a disposition entered under s. 938.34 (4p).

(2) The court shall revise the dispositional order and remove the stayed portion of the disposition imposed under 938.34 (4p) unless the court finds by clear and convincing evidence that the disposition under 938.34 (4p) is necessary to protect public safety or for rehabilitation, considering the juvenile's risk and needs at the time of the hearing.

(3) If the court imposes the stayed portion of the disposition under s. 938.34 (4p), the court shall determine the length of the extended juvenile disposition and impose one of the following extended juvenile dispositions:

(a) Place the juvenile on extended juvenile probation under the supervision of the department of corrections on his or her 19th birthday. If the juvenile has been released to aftercare supervision under s. 938.34 (4n) on the date of the hearing, the court shall place the juvenile on probation under this paragraph.

(b) Place the juvenile on extended juvenile confinement in a county jail.

(c) Place the juvenile on extended juvenile confinement in prison followed by a term of extended juvenile supervision.

(4) A disposition imposed under this subsection has the same force and effect as a criminal conviction and may not extend beyond the juvenile's 23rd birthday, or, if the underlying offense was a violation or attempted violation of s. 940.01, the juvenile's 25th birthday.

(5) An extended juvenile disposition imposed under sub. (3) is not a bifurcated sentence under s. 973.01.

(6) If the department of corrections has discharged the juvenile under s. 938.53 prior to the juvenile's 18th birthday or the date of a hearing scheduled under sub. (1), a hearing shall not be held, and the court shall revise the dispositional order and remove the disposition imposed under 938.34 (4p).

SECTION 3251. 938.38 (1) (ag) of the statutes is created to read:

938.38 **(1)** (ag) "Family permanency team" means the team of individuals assembled under sub. (3m) to participate in a juvenile's permanency planning.

SECTION 3252. 938.38 (1) (as) of the statutes is created to read:

938.38 **(1)** (as) "Like–kin" means a person who has a significant emotional relationship with a juvenile or the juvenile's family and to whom any of the following applies:

1. Prior to the juvenile's placement in out–of–home care, the person had an existing relationship with the juvenile or the juvenile's family that is similar to a familial relationship.

2. During the juvenile's placement in out–of–home care, the person developed a relationship with the juvenile or the juvenile's family that is similar to a familial relationship.

SECTION 3253. 938.38 (1) (bp) of the statutes is created to read:

938.38 **(1)** (bp) "Qualified residential treatment program" means a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675.

SECTION 3254. 938.38 (3m) of the statutes is created to read:

938.38 **(3m)** FAMILY PERMANENCY TEAM. If a juvenile is placed in a residential care center for children and youth, group home, or shelter care facility certified under s. 48.675, the agency that placed the juvenile or arranged the placement or the agency assigned primary responsibility for providing services to the juvenile under s. 48.355 (2) (b) 6g. shall invite all of the following to participate in permanency planning and may invite others at the agency's discretion:

(a) All appropriate biological family members, relatives, and like–kin of the juvenile, as determined by the agency.

(b) Appropriate professionals who serve as a resource for the family of the juvenile, such as teachers, medical or mental health providers who have treated the juvenile, or clergy.

(c) Others identified by a juvenile over the age of 14 as provided under sub. (2m).

SECTION 3255. 938.38 (4) (k) of the statutes is created to read:

938.38 **(4)** (k) If the juvenile is placed in a qualified residential treatment program, all of the following:

1. Documentation of reasonable and good faith efforts to identify and include all required individuals on the family permanency team.

2. The contact information for the members of the family permanency team.

3. Information showing that meetings of the family permanency team are held at a time and place convenient for the family to the extent possible.

4. If reunification is the juvenile's permanency goal, information demonstrating that the parent from whom the juvenile was removed provided input on the members of the family permanency team or why that input was not obtained.

5. Information showing that the standardized assessment, as determined by the department, was used to determine the appropriateness of the placement in a qualified residential treatment program

6. The placement preferences of the family permanency team, including a recognition that a juvenile should be placed with his or her siblings unless the court determines that a joint placement would be contrary to the safety or well–being of the juvenile or any of those siblings.

7. If placement preferences of the family permanency team are not the placement recommended by the qualified individual who conducted the standardized assessment, the reasons why these preferences were not recommended.

8. The recommendations of the qualified individual who conducted the standardized assessment, including all of the following:

a. Whether the recommended placement in a qualified residential treatment program is the placement that will provide the juvenile with the most effective and appropriate level of care in the least restrictive environment and how that placement is consistent with the short–term and long–term goals for the juvenile, as specified in the permanency plan.

b. Whether and why the juvenile's needs can or cannot be met by the juvenile's family or in a foster home. A shortage or lack of foster homes is not an acceptable reason for determining that the juvenile's needs cannot be met in a foster home.

9. Documentation of the approval or disapproval of the placement in a qualified residential treatment program by a court, if such a determination has been made.

SECTION 3256. 938.38 (4) (L) of the statutes is created to read:

938.38 **(4)** (L) If the juvenile is a parent or is pregnant, all of the following:

1. A list of the services or programs to be provided to or on behalf of the juvenile to ensure that the juvenile, if pregnant, is prepared and, if a parent, is able to be a parent.

2. The out–of–home care prevention strategy for any juvenile born to the parenting or pregnant juvenile.

SECTION 3257. 938.38 (5) (c) 1. of the statutes is amended to read:

938.38 **(5)** (c) 1. The continuing necessity for and the safety and appropriateness of the placement, subject to par. (cm) and sub. (5m) (c) 4. If the permanency goal of the juvenile's permanency plan is placement of the juvenile in a planned permanent living arrangement described in sub. (4) (fg) 5., the determination under this subdivision shall include an explanation of why the planned permanent living arrangement is the best permanency goal for the juvenile and why, supported by compelling reasons, it continues not to be in the best interests of the juvenile to be returned to his or her home or to be placed for adoption, with a guardian, or with a fit and willing relative.

SECTION 3258. 938.38 (5) (cm) of the statutes is created to read:

938.38 **(5)** (cm) If the juvenile is placed in a qualified residential treatment program, the agency that prepared the permanency plan shall submit to the court specific information showing all of the following, which the court shall consider when determining the continuing necessity for and the safety and appropriateness of the placement:

1. Whether ongoing assessment of the strengths and needs of the juvenile continues to support the determination that the needs of the juvenile cannot be met through placement in a foster home, whether the placement in a qualified residential treatment program provides the most effective and appropriate level of care for the juvenile in the least restrictive environment, and how the placement is consistent with the short–term and long–term goals for the juvenile, as specified in the juvenile's permanency plan.

2. The specific treatment or service needs that will be met for the juvenile in the placement and the length of the time the juvenile is expected to need the treatment or services.

3. The efforts made by the agency to prepare the juvenile to return home or to be placed with a fit and willing relative, a guardian, or an adoptive parent or in a foster home.

SECTION 3259. 938.38 (5) (d) of the statutes is amended to read:

938.38 **(5)** (d) Notwithstanding s. 938.78 (2) (a), the agency that prepared the permanency plan shall, at least 5 days before a review by a review panel, provide to each person appointed to the review panel, the juvenile's parent, guardian, and legal custodian, the person representing the interests of the public, the juvenile's counsel, the juvenile's guardian ad litem, and, if the juvenile is an Indian juvenile who is placed outside the home of his or her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian custodian and tribe a copy of the permanency plan, any information submitted under par. (cm), and any written comments submitted under par. (bm) 1. Notwithstanding s. 938.78 (2) (a), a person appointed to a review panel, the person representing the interests of the public, the juvenile's counsel, the juvenile's guardian ad litem, and, if the juvenile is an Indian juvenile who is placed outside the home of his or her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian custodian and tribe may have access to any other records concerning the juvenile for the purpose of participating in the review. A person permitted access to a juvenile's records under this paragraph may not disclose any information from the records to any other person.

SECTION 3260. 938.38 (5m) (c) 4. of the statutes is created to read:

938.38 **(5m)** (c) 4. If the juvenile is placed in a qualified residential treatment program, the agency that prepared the permanency plan shall present to the court specific information showing all of the following, which the court shall consider when

determining the continuing necessity for and the safety and appropriateness of the placement under sub. (5) (c) 1.:

a. Whether ongoing assessment of the strengths and needs of the juvenile continues to support the determination that the needs of the juvenile cannot be met through placement in a foster home, whether the placement in a qualified residential treatment program provides the most effective and appropriate level of care for the juvenile in the least restrictive environment, and how the placement is consistent with the short–term and long–term goals for the juvenile, as specified in the juvenile's permanency plan.

b. The specific treatment or service needs that will be met for the juvenile in the placement and the length of the time the juvenile is expected to need the treatment or services.

c. The efforts made by the agency to prepare the juvenile to return home or to be placed with a fit and willing relative, a guardian, or an adoptive parent or in a foster home.

SECTION 3261. 938.38 (5m) (d) of the statutes is amended to read:

938.38 **(5m)** (d) At least 5 days before the date of the hearing the agency that prepared the permanency plan shall provide a copy of the permanency plan, any information submitted under par. (cm), and any written comments submitted under par. (c) 1. to the court, to the juvenile's parent, guardian, and legal custodian, to the person representing the interests of the public, to the juvenile's counsel or guardian ad litem, and, if the juvenile is an Indian juvenile who is placed outside the home of his or her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), to the Indian juvenile's Indian custodian and tribe. Notwithstanding s. 938.78 (2) (a), the person representing the interests of the public, the juvenile's counsel or guardian ad litem,

and, if the juvenile is an Indian juvenile who is placed outside the home of his or her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian custodian and tribe may have access to any other records concerning the juvenile for the purpose of participating in the review. A person permitted access to a juvenile's records under this paragraph may not disclose any information from the records to any other person.

SECTION 3262. 938.39 of the statutes is amended to read:

938.39 Disposition by court bars criminal proceeding. Disposition by the court of any violation of state law within its jurisdiction under s. 938.12 bars any future criminal proceeding on the same matter in circuit court when the juvenile ~~reaches the age of 17~~ becomes an adult. This section does not affect criminal proceedings in circuit court that were transferred under s. 938.18.

SECTION 3263. 938.396 (1) (b) 5. of the statutes is amended to read:

938.396 **(1)** (b) 5. The disclosure of information relating to a juvenile ~~10~~ 12 years of age or over who is subject to the jurisdiction of a court of criminal jurisdiction.

SECTION 3264. 938.396 (1) (b) 6. of the statutes is created to read:

938.396 **(1)** (b) 6. The disclosure of information relating to a case in which an extended dispositional order is entered under s. 938.369 (3).

SECTION 3265. 938.396 (2) (a) of the statutes is amended to read:

938.396 **(2)** (a) Records of the court assigned to exercise jurisdiction under this chapter and ch. 48 and of municipal courts exercising jurisdiction under s. 938.17 (2) shall be entered in books or deposited in files kept for that purpose only. Those records shall not be open to inspection or their contents disclosed except by order of the court assigned to exercise jurisdiction under this chapter and ch. 48 or as required or permitted under sub. (2g), (2j), (2m) (b) or (c), or (10).

SECTION 3266. 938.396 (2g) (g) of the statutes is amended to read:

938.396 **(2g)** (g) ~~*Paternity*~~ *Parentage of juvenile.* Upon request of a court having jurisdiction over actions affecting the family, an attorney responsible for support enforcement under s. 59.53 (6) (a) or a party to a paternity proceeding under subch. IX of ch. 767, the party's attorney or the guardian ad litem for the juvenile who is the subject of that proceeding to review or be provided with information from the records of the court assigned to exercise jurisdiction under this chapter and ch. 48 relating to the ~~paternity~~ parentage of a juvenile for the purpose of determining the ~~paternity~~ parentage of the juvenile or for the purpose of rebutting the presumption of paternity under s. ~~891.405,~~ 891.407~~,~~ or the presumption of parentage under s. 891.405 or 891.41, the court assigned to exercise jurisdiction under this chapter and ch. 48 shall open for inspection by the requester its records relating to the ~~paternity~~ parentage of the juvenile or disclose to the requester those records.

SECTION 3267. 938.396 (2g) (k) of the statutes is repealed.

SECTION 3268. 938.396 (2j) of the statutes is created to read:

938.396 **(2j)** *Records of an extended juvenile jurisdiction proceeding.* Subsection (2) does not prohibit disclosure of a record if an extended juvenile dispositional order is entered under s. 938.369 (3).

SECTION 3269. Subchapter IX (title) of chapter 938 [precedes 938.44] of the statutes is amended to read:

CHAPTER 938

SUBCHAPTER IX

JURISDICTION OVER ~~PERSONS 17~~

~~OR OLDER~~ ADULTS

SECTION 3270. 938.44 of the statutes is amended to read:

938.44 Jurisdiction over ~~persons 17 or older~~ adults. The court has jurisdiction over ~~persons 17 years of age or older~~ adults as provided under ss. 938.355 (4), 938.357 (6), 938.365 (5), and 938.45 and as otherwise specified in this chapter.

SECTION 3271. 938.45 (1) (a) of the statutes is amended to read:

938.45 **(1)** (a) If in the hearing of a case of a juvenile alleged to be delinquent under s. 938.12 or in need of protection or services under s. 938.13 it appears that any ~~person 17 years of age or older~~ adult has been guilty of contributing to, encouraging, or tending to cause by any act or omission~~, such~~ that condition of the juvenile, the court may make orders with respect to the conduct of that person in his or her relationship to the juvenile, including orders relating to determining the ability of the person to provide for the maintenance or care of the juvenile and directing when, how, and from where funds for the maintenance or care shall be paid.

SECTION 3272. 938.45 (3) of the statutes is amended to read:

938.45 **(3)** PROSECUTION OF ADULT CONTRIBUTING TO DELINQUENCY OF JUVENILE. If it appears at a court hearing that any ~~person 17 years of age or older~~ adult has violated s. 948.40, the court shall refer the record to the district attorney. This subsection does not prohibit prosecution of violations of s. 948.40 without the prior reference by the court to the district attorney.

SECTION 3273. 938.48 (3) of the statutes is amended to read:

938.48 **(3)** SUPERVISION AND SPECIAL TREATMENT OR CARE. Accept supervision over juveniles transferred to it by the court under ~~s. 938.183, 938.34 (4h), (4m), or (4n), or 938.357 (3) or (4)~~ this chapter, and provide special treatment or care to juveniles when directed by the court. Except as provided in s. 938.505 (2), a court may not direct the department to administer psychotropic medications to juveniles who receive special treatment or care under this subsection.

SECTION 3274. 938.48 (3) of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

938.48 **(3)** SUPERVISION AND SPECIAL TREATMENT OR CARE. Accept supervision over juveniles transferred to it by the court under this chapter and provide special treatment or care to juveniles when directed by the court. Except as provided in s. 938.505 (2), a court may not direct the department to administer psychotropic medications to juveniles who receive special treatment or care under this subsection.

SECTION 3275. 938.48 (4) of the statutes is amended to read:

938.48 **(4)** CARE, TRAINING, AND PLACEMENT. Provide appropriate care and training for juveniles under its supervision under ~~s. 938.183, 938.34 (4h), (4m), or (4n), or 938.357 (3) or (4)~~ this chapter, including serving those juveniles in their own homes, placing them in licensed foster homes or licensed group homes under s. 48.63 or in independent living situations as provided in s. 938.34 (3) (e), contracting for their care by licensed child welfare agencies, or replacing them in juvenile correctional facilities or secured residential care centers for children and youth in accordance with rules promulgated under ch. 227, except that the department may not purchase the educational component of private day treatment programs for a juvenile in its custody unless the department, the school board, as defined in s. 115.001 (7), and the state superintendent of public instruction all determine that an appropriate public education program is not available for the juvenile. Disputes between the department and the school district shall be resolved by the state superintendent of public instruction.

SECTION 3276. 938.48 (4) of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

938.48 **(4)** CARE, TRAINING, AND PLACEMENT. Provide appropriate care and training for juveniles under its supervision under this chapter, including serving those juveniles in their own homes, placing them in licensed foster homes or licensed group homes under s. 48.63 or in independent living situations as provided in s. 938.34 (3) (e), contracting for their care by licensed child welfare agencies, or replacing them in juvenile correctional facilities or secured residential care centers for children and youth in accordance with rules promulgated under ch. 227, except that the department may not purchase the educational component of private day treatment programs for a juvenile in its custody unless the department, the school board, as defined in s. 115.001 (7), and the state superintendent of public instruction all determine that an appropriate public education program is not available for the juvenile. Disputes between the department and the school district shall be resolved by the state superintendent of public instruction.

SECTION 3277. 938.48 (4m) (title) of the statutes is amended to read:

938.48 **(4m)** (title) CONTINUING CARE AND SERVICES FOR JUVENILES ~~OVER 17~~ WHO BECOME ADULTS.

SECTION 3278. 938.48 (4m) (a) of the statutes is amended to read:

938.48 **(4m)** (a) Is ~~at least 17 years of age~~ an adult.

SECTION 3279. 938.48 (4m) (b) of the statutes is amended to read:

938.48 **(4m)** (b) Was under the supervision of the department under ~~s. 938.183, 938.34 (4h), (4m) or (4n) or 938.357 (3) or (4)~~ a court order under this chapter when the person ~~reached 17 years of age~~ became an adult.

SECTION 3280. 938.48 (4m) (b) of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

938.48 **(4m)** (b) Was under the supervision of the department under a court order under this chapter when the person became an adult.

SECTION 3281. 938.48 (5) of the statutes is amended to read:

938.48 **(5)** MORAL AND RELIGIOUS TRAINING. Provide for the moral and religious training of a juvenile under its supervision under ~~s. 938.183, 938.34 (4h), (4m), or (4n), or 938.357 (3) or (4)~~ a court order under this chapter according to the religious beliefs of the juvenile or of the juvenile's parents.

SECTION 3282. 938.48 (5) of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

938.48 **(5)** MORAL AND RELIGIOUS TRAINING. Provide for the moral and religious training of a juvenile under its supervision under a court order under this chapter according to the religious beliefs of the juvenile or of the juvenile's parents.

SECTION 3283. 938.48 (6) of the statutes is amended to read:

938.48 **(6)** EMERGENCY SURGERY. Consent to emergency surgery under the direction of a licensed physician or surgeon for any juvenile under its supervision under s. 938.183, 938.34 ~~(4h),~~ (4m)~~, or (4n),~~ or 938.357 (3) or (4) upon notification by a licensed physician or surgeon of the need for the surgery and if reasonable effort, compatible with the nature and time limitation of the emergency, has been made to secure the consent of the juvenile's parent or guardian.

SECTION 3284. 938.48 (6) of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

938.48 **(6)** EMERGENCY SURGERY. Consent to emergency surgery under the direction of a licensed physician or surgeon for any juvenile under its supervision under s. 938.183, 938.34 (4m), or 938.357 (3) or (4) upon notification by a licensed physician or surgeon of the need for the surgery and if reasonable effort, compatible

with the nature and time limitation of the emergency, has been made to secure the consent of the juvenile's parent or guardian.

SECTION 3285. 938.48 (7) of the statutes is created to read:

938.48 **(7)** SUPERVISION OVER INDIVIDUALS SUBJECT TO EXTENDED JURISDICTION. Accept supervision over individuals transferred to it under s. 938.34 (4p). The department shall promulgate rules for release of such individuals to extended juvenile supervision and for discharge from supervision as provided in s. 938.53.

SECTION 3286. 938.48 (13) of the statutes is amended to read:

938.48 **(13)** ALLOWANCES AND CASH GRANTS. Promulgate rules for the payment of an allowance to juveniles in its institutions and a cash grant to a juvenile being discharged from its institutions or released to ~~community supervision or~~ aftercare supervision.

SECTION 3287. 938.48 (14) of the statutes is amended to read:

938.48 **(14)** SCHOOL-RELATED EXPENSES FOR JUVENILES ~~OVER 17~~ WHO BECOME ADULTS. Pay maintenance, tuition, and related expenses from the appropriation under s. 20.410 (3) (ho) for persons who, when they ~~attained 17 years of age~~ became adults, were students regularly attending a school, college, or university or regularly attending a course of vocational or technical training designed to prepare them for gainful employment, and who upon ~~attaining that age~~ becoming adults were under the supervision of the department under ~~s. 938.183, 938.34 (4h), (4m), or (4n), or 938.357 (3) or (4)~~ this chapter as a result of a judicial decision.

SECTION 3288. 938.48 (14) of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

938.48 **(14)** SCHOOL-RELATED EXPENSES FOR JUVENILES OVER 17. Pay maintenance, tuition, and related expenses from the appropriation under s. 20.410 (3) (ho) for persons who, when they attained 17 years of age, were students regularly attending a school, college, or university or regularly attending a course of vocational or technical training designed to prepare them for gainful employment, and who upon attaining that age were under the supervision of the department under this chapter as a result of a judicial decision.

SECTION 3289. 938.49 (2) (b) of the statutes is amended to read:

938.49 **(2)** (b) Notify the juvenile's last school district or, if the juvenile was last enrolled in a private school participating in the program under s. 118.60 or in the program under s. 119.23 ~~or, pursuant to s. 115.999 (3), 119.33 (2) (c) 3., or 119.9002 (3) (c), in a school under the operation and general management of the governing body of a private school~~, the private school ~~or the governing body of a private school,~~ in writing of its obligation under s. 118.125 (4).

SECTION 3290. 938.50 of the statutes is amended to read:

938.50 Examination of juveniles under supervision of department of corrections. The department of corrections shall examine every juvenile who is placed under its supervision to determine the type of placement best suited to the juvenile and to the protection of the public. The examination shall include an investigation of the personal and family history of the juvenile and his or her environment, any physical or mental examinations necessary to determine the type of placement appropriate for the juvenile, and ~~an evaluation under s. 938.533 (3) (a) to determine~~ the appropriate level of supervision and services based on the juvenile's risks and needs. The department of corrections shall screen a juvenile who is examined under this section to determine whether the juvenile is in need of special

treatment or care because of alcohol or other drug abuse, mental illness, or severe emotional disturbance. In making the examination the department of corrections may use any facilities, public or private, that offer assistance in determining the correct placement for the juvenile.

SECTION 3291. 938.505 (1) of the statutes is amended to read:

938.505 **(1)** RIGHTS AND DUTIES OF DEPARTMENT OF CORRECTIONS OR COUNTY DEPARTMENT. When a juvenile is placed under the supervision of the department of corrections under s. 938.183, 938.34 ~~(4h),~~ (4m) or (4n) or 938.357 (3), (4), or (5) (e) or under the supervision of a county department under s. 938.34 (4m) or (4n), the department of corrections or county department, whichever has supervision over the juvenile, shall have the right and duty to protect, train, discipline, treat, and confine the juvenile and to provide food, shelter, legal services, education, and ordinary medical and dental care for the juvenile, subject to the rights, duties, and responsibilities of the guardian of the juvenile and subject to any residual parental rights and responsibilities and the provisions of any court order.

SECTION 3292. 938.505 (1) of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

938.505 **(1)** RIGHTS AND DUTIES OF DEPARTMENT OF CORRECTIONS OR COUNTY DEPARTMENT. When a juvenile is placed under the supervision of the department of corrections under s. 938.183, 938.34 (4m), or 938.357 (3), (4), or (5) (e) or under the supervision of a county department under s. 938.34 (4m) or (4n), the department of corrections or county department, whichever has supervision over the juvenile, shall have the right and duty to protect, train, discipline, treat, and confine the juvenile and to provide food, shelter, legal services, education, and ordinary medical and dental care for the juvenile, subject to the rights, duties, and responsibilities of the

guardian of the juvenile and subject to any residual parental rights and responsibilities and the provisions of any court order.

SECTION 3293. 938.51 (1m) of the statutes is amended to read:

938.51 **(1m)** NOTIFICATION OF LOCAL AGENCIES. The department of corrections or county department, whichever has supervision over a juvenile described in sub. (1), shall determine the local agencies that it will notify under sub. (1) (a) based on the residence of the juvenile's parents or on the juvenile's intended residence specified in the juvenile's ~~community supervision plan or~~ aftercare supervision plan or, if those methods do not indicate the community in which the juvenile will reside following release from a juvenile correctional facility or a secured residential care center for children and youth or from the supervision of the department of corrections or county department, the community in which the juvenile states that he or she intends to reside.

SECTION 3294. 938.52 (1) (d) of the statutes is amended to read:

938.52 **(1)** (d) Institutions, facilities, and services, including forestry or conservation camps, for the training and treatment of juveniles ~~10~~ 12 years of age or older who have been adjudged delinquent.

SECTION 3295. 938.52 (2) (a) of the statutes is amended to read:

938.52 **(2)** (a) In addition to facilities and services under sub. (1), the department of corrections may use other facilities and services under its jurisdiction. The department of corrections may contract for and pay for the use of other public facilities or private facilities for the care and treatment of juveniles in its care. Placement of a juvenile in a private or public facility that is not under the jurisdiction of the department of corrections does not terminate that department's supervision over the juvenile under s. 938.183, 938.34 ~~(4h),~~ (4m), or (4n), or 938.357 (3) or (4).

Placements in institutions for persons with a mental illness or ~~development~~ developmental disability shall be made in accordance with ss. 48.14 (5), 48.63, and 938.34 (6) (am) and ch. 51.

SECTION 3296. 938.52 (2) (a) of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

938.52 **(2)** (a) In addition to facilities and services under sub. (1), the department of corrections may use other facilities and services under its jurisdiction. The department of corrections may contract for and pay for the use of other public facilities or private facilities for the care and treatment of juveniles in its care. Placement of a juvenile in a private or public facility that is not under the jurisdiction of the department of corrections does not terminate that department's supervision over the juvenile under s. 938.183, 938.34 (4m), or 938.357 (3) or (4). Placements in institutions for persons with a mental illness or developmental disability shall be made in accordance with ss. 48.14 (5), 48.63, and 938.34 (6) (am) and ch. 51.

SECTION 3297. 938.52 (2) (c) of the statutes is amended to read:

938.52 **(2)** (c) The department of corrections may inspect any facility it is using and examine and consult with persons under its supervision under s. 938.183, 938.34 ~~(4h),~~ (4m), or (4n), or 938.357 (3) or (4) who have been placed in the facility.

SECTION 3298. 938.52 (2) (c) of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

938.52 **(2)** (c) The department of corrections may inspect any facility it is using and examine and consult with persons under its supervision under s. 938.183, 938.34 (4m), or 938.357 (3) or (4) who have been placed in the facility.

SECTION 3299. 938.53 of the statutes is amended to read:

938.53 Duration of control of department of corrections over delinquents. Except as provided under s. 938.183, a juvenile adjudged delinquent who has been placed under the supervision of the department of corrections under ~~s. 938.183, 938.34 (4h), (4m), or (4n), or 938.357 (3) or (4)~~ a court order under this chapter shall be discharged as soon as that department determines that there is a reasonable probability that departmental supervision is no longer necessary for the rehabilitation and treatment of the juvenile or for the protection of the public.

SECTION 3300. 938.53 of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

938.53 Duration of control of department of corrections over delinquents. Except as provided under s. 938.183, a juvenile adjudged delinquent who has been placed under the supervision of the department of corrections under a court order under this chapter shall be discharged as soon as that department determines that there is a reasonable probability that departmental supervision is no longer necessary for the rehabilitation and treatment of the juvenile or for the protection of the public.

SECTION 3301. 938.533 of the statutes, as affected by 2019 Wisconsin Act 8, is repealed.

SECTION 3302. 938.538 (2) (intro.) of the statutes is amended to read:

938.538 **(2)** PROGRAM ADMINISTRATION AND DESIGN. (intro.) The department of corrections shall administer a serious juvenile offender program for juveniles who have been adjudicated delinquent and ordered to participate in the program under s. 938.34 (4h), 2019 stats. The department of corrections shall design the program to provide all of the following:

SECTION 3303. 938.538 (3) (a) 1. of the statutes is amended to read:

938.538 **(3)** (a) 1. Subject to subd. 1m., placement in a ~~Type 1~~ juvenile correctional facility or a secured residential care center for children and youth operated by the department of corrections or in the Mendota juvenile treatment center.

SECTION 3304. 938.538 (3) (a) 1m. of the statutes is amended to read:

938.538 **(3)** (a) 1m. If the participant has been adjudicated delinquent for committing an act that would be a Class A felony if committed by an adult, placement in a ~~Type 1~~ juvenile correctional facility or a secured residential care center for children and youth until the participant reaches 25 years of age, unless the participant is released sooner, subject to a mandatory minimum period of confinement of not less than one year.

SECTION 3305. 938.538 (3) (a) 2. of the statutes is amended to read:

938.538 **(3)** (a) 2. Intensive or other field supervision, including ~~community supervision under s. 938.533~~ aftercare supervision provided by a county department.

SECTION 3306. 938.538 (3) (b) of the statutes is amended to read:

938.538 **(3)** (b) The department may provide the sanctions under par. (a) in any order, may provide more than one sanction at a time and may return to a sanction that was used previously for a participant. Notwithstanding ss. 938.357~~,~~ and 938.363 ~~and 938.533 (3)~~, a participant is not entitled to a hearing regarding the department's exercise of authority under this subsection unless the department provides for a hearing by rule.

SECTION 3307. 938.538 (4) (a) of the statutes is amended to read:

938.538 **(4)** (a) A participant in the program under this section is under the supervision and control of the department of corrections, is subject to the rules and discipline of that department, and is considered to be in custody, as defined in s.

946.42 (1) (a). ~~Notwithstanding ss. 938.19 to 938.21, if a participant violates a condition of his or her participation in the program under sub. (3) (a) 2. to 9. while placed in a Type 2 juvenile correctional facility the department of corrections may, without a hearing, take the participant into custody and return him or her to placement in a Type 1 juvenile correctional facility or a secured residential care center for children and youth.~~ Any intentional failure of a participant to remain within the extended limits of his or her placement while participating in the serious juvenile offender program or to return within the time prescribed by the administrator of the division of intensive sanctions in the department of corrections is considered an escape under s. 946.42 (3) (c). This paragraph does not preclude a juvenile who has violated a condition of the juvenile's participation in the program under sub. (3) (a) 2. to 9. from being taken into and held in custody under ss. 938.19 to 938.21.

SECTION 3308. 938.538 (4) (b) of the statutes is repealed.

SECTION 3309. 938.538 (5) (a) of the statutes is amended to read:

938.538 **(5)** (a) The office of juvenile offender review in the division of juvenile corrections in the department of corrections may release a participant to ~~community~~ aftercare supervision under s. 301.03 (10) (d) ~~at any time after the participant has completed 2 years of participation in the serious juvenile offender program. Community supervision of the participant shall be provided by the department of corrections~~.

SECTION 3310. 938.539 of the statutes is repealed.

SECTION 3311. 938.54 of the statutes is amended to read:

938.54 Records. The department of corrections shall keep a complete record on each juvenile under its supervision under ~~s. 938.183, 938.34 (4h), (4m), or (4n) or~~

~~938.357 (3) or (4)~~ a court order under this chapter. This record shall include the information received from the court, the date of reception, all available data on the personal and family history of the juvenile, the results of all tests and examinations given the juvenile, and a complete history of all placements of the juvenile while under the supervision of the department of corrections.

SECTION 3312. 938.54 of the statutes, as affected by 2019 Wisconsin Act 8 and 2021 Wisconsin Act .... (this act), is repealed and recreated to read:

938.54 Records. The department of corrections shall keep a complete record on each juvenile under its supervision under a court order under this chapter. This record shall include the information received from the court, the date of reception, all available data on the personal and family history of the juvenile, the results of all tests and examinations given the juvenile, and a complete history of all placements of the juvenile while under the supervision of the department of corrections.

SECTION 3313. 938.57 (3) (title) of the statutes is amended to read:

938.57 **(3)** (title) CONTINUING MAINTENANCE FOR JUVENILES ~~OVER 17~~ WHO BECOME ADULTS.

SECTION 3314. 938.57 (3) (a) (intro.) of the statutes is amended to read:

938.57 **(3)** (a) (intro.) From the reimbursement received under s. 48.569 (1) (d), counties may provide funding for the maintenance of any ~~juvenile~~ person who meets all of the following qualifications:

SECTION 3315. 938.57 (3) (a) 1. of the statutes is amended to read:

938.57 **(3)** (a) 1. Is ~~17 years of age or older~~ an adult.

SECTION 3316. 938.57 (3) (a) 3. of the statutes is amended to read:

938.57 **(3)** (a) 3. Received funding under s. 48.569 (1) (d) immediately prior to ~~his or her 17th birthday~~ becoming an adult.

SECTION 3317. 938.57 (3) (b) of the statutes is amended to read:

938.57 **(3)** (b) The funding provided for the maintenance of a ~~juvenile~~ person under par. (a) shall be in an amount equal to that which the ~~juvenile~~ person would receive under s. 48.569 (1) (d) if the person were a juvenile ~~were 16 years of age~~.

SECTION 3318. 938.59 (1) of the statutes is amended to read:

938.59 **(1)** INVESTIGATION AND EXAMINATION. The county department shall investigate the personal and family history and environment of any juvenile transferred to its legal custody or placed under its supervision under s. 938.34 (2), ~~(4d),~~ (4m), or (4n) and make any physical or mental examinations of the juvenile considered necessary to determine the type of care necessary for the juvenile. The county department shall screen a juvenile who is examined to determine whether the juvenile is in need of special treatment or care because of alcohol or other drug abuse, mental illness, or severe emotional disturbance. The county department shall keep a complete record of the information received from the court, the date of reception, all available data on the personal and family history of the juvenile, the results of all tests and examinations given the juvenile, and a complete history of all placements of the juvenile while in the legal custody or under the supervision of the county department.

SECTION 3319. 938.595 of the statutes is amended to read:

938.595 Duration of control of county departments over delinquents. A juvenile who has been adjudged delinquent and placed under the supervision of a county department under s. 938.34 (2), ~~(4d),~~ (4m), or (4n) shall be discharged as soon as the county department determines that there is a reasonable probability that it is no longer necessary either for the rehabilitation and treatment of the juvenile or for the protection of the public that the county department retain supervision.

SECTION 3320. 938.78 (2) (d) (intro.) of the statutes is amended to read:

938.78 **(2)** (d) (intro.) Paragraph (a) does not prohibit the department of health services or a county department from disclosing information about an individual formerly in the legal custody or under the supervision of that department under s. 48.34 (4m), 1993 stats., or formerly under the supervision of that department or county department under s. 48.34 (4n), 1993 stats., ~~or~~ s. 938.34 (4d), 2019 stats., or s. 938.34 (4m) or (4n) to the department of corrections, if the individual is at the time of disclosure any of the following:

SECTION 3321. 938.78 (2) (m) of the statutes is created to read:

938.78 **(2)** (m) Paragraph (a) does not prohibit an agency from disclosing information about an individual under its supervision pursuant to an order under s. 938.369 (3).

SECTION 3322. 939.50 (3) (d) of the statutes is amended to read:

939.50 **(3)** (d) For a Class D felony, a fine not to exceed $100,000 or imprisonment not to exceed ~~25~~ 20 years, or both.

SECTION 3323. 939.616 (1g) of the statutes is amended to read:

939.616 **(1g)** If a person is convicted of a violation of s. 948.02 (1) (am) or 948.025 (1) (a), notwithstanding s. 973.014 (1g) (a) 1. and 2. and except as provided under s. 973.018, the court may not make an extended supervision eligibility date determination on a date that will occur before the person has served a 25–year term of confinement in prison.

SECTION 3324. 939.62 (2m) (b) (intro.) of the statutes is amended to read:

939.62 **(2m)** (b) (intro.) The actor is a persistent repeater if the offense for which he or she is presently being sentenced was committed after he or she attained the age of 18 and one of the following applies:

SECTION 3325. 939.632 (1) (e) 1. of the statutes is amended to read:

939.632 **(1)** (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09 (1c), 940.19 (2), (4) or (5), 940.21, 940.225 (1), (2) or (3), 940.235, 940.305, 940.31, 940.32, 941.20, 941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), 943.32 (2), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051, 948.055, 948.07, 948.08, 948.085, or 948.30 (2) or under s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies.

SECTION 3326. 939.632 (1) (e) 3. of the statutes is amended to read:

939.632 **(1)** (e) 3. Any misdemeanor under s. 940.19 (1), 940.225 (3m), ~~940.32 (2),~~ 940.42, 940.44, 941.20 (1), 941.23, 941.231, 941.235, or 941.38 (3).

SECTION 3327. 940.203 (1) (c) of the statutes is amended to read:

940.203 **(1)** (c) "Law enforcement officer" ~~means any person who currently is or was employed by the state, by any political subdivision, or as a tribal law enforcement officer for the purpose of detecting and preventing crime and enforcing laws or ordinances and who is authorized to make arrests for violations of the laws or ordinances the person is employed to enforce, whether that enforcement authority extends to all laws or ordinances or is limited to specific laws or ordinances~~ has the meaning given in s. 165.85 (2) (c) and includes a person who formerly was a law enforcement officer under that definition.

SECTION 3328. 941.237 (1) (d) of the statutes is amended to read:

941.237 **(1)** (d) "Handgun" ~~has the meaning given in s. 175.35 (1) (b)~~ means any weapon designed or redesigned, or made or remade, and intended to be fired while held in one hand and to use the energy of an explosive to expel a projectile through a smooth or rifled bore.

SECTION 3329. 941.29 (1m) (dm), (dn) and (do) of the statutes are created to read:

941.29 **(1m)** (dm) The person has been convicted of a misdemeanor under s. 175.33 (2), unless at least 2 years have passed since the conviction.

(dn) The person has been adjudicated delinquent for a violation under s. 175.33 (2), unless at least 2 years have passed since the adjudication.

(do) The person has been found not guilty of a misdemeanor under s. 175.33 (2) by reason of mental disease or defect, unless at least 2 years have passed since the finding.

SECTION 3330. 941.29 (1m) (g) of the statutes is amended to read:

941.29 **(1m)** (g) The person is subject to an order not to possess a firearm under s. 813.123 (5m), 813.124 (2t) or (3), or 813.125 (4m).

SECTION 3331. 941.296 (1) (b) of the statutes is amended to read:

941.296 **(1)** (b) "Handgun" has the meaning given in s. ~~175.35 (1) (b)~~ 941.237 (1) (d).

SECTION 3332. 941.315 (5) of the statutes is amended to read:

941.315 **(5)** (a) Subsection (2) does not apply to a person to whom nitrous oxide is administered for the purpose of providing medical or dental care, if the nitrous oxide is administered by a physician ~~or,~~ dentist, or dental therapist or at the direction or under the supervision of a physician ~~or,~~ dentist, or dental therapist.

(b) Subsection (3) does not apply to the administration of nitrous oxide by a physician ~~or,~~ dentist, or dental therapist, or by another person at the direction or under the supervision of a physician ~~or,~~ dentist, or dental therapist, for the purpose of providing medical or dental care.

(c) Subsection (3) (c) does not apply to the sale to a hospital, health care clinic or other health care organization or to a physician ~~or,~~ dentist, or dental therapist of any object used, designed for use or primarily intended for use in administering nitrous oxide for the purpose of providing medical or dental care.

SECTION 3333. 943.20 (2) (c) of the statutes is amended to read:

943.20 **(2)** (c) "Property of another" includes property in which the actor is a co–owner and property of a partnership of which the actor is a member, unless the actor and the victim are ~~husband and wife~~ married to each other.

SECTION 3334. 943.201 (1) (b) 8. of the statutes is amended to read:

943.201 **(1)** (b) 8. The ~~maiden name~~ surname of an individual's ~~mother~~ parent before marriage if the surname was changed as a result of marriage.

SECTION 3335. 943.205 (2) (b) of the statutes is amended to read:

943.205 **(2)** (b) "Owner" includes a co–owner of the person charged and a partnership of which the person charged is a member, unless the person charged and the victim are ~~husband and wife~~ married to each other.

SECTION 3336. 946.15 of the statutes is created to read:

946.15 Public construction contracts at less than full rate. (1) Any employer, or any agent or employee of an employer, who induces any individual who seeks to be or is employed pursuant to a public contract, as defined in s. 66.0901 (1) (c), or who seeks to be or is employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) to give up, waive, or return any part of the compensation to which that individual is entitled under his or her contract of employment or under the prevailing wage rate determination issued by the department, or who reduces the hourly basic rate of pay normally paid to an

employee for work on a project on which a prevailing wage rate determination has not been issued under s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) during a week in which the employee works both on a project on which a prevailing wage rate determination has been issued and on a project on which a prevailing wage rate determination has not been issued, is guilty of a Class I felony.

(2) Any individual employed pursuant to a public contract, as defined in s. 66.0901 (1) (c), or employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) who gives up, waives, or returns to the employer or agent of the employer any part of the compensation to which the employee is entitled under his or her contract of employment or under the prevailing wage determination issued by the department, or who gives up any part of the compensation to which he or she is normally entitled for work on a project on which a prevailing wage rate determination has not been issued under s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) during a week in which the individual works part–time on a project on which a prevailing wage rate determination has been issued and part–time on a project on which a prevailing wage rate determination has not been issued, is guilty of a Class C misdemeanor.

(3) Any employer or labor organization, or any agent or employee of an employer or labor organization, who induces any individual who seeks to be or is employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) to allow any part of the wages to which that individual is entitled under the prevailing wage rate determination issued by the department or local governmental unit to be deducted from the individual's pay is guilty of a Class I

felony, unless the deduction would be allowed under 29 CFR 3.5 or 3.6 from an individual who is working on a project that is subject to 40 USC 3142.

(4) Any individual employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) who allows any part of the wages to which that individual is entitled under the prevailing wage rate determination issued by the department or local governmental unit to be deducted from his or her pay is guilty of a Class C misdemeanor, unless the deduction would be allowed under 29 CFR 3.5 or 3.6 from an individual who is working on a project that is subject to 40 USC 3142.

SECTION 3337. 946.42 (1) (a) 1. a. of the statutes is amended to read:

946.42 **(1)** (a) 1. a. Actual custody of an institution, including a juvenile correctional facility, as defined in s. 938.02 (10p), a secured residential care center for children and youth, as defined in s. 938.02 (15g), a juvenile detention facility, as defined in s. 938.02 (10r), a Type 2 residential care center for children and youth, as defined in s. 938.02 (19r), 2019 stats., a facility used for the detention of persons detained under s. 980.04 (1), a facility specified in s. 980.065, or a juvenile portion of a county jail.

SECTION 3338. 946.42 (1) (a) 1. f. of the statutes is amended to read:

946.42 **(1)** (a) 1. f. Constructive custody of prisoners and juveniles subject to an order under s. 938.183, 938.34 (4d)~~, (4h),~~ or (4m), or 938.357 (4) or (5) (e) temporarily outside the institution whether for the purpose of work, school, medical care, a leave granted under s. 303.068, a temporary leave or furlough granted to a juvenile, or otherwise.

SECTION 3339. 946.42 (1) (a) 1. f. of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

946.42 **(1)** (a) 1. f. Constructive custody of prisoners and juveniles subject to an order under s. 938.183, 938.34 ~~(4d) or~~ (4m), or 938.357 (4) or (5) (e) temporarily outside the institution whether for the purpose of work, school, medical care, a leave granted under s. 303.068, a temporary leave or furlough granted to a juvenile, or otherwise.

SECTION 3340. 946.42 (1) (a) 2. of the statutes is amended to read:

946.42 **(1)** (a) 2. "Custody" does not include the constructive custody of a probationer, parolee, or person on extended supervision by the department of corrections or a probation, extended supervision, or parole agent or~~, subject to s. 938.533 (3) (a),~~ the constructive custody of a person who has been released to ~~community supervision or~~ aftercare supervision under ch. 938.

SECTION 3341. 946.42 (3) (c) of the statutes is amended to read:

946.42 **(3)** (c) Subject to a disposition under s. 938.34 (4d)~~, (4h),~~ or (4m), to a placement under s. 938.357 (4) or 938.533 (3) (a), or to community supervision or aftercare revocation under s. 938.357 (5) (e).

SECTION 3342. 946.42 (3) (c) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

946.42 **(3)** (c) Subject to a disposition under s. 938.34 ~~(4d) or~~ (4m), to a placement under s. 938.357 (4) ~~or 938.533 (3) (a)~~, or to ~~community supervision or~~ aftercare revocation under s. 938.357 (5) (e).

SECTION 3343. 946.44 (2) (c) of the statutes is amended to read:

946.44 **(2)** (c) "Institution" includes a juvenile correctional facility, as defined in s. 938.02 (10p), a secured residential care center for children and youth, as defined

in s. 938.02 (15g), and a Type 2 residential care center for children and youth, as defined in s. 938.02 (19r), 2019 stats.

SECTION 3344. 946.44 (2) (d) of the statutes is amended to read:

946.44 **(2)** (d) "Prisoner" includes a person ~~who is under the supervision of the department of corrections under s. 938.34 (4h),~~ who is placed in a juvenile correctional facility or a secured residential care center for children and youth under s. 938.183, 938.34 (4m), or 938.357 (4) or (5) (e), or who is placed in a Type 2 residential care center for children and youth under s. 938.34 (4d).

SECTION 3345. 946.44 (2) (d) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

946.44 **(2)** (d) "Prisoner" includes a person who is placed in a juvenile correctional facility or a secured residential care center for children and youth under s. 938.183, 938.34 (4m), or 938.357 (4) or (5) (e)~~, or who is placed in a Type 2 residential care center for children and youth under s. 938.34 (4d)~~.

SECTION 3346. 946.45 (2) (c) of the statutes is amended to read:

946.45 **(2)** (c) "Institution" includes a juvenile correctional facility, as defined in s. 938.02 (10p), a secured residential care center for children and youth, as defined in s. 938.02 (15g), and a Type 2 residential care center for children and youth, as defined in s. 938.02 (19r), 2019 stats.

SECTION 3347. 946.45 (2) (d) of the statutes is amended to read:

946.45 **(2)** (d) "Prisoner" includes a person ~~who is under the supervision of the department of corrections under s. 938.34 (4h),~~ who is placed in a juvenile correctional facility or a secured residential care center for children and youth under s. 938.183, 938.34 (4m) or 938.357 (4) or (5) (e), or who is placed in a Type 2 residential care center for children and youth under s. 938.34 (4d).

SECTION 3348. 946.45 (2) (d) of the statutes, as affected by 2021 Wisconsin Act .... (this act), is amended to read:

946.45 **(2)** (d) "Prisoner" includes a person who is placed in a juvenile correctional facility or a secured residential care center for children and youth under s. 938.183, 938.34 (4m) or 938.357 (4) or (5) (e)~~, or who is placed in a Type 2 residential care center for children and youth under s. 938.34 (4d)~~.

SECTION 3349. 946.49 (1) (intro.) of the statutes is renumbered 946.49 (1) and amended to read:

946.49 **(1)** Whoever, having been released from custody under ch. 969, intentionally fails to comply with the terms of his or her bond is~~:~~ guilty of a Class A misdemeanor.

SECTION 3350. 946.49 (1) (a) and (b) of the statutes are repealed.

SECTION 3351. 946.49 (2) of the statutes is amended to read:

946.49 **(2)** A witness for whom bail has been required under s. 969.01 (3) is guilty of a Class ~~I felony~~ A misdemeanor for failure to appear as provided.

SECTION 3352. 946.50 (intro.) of the statutes is amended to read:

946.50 Absconding. (intro.) Any person who is adjudicated delinquent, but who intentionally fails to appear before the court assigned to exercise jurisdiction under chs. 48 and 938 for his or her dispositional hearing under s. 938.335, and who does not return to that court for a dispositional hearing before ~~attaining the age of 17 years~~ becoming an adult is guilty of the following:

SECTION 3353. 947.20 of the statutes is repealed.

SECTION 3354. 947.21 of the statutes is repealed.

SECTION 3355. 948.01 (1) of the statutes is amended to read:

948.01 **(1)** "Child" means a person who has not attained the age of 18 years~~, except that for purposes of prosecuting a person who is alleged to have violated a state or federal criminal law, "child" does not include a person who has attained the age of 17 years~~.

SECTION 3356. 948.11 (2) (am) (intro.) of the statutes is amended to read:

948.11 **(2)** (am) (intro.) Any ~~person who has attained the age of 17 and~~ adult who, with knowledge of the character and content of the description or narrative account, verbally communicates, by any means, a harmful description or narrative account to a child, with or without monetary consideration, is guilty of a Class I felony if any of the following applies:

SECTION 3357. 948.40 (1) of the statutes is amended to read:

948.40 **(1)** No person may intentionally encourage or contribute to the delinquency of a child. This subsection includes intentionally encouraging or contributing to an act by a child under the age of ~~10~~ 12 which would be a delinquent act if committed by a child ~~10~~ 12 years of age or older.

SECTION 3358. 948.40 (2) of the statutes is amended to read:

948.40 **(2)** No person responsible for the child's welfare may, by disregard of the welfare of the child, contribute to the delinquency of the child. This subsection includes disregard that contributes to an act by a child under the age of ~~10~~ 12 that would be a delinquent act if committed by a child ~~10~~ 12 years of age or older.

SECTION 3359. 948.45 (1) of the statutes is amended to read:

948.45 **(1)** Except as provided in sub. (2), any ~~person 17 years of age or older~~ adult who, by any act or omission, knowingly encourages or contributes to the truancy, as defined under s. 118.16 (1) (c), of a ~~person 17 years of age or under~~ child is guilty of a Class C misdemeanor.

SECTION 3360. 948.60 (2) (d) of the statutes is amended to read:

948.60 **(2)** (d) A ~~person under 17 years of age~~ child who has violated this subsection is subject to the provisions of ch. 938 unless jurisdiction is waived under s. 938.18 ~~or the person is subject to the jurisdiction of a court of criminal jurisdiction under s. 938.183~~.

SECTION 3361. 948.61 (4) of the statutes is amended to read:

948.61 **(4)** A ~~person under 17 years of age~~ child who has violated this section is subject to the provisions of ch. 938, unless jurisdiction is waived under s. 938.18 ~~or the person is subject to the jurisdiction of a court of criminal jurisdiction under s. 938.183~~.

SECTION 3362. 950.04 (1v) (g) of the statutes is amended to read:

950.04 **(1v)** (g) To have reasonable attempts made to notify the victim of hearings or court proceedings, as provided under ss. 302.113 (9g) (g) 2., 302.114 (6), 938.27 (4m) and (6), 938.273 (2), 971.095 (3) ~~and~~, 972.14 (3) (b), and 973.015 (1m) (c).

SECTION 3363. 950.04 (1v) (gm) of the statutes is amended to read:

950.04 **(1v)** (gm) To have reasonable attempts made to notify the victim of petitions for sentence adjustment as provided under s. 973.01 (5m) (d), 973.018 (3) (e), 973.09 (3m), 973.195 (1r) (d), or 973.198.

SECTION 3364. 950.04 (1v) (m) of the statutes is amended to read:

950.04 **(1v)** (m) To provide statements concerning sentencing, disposition, or parole, as provided under ss. 304.06 (1) (e), 938.32 (1) (b) 1g., 938.335 (3m) (ag), ~~and~~ 972.14 (3) (a), and 973.018 (4) (d).

SECTION 3365. 950.04 (1v) (vg) of the statutes is amended to read:

950.04 **(1v)** (vg) To have the department of corrections make a reasonable attempt to notify the victim, pursuant to s. 302.107, of a revocation of parole or of

release to extended supervision under s. 302.11 (7), 302.113 (9), 302.114 (9), or 304.06 (3) ~~or (3g)~~.

SECTION 3366. 950.06 (2) of the statutes is amended to read:

950.06 **(2)** The costs of providing services under sub. (1m) shall be paid for by the county, but the county is eligible to receive reimbursement from the state for not more than 90 percent of the costs incurred in providing those services. The department shall determine the level of services for which a county may be reimbursed. The county board shall file a claim for reimbursement with the department. The department shall reimburse counties under this subsection from the appropriations under s. 20.455 (5) (f), (k), and (kp) and, on a semiannual basis, from the appropriation under s. 20.455 (5) (g).

SECTION 3367. 961.01 (14) of the statutes is renumbered 961.70 (3) and amended to read:

961.70 **(3)** "Marijuana" means all parts of the plants of the genus Cannabis, whether growing or not, with a tetrahydrocannabinols concentration that is greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin~~, including tetrahydrocannabinols~~. "Marijuana" does include the mature stalks if mixed with other parts of the plant, but does not include fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination. "Marijuana" does not include hemp, as defined in s. 94.55 (1).

SECTION 3368. 961.11 (4g) of the statutes is repealed.

SECTION 3369. 961.14 (4) (t) of the statutes is repealed.

SECTION 3370. 961.32 (2m) of the statutes is repealed.

SECTION 3371. 961.34 of the statutes is renumbered 961.75, and 961.75 (title), as renumbered, is amended to read:

961.75 (title) ~~**Controlled substances**~~ **Marijuana therapeutic research.**

SECTION 3372. 961.38 (1n) of the statutes is repealed.

SECTION 3373. 961.41 (1) (h) of the statutes is repealed.

SECTION 3374. 961.41 (1m) (h) of the statutes is repealed.

SECTION 3375. 961.41 (1q) of the statutes is repealed.

SECTION 3376. 961.41 (1r) of the statutes is amended to read:

961.41 **(1r)** DETERMINING WEIGHT OF SUBSTANCE. In determining amounts under s. 961.49 (2) (b), 1999 stats., and subs. (1) and (1m), an amount includes the weight of cocaine, cocaine base, heroin, phencyclidine, lysergic acid diethylamide, psilocin, psilocybin, amphetamine, methamphetamine, ~~tetrahydrocannabinols,~~ synthetic cannabinoids, or substituted cathinones, or any controlled substance analog of any of these substances together with any compound, mixture, diluent, plant material or other substance mixed or combined with the controlled substance or controlled substance analog. ~~In addition, in determining amounts under subs. (1) (h) and (1m) (h), the amount of tetrahydrocannabinols means anything included under s. 961.14 (4) (t) and includes the weight of any marijuana.~~

SECTION 3377. 961.41 (1x) of the statutes is amended to read:

961.41 **(1x)** CONSPIRACY. Any person who conspires, as specified in s. 939.31, to commit a crime under sub. (1) (cm) to ~~(h)~~ (g) or (1m) (cm) to ~~(h)~~ (g) is subject to the applicable penalties under sub. (1) (cm) to ~~(h)~~ (g) or (1m) (cm) to ~~(h)~~ (g).

SECTION 3378. 961.41 (3g) (c) of the statutes is amended to read:

961.41 **(3g)** (c) *Cocaine and cocaine base.* If a person possesses or attempts to possess cocaine or cocaine base, or a controlled substance analog of cocaine or cocaine base, the person shall be fined not more than $5,000 and may be imprisoned for not more than one year in the county jail upon a first conviction and is guilty of a Class I felony for a 2nd or subsequent offense. For purposes of this paragraph, an offense is considered a 2nd or subsequent offense if, prior to the offender's conviction of the offense, the offender has at any time been convicted of any felony or misdemeanor under this chapter or under any statute of the United States or of any state relating to controlled substances, controlled substance analogs, narcotic drugs, ~~marijuana,~~ or depressant, stimulant, or hallucinogenic drugs.

SECTION 3379. 961.41 (3g) (d) of the statutes is amended to read:

961.41 **(3g)** (d) *Certain hallucinogenic and stimulant drugs.* If a person possesses or attempts to possess lysergic acid diethylamide, phencyclidine, amphetamine, 3,4–methylenedioxymethamphetamine, methcathinone, cathinone, N–benzylpiperazine, a substance specified in s. 961.14 (4) (a) to (h), (m) to (q), (sm), (u) to (xb), or (7) (L), psilocin, or psilocybin, or a controlled substance analog of lysergic acid diethylamide, phencyclidine, amphetamine, 3,4–methylenedioxymethamphetamine, methcathinone, cathinone, N–benzylpiperazine, a substance specified in s. 961.14 (4) (a) to (h), (m) to (q), (sm), (u) to (xb), or (7) (L), psilocin, or psilocybin, the person may be fined not more than $5,000 or imprisoned for not more than one year in the county jail or both upon a first conviction and is guilty of a Class I felony for a 2nd or subsequent offense. For purposes of this paragraph, an offense is considered a 2nd or subsequent offense if, prior to the offender's conviction of the offense, the offender has at any time been convicted of any felony or misdemeanor under this chapter or under any statute of

the United States or of any state relating to controlled substances, controlled substance analogs, narcotic drugs, ~~marijuana,~~ or depressant, stimulant, or hallucinogenic drugs.

SECTION 3380. 961.41 (3g) (e) of the statutes is repealed.

SECTION 3381. 961.41 (3g) (em) of the statutes is amended to read:

961.41 **(3g)** (em) *Synthetic cannabinoids.* If a person possesses or attempts to possess a controlled substance specified in s. 961.14 (4) (tb), or a controlled substance analog of a controlled substance specified in s. 961.14 (4) (tb), the person may be fined not more than $1,000 or imprisoned for not more than 6 months or both upon a first conviction and is guilty of a Class I felony for a 2nd or subsequent offense. For purposes of this paragraph, an offense is considered a 2nd or subsequent offense if, prior to the offender's conviction of the offense, the offender has at any time been convicted of any felony or misdemeanor under this chapter or under any statute of the United States or of any state relating to controlled substances, controlled substance analogs, narcotic drugs, ~~marijuana,~~ or depressant, stimulant, or hallucinogenic drugs.

SECTION 3382. 961.443 (2) (title) of the statutes is amended to read:

961.443 **(2)** (title) IMMUNITY FROM CRIMINAL PROSECUTION AND REVOCATION OF PAROLE, PROBATION, OR EXTENDED SUPERVISION.

SECTION 3383. 961.443 (2) of the statutes is renumbered 961.443 (2) (a) and amended to read:

961.443 **(2)** (a) ~~An~~ No aider may have his or her parole, probation, or extended supervision revoked, and an aider is immune from prosecution under s. 961.573 for the possession of drug paraphernalia, under s. 961.41 (3g) for the possession of a controlled substance or a controlled substance analog, and under s. 961.69 (2) for

possession of a masking agent under the circumstances surrounding or leading to his or her commission of an act described in sub. (1) if the aider's attempt to obtain assistance occurs immediately after the aider believes the other person is suffering from the overdose or other adverse reaction.

SECTION 3384. 961.443 (2) (b) of the statutes is created to read:

961.443 **(2)** (b) 1. No aided person person may have his or her parole, probation, or extended supervision revoked under the circumstances surrounding or leading to an aider's commission of an act described in sub. (1) if the aided person completes a treatment program as a condition of his or her parole, probation, or extended supervision or, if a treatment program is unavailable or would be prohibitive financially, agrees to be imprisoned in the county jail for not less than 15 days.

2. If an aided person is subject to prosecution under s. 961.573 for the possession of drug paraphernalia, under s. 961.41 (3g) for the possession of a controlled substance or a controlled substance analog, or under s. 961.69 (2) for possession of a masking agent under the circumstances surrounding or leading to an aider's commission of an act described in sub. (1), the district attorney shall offer the aided person a deferred prosecution agreement that includes the completion of a treatment program. This subdivision does not apply to an aided person who is on parole, probation, or extended supervision and fails to meet a condition under subd. 1.

SECTION 3385. 961.455 (title) of the statutes is amended to read:

961.455 (title) **Using a ~~child~~ minor for illegal drug distribution or manufacturing purposes.**

SECTION 3386. 961.455 (1) of the statutes is amended to read:

961.455 **(1)** Any ~~person who has attained the age of 17 years~~ adult who knowingly solicits, hires, directs, employs, or uses a ~~person who is under the age of 17 years~~ minor for the purpose of violating s. 961.41 (1) is guilty of a Class F felony.

SECTION 3387. 961.455 (2) of the statutes is amended to read:

961.455 **(2)** The knowledge requirement under sub. (1) does not require proof of knowledge of the age of the ~~child~~ minor. It is not a defense to a prosecution under this section that the actor mistakenly believed that the person solicited, hired, directed, employed, or used under sub. (1) had attained the age of 18 years, even if the mistaken belief was reasonable.

SECTION 3388. 961.46 of the statutes is amended to read:

961.46 Distribution to ~~persons under age 18~~ minors. If ~~a person 17 years of age or over~~ an adult violates s. 961.41 (1) by distributing or delivering a controlled substance or a controlled substance analog to a ~~person 17 years of age or under~~ minor who is at least 3 years his or her junior, the applicable maximum term of imprisonment prescribed under s. 961.41 (1) for the offense may be increased by not more than 5 years.

SECTION 3389. 961.47 (1) of the statutes is amended to read:

961.47 **(1)** Whenever any person who has not previously been convicted of any offense under this chapter, or of any offense under any statute of the United States or of any state or of any county ordinance relating to controlled substances or controlled substance analogs, narcotic drugs, ~~marijuana~~ or stimulant, depressant, or hallucinogenic drugs, pleads guilty to or is found guilty of possession or attempted possession of a controlled substance or controlled substance analog under s. 961.41 (3g) (b), the court, without entering a judgment of guilt and with the consent of the accused, may defer further proceedings and place him or her on probation upon terms

and conditions. Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the terms and conditions, the court shall discharge the person and dismiss the proceedings against him or her. Discharge and dismissal under this section shall be without adjudication of guilt and is not a conviction for purposes of disqualifications or disabilities imposed by law upon conviction of a crime, including the additional penalties imposed for 2nd or subsequent convictions under s. 961.48. There may be only one discharge and dismissal under this section with respect to any person.

SECTION 3390. 961.472 (5) (b) of the statutes is amended to read:

961.472 **(5)** (b) The person is participating in ~~a~~ an evidence–based substance ~~abuse~~ use disorder treatment program ~~that meets the requirements of s. 165.95 (3)~~, as determined by the department of justice ~~under s. 165.95 (9) and (10)~~.

SECTION 3391. 961.48 (3) of the statutes is amended to read:

961.48 **(3)** For purposes of this section, a felony offense under this chapter is considered a 2nd or subsequent offense if, prior to the offender's conviction of the offense, the offender has at any time been convicted of any felony or misdemeanor offense under this chapter or under any statute of the United States or of any state relating to controlled substances or controlled substance analogs, narcotic drugs, ~~marijuana~~ or depressant, stimulant, or hallucinogenic drugs.

SECTION 3392. 961.48 (5) of the statutes is amended to read:

961.48 **(5)** This section does not apply if the person is presently charged with a felony under s. 961.41 (3g) (c), (d), ~~(e),~~ or (g).

SECTION 3393. 961.49 (1m) (intro.) of the statutes is amended to read:

961.49 **(1m)** (intro.) If any person violates s. 961.41 (1) (cm), (d), (e), (f), or (g) ~~or (h)~~ by delivering or distributing, or violates s. 961.41 (1m) (cm), (d), (e), (f), or (g)

~~or (h)~~ by possessing with intent to deliver or distribute, cocaine, cocaine base, heroin, phencyclidine, lysergic acid diethylamide, psilocin, psilocybin, amphetamine, methamphetamine, or methcathinone ~~or any form of tetrahydrocannabinols~~ or a controlled substance analog of any of these substances and the delivery, distribution or possession takes place under any of the following circumstances, the maximum term of imprisonment prescribed by law for that crime may be increased by 5 years:

SECTION 3394. 961.571 (1) (a) 7. of the statutes is repealed.

SECTION 3395. 961.571 (1) (a) 11. (intro.) of the statutes is amended to read:

961.571 **(1)** (a) 11. (intro.) Objects used, designed for use or primarily intended for use in ingesting, inhaling, or otherwise introducing ~~marijuana,~~ cocaine, hashish or hashish oil into the human body, such as:

SECTION 3396. 961.571 (1) (a) 11. e. of the statutes is repealed.

SECTION 3397. 961.571 (1) (a) 11. k. and L. of the statutes are repealed.

SECTION 3398. 961.571 (1) (b) 3. of the statutes is created to read:

961.571 **(1)** (b) 3. Any materials used or intended for use in testing for the presence of fentanyl or a fentanyl analog in a substance.

SECTION 3399. 961.573 (2) of the statutes is amended to read:

961.573 **(2)** Any ~~person~~ minor who violates sub. (1) ~~who is under 17 years of age~~ is subject to a disposition under s. 938.344 (2e).

SECTION 3400. 961.574 (2) of the statutes is amended to read:

961.574 **(2)** Any ~~person~~ minor who violates sub. (1) ~~who is under 17 years of age~~ is subject to a disposition under s. 938.344 (2e).

SECTION 3401. 961.575 (1) of the statutes is amended to read:

961.575 **(1)** Any ~~person 17 years of age or over~~ adult who violates s. 961.574 (1) by delivering drug paraphernalia to a ~~person 17 years of age or under~~ minor who is

at least 3 years younger than the violator may be fined not more than $10,000 or imprisoned for not more than 9 months or both.

SECTION 3402. 961.575 (2) of the statutes is amended to read:

961.575 **(2)** Any ~~person~~ minor who violates this section ~~who is under 17 years of age~~ is subject to a disposition under s. 938.344 (2e).

SECTION 3403. 961.575 (3) of the statutes is amended to read:

961.575 **(3)** Any ~~person 17 years of age or over~~ adult who violates s. 961.574 (3) by delivering drug paraphernalia to a ~~person 17 years of age or under~~ minor is guilty of a Class G felony.

SECTION 3404. Subchapter VIII of chapter 961 [precedes 961.70] of the statutes is created to read:

CHAPTER 961

SUBCHAPTER VIII

REGULATION OF MARIJUANA

961.70 Definitions. In this subchapter:

(2) "Legal age" means 21 years of age, except in the case of a qualifying patient, as defined in s. 73.17 (1) (d).

(5) "Permissible amount" means one of the following:

(a) For a person who is a resident of Wisconsin, an amount that does not exceed 2 ounces of usable marijuana.

(b) For a person who is not a resident of Wisconsin, an amount that does not exceed one–quarter ounce of usable marijuana.

(6) "Permittee" has the meaning given under s. 139.97 (10).

(8) "Retail outlet" has the meaning given in s. 139.97 (11).

(9) "Tetrahydrocannabinols concentration" means the percent of delta–9–tetrahydrocannabinol content per dry weight of any part of the plant Cannabis, or per volume or weight of marijuana product, or the combined percent of delta–9–tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant Cannabis regardless of moisture content.

(11) "Underage person" means a person who has not attained the legal age.

(12) "Usable marijuana" has the meaning given in s. 139.97 (13).

961.71 Underage persons prohibitions; penalties. (1) (a) 1. No permittee may sell, distribute, or deliver marijuana to any underage person.

2. No permittee may directly or indirectly permit an underage person to violate sub. (2m).

(b) A permittee that violates par. (a) 1. or 2. may be subject to a forfeiture of not more than $500 and to a suspension of the permittee's permit for an amount of time not to exceed 30 days.

(c) In determining whether a permittee has violated par. (a) 2., all relevant circumstances surrounding the presence of the underage person may be considered. In determining whether a permittee has violated par. (a) 1., all relevant circumstances surrounding the selling, distributing, or delivering of marijuana may be considered. In addition, proof of all of the following facts by the permittee is a defense to any prosecution for a violation under par. (a):

1. That the underage person falsely represented that he or she had attained the legal age.

2. That the appearance of the underage person was such that an ordinary and prudent person would believe that the underage person had attained the legal age.

3. That the action was made in good faith and in reliance on the representation and appearance of the underage person in the belief that the underage person had attained the legal age.

4. That the underage person supported the representation under subd. 1. with documentation that he or she had attained the legal age.

(2) Any underage person who does any of the following is subject to a forfeiture of not less than $250 nor more than $500:

(a) Procures or attempts to procure marijuana from a permittee.

(b) Falsely represents his or her age for the purpose of receiving marijuana from a permittee.

(c) Knowingly possesses or consumes marijuana.

(d) Violates sub. (2m).

(2m) An underage person not accompanied by his or her parent, guardian, or spouse who has attained the legal age may not enter, knowingly attempt to enter, or be on the premises of a retail outlet.

(3) An individual who has attained the legal age and who knowingly does any of the following may be subject to a forfeiture that does not exceed $1,000:

(a) Permits or fails to take action to prevent a violation of sub. (2) (c) on premises owned by the individual or under the individual's control.

(b) Encourages or contributes to a violation of sub. (2) (a).

961.72 Restrictions; penalties. (1) No person except a permittee may sell, or possess with the intent to sell, marijuana. No person may distribute or deliver, or possess with the intent to distribute or deliver, marijuana except a permittee. Any person who violates a prohibition under this subsection is guilty of the following:

(a) Except as provided in par. (b), a Class I felony.

(b) If the individual to whom the marijuana is, or is intended to be, sold, distributed, or delivered has not attained the legal age and the actual or intended seller, distributor, or deliverer is at least 3 years older than the individual to whom the marijuana is, or is intended to be, sold, distributed, or delivered, a Class H felony.

(2) (a) A person that is not a permittee who possesses an amount of marijuana that exceeds the permissible amount but does not exceed 28 grams of marijuana is subject to a civil forfeiture not to exceed $1,000 or imprisonment not to exceed 90 days or both.

(b) A person who is not a permittee who possesses an amount of marijuana that exceeds 28 grams of marijuana:

1. Except as provided in subd. 2., a Class B misdemeanor.

2. A Class I felony if the person has taken action to hide how much marijuana the person possesses and any of the following applies:

a. The person has in place a system that could alert the person if law enforcement approaches an area that contains marijuana if the system exceeds a security system that would be used by a reasonable person in the person's region.

b. The person has in place a method of intimidating individuals who approach an area that contains marijuana if the method exceeds a method that would be used by a reasonable person in the person's region.

c. The person has rigged a system so that any individual approaching the area may be injured or killed by the system.

(c) A person who is not a permittee who possesses more than 6 marijuana plants that have reached the flowering stage at one time is one of the following:

1. Except as provided in subds. 2. and 3., subject to a civil forfeiture not to exceed $1,000 or imprisonment not to exceed 90 days or both.

2. Except as provided in subd. 3., guilty of a Class B misdemeanor if the number of marijuana plants that have reached the flowering stage is more than 12.

3. Guilty of a Class I felony if the number of marijuana plants that have reached the flowering stage is more than 12, if the individual has taken action to hide the number of marijuana plants that have reached the flowering stage, and if any of the following applies:

a. The person has in place a system that could alert the person if law enforcement approaches an area that contains marijuana plants if the system exceeds a security system that would be used by a reasonable person in the person's region.

b. The person has in place a method of intimidating individuals who approach an area that contains marijuana plants if the method exceeds a method that would be used by a reasonable person in the person's region.

c. The person has rigged a system so that any individual approaching the area that contains marijuana plants may be injured or killed by the system.

(d) No person except a a permittee may possess marijuana plants that have reached the flowering stage. Any person who violates this prohibition must apply for a permit under s. 139.972; in addition, the person is one of the following:

1. Except as provided in subds. 2., 3., and 4., subject to a civil forfeiture that is not more than twice the permitting fee under s. 139.972.

2. Except as provided in subds. 3. and 4., subject to a civil forfeiture not to exceed $1,000 or imprisonment not to exceed 90 days or both if the number of marijuana plants that have reached the flowering stage is more than 6.

3. Except as provided in subd. 4., guilty of a Class B misdemeanor if the number of marijuana plants that have reached the flowering stage is more than 12.

4. Guilty of a Class I felony if the number of marijuana plants that have reached the flowering stage is more than 12, if the person has taken action to hide how many marijuana plants that have reached the flowering stage are being cultivated, and if any of the following applies:

a. The person has in place a system that could alert the person if law enforcement approaches an area that contains marijuana plants if the system exceeds a security system that would be used by a reasonable person in the person's region.

b. The person has in place a method of intimidating individuals who approach an area that contains marijuana plants if the method exceeds a method that would be used by a reasonable person in the person's region.

c. The person has rigged a system so that any individual approaching the area that contains marijuana plants may be injured or killed by the system.

(e) Whoever uses or displays marijuana in a public space is subject to a civil forfeiture of not more than $100.

(3) Any person who sells or attempts to sell marijuana via mail, telephone, or Internet is guilty of a Class A misdemeanor.

SECTION 3405. 967.055 (1m) (b) 5. of the statutes is repealed.

SECTION 3406. 967.056 of the statutes is created to read:

967.056 Prosecution of offenses; disorderly conduct. (1) If a person is accused of or charged with disorderly conduct in violation of s. 947.01 or a local ordinance in conformity with s. 947.01, a prosecutor shall offer the person an alternative to prosecution under sub. (2) if all of the following apply:

(a) The accused or charged violation is the person's first violation of s. 947.01.

(b) The person has not previously been convicted of a misdemeanor or felony for conduct that is substantially similar to the accused or charged violation.

(c) The person has not been convicted of a felony in this state or of a violation in another state that would be a felony if committed by an adult in this state in the preceding 3 years.

(2) A prosecutor shall offer one of the following alternatives to prosecution to a qualifying person under sub. (1):

(a) A deferred prosecution agreement that includes restitution, if applicable.

(b) An agreement in which the defendant stipulates to his or her guilt of a noncriminal ordinance violation that includes payment of a forfeiture.

SECTION 3407. 967.11 (1) of the statutes is amended to read:

967.11 **(1)** In this section, "approved ~~substance abuse treatment~~ program" means a ~~substance abuse treatment~~ program that meets the requirements of s. 165.95 (3), as determined by the department of justice under s. 165.95 (9) and (10).

SECTION 3408. 967.11 (2) of the statutes is amended to read:

967.11 **(2)** If a county establishes an approved ~~substance abuse treatment~~ program and the approved program authorizes the use of surveillance and monitoring technology or day reporting programs, a court or a district attorney may require a person participating in ~~an~~ the approved ~~substance abuse treatment~~ program to submit to surveillance and monitoring technology or a day reporting program as a condition of participation.

SECTION 3409. 967.13 of the statutes is created to read:

967.13 Use of restraints on an individual under 18 years of age. (1) Except as provided in sub. (2), instruments of restraint such as handcuffs, chains, irons, or straitjackets, cloth and leather restraints, or other similar items may not

be used on an individual under 18 years of age during a court proceeding and shall be removed prior to the individual being brought into the courtroom to appear before the court.

(2) A court may order an individual under 18 years of age to be restrained during a court proceeding upon the request of the prosecutor if the court finds all of the following:

(a) That the use of restraints is necessary due to one of the following factors:

1. Instruments of restraint are necessary to prevent physical harm to the individual or another person.

2. The individual has a history of disruptive courtroom behavior that has placed others in potentially harmful situations or the individual presents a substantial risk of inflicting physical harm on himself or herself or others as evidenced by recent behavior.

3. There is a reasonable belief that the individual presents a substantial risk of flight from the courtroom.

(b) That there are no less restrictive alternatives to restraints that will prevent flight or physical harm to the individual or another person, including the presence of court personnel, law enforcement officers, or bailiffs.

(3) The court shall provide the attorney of the individual under 18 years of age an opportunity to be heard before the court orders the use of restraints under sub. (2). The court shall make written findings of fact in support of any order to use restraints under sub. (2).

(4) If the court orders an individual under 18 years of age to be restrained under sub. (2), the restraints shall allow the individual limited movement of the hands to read and handle documents and writings necessary to the hearing.

(5) No individual under 18 years of age may be restrained during a court proceeding using fixed restraints attached to a wall, floor, or furniture.

SECTION 3410. 968.14 (title) of the statutes is amended to read:

968.14 (title) ~~**Use**~~ **Announcement requirement and use of force.**

SECTION 3411. 968.14 of the statutes is renumbered 968.14 (2).

SECTION 3412. 968.14 (1) of the statutes is created to read:

968.14 **(1)** When executing a search warrant, a law enforcement officer may not enter the premises subject to the warrant without first identifying that he or she is a law enforcement officer and announcing the authority and purpose of the entry.

SECTION 3413. 968.20 (3) (b) of the statutes is amended to read:

968.20 **(3)** (b) Except as provided in par. (a) or sub. (1m) or (4), a city, village, town or county or other custodian of a seized dangerous weapon or ammunition, if the dangerous weapon or ammunition is not required for evidence or use in further investigation and has not been disposed of pursuant to a court order at the completion of a criminal action or proceeding, shall make reasonable efforts to notify all persons who have or may have an authorized rightful interest in the dangerous weapon or ammunition of the application requirements under sub. (1). If, within 30 days after the notice, an application under sub. (1) is not made and the seized dangerous weapon or ammunition is not returned by the officer under sub. (2), the city, village, town or county or other custodian may retain the dangerous weapon or ammunition and authorize its use by a law enforcement agency, except that a dangerous weapon used in the commission of a homicide or a handgun, as defined in s. ~~175.35 (1) (b)~~ 941.237 (1) (d), may not be retained. If a dangerous weapon other than a firearm is not so retained, the city, village, town or county or other custodian shall safely dispose of the dangerous weapon or, if the dangerous weapon is a motor

vehicle, as defined in s. 340.01 (35), sell the motor vehicle following the procedure under s. 973.075 (4). If a firearm or ammunition is not so retained, the city, village, town or county or other custodian shall ship it to the state crime laboratories and it is then the property of the laboratories. A person designated by the department of justice may destroy any material for which the laboratories have no use or arrange for the exchange of material with other public agencies. In lieu of destruction, shoulder weapons for which the laboratory has no use shall be turned over to the department of natural resources for sale and distribution of proceeds under s. 29.934 or for use under s. 29.938.

SECTION 3414. 970.032 (3) of the statutes is created to read:

970.032 **(3)** This section does not apply to a violation committed on or after the effective date of this subsection .... [LRB inserts date].

SECTION 3415. 971.17 (1g) of the statutes is amended to read:

971.17 **(1g)** NOTICE OF RESTRICTION ON FIREARM POSSESSION. If the defendant under sub. (1) is found not guilty of a felony, or of a violation under s. 175.33 (2), by reason of mental disease or defect, the court shall inform the defendant of the requirements and penalties under s. 941.29.

SECTION 3416. 971.31 (13) (c) of the statutes is created to read:

971.31 **(13)** (c) This subsection does not apply to a violation committed on or after the effective date of this paragraph .... [LRB inserts date].

SECTION 3417. 971.365 (1) (a) of the statutes is amended to read:

971.365 **(1)** (a) In any case under s. 961.41 (1) (em), 1999 stats., or s. 961.41 (1) (cm), (d), (e), (f), or (g) ~~or (h)~~ involving more than one violation, all violations may be prosecuted as a single crime if the violations were pursuant to a single intent and design.

SECTION 3418. 971.365 (1) (b) of the statutes is amended to read:

971.365 **(1)** (b) In any case under s. 961.41 (1m) (em), 1999 stats., or s. 961.41 (1m) (cm), (d), (e), (f), or (g) ~~or (h)~~ involving more than one violation, all violations may be prosecuted as a single crime if the violations were pursuant to a single intent and design.

SECTION 3419. 971.365 (1) (c) of the statutes is amended to read:

971.365 **(1)** (c) In any case under s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41 (3g) (dm), 1999 stats., or s. 961.41 (3g) (am), (c), (d), ~~(e),~~ or (g) involving more than one violation, all violations may be prosecuted as a single crime if the violations were pursuant to a single intent and design.

SECTION 3420. 971.365 (2) of the statutes is amended to read:

971.365 **(2)** An acquittal or conviction under sub. (1) does not bar a subsequent prosecution for any acts in violation of s. 961.41 (1) (em), 1999 stats., s. 961.41 (1m) (em), 1999 stats., s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41 (3g) (dm), 1999 stats., or s. 961.41 (1) (cm), (d), (e), (f), or (g), ~~or (h),~~ (1m) (cm), (d), (e), (f), or (g), ~~or (h)~~ or (3g) (am), (c), (d), ~~(e),~~ or (g) on which no evidence was received at the trial on the original charge.

SECTION 3421. 973.01 (1) of the statutes is amended to read:

973.01 **(1)** BIFURCATED SENTENCE REQUIRED. Except as provided in sub. (3) and s. 938.34 (4p), whenever a court sentences a person to imprisonment in the Wisconsin state prisons for a felony committed on or after December 31, 1999, or a misdemeanor committed on or after February 1, 2003, the court shall impose a bifurcated sentence under this section.

SECTION 3422. 973.01 (2) (d) 3. of the statutes is repealed.

SECTION 3423. 973.01 (2) (d) 4. of the statutes is amended to read:

973.01 **(2)** (d) 4. For a Class D, E, F, or G felony, the term of extended supervision may not exceed 5 years.

SECTION 3424. 973.01 (3) of the statutes is amended to read:

973.01 **(3)** NOT APPLICABLE TO LIFE SENTENCES. If a person is being sentenced for a felony that is punishable by life imprisonment, he or she is not subject to this section but shall be sentenced under s. 973.014 (1g) or (3).

SECTION 3425. 973.01 (3g) of the statutes is repealed.

SECTION 3426. 973.01 (4) of the statutes is amended to read:

973.01 **(4)** NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT. A person sentenced to a bifurcated sentence under sub. (1) shall serve the term of confinement in prison portion of the sentence without reduction for good behavior. The term of confinement in prison portion is subject to extension under s. 302.113 (3) and, if applicable, to reduction under s. 302.045 (3m), 302.05 (3) (c) 2. a., 302.113 (9g), 973.018, 973.195 (1r), or 973.198.

SECTION 3427. 973.01 (4m) of the statutes is created to read:

973.01 **(4m)** REDUCTION OF MANDATORY MINIMUM SENTENCE. If a person is serving a bifurcated sentence under sub. (1) that is subject to a mandatory minimum term of confinement, the sentencing court may reduce the term of confinement below the applicable mandatory minimum if the person qualifies for a reduction under under s. 302.045 (3m), 302.05 (3) (c) 2. a., 302.113 (9g), 973.195 (1r), or 973.198.

SECTION 3428. 973.01 (5m) of the statutes is created to read:

973.01 **(5m)** EARLY DISCHARGE FROM EXTENDED SUPERVISION. (a) In this subsection, "qualifying offense" means a crime other than a violation of ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.051, 948.055, 948.06, 948.07, 948.075, 948.08, 948.085, or 948.095.

(b) The court may modify the person's sentence by reducing the term of extended supervision and may order early discharge of the person from the sentence if all of the following apply:

1. The department petitions the court to discharge the person from extended supervision for a qualifying offense.

2. The person has completed 3 years or 50 percent of his or her term of extended supervision for the qualifying offense, whichever is less.

3. The person has satisfied all conditions of extended supervision that were set by the sentencing court for the qualifying offense.

4. The person has satisfied all rules and conditions of supervision that were set by the department for the qualifying offense.

5. The person has fulfilled all financial obligations to his or her victims.

6. The person is not required to register under s. 301.45.

(c) If a person is serving more than one sentence, early discharge under par. (b) applies only to the terms of extended supervision imposed for qualifying offenses.

(d) 1. In this paragraph, "victim" has the meaning given in s. 950.02 (4).

2. When a court receives a petition under par. (b) 1., the clerk of the circuit court shall send a notice of hearing to the victim of the crime committed by the person serving the term of extended supervision, if the victim has submitted a card under subd. 3. requesting notification. The notice shall inform the victim that he or she may appear at any hearing scheduled under par. (b) and shall inform the victim of the manner in which he or she may provide a statement concerning the early discharge from extended supervision. The clerk of the circuit court shall make a reasonable attempt to send the notice of hearing to the last–known address of the victim, postmarked at least 10 days before the date of the hearing.

3. The director of state courts shall design and prepare cards for a victim to send to the clerk of the circuit court for the county in which the person serving the term of extended supervision was convicted and sentenced. The cards shall have space for a victim to provide his or her name and address, the name of the applicable person serving a term of extended supervision, and any other information that the director of state courts determines is necessary. The director of state courts shall provide the cards, without charge, to clerks of circuit court. Clerks of circuit court shall provide the cards, without charge, to victims. Victims may send completed cards to the clerk of the circuit court for the county in which the person serving a term of extended supervision was convicted and sentenced. All court records or portions of records that relate to mailing addresses of victims are not subject to inspection or copying under s. 19.35 (1).

SECTION 3429. 973.01 (8) (a) 6. of the statutes is created to read:

973.01 **(8)** (a) 6. The conditions under which the court may reduce the term of the person's extended supervision under sub. (5m).

SECTION 3430. 973.01 (8) (ag) of the statutes is amended to read:

973.01 **(8)** (ag) ~~If the~~ The court ~~provides under sub. (3g) that~~ shall inform the person ~~is eligible to participate in~~ of the availability of the earned release program under s. 302.05 (3)~~, the court shall also inform the person of the provisions of s. 302.05 (3) (c)~~.

SECTION 3431. 973.014 (1) (intro.) of the statutes is amended to read:

973.014 **(1)** (intro.) Except as provided in sub. (2) or (3), when a court sentences a person to life imprisonment for a crime committed on or after July 1, 1988, but before December 31, 1999, the court shall make a parole eligibility determination regarding the person and choose one of the following options:

SECTION 3432. 973.014 (1g) (a) (intro.) of the statutes is amended to read:

973.014 **(1g)** (a) (intro.) Except as provided in sub. (2) or (3), when a court sentences a person to life imprisonment for a crime committed on or after December 31, 1999, the court shall make an extended supervision eligibility date determination regarding the person and choose one of the following options:

SECTION 3433. 973.014 (3) of the statutes is created to read:

973.014 **(3)** (a) In this subsection, "youthful offender" means a person who committed an offense before the person attained the age of 18 years.

(b) When a court sentences a youthful offender to life imprisonment for a crime committed on or after July 1, 1988, but before December 31, 1999, the court shall set a date on which the youthful offender is eligible for parole.

(c) When a court sentences a youthful offender to life imprisonment for a crime committed on or after December 31, 1999, the court shall set a date on which the youthful offender is eligible for release to extended supervision.

(d) When sentencing a youthful offender to life imprisonment under par. (b) or (c), the court shall inform the youthful offender of the procedure for petitioning for a sentence adjustment under s. 973.018.

(e) When sentencing a youthful offender to life imprisonment under par. (b) or (c), the court shall consider, in addition to all other relevant factors, all of the following:

1. That, because children are less criminally culpable and more amenable to reform, youthful offenders are constitutionally different from adults for the purposes of sentencing.

2. That the sentencing goals of deterrence, retribution, and incapacitation are secondary to the goal of rehabilitation when sentencing youthful offenders.

3. That unless the state proves beyond a reasonable doubt that the youthful offender is permanently incorrigible and is therefore unable to be rehabilitated, youthful offenders must have a meaningful opportunity to obtain release from prison based on maturity and rehabilitation.

SECTION 3434. 973.015 (1b) of the statutes is created to read:

973.015 **(1b)** In this section, "record" means a criminal case file.

SECTION 3435. 973.015 (1m) (a) 1. of the statutes is renumbered 973.015 (1m) (a) 1. (intro.) and amended to read:

973.015 **(1m)** (a) 1. (intro.) Subject to subd. 2. ~~and except as provided in subd. 3., when a person is under the age of 25 at the time of the commission of an offense for which the person has been found guilty in a court for violation of a law for which the maximum period of imprisonment is 6 years or less, the~~, a court may order ~~at the time of sentencing~~ after a conviction that ~~the record~~ a criminal case be expunged ~~upon successful completion of the sentence if the court determines the person will benefit and society will not be harmed by this disposition.~~ by one of the following methods:

(d) This subsection does not apply to information maintained by the department of transportation regarding a conviction that is required to be included in a record kept under s. 343.23 (2) (a).

SECTION 3436. 973.015 (1m) (a) 1. a. and b. of the statutes are created to read:

973.015 **(1m)** (a) 1. a. Except as provided in subd. 3., the court may order at the time of sentencing that the record be expunged upon successful completion of the sentence if the court determines that the person will benefit and society will not be harmed by this disposition.

b. If at least one year has passed since the person successfully completed his or her sentence, the person may file a petition in the county of conviction requesting that the record be expunged. Upon receipt of the petition, the court shall review the petition to determine if the person is ineligible to petition for expungement because subd. 3. or 4. applies, less than one year has passed since the person successfully completed his or her sentence, there are criminal charges pending against the person, or the person has exceeded the maximum number of petitions allowed under this subd. 1. b. If the court determines the person is eligible to petition for expungement, the court shall forward the petition to the district attorney. If the district attorney requests a hearing within 90 days after the court forwards the petition, the court shall schedule a hearing to review the petition. If the district attorney waives the hearing or at least 90 days have passed since the court forwarded the petition, the court may review the petition with or without a hearing. If a hearing is scheduled, then if practicable, the sentencing judge shall be the judge to review the petition. The court may order that the record be expunged if the court determines the person will benefit and society will not be harmed by this disposition. If the court does not order the record be expunged under this subd. 1. b., the person may file a 2nd petition under this subd. 1. b. only if at least 2 years have passed since he or she filed the first petition. No person may file more than 2 petitions per record under this subd. 1. b. For a 2nd petition regarding the same record, the person shall pay to the clerk of circuit court a $100 fee.

SECTION 3437. 973.015 (1m) (a) 3. c. and d. and 4. of the statutes are created to read:

973.015 **(1m)** (a) 3. c. A crime for which the maximum period of imprisonment is more than 6 years.

d. A violation of chs. 341 to 348.

4. The court may order at the time of sentencing that the record is ineligible for expungement.

SECTION 3438. 973.015 (1m) (b) of the statutes is amended to read:

973.015 **(1m)** (b) ~~A~~ For purposes of par. (a), a person has successfully completed the sentence if the person has completed all periods of incarceration, parole, or extended supervision to which he or she was sentenced; the person has paid all fines, costs, fees, surcharges, and restitution assessed and has completed any court–ordered community service; the person has not been convicted of a subsequent ~~offense~~ crime; and, if ~~on~~ probation was imposed, the probation has not been revoked ~~and the probationer has satisfied the conditions of probation~~. Upon ~~successful~~ completion of ~~the~~ a sentence involving incarceration or probation, the detaining or probationary authority shall issue and forward to the court of record a certificate of discharge ~~which shall be forwarded to the court of record and which shall have the effect of expunging the record~~ that indicates whether the person successfully completed his or her sentence. If the court has ordered the record expunged under par. (a) 1. a. or 2. and the person has successfully completed the sentence, the person's record shall be expunged as ordered. If the person has been ~~imprisoned~~ incarcerated, the detaining authority shall also forward a copy of the certificate of discharge to the department.

SECTION 3439. 973.015 (1m) (c) of the statutes is created to read:

973.015 **(1m)** (c) Upon receipt of a petition under par. (a) 1. b., the district attorney shall make a reasonable attempt to notify the victim, as defined under s. 950.02 (4), of the petition. In the notice, the district attorney shall inform the victim that he or she may waive the hearing requirement and that, if waived, the court may

review the petition without a hearing. The district attorney shall inform the victim of the manner in which he or she may provide written statements concerning the petition and, if the victim does not waive the hearing requirement, that he or she may appear at the hearing. If the victim waives the hearing requirement, the district attorney may inform the court that there is no objection to waiving the hearing requirement. Notwithstanding the confidentiality of victim address information obtained under s. 302.113 (9g) (g) 3., a district attorney who is required to make a reasonable attempt to notify a victim under this paragraph may obtain from the clerk of the circuit court the victim address information that the victim provided to the clerk under s. 302.113 (9g) (g) 3.

SECTION 3440. 973.015 (4) of the statutes is created to read:

973.015 **(4)** A record of a crime expunged under this section is not considered a conviction for employment purposes or for purposes of the issuance of a license, as defined in s. 111.32 (10), by a licensing agency, as defined in s. 111.32 (11). This subsection does not apply to the extent that its application conflicts with federal law.

SECTION 3441. 973.016 of the statutes is created to read:

973.016 Special disposition for marijuana-related crimes. (1) RESENTENCING PERSONS SERVING A SENTENCE OR PROBATION. (a) A person serving a sentence or on probation may request resentencing or dismissal as provided under par. (b) if all of the following apply:

1. The sentence or probation period was imposed for a violation of s. 961.41 (1) (h), 2017 stats., s. 961.41 (1m) (h), 2017 stats., or s. 961.41 (3g) (e), 2017 stats.

2. One of the following applies:

a. The person would not have been guilty of a crime had the violation occurred on or after the effective date of this subd. 2. a. .... [LRB inserts date].

b. The person would have been guilty of a lesser crime had the violation occurred on or after the effective date of this subd. 2. b. .... [LRB inserts date].

(b) 1. A person to whom par. (a) applies shall file a petition with the sentencing court to request resentencing, adjustment of probation, or dismissal.

2. If the court receiving a petition under subd. 1. determines that par. (a) applies, the court shall schedule a hearing to consider the petition. At the hearing, if the court determines that par. (a) 2. b. applies, the court shall resentence the person or adjust the probation and change the record to reflect the lesser crime, and, if the court determines that par. (a) 2. a. applies, the court shall dismiss the conviction and expunge the record. Before resentencing, adjusting probation, or dismissing a conviction under this subdivision, the court shall determine that the action does not present an unreasonable risk of danger to public safety.

3. If the court resentences the person or adjusts probation, the person shall receive credit for time or probation served for the relevant offense.

(2) REDESIGNATING OFFENSE FOR PERSONS WHO COMPLETED A SENTENCE OR PROBATION. (a) A person who has completed his or her sentence or period of probation may request under par. (b) expungement of the conviction because the conviction is legally invalid or redesignation to a lesser crime if all of the following apply:

1. The sentence or probation period was imposed for a violation of s. 961.41 (1) (h), 2017 stats., s. 961.41 (1m) (h), 2017 stats., or s. 961.41 (3g) (e), 2017 stats.

2. One of the following applies:

a. The person would not have been guilty of a crime had the violation occurred on or after the effective date of this subd. 2. a. .... [LRB inserts date].

b. The person would have been guilty of a lesser crime had the violation occurred on or after the effective date of this subd. 2. b. .... [LRB inserts date].

(b) 1. A person to whom par. (a) applies shall file a petition with the sentencing court to request expungement or redesignation.

2. If the court receiving a petition under subd. 1. determines that par. (a) applies, the court shall schedule a hearing to consider the petition. At the hearing, if the court determines that par. (a) 2. b. applies, the court shall redesignate the crime to a lesser crime and change the record to reflect the lesser crime, and if the court determines that par. (a) 2. a. applies, the court shall expunge the conviction. Before redesignating or expunging under this subdivision, the court shall determine that the action does not present an unreasonable risk of danger to public safety.

(3) EFFECT OF RESENTENCING, DISMISSAL, REDESIGNATION, OR EXPUNGEMENT. If the court changes or expunges a record under this section, a conviction that was changed or expunged is not considered a conviction for any purpose under state or federal law, including for purposes of s. 941.29 or 18 USC 921.

SECTION 3442. 973.017 (2c) of the statutes is created to read:

973.017 **(2c)** MITIGATION FOR YOUTH. When making a sentencing decision for a person who had not attained the age of 18 years at the time the crime was committed, the court shall consider all of the following mitigating factors:

(a) That, because children are less criminally culpable and more amenable to reform, youthful offenders are constitutionally different from adults for the purposes of sentencing.

(b) That the sentencing goals of deterrence, retribution, and incapacitation are secondary to the goal of rehabilitation when sentencing youthful offenders.

(c) That unless the state proves beyond a reasonable doubt that the youthful offender is permanently incorrigible and is therefore unable to be rehabilitated,

youthful offenders must have a meaningful opportunity to obtain release from prison based on maturity and rehabilitation.

SECTION 3443. 973.018 of the statutes is created to read:

973.018 Sentence adjustment for youthful offenders. (1) DEFINITION. In this section, "youthful offender" has the meaning given in s. 973.014 (3) (a).

(2) SENTENCE ADJUSTMENT; FACTORS. A court may reduce a term of imprisonment, including life imprisonment under s. 973.014 (3), for a youthful offender who has served 15 years of his or her term of imprisonment if the court finds that the interests of justice warrant a reduction. In making its determination, the court shall consider all of the following:

(a) The sentencing factors set forth in ss. 973.014 (3) (e) and 973.017 (2c).

(b) The youthful offender's subsequent growth, behavior, and rehabilitation while incarcerated.

(3) PETITION FOR SENTENCE ADJUSTMENT. (a) One year before the youthful offender becomes eligible for a sentence adjustment under this section, the department shall provide written notice of the eligibility to the qualifying youthful offender, the sentencing court, the district attorney for the county in which the youthful offender was sentenced, and the state public defender. Notice under this paragraph shall include notice of the youthful offender's right to counsel and notice that if the youthful offender believes that he or she cannot afford an attorney, the youthful offender may ask the state public defender to represent him or her.

(b) A youthful offender has a right to counsel in the sentence adjustment proceedings under this section. The right to counsel begins at the service of notice under par. (a).

(c) After service of notice under par. (a) and upon request by the youthful offender or the youthful offender's attorney, the court shall make documents from the sentencing hearing available to the youthful offender or his or her attorney, including the presentence investigation report in accordance with s. 972.15 (4m) and the transcript from the sentencing hearing.

(d) A qualifying youthful offender may file a petition for a sentence adjustment under this section. The petitioner shall file the petition and any affidavits and other written support for the petition in the sentencing court no more than 90 days before the youthful offender's eligibility date. A copy of the petition shall be served on the district attorney in the county in which the youthful offender was sentenced.

(e) Upon receipt of a petition under par. (d), the district attorney shall notify any victims of the crime in accordance with s. 950.04 (1v) (gm).

(4) HEARING. (a) The court shall hold a hearing within 120 days of a petition filed under sub. (3) (d), unless all parties agree to an extension for the hearing date.

(b) The court shall consider relevant information, including expert testimony and other information about the youthful offender's participation in any available educational, vocational, volunteer, community service, or other programs, the youthful offender's work reports and psychological evaluations, and the youthful offender's major violations of institutional rules, if any.

(c) The youthful offender has the right to attend the hearing, the right to be represented by counsel, and the right to testify, present evidence, and cross–examine witnesses.

(d) The victim shall be given the opportunity to provide a statement concerning sentencing in accordance with s. 950.04 (1v) (m).

(e) A hearing under this subsection shall be recorded.

(f) The decision of the court on a petition under sub. (3) is a final adjudication subject to appeal under s. 809.30.

(5) ORDER. If the court finds that the interests of justice warrant a sentence adjustment, the court may amend the judgment of conviction according to one of the following:

(a) If the youthful offender is serving a sentence for a crime committed before December 31, 1999, reduce the parole eligibility date and modify the conditions of parole. The court may also reduce the sentence, but shall provide for at least 3 years of parole supervision after release from prison.

(b) Upon request by the youthful offender, for a crime committed before December 31, 1999, convert an indeterminate sentence to a bifurcated sentence under s. 973.01 or 973.014 (1g). If the court converts the indeterminate sentence to a bifurcated sentence, the court shall set a date for release to extended supervision under s. 302.113 that is no later than the original parole eligibility date. The court may also modify the conditions of parole or extended supervision.

(c) For a crime committed on or after December 31, 1999, reduce the term of confinement in prison and modify the conditions of extended supervision. The court may also reduce the total length of the bifurcated sentence. Notwithstanding s. 973.01 (2) (d), the court shall provide for at least 3 years of extended supervision under s. 302.113.

(d) For a life sentence without the possibility of parole or release to extended supervision under s. 973.014 (1) (c) or (1g) (a) 3., convert the sentence to a life sentence with the possibility of parole or release to extended supervision and set a date for parole eligibility or release to extended supervision and conditions for parole or extended supervision accordingly.

(6) SUBSEQUENT PETITIONS. A youthful offender is eligible to file a subsequent petition under sub. (3) no earlier than 5 years after a hearing is held under sub. (4), unless the court sets an earlier date. A youthful offender may file no more than 5 petitions under sub. (3) during his or her sentence.

(7) SENTENCE MODIFICATION ON OTHER GROUNDS. Nothing in this section limits the youthful offender's right to resentencing, sentence adjustment, or sentence modification on other grounds, including under s. 302.113 (9g) or 302.114.

SECTION 3444. 973.10 (2) (intro.) of the statutes is renumbered 973.10 (2) (am) and amended to read:

973.10 **(2)** (am) If a probationer violates the conditions of probation, the department ~~of corrections~~ may initiate a proceeding before the division of hearings and appeals in the department of administration. Unless waived by the probationer, a hearing examiner for the division shall conduct an administrative hearing and enter an order either revoking or not revoking probation. Upon request of either party, the administrator of the division shall review the order. If the probationer waives the final administrative hearing, the secretary of corrections shall enter an order either revoking or not revoking probation.

(bm) 2. If probation is revoked, the department shall do one of the following:

SECTION 3445. 973.10 (2) (a) and (b) of the statutes are renumbered 973.10 (2) (bm) 2. a. and b.

SECTION 3446. 973.10 (2) (bm) 1. of the statutes is created to read:

973.10 **(2)** (bm) 1. Probation may not be revoked unless one of the following applies:

a. The person committed 3 or more independent violations while on probation.

b. The condition that the person violated was a condition that the person not contact any specified individual.

c. The person was required to register as a sex offender under s. 301.45.

d. When the person violated the condition of probation, the person also allegedly committed a crime.

e. The person failed to report or make himself or herself available for supervision for a period of more than 60 consecutive days.

SECTION 3447. 973.10 (2s) of the statutes is repealed.

SECTION 3448. 973.15 (2m) (a) 1. of the statutes is amended to read:

973.15 **(2m)** (a) 1. "Determinate sentence" means a bifurcated sentence imposed under s. 973.01 or a life sentence under which a person is eligible for release to extended supervision under s. 973.014 (1g) (a) 1. or 2. or (3) (c).

SECTION 3449. 973.15 (5) of the statutes is amended to read:

973.15 **(5)** A convicted offender who is made available to another jurisdiction under ch. 976 or in any other lawful manner shall be credited with service of his or her Wisconsin sentence or commitment under the terms of ~~s.~~ ss. 973.155 and 973.156 for the duration of custody in the other jurisdiction.

SECTION 3450. 973.155 (1m) of the statutes is amended to read:

973.155 **(1m)** A convicted offender shall be given credit toward the service of his or her sentence for all days spent in custody as part of a ~~substance abuse treatment~~ program that meets the requirements of s. 165.95 (3), as determined by the department of justice under s. 165.95 (9) and (10), for any offense arising out of the course of conduct that led to the person's placement in that program.

SECTION 3451. 973.156 of the statutes is created to read:

973.156 Earned compliance credit. (1) In this section, "qualifying offense" means a crime other than a violation of ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.051, 948.055, 948.06, 948.07, 948.075, 948.08, 948.085, or 948.095.

(2) Upon the revocation of extended supervision under s. 302.113 (9) or parole under s. 302.11 (7), a person shall be given earned compliance credit toward the service of his or her sentence for a qualifying offense for each day that the person spent on extended supervision or parole without violating a condition or rule of extended supervision or parole prior to the violation that resulted in the revocation. A person may not be given earned compliance credit for any time between the date of the most recent violation and the date of the revocation.

(3) Subsection (2) does not apply to a person who is required to register under s. 301.45.

(4) If a person is serving more than one sentence, earned compliance credit under sub. (2) is earned only for the time spent on extended supervision or parole for qualifying offenses.

(5) The amount of the credit under sub. (2) shall be calculated and applied by the appropriate reviewing authority under s. 302.11 (7) (am) or 302.113 (9) (am) 1.

SECTION 3452. 973.176 (1) of the statutes is amended to read:

973.176 **(1)** FIREARM POSSESSION. Whenever a court imposes a sentence or places a defendant on probation regarding a felony conviction or regarding a conviction for a misdemeanor under s. 175.33 (2), the court shall inform the defendant of the requirements and penalties applicable to him or her under s. 941.29 (1m) or (4m).

SECTION 3453. 973.25 (1) (a) of the statutes is amended to read:

973.25 **(1)** (a) "Certificate of qualification for employment" means a certificate issued by the council on offender employment that provides an offender with relief from a collateral sanction, except that it does not provide relief from s. 48.685 (5m), 50.065 (4m), or 111.335 (3) ~~(a)~~ (ar), (b), (c), or (e) or (4) (h) or (i).

SECTION 3454. 977.05 (4) (i) 10. of the statutes is created to read:

977.05 **(4)** (i) 10. Cases involving youthful offenders under s. 973.018 (3).

SECTION 3455. 977.08 (4s) of the statutes is created to read:

977.08 **(4s)** Beginning on July 1, 2023, and biennially on July 1 of each odd–numbered year thereafter, the rates established under sub. (4m) (d) shall be adjusted by a percentage equal to the average of the consumer price index over the preceding 12–month period, all items, U.S. city average, as determined by the bureau of labor statistics of the federal department of labor, except that the percentage under this subsection may not be less than zero.

SECTION 3456. 978.03 (1m) of the statutes is amended to read:

978.03 **(1m)** The district attorney of any prosecutorial unit having a population of 200,000 or more but less than 750,000 may appoint ~~3~~ 4 deputy district attorneys and such assistant district attorneys as may be requested by the department of administration and authorized in accordance with s. 16.505. The district attorney shall rank the deputy district attorneys for purposes of carrying out duties under this section. The deputies, according to rank, may perform any duty of the district attorney, under the district attorney's direction. In the absence or disability of the district attorney, the deputies, according to rank, may perform any act required by law to be performed by the district attorney. Any such deputy must have practiced law in this state for at least 2 years prior to appointment under this section.

SECTION 3457. 978.05 (6) (a) of the statutes is amended to read:

978.05 **(6)** (a) Institute, commence, or appear in all civil actions or special proceedings under and perform the duties set forth for the district attorney under ch. 980 and ss. 17.14, 30.03 (2), 48.09 (5), 59.55 (1), 59.64 (1), 70.36, 89.08, 103.50 (8), 103.92 (4), 109.09, 343.305 (9) (a), 806.05, 938.09, 938.18, 938.355 (6) (b) and (6g) (a), 946.86, 946.87, 961.55 (5), 971.14 and 973.075 to 973.077, perform any duties in connection with court proceedings in a court assigned to exercise jurisdiction under chs. 48 and 938 as the judge may request and perform all appropriate duties and appear if the district attorney is designated in specific statutes, including matters within chs. 782, 976 and 979 and ss. 51.81 to 51.85. Nothing in this paragraph limits the authority of the county board to designate, under s. 48.09 (5), that the corporation counsel provide representation as specified in s. 48.09 (5) or to designate, under s. 48.09 (6) or 938.09 (6), the district attorney as an appropriate person to represent the interests of the public under s. 48.14 or 938.14.

SECTION 3458. 978.07 (1) (c) 1. of the statutes is amended to read:

978.07 **(1)** (c) 1. Any case record of a felony punishable by life imprisonment or a related case, after the defendant's parole eligibility date under s. 304.06 (1) or 973.014 (1) or (3) (b) or date of eligibility for release to extended supervision under s. 973.014 (1g) (a) 1. or 2. or (3) (c), whichever is applicable, or 50 years after the commencement of the action, whichever occurs later. If there is no parole eligibility date or no date for release to extended supervision, the district attorney may destroy the case record after the defendant's death.

SECTION 3459. 990.01 (2) of the statutes is amended to read:

990.01 **(2)** ACQUIRE. "Acquire," when used in connection with a grant of power to any person, includes the acquisition by purchase, grant, gift or bequest. It includes

the power to condemn ~~only~~ in the cases specified in s. 32.02 ~~and subject to the limitations under s. 32.015~~.

SECTION 3460. 990.01 (3) of the statutes is amended to read:

990.01 **(3)** ADULT. "Adult" means a person who has attained the age of 18 years~~, except that for purposes of investigating or prosecuting a person who is alleged to have violated any state or federal criminal law or any civil law or municipal ordinance, "adult" means a person who has attained the age of 17 years~~.

SECTION 3461. 990.01 (20) of the statutes is amended to read:

990.01 **(20)** MINOR. "Minor" means a person who has not attained the age of 18 years~~, except that for purposes of investigating or prosecuting a person who is alleged to have violated a state or federal criminal law or any civil law or municipal ordinance, "minor" does not include a person who has attained the age of 17 years~~.

SECTION 3462. 990.01 (22m) of the statutes is created to read:

990.01 **(22m)** NATURAL PARENT. "Natural parent" means a parent of a child who is not an adoptive parent, whether the parent is biologically related to the child or not.

SECTION 3463. 990.01 (39) of the statutes is created to read:

990.01 **(39)** SPOUSES. "Spouses" means 2 individuals of the same sex or different sexes who are legally married to each other.

SECTION 3464. 990.01 (40m) of the statutes is created to read:

990.01 **(40m)** STEPPARENT. "Stepparent" means a person who is the spouse of a child's parent and who is not also a parent of the child.

SECTION 3465. 2017 Wisconsin Act 185, section 110 (1) (a), as last affected by 2019 Wisconsin Act 8, is amended to read:

[2017 Wisconsin Act 185] Section 110 (1) (a) Upon the establishment of the Type 1 juvenile correctional facilities under subsection (7) and the secured residential care centers for children and youth under subsections (4) and (7m), the department of corrections shall begin to transfer each juvenile held in secure custody at the Lincoln Hills School and Copper Lake School to the appropriate Type 1 juvenile correctional facility or secured residential care center for children and youth. No juvenile may be transferred to a Type 1 juvenile correctional facility until the department of corrections determines the facility to be ready to accept juveniles, and no juvenile may be transferred to a secured residential care center for children and youth until the entity operating the facility determines it to be ready to accept juveniles. The transfers may occur in phases. The department shall transfer ~~all juveniles~~ a juvenile under this subsection ~~no later than July 1, 2021~~ as soon as a substitute placement that meets the needs of the juvenile is ready.

SECTION 3466. 2017 Wisconsin Act 185, section 110 (2) (a), as last affected by 2019 Wisconsin Act 8, is amended to read:

[2017 Wisconsin Act 185] Section 110 (2) (a) On the ~~earlier of the~~ date on which all juveniles have been transferred to secured residential care centers for children and youth and Type 1 juvenile correctional facilities under subsection (1) ~~or July 1, 2021~~ (a) or transferred to a juvenile detention facility under 2019 Wisconsin Act 8, section 72 (1), the department of corrections shall permanently close the Type 1 juvenile correctional facilities housed at the Lincoln Hills School and Copper Lake School in the town of Birch, Lincoln County.

SECTION 3467. 2017 Wisconsin Act 185, section 110 (7), as last affected by 2019 Wisconsin Act 8, is amended to read:

[2017 Wisconsin Act 185] Section 110 (7) TYPE 1 JUVENILE CORRECTIONAL FACILITIES. The department of corrections shall establish or construct the Type 1 juvenile correctional facilities under section 301.16 (1w) (a) of the statutes ~~no later than July 1, 2021~~, subject to the approval of the joint committee on finance. The department shall consider the recommendations of the juvenile corrections study committee under subsection (6) (c) 2. in establishing or constructing these facilities.

SECTION 3468. 2017 Wisconsin Act 185, section 112 (1), as last affected by 2019 Wisconsin Act 8, is amended to read:

[2017 Wisconsin Act 185] Section 112 (1) The treatment of sections 46.011 (1p) (by SECTION 13), 46.057 (1) (by SECTION 15), 48.023 (4) (by SECTION 20), 49.11 (1c) (by SECTION 27), 49.45 (25) (bj) (by SECTION 29), 301.01 (1n) (by SECTION 35), 301.20, 938.02 (4) (by SECTION 50), 938.34 (2) (a) (by SECTION 57) and (b) (by SECTION 59) and (4m) (intro.) (by SECTION 62), 938.48 (3) (by SECTION 78), (4) (by SECTION 80), (4m) (b) (by SECTION 82), (5) (by SECTION 84), (6) (by SECTION 86), and (14) (by SECTION 88), 938.505 (1) (by SECTION 96), 938.52 (2) (a) and (c) (by SECTION 98), 938.53 (by SECTION 100), and 938.54 (by SECTION 107) of the statutes takes effect on the date specified in the notice under SECTION 110 (2) (b) ~~or July 1, 2021, whichever is earlier~~.

SECTION 3469. 2017 Wisconsin Act 370, section 44 (2) and (3) are repealed.

SECTION 3470. 2017 Wisconsin Act 370, section 44 (5) is repealed.

SECTION 3471. 2019 Wisconsin Act 8, section 72 (1) (b) is amended to read:

[2019 Wisconsin Act 8] Section 72 (1) (b) Notwithstanding s. 938.34 (3) (f) 1., a juvenile may be placed in a juvenile detention facility under par. (a) for a period longer than 365 days, and shall be transferred out of the juvenile detention facility using the procedure ~~and by the date~~ required under 2017 Wisconsin Act 185, section 110 (1). The department of corrections shall transfer all juveniles placed in a juvenile

detention facility under par. (a) out of the juvenile detention facility ~~no later than July 1, 2021~~ as soon as a substitute placement that meets the needs of the juvenile is ready.

SECTION 3472. 2019 Wisconsin Act 8, section 74 (1) is amended to read:

[2019 Wisconsin Act 8] Section 74 (1) The treatment of ss. 46.011 (1p), 48.023 (4), 49.11 (1c), 49.45 (25) (bj), 301.01 (1n), 938.02 (4), 938.34 (4m) (intro.) (by SECTION 33) and (4n) (intro.), 938.357 (4g) (a), 938.48 (3), (4), (4m) (b), (5), (6), and (14), 938.505 (1), 938.52 (2) (a) and (c), 938.53, 938.533 (2) (intro.), and 938.54 takes effect on the date specified in the notice under 2017 Wisconsin Act 185, SECTION 110 (2) (b)~~, or July 1, 2021, whichever is earlier~~.

SECTION 3473. 2019 Wisconsin Act 9, sections 235 and 9427 (2) are repealed.

SECTION 3474. DCF 120.03 (3) of the administrative code is amended to read:

DCF 120.03 **(3)** "Emergency assistance group" or "group" means "family" as ~~referred to~~ defined in s. 49.138 (1d) (am), Stats.~~, and includes one or more dependent children as defined by s. 49.141 (1) (c), Stats., and a qualified caretaker relative with whom the child is living or was living at the time the emergency occurred.~~

SECTION 3475. DCF 120.05 (1) (c) of the administrative code is amended to read:

DCF 120.05 **(1)** (c) ~~The~~ If the emergency assistance group includes a child, the child for whom assistance is requested is or, within 6 months prior to the month of application for emergency assistance, was living with a qualified caretaker relative in a place of residence maintained as the caretaker relative's own home and is anticipated to live with the qualified caretaker relative in the month following the application date.

SECTION 3476. DCF 120.05 (1) (d) of the administrative code is amended to read:

DCF 120.05 **(1)** (d) Assistance is needed to avoid destitution of the child or individual aged 18 to 24 or to provide a living arrangement for the child or the individual aged 18 to 24 in a home.

SECTION 3477. DCF 120.05 (1) (e) of the administrative code is amended to read:

DCF 120.05 **(1)** (e) The ~~child's~~ destitution of the child or individual aged 18 to 24 or need for living arrangements did not result from the child, the individual aged 18 to 24, or a qualified caretaker relative refusing without good cause to accept employment or training for employment.

SECTION 3478. DCF 120.05 (3) (e) of the administrative code is created to read:

DCF 120.05 **(3)** (e) During a national emergency declared by the U.S. president under 50 USC 1621 or a state of emergency declared by the governor under s. 323.10, Stats., the family is delinquent on a rent payment, a mortgage payment, or a property tax payment.

SECTION 3479. DCF 120.06 (1) (intro.) of the administrative code is amended to read**:**

DCF 120.06 **(1)** INCOME. (intro.) The gross income of the emergency assistance group may not exceed ~~115%~~ 200% of the poverty line. The agency shall determine the amount of income available to the group in accordance with s. DCF 101.09 (3) (b), except any of the following grants received in the month of the emergency is not counted:

SECTION 3480. DCF 120.07 (1) (a) of the administrative code is repealed and recreated to read:

DCF 120.07 **(1)** (a) The maximum amount published in the Wisconsin administrative register pursuant to s. 49.138 (1m) (intro.), Stats.

SECTION 3481. DCF 120.08 (6) of the administrative code is amended to read:

DCF 120.08 **(6)** Emergency assistance may be provided to an emergency assistance group once in a ~~12–month~~ 6–month period.

SECTION 3482. Tax 2.495 (4) (d) (title) of the administrative code is amended to read:

Tax 2.495 **(4)** (d) (title) ~~*Gross receipts*~~ *Net gains from trading assets*.

SECTION 3483. Tax 2.495 (4) (d) 1. of the administrative code is amended to read:

Tax 2.495 **(4)** (d) 1. Except as provided in ~~subds.~~ subd. 1m. ~~and 2.~~, the numerator of the receipts factor includes ~~gross receipts~~ net gains, net of commissions, from sales of trading assets, if the day–to–day decisions regarding the trading assets occur at a location in this state. If the day–to–day decisions regarding the trading assets occur at locations both in and outside this state, the assets shall be considered to be located at the location where the trading policies and guidelines are established. It shall be rebuttably presumed that the location where the trading policies and guidelines are established is at the taxpayer's commercial domicile.

SECTION 3484. Tax 2.495 (4) (d) 1m. of the administrative code is amended to read:

Tax 2.495 **(4)** (d) 1m. ~~Except as provided in subd. 2., at~~ At the election of the taxpayer, for taxable years beginning after December 31, 2014, the numerator of the receipts factor includes ~~gross receipts~~ net gains, net of commissions, from sales of trading assets if the customer's billing address is in this state. Once made, an election under this subdivision cannot be revoked without prior consent from the

department. If a request to change an election has been approved by the department, the change becomes effective with the first taxable year ending on or after approval by the department.

SECTION 3485. Tax 2.495 (4) (d) 2. of the administrative code is repealed.

SECTION 9101. Nonstatutory provisions; Administration.

(1) VOLKSWAGEN SETTLEMENT FUNDS. Notwithstanding s. 16.047 (2) (b), during the 2021–23 biennium, of the moneys in the appropriation under s. 20.855 (4) (h), the department of administration shall allocate $10,000,000 for grants under 16.047 (4m) for the installation of charging stations for vehicles with an electric motor and shall allocate any remaining moneys for grants under 16.047 (2) for the replacement of vehicles in the state fleet. Vehicles replaced under s. 16.047 (2) during the 2021–23 biennium shall be replaced with vehicles that are fuel–efficient or that have an electric motor.

(2) TRANSFER OF HIGH-VOLTAGE TRANSMISSION LINE FEES.

(a) *Definition.* In this subsection, "fees" means the annual impact and onetime environmental impact fees required to be paid under the rules promulgated under s. 16.969 (2) (a), 2019 stats, and s. 16.969 (2) (b), 2019 stats.

(b) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of administration primarily relating to the fees, as determined by the secretary of administration, become the assets and liabilities of the public service commission.

(c) *Employee transfers.* On the effective date of this paragraph, all positions, and the incumbent employees holding those positions, in the department of administration primarily related to the fees, as determined by the secretary of administration, are transferred to the public service commission.

(d) *Employee status.* Employees transferred under par. (c) have all the rights and the same status under ch. 230 in the public service commission that they enjoyed in the department of administration immediately before the transfer. Notwithstanding s. 230.28 (4), no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(e) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of administration primarily relating to the fees, as determined by the secretary of administration, is transferred to the public service commission.

(f) *Contracts.* All contracts entered into by the department of administration primarily relating to the fees, as determined by the secretary of administration, in effect on the effective date of this paragraph remain in effect and are transferred to the public service commission. The public service commission shall carry out any obligations under those contracts unless modified or rescinded to the extent allowed under the contract.

(g) *Rules and orders.* All rules promulgated by the department of administration in effect on the effective date of this paragraph that are primarily related to the fees remain in effect until their specified expiration dates or until amended or repealed by the public service commission. All orders issued by the department of administration in effect on the effective date of this paragraph that are primarily related to the fees remain in effect until their specified expiration dates or until modified or rescinded by the public service commission.

(h) *Pending matters.* Any matter pending with the department of administration on the effective date of this paragraph that is primarily related to the fees, as determined by the secretary of administration, is transferred to the public

service commission. All materials submitted to or actions taken by the department of administration with respect to the pending matter are considered as having been submitted to or taken by the public service commission.

(3) OPIOID AND METHAMPHETAMINE DATA SYSTEM. From the appropriation under s. 20.505 (1) (a), the department of administration shall allocate $1,500,000 in fiscal year 2021–22 as one–time funding to implement the opioid and methamphetamine data system under subch. III of ch. 153.

(4) GREEN AND ENVIRONMENTALLY FRIENDLY PROCUREMENT PRACTICES. The department of administration shall develop a plan to expand the use of green and environmentally friendly state procurement, as determined by the secretary of administration. The department shall submit the written plan to the governor by June 30, 2022.

(5) PAID PARENTAL LEAVE. If the paid parental leave program under s. 230.12 (9m) is approved by the joint committee on employment relations, it shall go into effect immediately upon approval by the joint committee on employment relations.

(6) CONTRACTS FOR WRITTEN FOREIGN LANGUAGE TRANSLATION.

(a) *Definitions.* In this subsection:

1. "Contractual services" has the meaning given in s. 16.70 (3).

2. "Executive branch agency" has the meaning given in s. 16.70 (4).

(b) *Contractual services contracts.* By no later than September 1, 2022, the bureau of procurement in the department of administration shall amend existing contracts or enter into at least one contract for contractual services to provide written foreign language translation for executive branch agencies. Any such contract shall require a 24–hour maximum period for completion of a requested translation from the foreign language to English.

SECTION 9102. Nonstatutory provisions; Agriculture, Trade and Consumer Protection.

(1) EMERGENCY RULES FOR CONSERVATION GRANT PROGRAM. The department of agriculture, trade and consumer protection may use the procedure under s. 227.24 to promulgate emergency rules relating to the conservation grant program under s. 93.76. Notwithstanding s. 227.24 (1) (a) and (3), when promulgating emergency rules under this subsection, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (e) 1d. and 1g., for emergency rules promulgated under this subsection, the department is not required to prepare a statement of scope of the rules or to submit the proposed rules in final draft form to the governor for approval.

(2) EMERGENCY RULES FOR REGENERATIVE AGRICULTURE PRACTICES GRANT PROGRAM. The department of agriculture, trade and consumer protection may use the procedure under s. 227.24 to promulgate emergency rules relating to the regenerative agriculture practices grant program under s. 93.75. Notwithstanding s. 227.24 (1) (a) and (3), when promulgating emergency rules under this subsection, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (e) 1d. and 1g., for emergency rules promulgated under this subsection, the department is not required to prepare a statement of scope of the rules or to submit the proposed rules in final draft form to the governor for approval.

(3) EMERGENCY RULES FOR FOOD SECURITY AND WISCONSIN PRODUCTS GRANT PROGRAM. The department of agriculture, trade and consumer protection may use the procedure under s. 227.24 to promulgate emergency rules relating to the food security and Wisconsin products grant program under s. 93.60 for the period before the effective date of any permanent rules promulgated under s. 93.60 but not to exceed the period authorized under s. 227.24 (1) (c), subject to extension under s. 227.24 (2). Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), when promulgating emergency rules under this subsection, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (e) 1d. and 1g., for emergency rules promulgated under this subsection, the department is not required to prepare a statement of scope of the rules or to submit the proposed rules in final draft form to the governor for approval.

(4) EMERGENCY RULES FOR MEAT PROCESSING FACILITY GRANT PROGRAM. The department of agriculture, trade and consumer protection may use the procedure under s. 227.24 to promulgate emergency rules relating to the meat processing facility grant program under s. 93.68 for the period before the effective date of any permanent rules promulgated under s. 93.68 but not to exceed the period authorized under s. 227.24 (1) (c), subject to extension under s. 227.24 (2). Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), when promulgating emergency rules under this subsection, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding

of emergency for a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (e) 1d. and 1g., for emergency rules promulgated under this subsection, the department is not required to prepare a statement of scope of the rules or to submit the proposed rules in final draft form to the governor for approval.

SECTION 9103. Nonstatutory provisions; Arts Board.

SECTION 9104. Nonstatutory provisions; Building Commission.

SECTION 9105. Nonstatutory provisions; Child Abuse and Neglect Prevention Board.

SECTION 9106. Nonstatutory provisions; Children and Families.

(1) CRIMINAL HISTORY AND CHILD ABUSE RECORD SEARCHES.

(a) Notwithstanding s. 48.685 (1) (bm), for the purposes of conducting a criminal history and child abuse record search under s. 48.685, "nonclient resident" includes a person who has attained 10 years of age on the effective date of this paragraph.

(b) Notwithstanding s. 48.686 (1) (bm), for the purposes of conducting a criminal history and child abuse record search under s. 48.686, "household member" includes a person who has attained 10 years of age on the effective date of this paragraph.

(2) CHILD ABUSE AND NEGLECT PREVENTION PROGRAM; HOME VISITATION. The department of children and families shall allocate to the nurse family partnership home visitation program under s. 48.983 (4) (b) in a county with a population of 750,000 or more an additional $500,000 annually, beginning in fiscal year 2021–22.

(3) CHILD CARE QUALITY IMPROVEMENT PROGRAM. Using the procedure under s. 227.24, the department of children and families may promulgate the rules authorized under s. 49.133 (2) as emergency rules. Notwithstanding s. 227.24 (1) (a)

and (3), the department of children and families is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(4) INTERNET ASSISTANCE PROGRAM. Using the procedure under s. 227.24, the department of children and families may promulgate the rules authorized under s. 49.168 (2) as emergency rules. Notwithstanding s. 227.24 (1) (a) and (3), the department of children and families is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(5) EMERGENCY RULES CONCERNING QUALIFIED RESIDENTIAL TREATMENT PROGRAMS. The department of children and families may promulgate emergency rules under s. 227.24 to implement s. 48.675. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until July 1, 2023, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

SECTION 9107. Nonstatutory provisions; Circuit Courts.

(1) CIRCUIT COURTS DESIGNATED TO BEGIN OPERATION IN 2021. The circuit court branches added in s. 753.06 (4) (a), (7) (e), (9) (g), and (10) (f), are the additional branches authorized to be added and allocated by the director of state courts under s. 753.0605 (1) to begin operation on August 1, 2021.

SECTION 9108. Nonstatutory provisions; Corrections.

(1) EARNED RELEASE PROGRAM; REPORT. No later than the first day of the 12th month beginning after the effective date of this subsection, the department of corrections shall submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3). The department shall report on the aging and elderly population of inmates in Wisconsin prisons, the costs of health care and other accommodations for that population, and trends and projections for the aging and elderly population and associated costs. The department shall also report on the feasibility, including costs and projected savings, of establishing and operating a state run facility for elderly inmates, the feasibility for adopting electronic monitoring as an alternative to incarceration for elderly inmates, and the possibility for eligibility for medical assistance for individuals who would qualify for alternatives to incarceration.

(2) EARNED RELEASE PROGRAM; RULES. The department of corrections shall update its administrative rules to implement earned release for completion of a vocational readiness training program under s. 302.05 (3), including specification of the eligibility criteria for persons sentenced before the effective date of this subsection to participate in the program.

(3) CONDITIONS OF SUPERVISION. No later than July 1, 2022, the department of corrections shall review the efficacy of its standard conditions and rules of supervision, and shall provide a report to the governor, the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided under s. 13.172 (3), and the director of state courts. The report shall include the number of violations reported for each condition and rule and a

comparison of the department of correction's standard conditions and rules of supervision to conditions and rules of supervision in other states.

(4) EARNED COMPLIANCE CREDIT. A person who is serving a sentence for a violation other than a crime specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.051, 948.055, 948.06, 948.07, 948.075, 948.08, 948.085, or 948.095 and who is in custody upon revocation of extended supervision or parole on the effective date of this subsection may petition the department to be given credit under s. 973.156. Upon proper verification of the facts alleged in the petition, s. 973.156 shall be applied retroactively to the person. If the department is unable to determine whether credit should be given, or otherwise refuses to award retroactive credit, the person may petition the sentencing court for relief. This subsection applies regardless of the date the person was sentenced. A person who is required to register under s. 301.45 is not eligible to receive credit under this subsection.

(5) REPORTS ON RISK ASSESSMENT AND TRAINING.

(a) The department of corrections shall conduct a review of the department's evidence–based risk assessment tool and shall submit a report to the governor, the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided under s. 13.172 (3), and the director of state courts no later than the first day of the 12th month beginning after the effective date of this paragraph. The department shall include in the report a review of the available alternatives to the current risk assessment tool and the costs and savings that would result from the use of alternatives. The department shall include in its review the efficacy of an evidence–based risk assessment tool that uses ongoing or recurring evaluations of an individual's ability to meet the conditions of supervision.

(b) The department of corrections shall conduct a review of the department's training of community supervision officers and shall submit a report to the governor, the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided under s. 13.172 (3), and the director of state courts no later than the first day of the 12th month beginning after the effective date of this paragraph. The department shall include in its report an evaluation of best practices and outcomes of training models used in other states.

(6) SECURED JUVENILE FACILITIES; TERMINOLOGY CHANGE. All rules promulgated by the department of corrections in effect on the effective date of this subsection that are related to Type–1 juvenile correctional facilities, as determined by the secretary of administration, remain in effect and apply to any secured residential care center for children and youth operated by the department of corrections until their specified expiration dates or until amended or repealed by the department of corrections.

(7) SENTENCE ADJUSTMENT FOR YOUTHFUL OFFENDERS. No later than the first day of the 6th month beginning after the effective date of this subsection, the department of corrections shall provide written notice under s. 973.018 (3) (a) to all youthful offenders who have served at least 14 years of their terms of imprisonment.

SECTION 9109. Nonstatutory provisions; Court of Appeals.

SECTION 9110. Nonstatutory provisions; District Attorneys.

SECTION 9111. Nonstatutory provisions; Educational Communications Board.

SECTION 9112. Nonstatutory provisions; Elections Commission.

(1) INITIAL SHARING OF REGISTRATION INFORMATION. Notwithstanding ss. 85.61 (1), 110.09 (2), 342.06 (1) (eg), and 343.14 (2j), the department of transportation shall enter into and begin transferring information under a revised agreement with the

elections commission administrator pursuant to s. 85.61 (1) no later than the first day of the 9th month beginning after the effective date of this subsection.

(2) REPORT ON VOTER REGISTRATION INFORMATION INTEGRATION. No later than July 1, 2023, the elections commission shall report to the appropriate standing committees of the legislature, in the manner specified in s. 13.172 (3), and to the governor its progress in initially implementing a system to ensure the complete and continuous registration of all eligible electors in this state, specifically including the operability and utility of information integration with the department of transportation and the feasibility and desirability of integrating public information maintained by other state agencies and by technical colleges with the commission's registration information to enhance the completeness and accuracy of the information. At a minimum, the report shall contain an assessment of the feasibility and desirability of the integration of registration information with information maintained by the departments of health services, children and families, workforce development, revenue, safety and professional services, and natural resources; the University of Wisconsin System; and the technical college system board, as well as the technical colleges within each technical college district.

SECTION 9113. Nonstatutory provisions; Employee Trust Funds.

(1) INCUMBENT INTERNAL AUDITOR. The individual holding the position of internal auditor in the department of employee trust funds on the day before the effective date of this subsection shall continue to serve in that position until an internal auditor is appointed under s. 15.165 (5).

(2) INCUMBENT STAFF. Individuals holding positions as staff internal auditors in the department of employee trust funds on the day before the effective date of this

subsection shall continue to serve in those positions until staff are appointed under s. 40.03 (1) (dm).

(3) TERMINATION OF WISCONSIN RETIREMENT BOARD AND TEACHERS RETIREMENT BOARD.

(a) *Transfer of orders, pending matters, contracts, and property.*

1. 'Orders.' All orders issued by the Wisconsin retirement board and the teachers retirement board that are in effect on the effective date of this subdivision remain in effect until their specified expiration date or until modified or rescinded by the employee trust funds board.

2. 'Pending matters.' Any matter pending with the Wisconsin retirement board or the teachers retirement board on the effective date of this subdivision is transferred to the employee trust funds board and, with respect to the pending matter, are considered as having been submitted to or taken by the employee trust funds board.

3. 'Contracts.' All contracts entered into by the Wisconsin retirement board or the teachers retirement board in effect on the effective date of this subdivision remain in effect and are transferred to the employee trust funds board. The employee trust funds board shall carry out any obligations under such a contract until the contract is modified or rescinded by the employee trust funds board to the extent allowed under the contract.

4. 'Tangible personal property.' On the effective date of this subdivision, all tangible personal property, including records, of the Wisconsin retirement board and the teachers retirement board is transferred to the employee trust funds board.

(b) *Interim employee trust funds board membership terms.*

1. Notwithstanding s. 15.16 (1) (cm) 1., the employee trust funds board member appointed under. s. 15.165 (3) (a) 4., 2019 stats., who is a member on the effective date of this subdivision shall continue to serve on the employee trust funds board until April 30, 2022.

2. Notwithstanding s. 15.16 (1) (cm) 2., the employee trust funds board member appointed under s. 15.165 (3) (b) 7. or 8., 2019 stats., who is a member on the effective date of this subdivision shall continue to serve on the employee trust funds board until April 30, 2022.

3. Notwithstanding s. 15.16 (1) (cm) 1., the employee trust funds board member appointed under s. 15.165 (3) (b) 1., 2., 4., 5., or 8., 2019 stats., who is a member on the effective date of this subdivision shall continue to serve on the employee trust funds board until April 30, 2022.

4. Notwithstanding s. 15.16 (1) (cm) 1., the employee trust funds board member elected under s. 15.165 (3) (a) 7., 2019 stats., who is a member on the effective date of this subdivision shall continue to serve on the employee trust funds board until April 30, 2023.

5. Notwithstanding s. 15.16 (1) (cm) 1., the employee trust funds board member appointed under s. 15.165 (3) (a) 3. or 5., 2019 stats., who is a member on the effective date of this subdivision shall continue to serve on the employee trust funds board until April 30, 2023.

6. Notwithstanding s. 15.16 (1) (cm) 2., the employee trust funds board member appointed under s. 15.16 (1) (b), 2019 stats., but not under s. 15.16 (1) (b) 1. to 3., 2019 stats., who is a member on the effective date of this subdivision shall continue to serve on the employee trust funds board until April 30, 2024.

7. Notwithstanding the term limits set forth in s. 15.16 (1) (intro.), 2019 stats., and s. 15.16 (1) (cm) (intro.), and notwithstanding s. 15.16 (1) (cm) 3., the employee trust funds board member appointed under s. 15.16 (1) (c), 2019 stats., shall continue to serve on the employee trust funds board until April 30, 2024.

8. Notwithstanding s. 15.16 (1) (cm) 2., the employee trust funds board member appointed or elected under s. 15.165 (3) (a) 1. or 2., 2019 stats., who is a member on the effective date of this subdivision shall continue to serve on the employee trust funds board until April 30, 2025.

9. Notwithstanding s. 15.16 (1) (cm) 2., the employee trust funds board member appointed under s. 15.165 (3) (b) 3., 6., or 7., 2019 stats., who is a member on the effective date of this subdivision shall continue to serve on the employee trust funds board until April 30, 2025.

10. Notwithstanding the term limits set forth in s. 15.16 (1) (intro.), 2019 stats., and s. 15.16 (1) (cm) (intro.), the members elected under s. 15.16 (1) (d) and (f), 2019 stats., who are members on the effective date of this subdivision shall continue to serve on the employee trust funds board until April 30, 2026.

(4) TRANSFER OF OVERSIGHT OF GROUP DISABILITY BENEFIT INSURANCE PLANS.

(a) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the group insurance board that is primarily related to the group income continuation insurance plan or long–term disability insurance plan, as determined by the secretary of employee trust funds, is transferred to the employee trust funds board.

(b) *Contracts.* All contracts entered into by the group insurance board in effect on the effective date of this paragraph that are primarily related to the group income continuation insurance plan or long–term disability insurance plan, as determined

by the secretary of employee trust funds, remain in effect and are transferred to the employee trust funds board. The employee trust funds board shall carry out any obligations under those contracts unless modified or rescinded by the employee trust funds board to the extent allowed under the contract.

(c) *Rules.* All rules promulgated by the secretary of employee trust funds and approved by the group insurance board in effect on the effective date of this paragraph that are primarily related to the group income continuation insurance plan or long–term disability insurance plan remain in effect until their specified expiration dates or until amended or repealed by the employee trust funds board.

(d) *Pending matters.* Any matter pending with the group insurance board on the effective date of this paragraph that is primarily related to the group income continuation insurance plan or long–term disability insurance plan, as determined by the secretary of employee trust funds, is transferred to the employee trust funds board. All materials submitted to or actions taken by the group insurance board with respect to the pending matter are considered as having been submitted to or taken by the employee trust funds board.

(5) ACTUARIAL STUDY BY GROUP INSURANCE BOARD. The group insurance board, in consultation with the actuary selected under s. 40.03 (1) (d) to perform actuarial services for group health insurance plans offered by the group insurance board, shall conduct a study of the potential costs and savings to school districts and current plan participants if all Wisconsin school districts are required to participate in a group health insurance plan offered by the group insurance board. No later than June 30, 2022, the group insurance board shall submit a written report of the study to the governor and the joint committee on finance.

SECTION 9114. Nonstatutory provisions; Employment Relations Commission.

SECTION 9115. Nonstatutory provisions; Ethics Commission.

(1) TEMPORARY LOBBYING SURCHARGE. With regard to lobbying for the 2021–22 legislative session, a person who files the principal registration form under s. 13.64 or the authorization statement under s. 13.65 shall pay to the ethics commission, in addition to the fees under s. 13.75 (1g) (b) and (d), a $55 surcharge for each such filing. If the fees have not been paid prior to the effective date of this subsection, the surcharge shall be submitted with the fees. If the fees have been paid prior to the effective date of this subsection, the surcharge shall be paid at the time and in the manner determined by the ethics commission.

SECTION 9116. Nonstatutory provisions; Financial Institutions.

(1) STUDENT LOAN SERVICERS; IMPLEMENTATION.

(a) No later than October 1, 2021, the department of financial institutions shall determine whether it can fully implement the provisions created in this act as subch. V of ch. 224 by October 1, 2021, and shall provide notice of this determination to the legislative reference bureau by that date.

(b) If the notice of the department of financial institutions under par. (a) states that the department cannot fully implement the provisions created in this act as subch. V of ch. 224 by October 1, 2021, the department shall provide notice to the legislative reference bureau of the date on which the provisions created in this act as subch. V of ch. 224 will be fully implemented, which date may not be later than January 1, 2023, and the legislative reference bureau shall publish a notice in the Wisconsin Administrative Register that specifies this date.

(2) SMALL BUSINESS RETIREMENT SAVINGS BOARD; STAGGERED TERMS. Notwithstanding the length of terms specified for the members of the small business retirement savings board under s. 15.185 (4) (b), the members appointed under s. 15.185 (4) (a) 3., 4., 6., and 8. shall be appointed for initial terms expiring on May 1, 2023.

(3) CHILDREN'S SAVINGS AND INVESTMENT PROGRAM.

(a) The department of financial institutions shall collaborate with one or more philanthropic organizations to develop a statewide children's savings and investment program, funded and administered by the philanthropic organization or organizations.

(b) The program under par. (a) shall allow the balance of an account established under the program to be transferred to a college savings account established under s. 224.50, consistent with any contribution limits or requirements under s. 224.50.

SECTION 9117. Nonstatutory provisions; Governor.

SECTION 9118. Nonstatutory provisions; Health and Educational Facilities Authority.

SECTION 9119. Nonstatutory provisions; Health Services.

(1) CHILDLESS ADULTS DEMONSTRATION PROJECT. The department of health services shall submit any necessary request to the federal department of health and human services for a state plan amendment or waiver of federal Medicaid law or to modify or withdraw from any waiver of federal Medicaid law relating to the childless adults demonstration project under s. 49.45 (23), 2019 stats., to reflect the incorporation of recipients of Medical Assistance under the demonstration project into the BadgerCare Plus program under s. 49.471 and the termination of the demonstration project. The department of health services may submit a request to

the federal department of health and human services to modify or withdraw from the waiver granted under s. 49.45 (23) (g), 2019 stats.

(2) COVERAGE OF GROUP PHYSICAL THERAPY UNDER MEDICAL ASSISTANCE.

(a) The department of health services shall promulgate rules to include group physical therapy as a covered service for recipients of medical assistance under s. DHS 107.16, Wis. Admin. Code. The department of health services shall submit in proposed form the rules required under this paragraph to the legislative council staff under s. 227.15 (1) no later than July 1, 2022.

(b) The department of health services may promulgate emergency rules under s. 227.24 to implement par. (a). Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this paragraph remain in effect until the first day of the 25th month beginning after the effective date of the emergency rule, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the department of health services is not required to provide evidence that promulgating a rule under this paragraph as an emergency rule is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this paragraph.

(3) USE OF COST REPORT DATA FOR RATE SETTING. For purposes of determining payments for a facility under s. 49.45 (6m) (am), the department of health services may use data other than data from calendar year 2020 or calendar year 2021 if the department of health services determines that calendar year 2020 or calendar year 2021 are not appropriate bases for prospective rate setting due to fluctuations in costs caused by the COVID–19 pandemic.

(4) CENTRALIZED DRUG REPOSITORY. The department of health services shall study and implement a centralized physical drug repository program under s. 255.056.

(5) COMMUNITY-BASED PSYCHOSOCIAL SERVICES. The department of health services may promulgate rules, including amending rules promulgated under s. 49.45 (30e) (b), update Medical Assistance program policies, and request any state plan amendment or waiver of federal Medicaid law from the federal government necessary to provide reimbursement to providers who are not county–based providers for psychosocial services provided to Medical Assistance recipients under s. 49.45 (30e).

(6) MEDICAL ASSISTANCE REIMBURSEMENT RATE INCREASE FOR DIRECT CARE IN PERSONAL CARE AGENCIES. The department of health services shall increase the Medical Assistance rates paid for direct care to agencies that provide personal care services by a budgeted sum of $15,000,000, as the state share of payments, and the matching federal share of payments, in fiscal year 2021–22, and by a budgeted sum of $15,000,000, as the state share of payments, and the matching federal share of payments, in fiscal year 2022–23, to support staff in those agencies who perform direct care.

(7) DIRECT SUPPORT PROFESSIONAL TRAINING PILOT PROGRAM.

(a) In the 2021–23 biennium, the department of health services shall develop and implement a pilot program to provide person–centered direct support professional training to achieve consistent standards of health care practice. The department shall provide identified standards of practice that allow health care providers the flexibility to apply the standards of practice to their existing training while also meeting the needs of patients in both community and facility settings.

(b) Any training developed and implemented under par. (a) shall be consistent with state and federal requirements.

(c) The department of health services shall collaborate with the department of workforce development, the Wisconsin technical college system, and health care providers in developing and implementing the pilot program under this section.

(d) The department of health services shall develop a career plan that describes the steps that lead to potential certification as a nurse aide.

(8) TAILORED CAREGIVER ASSESSMENT AND REFERRAL PILOT PROGRAM. During fiscal year 2021–22, the department of health services shall conduct a one–year tailored caregiver assessment and referral pilot program as described in the September 2020 report of the governor's task force on caregiving.

(9) STATEWIDE MINIMUM RATE BAND FOR HOME AND COMMUNITY–BASED LONG–TERM CARE SUPPORTS.

(a) The department of health services shall develop a statewide minimum rate band for home and community–based long–term care supports to establish equitable and sustainable minimum rates.

(b) The department of health services shall include in its 2023–25 budget request a proposal to implement the rate band developed under par. (a).

(10) OPTION TO PURCHASE PUBLICLY ADMINISTERED COVERAGE. During the 2021–23 fiscal biennium, the department of health services, the office of the commissioner of insurance, or the department of health services in consultation with the office of the commissioner of insurance shall conduct an analysis and actuarial study of the creation of an option for individuals to purchase health coverage that is publicly provided or administered. The analysis under this subsection shall incorporate input from a variety of persons and entities, including consumers, that have an

interest in health insurance and health coverage, including Medical Assistance program coverage, and an analysis of any other health care affordability initiatives. If the department of health services or the office of the commissioner of insurance determines that the option to purchase public coverage or any other health care affordability initiatives are feasible, the department or office may submit to the federal government any requests for a waiver of federal law or other federal approval necessary to implement the public coverage option or any other health care affordability initiatives. If the department of health services or office of the commissioner of insurance obtains the necessary federal approval or determines that no federal approval is necessary and if the department or office continues to determine that the option to purchase public coverage or any other health care affordability initiative is feasible, the department or office shall implement the option to purchase public coverage or other health care affordability initiative by January 1, 2025, or earlier if possible, except that if the commissioner of insurance determines the provisions of title I of the federal Patient Protection and Affordable Care Act, P.L. 111–148, are no longer enforceable, the department or office shall implement the public option or other affordability initiatives by January 1, 2022, or as soon as possible.

(11) MEDICAL ASSISTANCE REIMBURSEMENT FOR DIRECT CARE. From the increase in reimbursement paid by the department of health services under the Medical Assistance program to nursing facilities and to intermediate care facilities for persons with an intellectual disability, increase by $15,000,000 as the state share of payments, plus the matching federal share of payments, in fiscal year 2021–22 and by $15,000,000 as the state share of payments, plus the matching federal share of

payments, in fiscal year 2022–23 payments to support the staff in those facilities who perform direct care to residents.

(12) HOME CARE PROVIDER REGISTRY. The department of health services shall conduct a one–year pilot program to create a home care provider registry that supports home and community–based long–term care support programs, clients that pay for home care privately, independent care workers, and vendors of the care service industry. The department of health services shall use a software platform for the registry and shall select a vendor for the software platform using its competitive request–for–proposals procedures.

(13) INITIAL TRAINING FOR GUARDIANS. The grantee selected under s. 46.977 to administer and conduct training shall, no later than one year after the effective date of this subsection and in coordination with the department of health services, develop the content for the initial training to be provided to guardians under s. 54.26 and implement the program.

(14) SURGICAL QUALITY IMPROVEMENT GRANT. From the appropriation under s. 20.435 (1) (b), the department of health services may award a onetime grant of $335,000 in fiscal year 2021–22 to support surgical quality improvement activities. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health services may transfer moneys appropriated for the purpose described under this subsection from fiscal year 2021–22 to fiscal year 2022–23.

(15) HEALTH INFORMATION EXCHANGE. From the appropriation under s. 20.435 (1) (b), the department of health services shall provide a grant of $655,000 in fiscal year 2021–22 and a grant of $655,000 in fiscal year 2022–23 to support health information exchange activities. The department of health services may not encumber moneys from the appropriation under s. 20.435 (1) (b) for a grant under

this subsection after June 30, 2023. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer moneys appropriated for the purpose described under this subsection between fiscal years.

(16) SPINAL CORD INJURY COUNCIL; INITIAL APPOINTMENTS. Notwithstanding the length of terms specified for the members of the spinal cord injury council under s. 15.197 (20) (a) (intro.), initial appointments to the council shall be made as follows:

(a) The members appointed under s. 15.197 (20) (a) 1., 3., 5., and 7., or in lieu of those members under s. 15.197 (20) (b), shall be appointed for terms expiring on July 1, 2024.

(b) The members appointed under s. 15.197 (20) (a) 2., 4., 6., and 8., or in lieu of those members under s. 15.197 (20) (b), shall be appointed for terms expiring on July 1, 2025.

(17) BLACK WOMEN'S HEALTH. The department of health services shall award a grant of $500,000 in fiscal year 2021–22 and a grant of $500,000 in fiscal year 2022–23 to an entity to connect and convene efforts between state agencies, public and private sector organizations, and community organizations to support a statewide public health strategy to advance Black women's health. The department of health services may award the grants from the appropriation under s. 20.435 (1) (b).

(18) CRISIS URGENT CARE AND OBSERVATION CENTER EMERGENCY RULES. The department of health services may promulgate rules allowed under s. 51.036 related to crisis urgent care and observation centers as emergency rules under s. 227.24. Notwithstanding s. 227.24 (1) (a) and (3), the department of health services is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety,

or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(19) ADDICTION TREATMENT PLATFORM. From the appropriation under s. 20.435 (5) (a), the department of health services shall contract in fiscal year 2022–23 for the development of a substance use disorder treatment platform that allows for the comparison of substance use disorder treatment programs in the state. The department of health services may expend no more than $300,000 in fiscal year 2022–23 under this subsection.

SECTION 9120. Nonstatutory provisions; Higher Educational Aids Board.

(1) MINNESOTA-WISCONSIN TUITION RECIPROCITY AGREEMENT. The higher educational aids board shall provide to the designated body representing the state of Minnesota notice of the termination of the agreement under s. 39.47, 2019 stats., with the agreement's termination to become effective on July 1, 2022. The higher educational aids board and the Board of Regents of the University of Wisconsin System shall negotiate new agreements to replace the agreement under s. 39.47, 2019 stats., with these new agreements to become effective on July 1, 2022.

SECTION 9121. Nonstatutory provisions; Historical Society.

SECTION 9122. Nonstatutory provisions; Housing and Economic Development Authority.

(1) PILOT PROGRAM FOR HOMELESS CHILDREN AND YOUTHS. The Wisconsin Housing and Economic Development Authority shall develop policies and procedures for and implement a 2–year pilot program that gives priority to individuals who are included in the category of homeless children and youths, as defined in 42 USC 11434a (2), and families with at least one individual included in that category on the waiting list that

the authority, or a public housing agency or other entity that contracts with the authority, maintains for vouchers under the federal housing choice voucher program.

SECTION 9123. Nonstatutory provisions; Insurance.

(1) PHARMACY BENEFIT MANAGER REGULATION. A pharmacy benefit manager that is not required to be licensed as an administrator is not required to be licensed under s. 633.14 and a pharmacy benefit manager is not required to comply with s. 632.865 (3) to (7) until the effective date of this subsection, unless the commissioner of insurance specifies a later date on which registration or compliance is required.

(2) PRESCRIPTION DRUG IMPORTATION PROGRAM. The commissioner of insurance shall submit the first report required under s. 601.575 (5) by the next January 1 or July 1, whichever is earliest, that is at least 180 days after the date the prescription drug importation program is fully operational under s. 601.575 (4). The commissioner of insurance shall include in the first 3 reports submitted under s. 601.575 (5) information on the implementation of the audit functions under s. 601.575 (1) (n).

(3) PRESCRIPTION DRUG COST SURVEY. The commissioner of insurance shall conduct a statistically valid survey of pharmacies in this state regarding whether the pharmacy agreed to not disclose that customer drug benefit cost sharing exceeds the cost of the dispensed drug.

(4) PUBLIC OPTION HEALTH INSURANCE PLAN. The office of the commissioner of insurance may expend from the appropriation under s. 20.145 (1) (a) in fiscal year 2021–22 not more than $900,000 for the development of a public option health insurance plan.

(5) HEALTH INSURANCE PREMIUM ASSISTANCE PROGRAM. The commissioner of insurance shall develop a program to provide, beginning no later than plan year

2024, health insurance premium assistance to any resident of this state who purchases a silver level plan on the exchange, as defined in s. 628.90 (1), and whose household income exceeds 133 percent of the poverty line before application of the 5 percent income disregard as described in 42 CFR 435.603 (d), but does not exceed 250 percent of the poverty line. The assistance shall equal the difference between the lowest–cost silver level plan and lowest–cost bronze level plan in the individual's county of residence. The commissioner of insurance shall include a cost estimate of the program with the 2023–24 biennial budget submission for the office of the commissioner of insurance. In this subsection, "bronze level plan" means a plan described in 42 USC 18022 (d) (1) (A), "poverty line" means the poverty line as defined and revised annually under 42 USC 9902 (2) for a family the size of the individual's family, and "silver level plan" means a plan described in 42 USC 18022 (d) (1) (B).

(6) PRESCRIPTION DRUG PURCHASING ENTITY. During the 2021–2023 fiscal biennium, the office of the commissioner of insurance shall conduct a study on the viability of creating or implementing a state prescription drug purchasing entity.

(7) SCHOOL DISTRICT GROUP HEALTH INSURANCE TASK FORCE.

(a) The commissioner of insurance shall establish a committee called the "School District Group Health Insurance Task Force." The task force shall consist of the following members appointed by the governor:

1. One representative from the office of the commissioner of insurance.
2. One representative from the department of administration.
3. One representative from the department of public instruction.
4. One representative from the department of employee trust funds.
5. One administrator of a school district.
6. One business official of a school district.

7. One member of a school board.

8. One official of a public employee union.

9. Three employees of public schools.

10. One representative of a health plan.

(b) The representative from the office of the commissioner of insurance shall be the chairperson of the task force.

(c) Based on consultation with the task force, and review of the actuarial report required under SECTION 9113 (7) of this act, the commissioner of insurance and the secretary of employee trust funds shall develop an implementation plan, which, if enacted, would require all school districts in this state to participate in a group health insurance program offered by the group insurance board by January 1, 2024.

(d) The commissioner of insurance and the secretary of employee trust funds shall submit the implementation plan to the governor and the joint committee of finance by December 31, 2022.

(8) PRESCRIPTION DRUG AFFORDABILITY REVIEW BOARD. Notwithstanding the length of terms specified for the members of the board under s. 15.735 (1) (b) to (e), 2 of the initial members shall be appointed for terms expiring on May 1, 2023; 2 of the initial members shall be appointed for terms expiring on May 1, 2024; 2 of the initial members shall be appointed for terms expiring on May 1, 2025, and 2 of the initial members shall be appointed for terms expiring on May 1, 2026.

SECTION 9124. Nonstatutory provisions; Investment Board.

SECTION 9125. Nonstatutory provisions; Joint Committee on Finance.

SECTION 9126. Nonstatutory provisions; Judicial Commission.

SECTION 9127. Nonstatutory provisions; Justice.

(1) SEXUAL ASSAULT KITS. Within 180 days of the effective date of this subsection, the department of justice shall promulgate emergency rules under s. 227.24 to implement s. 165.775 for the period before the effective date of the permanent rules but not to exceed the period authorized under s. 227.24 (1) (c), subject to extension under s. 227.24 (2). Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(2) SENTENCING REVIEW COUNCIL; REPORT. No later than July 1, 2022, the sentencing review council shall submit a report on its findings and recommendations under s. 165.27 (1) to (4) to the attorney general under s. 15.09 (7) and to the appropriate standing committees of the legislature under s. 13.172 (3).

SECTION 9128. Nonstatutory provisions; Legislature.

(1) REDISTRICTING.

(a) *Definitions.* In this subsection:

1. "Commission" means the People's Maps Commission created by the governor on January 27, 2020, under executive order 66.

2. "Legislature" means the legislature instituted on January 5, 2021.

(b) *Preparation of legislation.* The legislative reference bureau shall prepare in proper form legislation that gives effect to the congressional redistricting plan proposed by the commission for consideration by the legislature and separate legislation that gives effect to the state assembly and senate redistricting plan proposed by the commission for consideration by the legislature. The bureau shall deliver the legislation to the governor for approval.

(c) *Introduction, consideration, and vote.*

1. The governor shall deliver the bills prepared under par. (b) to the joint committee on legislative organization, which shall introduce the bills without change in each house of the legislature. The bills shall then be referred to the appropriate standing committees of each house.

2. The legislature shall take final action on either the assembly version or the senate version of the bills introduced under subd. 1. no later than the 60th day after the bill is introduced.

3. The legislature may not take action on congressional redistricting legislation not introduced under subd. 1. until after either the assembly version or the senate version of the congressional redistricting bill introduced under subd. 1. has been voted on by each house of the legislature.

4. The legislature may not take action on legislative redistricting legislation not introduced under subd. 1. until after either the assembly version or the senate version of the legislative redistricting bill introduced under subd. 1. has been voted on by each house of the legislature.

(d) *Public records.*

1. Notwithstanding s. 16.61 (2) (b) 1., all public records, as defined in s. 16.61 (2) (b), created or maintained by each house, committee, and member of the legislature that relate to congressional or legislative redistricting may not be destroyed until after December 31, 2030.

2. Notwithstanding ss. 13.91 to 13.96, 19.36 (1), and 905.03, all records, as defined in s. 19.32 (2), created or maintained by each house, committee, and member of the legislature that relate to congressional or legislative redistricting are subject to inspection and copying under s. 19.35 and may not be withheld from public access

on the basis of any claim of confidentiality or privilege, except for records containing communications that are privileged under s. 905.03 and that concern a previously drafted congressional or legislative redistricting plan.

(e) *Open meetings.* Notwithstanding ss. 13.91 to 13.96 and 905.03, each meeting related to congressional or legislative redistricting shall be preceded by public notice, as provided in s. 19.84, and shall be held in a place reasonably accessible to members of the public and open to all citizens at all times, if the meeting includes any of the following:

1. Two or more members of the legislature.

2. Members of the partisan staff of 2 or more legislative offices.

3. A member of the legislature and nonpartisan legislative staff.

4. A member of the legislature and a person retained by the legislature to assist with congressional or legislative redistricting.

(2) JOINT LEGISLATIVE COUNCIL STUDY. The joint legislative council shall study the implementation of the marijuana tax and regulation provided under subch. IV of ch. 139 and identify uses for the revenues generated by the tax. The joint legislative council shall report its findings, conclusions, and recommendations to the joint committee on finance no later than 2 years after the effective date of this subsection.

SECTION 9129. Nonstatutory provisions; Lieutenant Governor.

SECTION 9130. Nonstatutory provisions; Local Government.

(1) LEVY LIMIT EXCEPTION FOR REGIONAL PLANNING COMMISSION CHARGES. For the purposes of a levy imposed by a city, village, town, or county in December 2021, the base amount to which s. 66.0602 (2) applies does not include any amount that the city, village, town, or county levied in the immediately preceding year to pay for the city's,

village's, town's, or county's share of a regional planning commission's budget as charged by the commission under s. 66.0309 (14) (a) to (c).

SECTION 9131. Nonstatutory provisions; Military Affairs.

(1) TRUAX FIELD ELECTRICAL MICRO GRID SYSTEM. In fiscal year 2022–23, the department of military affairs shall conduct a study to determine whether construction of an electrical micro grid system at Truax Field is feasible. The department may expend from the appropriation under s. 20.465 (1) (b) in fiscal year 2022–23 not more than $64,000 to support the study under this subsection. If, based on the study, the adjutant general determines that construction of an electrical micro grid system at Truax Field is feasible, the department may expend from the appropriation under s. 20.465 (1) (b) in fiscal year 2022–23 not more than $296,000 for schematic designs related to the construction of an electrical micro grid system at Truax Field.

SECTION 9132. Nonstatutory provisions; Natural Resources.

(1) EMERGENCY RULE-MAKING AUTHORITY; GREAT LAKES EROSION CONTROL PROGRAM. The department of natural resources may use the procedure under s. 227.24 to promulgate emergency rules under s. 23.199 for the period before the date on which permanent rules under s. 23.199 take effect. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until the first day of the 25th month beginning after the effective date of the emergency rules, the date on which the permanent rules take effect, or the effective date of the repeal of the emergency rules, whichever is earlier. Notwithstanding s. 227.24 (1) (a) and (3), the department of natural resources is not required to provide evidence that promulgating a rule under this subsection as emergency rules is necessary for the

preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(2) TRANSFER OF LAND RECYCLING LOAN PROGRAM BALANCE. All moneys appropriated for the land recycling loan program under s. 281.60, 2019 stats., that are unallocated on the effective date of this subsection shall be transferred to the environmental improvement fund for the clean water fund program under s. 281.58.

(3) EMERGENCY RULES FOR PFAS MUNICIPAL GRANT PROGRAM. The department of natural resources may use the procedure under s. 227.24 to promulgate emergency rules relating to the municipal grant program under s. 292.66. Notwithstanding s. 227.24 (1) (a) and (3), when promulgating emergency rules under this subsection, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (e) 1d. and 1g., for emergency rules promulgated under this subsection, the department is not required to prepare a statement of scope of the rules or to submit the proposed rules in final draft form to the governor for approval.

(4) EMERGENCY RULES FOR PFAS IN DRINKING WATER, GROUNDWATER, SURFACE WATER, SOLID WASTE, BEDS OF NAVIGABLE WATERS, AND CONTAMINATED SOIL AND SEDIMENT.

(a) The department of natural resources shall promulgate emergency rules under s. 227.24 establishing acceptable levels and standards, performance standards, monitoring requirements, and required response actions for any perfluoroalkyl or polyfluoroalkyl substance or group or class of such substances that the department determines may be harmful to human health or the environment in the following:

1. Drinking water under s. 281.17 (8).

2. Groundwater under ss. 160.07 (5) and 160.15.

3. Surface water from point sources under ss. 283.11 (4) and 283.21 and from nonpoint sources under s. 281.16.

4. Air under s. 285.27 (2) (bm), if the standards are needed to provide adequate protection for public health or welfare.

5. Solid waste and solid waste facilities under chs. 289 and 291.

6. Beds of navigable waters under s. 30.20.

7. Soil and sediment under chs. 289 and 292.

(b) The department of natural resources shall promulgate emergency rules under s. 227.24 to do all of the following:

1. Add any perfluoroalkyl or polyfluoroalkyl substance or group or class of such substances that the department determines may be harmful to human health or the environment to the list of toxic pollutants under s. 283.21 (1) (a) for purposes of setting toxic effluent standards or prohibitions under s. 283.11 (4).

2. Add to the list of hazardous constituents under s. 291.05 (4) any perfluoroalkyl or polyfluoroalkyl substance or group or class of such substances for which the department determines that the listing is necessary to protect public health, safety, or welfare.

3. Administer and enforce ch. 292 in relation to remedial actions involving perfluoroalkyl or polyfluoroalkyl substances or a group or class of such substances.

(c) Notwithstanding any finding required under par. (a) or (b), emergency rules promulgated under pars. (a) and (b) shall include, at a minimum, perfluorooctane sulfonic acid, perfluorooctanoic acid, perfluorohexane sulfonic acid, perfluorononanoic acid, and perfluorobutane sulfonic acid and shall include

provisions for enforcing these standards, including requiring sampling, monitoring, testing, and response actions.

(d) Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under pars. (a) and (b) remain in effect until July 1, 2022, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the department of natural resources is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(5) WATER QUALITY STANDARDS FOR PFAS. The department of natural resources shall promulgate, under s. 281.15, water quality standards for perfluorooctane sulfonic acid, perfluorooctanoic acid, perfluorohexane sulfonic acid, perfluorononanoic acid, and perfluorobutane sulfonic acid and any other perfluoroalkyl or polyfluoroalkyl substance or group or class of such substances that the department determines may be harmful to human health and necessary to protect a water's designated use.

(6) LIST OF GROUNDWATER CONTAMINANTS. The department of natural resources shall add to the list of groundwater contaminants under s. 160.05 any perfluoroalkyl and polyfluoroalkyl substance or group or class of such substances that is shown to involve public health concerns and that has a reasonable probability of entering the groundwater and shall categorize and rank those substances according to the provisions of s. 160.05.

(7) TESTING LABORATORIES; EMERGENCY RULES.

(a) The department of natural resources shall promulgate emergency rules under s. 227.24 establishing criteria for certifying laboratories to test for any

perfluoroalkyl or polyfluoroalkyl substances, including the standards and methods for such testing, and shall certify laboratories that meet these criteria. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until July 1, 2022, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the department of natural resources is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(b) Before emergency rules are promulgated under par. (a), the department of natural resources may require testing for a perfluoroalkyl or polyfluoroalkyl substance to be done according to any nationally recognized procedures.

(8) MUNICIPAL FLOOD CONTROL AID. Notwithstanding eligibility requirements for receiving aid or limitations on the amount and use of aid provided under s. 281.665, from the appropriation under s. 20.370 (6) (dq), the department of natural resources shall award $1,000,000 in fiscal year 2021–22 and $1,000,000 in fiscal year 2022–23 for the preparation of flood insurance studies and other flood mapping projects.

(9) EMERGENCY RULES FOR FIRE FIGHTING FOAM. The department of natural resources may use the procedure under s. 227.24 to promulgate emergency rules relating to the collection and disposal of fire fighting foams that contain perfluoroalkyl and polyfluoroalkyl substances. Notwithstanding s. 227.24 (1) (a) and (3), when promulgating emergency rules under this subsection, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule

promulgated under this subsection. Notwithstanding s. 227.24 (1) (e) 1d. and 1g., for emergency rules promulgated under this subsection, the department is not required to prepare a statement of scope of the rules or to submit the proposed rules in final draft form to the governor for approval.

SECTION 9133. Nonstatutory provisions; Public Defender Board.

(1) ASSISTANT STATE PUBLIC DEFENDER MERIT–BASED PAY RAISES. Notwithstanding s. 230.12 (11) (c), from the appropriation under s. 20.550 (1) (a), the public defender board may provide merit–based pay raises under the assistant state public defender pay progression plan under s. 230.12 (11) to increase the base pay of assistant public defenders who were employed by the public defender board before July 1, 2021, in fiscal year 2022. Notwithstanding s. 230.12 (11) (c), a salary adjustment for an assistant state public defender under this subsection may exceed 10 percent of his or her base pay during a fiscal year.

SECTION 9134. Nonstatutory provisions; Public Instruction.

(1) SPECIAL ADJUSTMENT AID IN THE 2021–22 SCHOOL YEAR. Notwithstanding s. 121.105 (2), in the 2021–22 and 2022–23 school years, the department of public instruction shall calculate the aid adjustment under s. 121.105 using 90 percent instead of 85 percent in s. 121.105 (2) (am) 1. and 2.

(2) PER PUPIL AID; ADDITIONAL AID FOR ECONOMICALLY DISADVANTAGED PUPILS. Notwithstanding s. 115.437 (2) (a) 2., in the 2021–22 and 2022–23 school years, for purposes of the calculation under s. 115.437 (2) (a) 2., the department of public instruction shall multiply the number of pupils enrolled in a school district by the school district's rate of economically disadvantaged pupils, as defined in s. 115.437 (1) (d), in the 2019–20 school year instead of by the school district's rate of

economically disadvantaged pupils, as defined in s. 115.437 (1) (d), in the previous school year.

(3) PARENTAL CHOICE PROGRAMS; TRANSFERRING APPLICANTS BETWEEN PROGRAMS; RULE-MAKING. The department of public instruction may promulgate emergency rules under s. 227.24 to implement the pupil counting exceptions specified under ss. 118.60 (11) (e) and 119.23 (11) (e). Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this section remain in effect until July 1, 2024, or the date on which permanent rules take effect, whichever is sooner.

SECTION 9135. Nonstatutory provisions; Public Lands, Board of Commissioners of.

SECTION 9136. Nonstatutory provisions; Public Service Commission.

SECTION 9137. Nonstatutory provisions; Revenue.

(1) COMMUNITY HEALTH CENTERS. Notwithstanding s. 70.11 (intro.), an owner of property that is exempt from taxation under s. 70.11 (4) (a) 1m. may claim the exemption for the assessment as of January 1, 2020, if the property owner files the form described under s. 70.11 (intro.) with the assessor of the taxation district no later than 30 days after the effective date of this subsection.

SECTION 9138. Nonstatutory provisions; Safety and Professional Services.

(1) DENTAL THERAPIST LICENSURE.

(a) When the first individual becomes licensed as a dental therapist in this state under s. 447.04 (1m), the dentistry examining board shall send a notice to the legislative reference bureau for publication in the Wisconsin Administrative Register.

(b)

1. The dentistry examining board shall promulgate emergency rules under s. 227.24 that are necessary to implement the licensure of dental therapists under this act. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subdivision remain in effect for 2 years, or until the date on which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the board is not required to provide evidence that promulgating a rule under this subdivision as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subdivision.

2. The dentistry examining board shall present a statement of scope for permanent and emergency rules required to implement the licensure of dental therapists under this act to the department of administration under s. 227.135 (2) no later than the 30th day after the effective date of this subdivision. Notwithstanding s. 227.135 (2), if the governor does not disapprove the statement of scope by the 30th day after the statement is presented to the department of administration, the statement is considered to be approved by the governor.

3. The dentistry examining board shall submit a proposed emergency rule required to implement the licensure of dental therapists under this act to the governor for approval under s. 227.24 (1) (e) 1g. no later than the 150th day after the effective date of this subdivision. Notwithstanding s. 227.24 (1) (e) 1g., if the governor does not reject the proposed emergency rule by the 14th day after the rule is submitted to the governor in final draft form, the rule is considered to be approved by the governor.

4. The dentistry examining board shall submit a proposed permanent rule required to implement the licensure of dental therapists under this act to the

governor for approval under s. 227.185 no later than the 365th day after the effective date of this subdivision. Notwithstanding s. 227.185, if the governor does not reject that proposed permanent rule by the 30th day after the rule is submitted to the governor in final draft form, the rule is considered to be approved by the governor.

(2) PHARMACISTS; OPIOID ANTAGONISTS. Using the procedure under s. 227.24, the pharmacy examining board may promulgate rules required under s. 450.02 (2c). Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until May 1, 2023, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the board is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

SECTION 9139. Nonstatutory provisions; Secretary of State.

SECTION 9140. Nonstatutory provisions; State Fair Park Board.

SECTION 9141. Nonstatutory provisions; Supreme Court.

SECTION 9142. Nonstatutory provisions; Technical College System.

(1) VOTER IDENTIFICATION. No later than August 1, 2021, each technical college in this state that is is a member of and governed by the technical college system under ch. 38 shall issue student identification cards that qualify as identification under s. 5.02 (6m) (f).

SECTION 9143. Nonstatutory provisions; Tourism.

(1) TRANSFER OF AMERICAN INDIAN TOURISM MARKETING CONTRACT. The contract between the department of tourism and the Great Lakes inter–tribal council in effect on the effective date of this subsection that is primarily related to the promotion of

tourism featuring American Indian heritage and culture, as determined by the secretary of administration, is transferred to the department of administration. The department of administration shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(2) CREATIVE ECONOMY DEVELOPMENT INITIATIVE GRANTS.

(a) In this subsection, "creative industry" means any of the following whose products or services have an origin in artistic, cultural, creative, or aesthetic content:

1. An organization or business, whether operated for profit or not for profit.

2. An individual.

(b) In the 2021–23 fiscal biennium, from the appropriation under s. 20.380 (3) (b), the arts board shall award creative economy development initiative grants on a competitive basis to businesses, whether operated for profit or not for profit, municipal and county governmental agencies, and business development organizations or associations that work to promote creative industries, job creation, arts education, workforce training and development, or economic development in this state. A grant awarded under this subsection may not exceed $40,000.

(c) The arts board may not award a grant under par. (b) unless the business, governmental agency, or business development organization or association has secured from nonstate sources an amount equal to at least twice the amount of the proposed grant.

(d) The arts board may not award more than $500,000 in grants under this subsection.

(e) The arts board shall develop a matrix to evaluate the effectiveness of creative economy development initiative grants awarded under this subsection and

shall submit a report on the effectiveness of the creative economy development initiative grants, as determined using the matrix developed under this paragraph, to the joint committee on finance no later than May 1, 2023.

SECTION 9144. Nonstatutory provisions; Transportation.

(1) RAY NITSCHKE MEMORIAL BRIDGE. Notwithstanding eligibility requirements for receiving aid or limitations on the amount and use of aid provided under s. 84.18, in the 2021–22 fiscal year, from the appropriation under s. 20.395 (2) (eq), the department of transportation shall set aside $1,200,000 for repairs to the Ray Nitschke Memorial Bridge in Brown County.

(2) TOWN OF MILTON PROJECT. Notwithstanding limitations on the amount and use of aids provided under s. 86.31 or on eligibility requirements for receiving aids provided under s. 86.31, in the 2021–23 fiscal biennium, from the appropriation under s. 20.395 (2) (ft), the department of transportation shall award a grant under s. 86.31 (3m) to the town of Milton in Rock County for the Clear Lake Road project. The amount of the grant awarded under this subsection shall be $75,000 or the total cost of the project, whichever is less.

(3) INTERCHANGE OF I 94 AND MOORLAND ROAD. In the 2021–23 fiscal biennium, from the appropriation under s. 20.395 (3) (cq), the department of transportation shall allocate $1,750,000 for the construction of geometric improvements to improve the safety of the interchange of I 94 and Moorland Road in Waukesha County.

SECTION 9145. Nonstatutory provisions; Treasurer.

SECTION 9146. Nonstatutory provisions; University of Wisconsin Hospitals and Clinics Authority; Medical College of Wisconsin.

SECTION 9147. Nonstatutory provisions; University of Wisconsin System.

(1) VOTER IDENTIFICATION. No later than August 1, 2021, each University of Wisconsin System institution shall issue student identification cards that qualify as identification under s. 5.02 (6m) (f).

(2) FUNDING FOR THE UNIVERSITY OF WISCONSIN MISSING-IN-ACTION RECOVERY AND IDENTIFICATION PROJECT.

(a) In this subsection:

1. "Board" means the Board of Regents of the University of Wisconsin System.

2. "MIA Recovery Project" means the University of Wisconsin Missing–in–Action Recovery and Identification Project.

(b) From the appropriation under s. 20.285 (1) (bt), the board shall provide funding for the MIA Recovery Project to perform a mission for the recovery and identification of Wisconsin veterans who are missing in action.

(c) The MIA Recovery Project, acting through its representative, shall submit at the conclusion of the mission for which the funds were expended, to the board, the joint committee on finance, the standing committees of each house of the legislature dealing with veterans matters, the governor, the department of veterans affairs, and the department of military affairs, a report on the mission's findings and an accounting of expenditures for the mission.

(3) EXTENSION SERVICES PROVIDED BY STATE SPECIALISTS. The Board of Regents of the University of Wisconsin System shall revise the plan under s. 36.115 (8) (a), if necessary to comply with s. 36.115 (8) (c), no later than the first day of the 4th month beginning after the effective date of this subsection.

(4) RESIDENT UNDERGRADUATE TUITION. Notwithstanding s. 36.27 (1) (a), the Board of Regents of the University of Wisconsin System may not charge resident undergraduates enrolled in an institution, as defined in s. 36.05 (9), or college

campus, as defined in s. 36.05 (6m), in the 2021–22 or 2022–23 academic year more in academic fees than it charged resident undergraduates enrolled in that institution or college campus in the 2020–21 academic year.

(5) JUNETEENTH HOLIDAY. The administrator of the division of personnel management in the department of administration shall include June 19 as a paid holiday in the proposal for adjusting compensation and employee benefits for University of Wisconsin System employees for the 2021–22 and 2022–23 fiscal years that it submits to the joint committee on employee relations under s. 230.12 (3) (e) 1. The recommendation shall specify that the first June 19 paid holiday is the June 19 that occurs after the 2021–23 compensation plan is adopted by the joint committee on employee relations.

(6) SITE PREPARATION FOR MONUMENT AT UW–STEVENS POINT. From the appropriation under s. 20.285 (1) (a), the Board of Regents of the University of Wisconsin System shall pay for the costs of site preparation at the University of Wisconsin–Stevens Point for installation of the permanent marker under s. 41.53 (1) (k).

(7) PAID PARENTAL LEAVE. The Board of Regents of the University of Wisconsin System shall submit to the administrator of the division of personnel management in the department of administration, with its recommendations for adjustments to compensation and employee benefits for employees of the system under s. 230.12 (3) (e) 1. for 2021–23, a plan for a program to provide paid parental leave to employees of the system.

(8) AGRICULTURE POSITIONS; REPORT.

(a) In this subsection:

1. "Board" means the Board of Regents of the University of Wisconsin System.

2. "Chancellor" means the chancellor of the University of Wisconsin–Madison.

(b) From the appropriation under s. 20.285 (1) (a), the board shall provide funding for 20.0 full–time equivalent agriculture–focused positions at the University of Wisconsin–Madison, comprised of 15.0 full–time equivalent county–based agriculture agent positions, 3.0 full–time equivalent research positions focusing on applied agriculture research, and 2.0 full–time equivalent research positions focusing on agriculture and climate change.

(c) The positions specified in par. (b) are subject to all of the following:

1. The positions shall be filled using existing authorized full–time equivalent positions, funded from s. 20.285 (1) (a), that are currently vacant.

2. The positions shall be filled in a manner that reflects an increase in the total number of agricultural agent positions and agriculture–related research positions at the University of Wisconsin–Madison.

(d) The chancellor may not abolish under s. 16.505 (2p) the positions specified in par. (b).

(e) No later than January 1, 2023, the University of Wisconsin–Madison shall submit a report to the governor and the joint committee on finance containing all of the following information:

1. The date of hire of each person hired for a position specified in par. (b).

2. The job responsibilities of each person hired for a position specified in par. (b).

3. For each person hired for a county–based agriculture agent position specified in par. (b), the strategies or tactics the person has used to communicate climate change issues to farmers, along with metrics for tracking the impact of these persons regarding agricultural practice changes in consideration of climate change.

4. For each person hired for a research position focusing on applied agriculture research specified in par. (b), the research conducted to date, the research to be conducted, the findings of the research to date, and how those findings are informing the person's work, as well as the work of county–based agriculture agents.

5. For each person hired for a research position focusing on agriculture and climate change specified in par. (b), the ways in which the person has utilized the research findings of the researchers described in subd. 4. to inform the county–based agriculture agents, including developed curriculum and proposed outreach efforts, along with any additional research effort the person has undertaken and intends to undertake.

SECTION 9148. Nonstatutory provisions; Veterans Affairs.

SECTION 9149. Nonstatutory provisions; Wisconsin Economic Development Corporation.

(1) COOPERATIVE FEASIBILITY STUDIES. From the appropriation under s. 20.192 (1) (a), the Wisconsin Economic Development Corporation shall, during each year of the 2021–23 fiscal biennium, award up to $200,000 in grants for cooperative feasibility studies. The Wisconsin Economic Development Corporation shall consult with the Cooperative Network when making awards under this subsection.

(2) REGIONAL ECONOMIC DEVELOPMENT FUNDING. In the 2021–22 fiscal year, the Wisconsin Economic Development Corporation shall expend up to $8,000,000 from the appropriation under s. 20.192 (1) (a) to provide funding to organizations focused on local or regional economic development in this state for the purpose of assisting businesses and nonprofit organizations in this state in their recovery from the COVID–19 global pandemic. The moneys appropriated under this subsection are not subject to the limitations specified in s. 20.192 (1) (a).

SECTION 9150. Nonstatutory provisions; Workforce Development.

(1) MINIMUM WAGE STUDY COMMITTEE.

(a) The secretary of workforce development shall establish a minimum wage study committee under s. 15.04 (1) (c). The committee shall consist of the following:

1. Five members appointed by the governor.

2. One member appointed by the speaker of the assembly.

3. One member appointed by the minority leader of the assembly.

4. One member appointed by the majority leader of the senate.

5. One member appointed by the minority leader of the senate.

(b) The committee created under par. (a) shall study options to achieve a $15 per hour minimum wage and other options to increase compensation for workers in this state.

(c) No later than October 1, 2022, the committee created under par. (a) shall submit to the governor and the appropriate standing committees of the legislature in the manner provided under s. 13.172 (3) a report that includes recommendations regarding the options for achieving a $15 per hour minimum wage and other means of increasing worker compensation in this state.

(d) The minimum wage study committee terminates upon submission of the report under par. (c).

(2) UNEMPLOYMENT INSURANCE; ELECTRONIC INTERCHANGE. The department of workforce development shall submit a notice to the legislative reference bureau for publication in the Wisconsin administrative register indicating the date upon which the department is able to implement the treatment of s. 108.14 (2e).

(3) SUBSTANCE ABUSE PREVENTION ON PUBLIC WORKS AND PUBLIC UTILITY PROJECTS. Using the procedure under s. 227.24, the department of workforce development may

promulgate rules required under s. 103.503 (6) (b). Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until May 1, 2023, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(4) EMERGENCY RULE-MAKING AUTHORITY; FAMILY AND MEDICAL LEAVE. The department of workforce development may use the procedure under s. 227.24 to promulgate rules to implement s. 103.10 (3) (b) 4. and to revise ch. DWD 225 of the administrative code as needed to implement the changes made by this act's treatment of s. 103.10 (1) (a) (intro.), 1., 2., and 3., (ao), (ap), (b), (c), (dg), (dr), (dt), (em), and (gm), (2) (c), (3) (a) 1. and 2m. and (b) 3., 4., 4m., 5., and 6., (4) (a), (6) (b) and (c), (7) (a), (b) (intro.), 1., 2., and 3., (d), (e), and (f), (10), (12) (b) and (c), and (14) (a) and (b). Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until July 1, 2022, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

SECTION 9151. Nonstatutory provisions; Other.

(1) LEGISLATIVE INTENT. The legislature intends the repeal of ss. 49.141 (1) (j) 2., 102.51 (1) (a) 2., 115.76 (12) (a) 2. and 3., and 769.401 (2) (g), the renumbering and

amendment of ss. 891.40 (1) and 891.41 (1) (b), the amendment of ss. 29.219 (4), 29.228 (5) and (6), 29.229 (2) (i), 29.2295 (2) (i), 29.563 (3) (a) 3., 29.607 (3), 45.01 (6) (c), 45.51 (3) (c) 2. and (5) (a) 1. b. and c., 45.55, 46.10 (2), 48.02 (13), 48.025 (title), (2) (b), and (3) (c), 48.27 (3) (b) 1. a. and b. and (5), 48.299 (6) (intro.) and (e) 1., 2., 3., and 4. and (7), 48.355 (4g) (a) 1., 48.396 (2) (dm), 48.42 (1g) (a) 4., (b), and (c) and (2) (b) 1. and 2. and (bm) 1., 48.422 (6) (a) and (7) (bm) and (br), 48.423 (2) (d), 48.432 (1) (am) 2. b., 48.63 (3) (b) 4. and 5., 48.82 (1) (a), 48.837 (1r) (d) and (e) and (6) (b) and (br), 48.913 (1) (a), (b), and (h), (2) (intro.), (b), and (c) (intro.), (3), (4), and (7), 48.9795 (1) (a) 1. c. and (b), 49.141 (1) (j) 1., 49.155 (1m) (c) 1g. and 1h., 49.163 (2) (am) 2., 49.19 (1) (a) 2. a. and (4) (d) (intro.), 1., 2., 3., 4., and 5., 49.345 (2), 49.43 (12), 49.471 (1) (b) 2., 49.90 (4), 54.01 (36) (a), 54.960 (1), 69.03 (15), 69.11 (4) (b), 69.12 (5), 69.13 (2) (b) 4., 69.14 (1) (c) 4., (e) (title) and 1., (f) 1., and (g) and (2) (b) 2. d., 69.15 (1), (3) (title), (a) (intro.), 1., 2., and 3., (b) 1., 2., 3., and 4. (intro.), a., and b., and (d), and (3m) (title), (a) (intro.) and 3., and (b), 71.03 (2) (d) (title), 1., 2., and 3., (g), and (m) 2. and (4) (a), 71.05 (22) (a) (title), 71.07 (5m) (a) 3., 71.07 (9e) (b), 71.09 (13) (a) 2., 71.52 (4), 71.83 (1) (a) and (b) 5., 77.25 (8m), 77.54 (7) (b) 1., 101.91 (5m), 102.07 (5) (b) and (c), 102.51 (1) (a) 1., 103.10 (1) (h), 103.165 (3) (a) 3., 111.32 (12), 115.76 (12) (a) 1. and (13), 146.34 (1) (f), 157.05, 182.004 (6), 250.04 (3) (a), 301.12 (2), 301.50 (1), 700.19 (2), 705.01 (4) and (4m), 706.09 (1) (e), 765.001 (2), 765.01, 765.03 (1), 765.16 (1m) (intro.) and (c), 765.23, 765.24, 765.30 (3) (a), 766.587 (7) (form) 9., 766.588 (9) (form) 13., 766.589 (10) (form) 14., 767.215 (2) (b) and (5) (a) 2., 767.323, 767.80 (1) (intro.) and (c) and (2), 767.803, 767.804 (1) (a) 4., 767.805 (title), (1), (1m), (2), (3) (title) and (a), (4) (intro.) and (d), (5), and (6) (a) (intro.), 767.855, 767.863 (1m), 767.87 (1m) (intro.), (8), and (9), 767.883 (1), 769.316 (9), 769.401 (2) (a), 815.20 (1), 822.40 (4), 851.30 (2) (a), 852.01 (1) (f) 1., 2., and 3., 854.03 (3), 891.39 (title), (1) (a)

and (b), and (3), 891.40 (2), 891.405, 891.407, 891.41 (title), (1) (intro.) and (a), and (2), 905.05 (title), 938.02 (13), 938.396 (2g) (g), 943.20 (2) (c), 943.201 (1) (b) 8., and 943.205 (2) (b), and the creation of ss. 69.15 (3) (b) 3m., 765.02 (3), 891.40 (1) (b) and (3), 891.41 (3), 990.01 (22m), and 990.01 (39) and (40m) to harmonize the language of the Wisconsin statutes relating to marriage and the determination of parentage with the provision of s. 990.001 (2), which specifies that words importing one gender extend and may be applied to any gender. The legislature intends that by amending the statutes relating to marriage and the determination of parentage with respect to married couples to use gender neutral language where appropriate so as to clarify that the same statutory rights and responsibilities apply between married persons of the same sex as between married persons of different sexes and to extend some of the presumptions of paternity to either parent, the Wisconsin statutes will be better aligned with the holding of the U.S. Supreme Court in Obergefell v. Hodges, 135 S. Ct. 2584, 192 L. Ed. 2d 609 (2015), which recognizes that same–sex couples have a fundamental constitutional right to marriage.

(2) ELECTRIC PROVIDER USE OF EASEMENTS FOR BROADBAND; PRIOR CAUSES OF ACTION.

(a) *Definitions.* In this subsection:

1. "Electric provider" has the meaning given in s. 182.0172 (1) (b).

2. "Owner" has the meaning given in s. 182.0172 (5) (a).

(b) *Time limit for prior causes of action.* No owner may bring an action against an electric provider, a subsidiary of an electric provider, or a supplier of broadband services for using an easement held by the electric provider for any of the following before the effective date of this subsection unless the owner brings the action no later than one year after the effective date of this subsection:

1. Installing or maintaining broadband infrastructure to provide broadband services or allowing a supplier of broadband services to install or maintain broadband infrastructure to provide broadband services.

2. Leasing or providing to a supplier of broadband services any capacity in the electric provider's broadband infrastructure.

SECTION 9201. Fiscal changes; Administration.

SECTION 9202. Fiscal changes; Agriculture, Trade and Consumer Protection.

(1) DOG LICENSES, RABIES CONTROL, AND RELATED SERVICES TRANSFER. There is transferred from the general fund to the appropriation account under s. 20.115 (2) (j) $466,500 in fiscal year 2021–22.

SECTION 9203. Fiscal changes; Arts Board.

SECTION 9204. Fiscal changes; Building Commission.

SECTION 9205. Fiscal changes; Child Abuse and Neglect Prevention Board.

SECTION 9206. Fiscal changes; Children and Families.

SECTION 9207. Fiscal changes; Circuit Courts.

SECTION 9208. Fiscal changes; Corrections.

SECTION 9209. Fiscal changes; Court of Appeals.

SECTION 9210. Fiscal changes; District Attorneys.

SECTION 9211. Fiscal changes; Educational Communications Board.

SECTION 9212. Fiscal changes; Elections Commission.

(1) SALES OF VOTER REGISTRATION LISTS. The unencumbered balance in the election administration fund under s. 25.425 of moneys received from requesters

from sales of copies of the official registration list are transferred to the appropriation account under s. 20.510 (1) (jn).

SECTION 9213. Fiscal changes; Employee Trust Funds.

SECTION 9214. Fiscal changes; Employment Relations Commission.

SECTION 9215. Fiscal changes; Ethics Commission.

SECTION 9216. Fiscal changes; Financial Institutions.

SECTION 9217. Fiscal changes; Governor.

SECTION 9218. Fiscal changes; Health and Educational Facilities Authority.

SECTION 9219. Fiscal changes; Health Services.

SECTION 9220. Fiscal changes; Higher Educational Aids Board.

SECTION 9221. Fiscal changes; Historical Society.

SECTION 9222. Fiscal changes; Housing and Economic Development Authority.

SECTION 9223. Fiscal changes; Insurance.

SECTION 9224. Fiscal changes; Investment Board.

SECTION 9225. Fiscal changes; Joint Committee on Finance.

SECTION 9226. Fiscal changes; Judicial Commission.

SECTION 9227. Fiscal changes; Justice.

(1) VIOLENCE INTERRUPTION GRANT PROGRAM. There is transferred from the appropriation account under s. 20.455 (2) (f) to the appropriation account under s. 20.455 (2) (ks), $1,000,000 in fiscal year 2021–22.

SECTION 9228. Fiscal changes; Legislature.

SECTION 9229. Fiscal changes; Lieutenant Governor.

SECTION 9230. Fiscal changes; Local Government.

SECTION 9231. Fiscal changes; Military Affairs.

(1) LAPSES TO THE GENERAL FUND. Notwithstanding s. 20.001 (3) (c), all of the following amounts are lapsed to the general fund in fiscal year 2021–22:

(a) From s. 20.465 (3) (df), $8,205.

(b) From s. 20.465 (3) (dm), $116,978.

(c) From s. 20.465 (3) (dr), $4,911.

SECTION 9232. Fiscal changes; Natural Resources.

(1) GREAT LAKES REMEDIATION LAPSE. Notwithstanding s. 20.001 (3) (c), from the appropriation account to the department of natural resources under s. 20.370 (4) (af), there is lapsed to the general fund $2,500 in fiscal year 2021–22.

(2) STATE PARKS MAINTENANCE LAPSE. Notwithstanding s. 20.001 (3) (c), from the appropriation account to the department of natural resources under s. 20.370 (7) (fa), there is lapsed to the general fund $37,800 in fiscal year 2021–22.

(3) BUILDING ACQUISITION AND MAINTENANCE LAPSE. Notwithstanding s. 20.001 (3) (c), from the appropriation account to the department of natural resources under s. 20.370 (7) (ha), there is lapsed to the general fund $7,200 in fiscal year 2021–22.

SECTION 9233. Fiscal changes; Public Defender Board.

SECTION 9234. Fiscal changes; Public Instruction.

SECTION 9235. Fiscal changes; Public Lands, Board of Commissioners of.

SECTION 9236. Fiscal changes; Public Service Commission.

SECTION 9237. Fiscal changes; Revenue.

SECTION 9238. Fiscal changes; Safety and Professional Services.

SECTION 9239. Fiscal changes; Secretary of State.

SECTION 9240. Fiscal changes; State Fair Park Board.

SECTION 9241. Fiscal changes; Supreme Court.

SECTION 9242. Fiscal changes; Technical College System.

SECTION 9243. Fiscal changes; Tourism.

SECTION 9244. Fiscal changes; Transportation.

SECTION 9245. Fiscal changes; Treasurer.

SECTION 9246. Fiscal changes; University of Wisconsin Hospitals and Clinics Authority; Medical College of Wisconsin.

SECTION 9247. Fiscal changes; University of Wisconsin System.

SECTION 9248. Fiscal changes; Veterans Affairs.

SECTION 9249. Fiscal changes; Wisconsin Economic Development Corporation.

SECTION 9250. Fiscal changes; Workforce Development.

(1) WORK INJURY SUPPLEMENTAL BENEFITS FUND. On the effective date of this subsection, there is transferred from the appropriation account under s. 20.445 (1) (t) to the appropriation account under s. 20.445 (1) (rr) the unencumbered balance of the amount collected under s. 102.75 (1g).

(2) UNEMPLOYMENT INSURANCE; FEDERAL FUNDING. If federal funding is received for the purpose specified in s. 20.445 (1) (am) prior to July 1, 2022, the secretary of administration may, to the extent permitted under federal law, lapse from the appropriation under s. 20.445 (1) (n) to the general fund an amount not to exceed the amounts in the schedule under s. 20.445 (1) (am) or the amount of federal funding received, whichever is less. This subsection does not apply with respect to amounts received as administrative grants by the state under 42 USC 502.

SECTION 9251. Fiscal changes; Other.

SECTION 9301. Initial applicability; Administration.

(1) TEACH ACCESS RATES. The treatment of s. 16.997 (2) (d) first applies to a monthly fee charged by the department of administration on the effective date of this subsection.

(2) ANNUAL LEAVE HOURS; STATE EMPLOYEES. The treatment of s. 230.35 (1) (a) 1. and 1m. and (c) and (1m) (bt) 1. and 1m. first applies to a state employee's anniversary of service that occurs on the effective date of this subsection.

SECTION 9302. Initial applicability; Agriculture, Trade and Consumer Protection.

(1) MINIMUM AGE FOR CIGARETTES, NICOTINE PRODUCTS, TOBACCO PRODUCTS, AND VAPOR PRODUCTS. The treatment of ss. 134.66 (title), (1) (g) and (jm), (2) (a), (am), (b), and (cm) 1m., (2m) (a), and (3), 139.30 (10), 139.345 (3) (a) (intro.), (b) 2., and (7) (a), subch. IX (title) of ch. 254, 254.911 (11), 254.916 (2) (intro.) and (d), (3) (a), (b), (c), (d), and (f) 2., and (11), 254.92 (title), (1), (2), (2m) (intro.), and (3) first applies to purchases, attempts to purchase, possession, and false representations of age for the purpose of receiving any cigarette, nicotine product, tobacco product, or vapor product by persons under 21 years of age on the effective date of this subsection and to sales or the provision of cigarettes, nicotine products, tobacco products, or vapor products to persons under 21 years of age on the effective date of this subsection.

(2) SUBSCRIBERS TERMINATING BROADBAND CONTRACTS. The treatment of s. 100.2092 (1) (L) first applies to a contract that is entered into, renewed, or modified on the effective date of this subsection.

SECTION 9303. Initial applicability; Arts Board.

SECTION 9304. Initial applicability; Building Commission.

SECTION 9305. Initial applicability; Child Abuse and Neglect Prevention Board.

SECTION 9306. Initial applicability; Children and Families.

(1) AGE OF JUVENILE DELINQUENCY. The treatment of ss. 48.396 (1), 301.26 (4) (cm) 1., 938.02 (3m), 938.12 (1), 938.13 (12), 938.183 (1) (am), 938.245 (2g), 938.32 (1x), 938.396 (1) (b) 5., 938.52 (1) (d), and 948.40 (1) and (2) first applies to a juvenile who is alleged to be delinquent on the effective date of this subsection.

SECTION 9307. Initial applicability; Circuit Courts.

SECTION 9308. Initial applicability; Corrections.

(1) REVOCATION AND SANCTIONS. The treatment of ss. 301.035 (2), 302.107 (2), 302.113 (8m) (a) and (b) and (9) (b) and (c), 302.114 (9) (ag), 302.115, 302.33 (1), 303.08 (1) (intro.), (2), (5) (intro.), (6), and (12), 304.06 (3g), 808.075 (4) (g) 3., 950.04 (1v) (vg), 973.10 (2) (intro.), (a), (b), and (bm) 1. and (2s), the renumbering and amendment of ss. 302.11 (7) (ag) and (am), 302.113 (9) (ag) and (am), and 304.06 (3), and the creation of ss. 302.11 (7) (ag) 1. and (am) 1. a. to e., 302.113 (9) (ag) 1. and 2. and (am) 1. a. to e., and 304.06 (3) (g) 1. to 5. first apply to a person who is alleged to have violated a condition or rule of probation, parole, or extended supervision on the effective date of this subsection.

(2) PLACEMENT IN A JUVENILE DETENTION FACILITY. The treatment of ss. 48.526 (7) (d) (by SECTION 909), 938.22 (2) (d), and 938.34 (3) (f) 1. first applies to a juvenile adjudicated delinquent on the effective date of this subsection.

(3) USE OF JUVENILE DETENTION AS A SANCTION. The treatment of ss. 938.02 (17r), 938.06 (5) (a) 1. and (b), and 938.355 (6) (a) 1. and 4., (6d) (a) 1., 2., and 2p. and (b) 1., 2., and 2p., and (6m) (a) 1g., the renumbering of 938.355 (6) (d) 1., and the creation of 938.355 (6) (d) 1. a. and b. first apply to a violation of a dispositional order committed on the effective date of this subsection.

(4) SERIOUS JUVENILE OFFENDER PROGRAM. The treatment of ss. 46.011 (1p) (by SECTION 771), 46.057 (1) (by SECTION 773), 48.023 (4) (by SECTION 804), 48.66 (1) (b) (by SECTION 924), 49.11 (1c) (by SECTION 948), 49.45 (25) (bj) (by SECTION 1024), 146.81 (5) (by SECTION 2277), 301.01 (1n) (by SECTION 2676), 301.12 (2), 301.20, 757.69 (1m) (g) (by SECTION 3025), 938.299 (1) (a), (ar), and (av), 938.33 (3r), 938.34 (3g), (4d) (b), (4h), and (4m) (b) (intro.), 938.355 (4) (b) (by SECTION 3198), 938.365 (5) (a) (by SECTION 3247), 938.396 (2g) (k), 938.48 (6), 938.505 (1) (by SECTION 3291), 938.52 (2) (a) (by SECTION 3295) and (c) (by SECTION 3297), 946.42 (1) (a) 1. f. (by SECTION 3338) and (3) (c) (by SECTION 3341), 946.44 (2) (d) (by SECTION 3344), and 946.45 (2) (d) (by SECTION 3347) first applies to a juvenile who is adjudicated delinquent in a proceeding under ch. 938 on the effective date of this subsection.

(5) TYPE 2 JUVENILE CORRECTIONAL STATUS. The treatment of ss. 48.66 (1) (b) (by SECTION 925), 48.981 (1) (b), 49.345 (2) (by SECTION 1003), 146.81 (5) (by SECTION 2278), 757.69 (1m) (g) (by SECTION 3026), 938.02 (19r) and (20), 938.19 (1) (d) 6., 938.20 (2) (cm), (7) (c) 1m., and (8) (c), 938.205 (1) (c), 938.208 (1) (intro.), 938.355 (2) (b) 2., 6., and 6m. and (4) (b) (by SECTION 3199), 938.357 (3) (a) and (4) (am), (b), and (c), 938.365 (5) (a) (by SECTION 3248), 938.538 (4) (a) and (b), 938.59 (1), 938.595, 938.78 (2) (d) (intro.), 946.42 (1) (a) 1. a. and f. (by SECTION 3339) and 2. and (3) (c) (by SECTION 3341), 946.44 (2) (d) (by SECTION 3486), and 946.45 (2) (d) and the repeal of s. 938.34 (4d), with respect to Type 2 status, a Type 2 juvenile correctional facility, or a Type 2 residential care center for children and youth, first apply to a juvenile who is subject to a dispositional order under s. 938.355 entered on the effective date of this subsection.

(6) COMMUNITY SUPERVISION OF A JUVENILE. The treatment of ss. 48.023 (4) (by SECTION 805), 48.526 (7) (h), 48.981 (1) (b), 227.03 (4), 301.025, 301.26 (4) (d) 5. and

(eg), 302.31 (7) (by SECTION 2736), 302.386 (5) (c), 938.069 (1) (intro.), 938.19 (1) (d) 6., 938.20 (2) (cm), (7) (c) 1m., and (8) (c), 938.205 (1) (c), 938.208 (1) (intro.), 938.34 (intro.) and (4n) (intro.), 938.357 (3) (e), (4g) (title), (a), (b), (c) (intro.), 2., 3., and 4., and (d), (4m), and (5) (title), (a), (b), (d), (e), and (g), 938.365 (7), 938.48 (6), 938.48 (13), 938.50, 938.51, 938.538 (3) (a) 2. and (b) and (5) (a), and 946.42 (1) (a) 2. and (3) (c) (by SECTION 3342), with respect to community supervision of a juvenile, and the repeal of s. 938.533 first apply to a juvenile who is subject to a dispositional order under s. 938.355 entered on the effective date of this subsection.

(7) AGE OF ADULT JURISDICTION. The treatment of ss. 48.02 (1d) and (2), 48.44, 48.45 (1) (a) and (am) and (3), 118.163 (4), 125.07 (4) (d) and (e) 1., 125.085 (3) (bt), 165.83 (1) (c) 1. and 2., 301.12 (2m) and (14) (a), 302.31 (7), 938.02 (1) and (10m), 938.12 (2), 938.18 (1) (a), (bm), and (c) and (2), 938.183 (1) (intro.), (1d), and (3), 938.255 (1) (intro.), 938.34 (8), 938.343 (2), 938.344 (3), 938.35 (1m), 938.355 (4m) (a), 938.39, 938.44, 938.45 (1) (a) and (3), 938.48 (4m) (title) and (a), 938.57 (3) (title), (a) (intro.), 1., and 3., and (b), 939.632 (1) (e) 1. and 3., 946.50 (intro.), 948.01 (1), 948.11 (2) (am) (intro.), 948.45 (1), 948.60 (2) (d), 948.61 (4), 961.455 (title), (1), and (2), 961.46, 961.573 (2), 961.574 (2), 961.575 (1), (2), and (3), 970.032 (3), 971.31 (13) (c), and 990.01 (3) and (20), subch. IX (title) of ch. 48, and subch. IX (title) of ch. 938 first applies to a violation of a criminal law, civil law, or municipal ordinance allegedly committed on the effective date of this subsection.

(8) YOUTHFUL OFFENDERS; SENTENCING.

(a) The treatment of ss. 973.014 (1) (intro.), (1g) (a) (intro.), and (3) and 973.017 (2c) first applies to a conviction for which sentencing has occurred on the effective date of this paragraph.

(b) The treatment of s. 973.018 first applies to a youthful offender who is serving a term of imprisonment on the effective date of this paragraph.

SECTION 9309. Initial applicability; Court of Appeals.

SECTION 9310. Initial applicability; District Attorneys.

SECTION 9311. Initial applicability; Educational Communications Board.

SECTION 9312. Initial applicability; Elections Commission.

SECTION 9313. Initial applicability; Employee Trust Funds.

(1) DEFERRED COMPENSATION; DOMESTIC PARTNERS. The treatment of s. 40.02 (8) (b) 3. first applies to benefits paid to a surviving domestic partner of a participant who dies on July 1, 2021, or the effective date of this bill, whichever is later.

(2) DUTY DISABILITY DEATH BENEFITS; DOMESTIC PARTNERS. The treatment of s. 40.65 (7) (am) 1. and (ar) 1. a. first applies to a surviving domestic partner of a participant who dies on July 1, 2021, or the effective date of this bill, whichever is later.

(3) REHIRED TEACHER ANNUITANTS. The treatment of s. 40.26 (7) first applies to participating employees under the Wisconsin Retirement System who terminate covered employment under the Wisconsin Retirement System on the effective date of this subsection.

(4) EMPLOYER CONTRIBUTION FOR HEALTH INSURANCE PREMIUMS. The treatment of s. 40.05 (4) (a) 2. first applies to state employees hired on the effective date of this subsection.

SECTION 9314. Initial applicability; Employment Relations Commission.

SECTION 9315. Initial applicability; Ethics Commission.

(1) LOBBYING FEES. The treatment of s. 13.75 (1g) (b) and (d) first applies to the filings applicable to the 2023–24 legislative session.

SECTION 9316. Initial applicability; Financial Institutions.

(1) NOTARY PUBLIC APPLICATION FEES. The treatment of s. 140.02 (1) (a) and (2) (a) first applies to an application filed on the effective date of this subsection.

(2) SECURITIES FEES. The treatment of s. 551.614 (2) first applies to filings received by the division of securities on the effective date of this subsection.

SECTION 9317. Initial applicability; Governor.

SECTION 9318. Initial applicability; Health and Educational Facilities Authority.

SECTION 9319. Initial applicability; Health Services.

(1) STATEMENTS OF GUARDIANS. The treatment of ss. 54.15 (8) (a) (intro.) (as it relates to any requirement for a statement as described under s. 54.15 (8) (a) 2m.) and 2m. and 54.26 first applies to petitions for guardianship filed on the first day of the 13th month beginning after the effective date of this subsection.

SECTION 9320. Initial applicability; Higher Educational Aids Board.

SECTION 9321. Initial applicability; Historical Society.

SECTION 9322. Initial applicability; Housing and Economic Development Authority.

SECTION 9323. Initial applicability; Insurance.

(1) PHARMACY BENEFIT MANAGER REGULATION. For policies and plans containing provisions inconsistent with the treatment of ss. 632.861, 632.865 (3) to (7), 633.06, 633.13 (1) and (3), 633.14 (2) (intro.) and (c) 1. and 3. and (3), and 633.15 (1) (a), (1m), and (2) (a) 1., 2., and 3., (b) 1. d. and 2., and (f), that treatment first applies to policy or plan years beginning on the effective date of this subsection.

(2) APPLICATION OF MANUFACTURER DISCOUNTS.

(a) For policies and plans containing provisions inconsistent with the treatment of s. 632.862, the treatment of s. 632.862 first applies to policy or plan years beginning on January 1 of the year following the year in which this paragraph takes effect, except as provided in par. (b).

(b) For policies or plans that are affected by a collective bargaining agreement containing provisions inconsistent with the treatment of s. 632.862, the treatment of s. 632.862 first applies to policy or plan years beginning on the effective date of this paragraph or on the day on which the collective bargaining agreement is newly established, extended, modified, or renewed, whichever is later.

(3) TELEHEALTH PARITY.

(a) For policies and plans containing provisions inconsistent with the treatment of s. 632.871, the treatment of s. 632.871 first applies to policy or plan years beginning on January 1 of the year following the year in which this paragraph takes effect, except as provided in par. (b).

(b) For policies and plans that are affected by a collective bargaining agreement containing provisions inconsistent with s. 632.871, the treatment of s. 632.871 first applies to policy or plan years beginning on the effective date of this paragraph or on the day on which the collective bargaining agreement is newly established, extended, modified, or renewed, whichever is later.

(4) COVERAGE OF INDIVIDUALS WITH PREEXISTING CONDITIONS, ESSENTIAL HEALTH BENEFITS, AND PREVENTIVE SERVICES.

(a) For policies and plans containing provisions inconsistent with these sections, the treatment of ss. 632.728, 632.746 (1) (a) and (b), (2) (a), (c), (d), and (e), (3) (a) and (d) 1., 2., and 3., (5), and (8) (a) (intro.), 632.748 (2), 632.76 (2) (a) and (ac)

1. and 2., 632.795 (4) (a), 632.895 (8) (d), (13m), (14) (a) 1. i., j., and k. to o., (b), (c), and (d) 3., (14m), (16m) (b), and (17) (b) 2. and (c), and 632.897 (11) (a) first applies to policy or plan years beginning on January 1 of the year following the year in which this paragraph takes effect, except as provided in par. (b).

(b) For policies and plans that are affected by a collective bargaining agreement containing provisions inconsistent with these sections, the treatment of ss. 632.728, 632.746 (1) (a) and (b), (2) (a), (c), (d), and (e), (3) (a) and (d) 1., 2., and 3., (5), and (8) (a) (intro.), 632.748 (2), 632.76 (2) (a) and (ac) 1. and 2., 632.795 (4) (a), 632.895 (8) (d), (13m), (14) (a) 1. i., j., and k. to o., (b), (c), and (d) 3., (14m), (16m) (b), and (17) (b) 2. and (c), and 632.897 (11) (a) first applies to policy or plan years beginning on the effective date of this paragraph or on the day on which the collective bargaining agreement is entered into, extended, modified, or renewed, whichever is later.

SECTION 9324. Initial applicability; Investment Board.

SECTION 9325. Initial applicability; Joint Committee on Finance.

SECTION 9326. Initial applicability; Judicial Commission.

SECTION 9327. Initial applicability; Justice.

(1) TREATMENT ALTERNATIVES AND DIVERSIONS. The treatment of ss. 165.95 (1) (ac), (2), (2r), (3) (a), (ag), (b), (bd), (cm) 2., (d), (e), (g), (h), (i), (j), and (k), (5) (a) and (b), (5m), (6), (7), and (7m) first applies to grants awarded under s. 165.95 (2) on the effective date of this subsection.

SECTION 9328. Initial applicability; Legislature.

SECTION 9329. Initial applicability; Lieutenant Governor.

SECTION 9330. Initial applicability; Local Government.

(1) LEVY LIMIT SERVICE TRANSFER. The treatment of s. 66.0602 (3) (a) first applies to a levy that is imposed in December 2021.

(2) BIDDING THRESHOLDS. The treatment of ss. 59.52 (29) (a), 60.47 (2) (a) and (b), and 62.15 (1) first applies to public contracts that are let on the effective date of this subsection.

(3) LEVY LIMITS; ALTERNATIVE MINIMUM GROWTH FACTOR INCREASE. The treatment of ss. 66.0602 (1) (d) first applies to a levy that is imposed in December 2021.

(4) LEVY LIMIT EXCEPTION FOR REGIONAL PLANNING COMMISSION CHARGES. The treatment of s. 66.0602 (3) (e) 10. first applies to a levy that is imposed in December 2021.

SECTION 9331. Initial applicability; Military Affairs.

SECTION 9332. Initial applicability; Natural Resources.

(1) CHANGES TO AUTHORITY TO PROHIBIT ACCESS TO LAND ACQUIRED USING STEWARDSHIP MONEYS. The treatment of s. 23.0916 (2) (b) and (c) first applies to a person receiving a stewardship grant subject to s. 23.0916 (2) (a) or (am) on the effective date of this subsection.

SECTION 9333. Initial applicability; Public Defender Board.

SECTION 9334. Initial applicability; Public Instruction.

(1) REVENUE CEILING; REFERENDA RESTRICTIONS. The treatment of s. 121.905 (1) (b) 1. to 3. first applies to the revenue ceiling for the 2021–22 school year.

(2) STATE AID FOR SUMMER CLASS TRANSPORTATION. The treatment of s. 121.58 (4) first applies to state aid for transportation paid in the 2021–22 school year.

(3) HIGH-COST TRANSPORTATION AID. The treatment of s. 121.59 (2) (intro.), (2m) (a) (intro.), 1., and 2. and (b), and (3) first applies to aid paid in the 2021–22 school year.

(4) COUNTING PUPILS IN FOUR-YEAR-OLD KINDERGARTEN. The treatment of s. 121.004 (7) (c) 1. a. and 2. and (cm) first applies to the distribution of school aid in, and the calculation of revenue limits for, the 2022–23 school year.

(5) PARENTAL CHOICE PROGRAMS; PROGRAM CAPS. The treatment of ss. 118.60 (3) (am), (ar) (intro.) and 5., (b), and (c) and 119.23 (3) (ar) and (b), the renumbering and amendment of ss. 118.60 (3) (a) (intro.) and 1m. to 5. and (ar) 3. and 4. and 119.23 (3) (a) (intro.) and 1. to 5., and the creation of s. 118.60 (3) (ar) 3. a. and b. and 4. a. and b. first apply to an application to attend a private school under s. 118.60 or 119.23 in the 2022–23 school year.

(6) SPECIAL NEEDS SCHOLARSHIP PROGRAM; PROGRAM CAP. The treatment of s. 115.7915 (2) (f) and (g) and (3) (a), (am), (b), (bm), (c), (d), (e), (f), and (g) first applies to an application for a scholarship to attend an eligible school under s. 115.7915 in the 2022–23 school year.

(7) SPECIAL NEEDS SCHOLARSHIP PROGRAM; TRANSFER APPLICATIONS. The treatment of s. 115.7915 (3m) first applies to an application to transfer in the 2022–23 school year.

(8) PARENTAL CHOICE PROGRAMS; TRANSFERRING APPLICANTS BETWEEN PROGRAMS. The treatment of ss. 118.60 (4v) (b) and 119.23 (4v) (b) first applies to counting pupils for the pupil participation limits under s. 118.60 (2) (be) and the program caps under ss. 118.60 (2) (bh) 2. a. and b. and 119.23 (2) (b) for the 2022–23 school year.

(9) ENGLISH LEARNER CATEGORICAL AID. The treatment of ss. 115.96 (1), 115.97 (1) and (6), and 115.977 (2), the renumbering and amendment of ss. 115.993 and 115.996, and the creation of ss. 115.993 (2) and (3) and 115.996 (3) first apply to aid paid under s. 115.995 in the 2022–23 school year.

(10) PER PUPIL PAYMENT AMOUNT TO INDEPENDENT CHARTER SCHOOLS AUTHORIZED BY A TRIBAL COLLEGE. The treatment of ss. 20.255 (2) (fm) and 118.40 (2r) (f), (fm) 1. (intro.) and 2., and (g) 1. a., bf., c. to dn., and e. first applies to payments made to charter schools in the 2021–22 school year.

(11) STATEWIDE AND RACINE PARENTAL CHOICE PROGRAMS; PUPIL ELIGIBILITY. The treatment of s. 118.60 (2) (a) 2. a. first applies to an application to attend a private school under s. 118.60 in the 2022–23 school year.

SECTION 9335. Initial applicability; Public Lands, Board of Commissioners of.

SECTION 9336. Initial applicability; Public Service Commission.

(1) SOCIAL COST OF CARBON. The treatment of s. 196.025 (1h) (d) first applies to applications for certificates that are received on December 31, 2021.

SECTION 9337. Initial applicability; Revenue.

(1) VETERANS AND SURVIVING SPOUSES PROPERTY TAX CREDIT. The treatment of s. 71.07 (6e) (a) 6., (b), and (c) 3. first applies to taxable years beginning after December 31, 2020.

(2) DIVIDENDS RECEIVED DEDUCTION. The treatment of ss. 71.26 (3) (j) and (4) (a) and 71.45 (4) (a) first applies to taxable years beginning after December 31, 2020.

(3) NET OPERATING LOSSES. The treatment of ss. 71.05 (8) (a), (b) 1. and 2., and (c) and 71.80 (25) (a) and (b) first applies to taxable years beginning after December 31, 2020.

(4) EXPENDITURE RESTRAINT PROGRAM. The treatment of s. 79.05 (2) (c) first applies to the distributions in 2022.

(5) ADDITIONAL CHILD AND DEPENDENT CARE TAX CREDIT. The treatment of ss. 71.05 (6) (b) 43. d., 71.07 (9g), and 71.10 (4) (cs) first applies to taxable years beginning after December 31, 2020.

(6) LEASED PROPERTY AND COMPARABLE SALES. The treatment of ss. 70.03 (1) and 70.32 (1), (1b), and (1d) first applies to the property tax assessments as of January 1, 2022.

(7) COMMUNITY HEALTH CENTERS. The treatment of s. 70.11 (4) (a) 1m. first applies to the property tax assessments as of January 1, 2020.

(8) HOMESTEAD TAX CREDIT. The treatment of s. 71.54 (1) (h) first applies to claims filed for taxable years beginning after December 31, 2020.

(9) The treatment of ss. 71.05 (6) (a) 30. and (b) 55., 71.10 (4) (k) and (10), and 71.83 (1) (ch) first applies to taxable years beginning on January 1, 2022.

(10) BROKER-DEALER APPORTIONMENT FACTOR. The treatment of s. Tax 2.495 (4) (d) (title), 1., 1m., and 2. first applies to taxable years beginning after December 31, 2020.

SECTION 9338. Initial applicability; Safety and Professional Services.

SECTION 9339. Initial applicability; Secretary of State.

SECTION 9340. Initial applicability; State Fair Park Board.

SECTION 9341. Initial applicability; Supreme Court.

SECTION 9342. Initial applicability; Technical College System.

(1) RESIDENCY OF RELOCATED ACTIVE DUTY SERVICE MEMBERS. The renumbering and amendment of s. 38.22 (4) and the creation of s. 38.22 (4) (b) first apply to the first semester or session beginning after the effective date of this subsection.

(2) NONRESIDENT TUITION EXEMPTION FOR CERTAIN TRIBAL MEMBERS. The treatment of s. 38.22 (6) (g) first applies to persons who enroll for the semester or session following the effective date of this subsection.

(3) NONRESIDENT TUITION EXEMPTION. The treatment of s. 38.22 (6) (e) first applies to persons who enroll for the semester or session following the effective date of this subsection.

(4) REVENUE LIMITS. The treatment of s. 38.16 (3) (a) 4. first applies to the calculation of a technical college district board's revenue limit for the 2021–22 school year.

SECTION 9343. Initial applicability; Tourism.

SECTION 9344. Initial applicability; Transportation.

(1) DRIVER'S CARDS. The treatment of ss. 66.1011 (1), 66.1201 (2m), 66.1213 (3), 66.1301 (2m), 66.1333 (3) (e) 2., 86.195 (5) (c), 106.50 (1), (1m) (h) and (nm), and (5m) (f) 1., 106.52 (3) (a) 1., 2., 3., 4., and 5., 111.31 (1) (by SECTION 1789), (2) (by SECTION 1791), and (3) (by SECTION 1793), 111.321 (by SECTION 1800), 194.025, 224.77 (1) (o), 230.01 (2) (b) (by SECTION 2499), 230.18 (by SECTION 2509), 234.29 (by SECTION 2524), 343.03 (3m) and (3r), 343.14 (2j), 343.165 (1) (c) and (e), (3) (b) and (c), (4) (b) and (d), and (7) (a) (intro.) and (c), 343.17 (3) (a) 16., 343.20 (1) (a) and (f), (1m), and (2) (a), 343.50 (3) (a) and (b), (5) (b), (bm), and (c), (6), (8) (c) 6., and (10) (c), 452.14 (3) (n), and 632.35, the renumbering and amendment of s. 343.14 (2) (br) and (es), and the creation of s. 343.14 (2) (br) 2. and (es) 2m. first apply to applications received by the department of transportation on the effective date of this subsection.

SECTION 9345. Initial applicability; Treasurer.

SECTION 9346. Initial applicability; University of Wisconsin Hospitals and Clinics Authority; Medical College of Wisconsin.

SECTION 9347. Initial applicability; University of Wisconsin System.

(1) TUITION PROMISE GRANT PROGRAM. The treatment of s. 36.50 first applies to eligible students who initially enroll in an institution in the first fall semester beginning after the effective date of this subsection.

(2) RESIDENCY OF RELOCATED ACTIVE DUTY SERVICE MEMBERS. The renumbering and amendment of s. 36.27 (2) (e) and the creation of s. 36.27 (2) (e) 3. first apply to the first semester or session beginning after the effective date of this subsection.

(3) DENTIST LOAN ASSISTANCE PROGRAM. The treatment of s. 36.60 (2) (a) 2. and (4m) (intro.) first applies to dentists whose applications for the program under s. 36.60 are received on the effective date of this subsection.

(4) NONRESIDENT TUITION EXEMPTION FOR CERTAIN TRIBAL MEMBERS. The treatment of s. 36.27 (2) (ar) first applies to students who enroll for the semester or session following the effective date of this subsection.

(5) NONRESIDENT TUITION EXEMPTION. The treatment of s. 36.27 (2) (cr) first applies to persons who enroll for the semester or session following the effective date of this subsection.

SECTION 9348. Initial applicability; Veterans Affairs.

SECTION 9349. Initial applicability; Wisconsin Economic Development Corporation.

(1) ENTERPRISE ZONES. The treatment of s. 238.399 (4) (b) first applies retroactively to enterprise zones for which the designation under s. 238.399 (3) (a) expired prior to the effective date of this subsection.

(2) ENERGY EFFICIENCY AND RENEWABLE ENERGY PROJECT EXPENDITURES FOR BUSINESS DEVELOPMENT TAX CREDIT. The treatment of s. 238.308 (4) (a) 6. first applies to credits awarded under s. 238.308 on January 1, 2022.

SECTION 9350. Initial applicability; Workforce Development.

(1) UNEMPLOYMENT INSURANCE; DRUG TESTING. The treatment of ss. 108.04 (8) (b) and 108.133 (4) (a) first applies to initial claims for benefits filed on the effective date of this subsection.

(2) UNEMPLOYMENT INSURANCE; QUITS DUE TO RELOCATIONS. The treatment of s. 108.04 (7) (t) 1. and 2. first applies to determinations issued under s. 108.09 on the effective date of this subsection.

(3) UNEMPLOYMENT INSURANCE; WORK SEARCH AND REGISTRATION WAIVERS. The treatment of s. 108.04 (2) (a) (intro.) and 3., (b), (bb), (bd), and (bm) first applies to initial claims for benefits filed on the effective date of this subsection.

(4) UNEMPLOYMENT INSURANCE; DELETION OF WAITING PERIOD. The treatment of ss. 108.02 (26m) and 108.04 (3) and (11) (bm) first applies to benefit years beginning on the effective date of this subsection.

(5) UNEMPLOYMENT INSURANCE; SUBSTANTIAL FAULT. The treatment of ss. 108.04 (5g) and 108.16 (6m) (a) (by SECTION 1769) first applies with respect to determinations issued under s. 108.09 on the effective date of this subsection.

(6) UNEMPLOYMENT INSURANCE; WAGE DISQUALIFICATION THRESHOLD. The treatment of s. 108.05 (3) (a) and (dm) first applies to weeks of unemployment beginning on the effective date of this subsection.

(7) PREVAILING WAGE. The appropriate provisions regarding prevailing wage first apply, with respect to a project of public works that is subject to bidding, to a project for which the request for bids is issued on the effective date of this subsection and, with respect to a project of public works that is not subject to bidding, to a project the contract for which is entered into on the effective date of this subsection.

(8) DISCRIMINATION. The treatment of ss. 66.0903 (10) (d), 111.322 (2m) (c), and 229.8275 first applies to acts of discrimination that occur on the effective date of this subsection.

(9) EMPLOYMENT DISCRIMINATION; CONSIDERATION OF CONVICTION RECORD. The treatment of s. 111.335 (3) (ag) first applies to an application for employment submitted to an employer on the effective date of this subsection.

(10) EMPLOYMENT DISCRIMINATION DAMAGES. The treatment of ss. 111.39 (4) (d) and (5) (b) and (d), 111.397, and 814.04 (intro.) first applies to acts of employment discrimination, unfair honesty testing, or unfair genetic testing committed on the effective date of this subsection.

(11) UNEMPLOYMENT INSURANCE; QUITS FOR CERTAIN WORK. The treatment of s. 108.04 (7) (e) first applies to determinations issued under s. 108.09 on the effective date of this subsection.

(12) UNEMPLOYMENT INSURANCE; SUITABLE WORK. The treatment of s. 108.04 (8) (d) (intro.) and (dm) first applies to determinations issued under s. 108.09 on the effective date of this subsection.

(13) FAMILY AND MEDICAL LEAVE. The treatment of s. 103.10 (12) (b) first applies to a violation that occurs, or that an employee should reasonably have known occurred, on the effective date of this subsection.

SECTION 9351. Initial applicability; Other.

(1) EXPUNGEMENT OF CRIMINAL RECORDS. The treatment of s. 973.015 (1m) (a) 3. c. and d. and 4., (b), and (c), the renumbering and amendment of s. 973.015 (1m) (a) 1., and the creation of s. 973.015 (1m) (a) 1. a. and b. first apply to any conviction for which sentencing has occurred but for which the record has not been ordered expunged on the effective date of this subsection.

(2) PUBLIC RECORDS LOCATION FEE. The treatment of s. 19.35 (3) (c) first applies to a public records request received on the effective date of this subsection.

(3) COLLECTIVE BARGAINING; EMPLOYEE RIGHTS. The treatment of ss. 20.425 (1) (i), 20.505 (1) (ks), 20.921 (1) (a) 2., 40.51 (7) (a), 46.2895 (8) (a) 1., 109.03 (1) (b), 111.70 (1) (a), (f), (fd), (fm), (n), and (p), (3) (a) 3., 5., 6., and 9., (3g), (4) (bm) (title), (cg) (title), 1., 2., 3., 4., 5., 6. a., 7r. d., e., f., and h., and 8m., (d) 1., 2. a., and 3. a., b., and c., (mb) (intro.), (mbb), and (p), and (7m) (c) 1. a., 111.81 (1), (1d), (7) (ag), (8), (9), (9b), (9g), (12) (intro.), (12m), and (16), 111.815 (1), 111.817, 111.825 (1) (intro.), (3), and (5), 111.83 (1), (3) (a) and (b), and (4), 111.84 (1) (d) and (f) and (2) (c), 111.85 (1), (2), and (4), 111.86 (2), 111.88 (1), 111.90 (1) and (2), 111.91 (1w), (2) (intro.), (3) (intro.), (3q), and (4), 111.92 (3) (a) and (b), 111.93 (3) (a) and (b), 118.22 (4), 118.245 (1), 118.42 (3) (a) 4. and (5), 120.12 (15), 120.18 (1) (gm), and 230.10 (2), the renumbering of s. 111.70 (4) (bm), the renumbering and amendment of ss. 111.70 (2) and 111.82, and the creation of ss. 111.70 (2) (b) and (4) (bm) 2. and 111.82 (2) first apply to employees who are covered by a collective bargaining agreement under ch. 111 that contains provisions inconsistent with those sections on the day on which the agreement expires or is terminated, extended, modified, or renewed, whichever occurs first.

SECTION 9400. Effective dates; general. Except as otherwise provided in SECTIONS 9401 to 9451 of this act, this act takes effect on July 1, 2021, or on the day after publication, whichever is later.

SECTION 9401. Effective dates; Administration.

(1) JUNETEENTH STATE HOLIDAY. The treatment of s. 230.35 (4) (a) 3m. and 10. and (c) takes effect on the January 1 after publication.

SECTION 9402. Effective dates; Agriculture, Trade and Consumer Protection.

(1) RESTRICTIONS ON PLACEMENT OF CIGARETTES, NICOTINE PRODUCTS, OR TOBACCO PRODUCTS. The treatment of ss. 134.65 (7) (a) 1. and 134.66 (2) (f) and (4) (a) 1. take effect on the first day of the 7th month beginning after the effective date of this publication.

(2) RETAILER LICENSE REQUIREMENT FOR VAPOR PRODUCT SELLERS. The treatment of ss. 134.65 (title), (1), (1a), (1m), (1r), (4), (5m), and (8) and 134.66 (1) (g) takes effect on the 90th day after publication.

SECTION 9403. Effective dates; Arts Board.

SECTION 9404. Effective dates; Building Commission.

SECTION 9405. Effective dates; Child Abuse and Neglect Prevention Board.

SECTION 9406. Effective dates; Children and Families.

(1) FOSTER CARE AND KINSHIP CARE RATES. The treatment of ss. 48.57 (3m) (am) (intro.) and (3n) (am) (intro.) and 48.62 (4) takes effect on January 1, 2022, or on the day after publication, whichever is later.

(2) QUALIFIED RESIDENTIAL TREATMENT PROGRAMS. The treatment of ss. 48.02 (14k) and (17t), 48.21 (1) (c) and (5) (b) 2g. and (cm), 48.217 (1) (b) 2., 3., and 4., (2m) (b) 3., and (2v) (d) 1. and 2., 48.32 (1) (ar), (b) 1r., and (cd), 48.33 (4) (cm) and (cr), 48.355 (2) (b) 6d. and (cd), 48.357 (1) (am) 1. c., 1m. and 1r. and (c) 1r., (2) (b) 5. and 6., and (2v) (a) 5. and 6., 48.38 (1) (ag), (ap), and (c), (3m), (4) (k) and (L), (5) (bm) 4., (c) 1., and (d), and (5m) (c) 4. and (d), 48.437 (1) (a) 2., 3., and 4. and (c) and (2v) (d), 48.48 (20), 938.02 (14m) and (17t), 938.21 (1) (c) and (5) (b) 2g. and (cm), 938.217 (1) (b) 2., 3., and 4., (2m) (b) 3., and (2v) (d) 1. and 2., 938.32 (1) (br), (c) 1r., and (cd),

938.33 (4) (cm) and (cr), 938.355 (2) (b) 6d. and (cd), 938.357 (1) (am) 1. (by SECTION 3214), 1m., and 1r. and (c) 1r., (2) (b) 5. and 6., and (2v) (a) 5. and 6., and 938.38 (1) (ag), (as), and (bp), (3m), (4) (k) and (L), (5) (c) 1., (cm), and (d), and (5m) (c) 4. and (d); the renumbering and amendment of ss. 48.21 (6), 48.217 (2) and (2m) (c), 48.357 (2) (a) and (2m) (a), 48.437 (2), 938.217 (2), and 938.357 (2) (a) and (2m) (a); and the creation of ss. 48.21 (6) (b), 48.217 (2) (b) and (c) and (2m) (c) 2. and 3., 48.357 (2) (a) 2., 3., and 4. and (2m) (a) 2., 48.437 (2) (b) and (c), 938.217 (2) (b) and (c), and 938.357 (2) (a) 2., 3., and 4. and (2m) (a) 2. take effect on September 29, 2021, or the day after publication, whichever is later.

SECTION 9407. Effective dates; Circuit Courts.

SECTION 9408. Effective dates; Corrections.

(1) PLACEMENT IN A JUVENILE DETENTION FACILITY. The treatment of ss. 48.526 (7) (d) (by SECTION 909), 938.22 (2) (d), and 938.34 (3) (f) 1. and SECTION 9308 (2) of this act take effect one year after the date specified in the notice under 2017 Wisconsin Act 185, SECTION 110 (2) (b).

(2) JUVENILE CORRECTIONAL FACILITIES. The treatment of ss. 16.99 (3b), 46.011 (1p) (by SECTION 772), 46.057 (1) (by SECTION 774), 46.22 (1) (c) 1. b., 48.023 (4) (by SECTION 805), 48.526 (7) (h), 48.66 (1) (b) (by SECTION 925), 48.981 (1) (b), 49.11 (1c) (by SECTION 949), 49.343 (1g), 49.345 (2) (by SECTION 1003), 49.45 (25) (bj) (by SECTION 1025), 77.52 (2) (ag) 39. (intro.), 101.123 (1) (ac) 2. and (j) and (2) (d) 3., 115.76 (10), 115.81 (1) (b), 146.81 (5) (by SECTION 2278), 157.065 (2) (a) 4. c., 227.03 (4), 301.01 (1n) (by SECTION 2677) and (1s), 301.025, 301.08 (1) (b) 3., 301.16 (1w) and (1x), 301.18 (1) (fm), 301.26 (4) (d) 2. (by SECTION 2697) and (eg), 301.37 (title) and (1m), 302.31 (7) (by SECTION 2736), 302.386 (5) (c) and (d), 450.062 (4), 757.69 (1m) (g) (by SECTION 3026), 938.02 (4) (by SECTION 3114), (10p), (12d), (15g), (19), (19r), and (20), 938.069

(1) (intro.), 938.19 (1) (d) 6., 938.20 (2) (cm), (7) (c) 1m., and (8) (c), 938.205 (1) (c), 938.208 (1) (intro.), 938.33 (3) (c), 938.34 (intro.), (4m) (intro.) and (c) (intro.), and (4n) (intro.), 938.355 (2) (b) 2., 2m., 6., and 6m. and (4) (b) (by SECTION 3199), 938.357 (3) (a), (b) (intro.) and 1. b., (c), and (e), (4) (am), (b), and (c), (4g) (title), (a), (b), (c) (intro.), 2., 3., and 4., and (d), (4m), and (5) (title), (a), (b), (d), (e), and (g), 938.365 (5) (a) (by SECTION 3248) and (7), 938.48 (3) (by SECTION 3274), (4) (by SECTION 3276), (4m) (b) (by SECTION 3280), (5) (by SECTION 3282), (6) (by SECTION 3284), (13), and (14) (by SECTION 3288), 938.50, 938.505 (1) (by SECTION 3292), 938.51 (1m), 938.52 (2) (a) (by SECTION 3296) and (c) (by SECTION 3298), 938.533, 938.538 (3) (a) 1., 1m., and 2. and (b), (4) (a) and (b), and (5) (a), 938.539, 938.54 (by SECTION 3312), 938.59 (1), 938.595, 938.78 (2) (d) (intro.), 946.42 (1) (a) 1. a. and f. (by SECTION 3339) and 2. and (3) (c) (by SECTION 3342), 946.44 (2) (c) and (d) (by SECTION 3345), 946.45 (2) (c) and (d) (by SECTION 3348), the renumbering of s. 938.357 (4) (ab), the repeal of s. 938.34 (4d), the repeal and recreation of s. 938.53, and the creation of s. 938.357 (4) (ab) 2. and SECTIONS 9108 (6) and 9308 (5) and (6) of this act take effect on the date specified in the notice under 2017 Wisconsin Act 185, section 110 (2) (b).

(3) EXTENDED JUVENILE JURISDICTION. The treatment of ss. 301.03 (10) (d), 938.184, 938.23 (1m) (as), 938.31 (2), 938.34 (intro.) and (4p), 938.355 (2) (b) 6o., 938.357 (5d), 938.369, 938.396 (1) (b) 6., (2) (a), and (2j), 938.48 (7), 938.78 (2) (m), and 973.01 (1), the renumbering and amendment of s. 938.355 (4) (b), and the creation of s. 938.355 (4) (b) 5. take effect on July 1, 2022.

SECTION 9409. Effective dates; Court of Appeals.

SECTION 9410. Effective dates; District Attorneys.

SECTION 9411. Effective dates; Educational Communications Board.

SECTION 9412. Effective dates; Elections Commission.

SECTION 9413. Effective dates; Employee Trust Funds.

SECTION 9414. Effective dates; Employment Relations Commission.

SECTION 9415. Effective dates; Ethics Commission.

SECTION 9416. Effective dates; Financial Institutions.

(1) NOTARY PUBLIC APPLICATION FEES. The treatment of s. 140.02 (1) (a) and (2) (a) and SECTION 9316 (1) of this act take effect on the first day of the 3rd month beginning after publication.

(2) SECURITIES FEES. The treatment of s. 551.614 (2) and SECTION 9316 (2) of this act take effect on the first day of the 3rd month beginning after publication.

(3) STUDENT LOAN SERVICERS. The treatment of ss. 15.01 (6), 15.02 (3) (c) 1., and 15.185 (6) and subch. V of ch. 224 takes effect on October 1, 2021, or on the date specified in the notice published in the Wisconsin Administrative Register under SECTION 9116 (1) (b) of this act, whichever is later.

(4) PUBLIC SERVICE LOAN FORGIVENESS PROGRAM INFORMATION. The treatment of ss. 103.155 and 224.30 (6) takes effect on January 1, 2022.

SECTION 9417. Effective dates; Governor.

SECTION 9418. Effective dates; Health and Educational Facilities Authority.

SECTION 9419. Effective dates; Health Services.

(1) MEDICAID EXPANSION. The treatment of ss. 20.435 (4) (jw), 49.45 (23) and (23b), 49.471 (1) (cr), (4) (a) 4. b. and 8., and (4g), and 49.686 (3) (d) and 2017 Wisconsin Act 370, section 44 (2) and (3) and SECTION 9119 (1) of this act take effect on July 1, 2021.

SECTION 9420. Effective dates; Higher Educational Aids Board.

(1) MINNESOTA-WISCONSIN TUITION RECIPROCITY AGREEMENTS. The treatment of ss. 20.235 (1) (e), 20.285 (1) (gb), 36.27 (2r), 39.42, 39.47 (title), (1), and (2), 45.20 (2) (a) 1., (c) 1., and (d) 1. (intro.), 71.05 (6) (b) 28. (intro.), and 321.40 (1) (c) 2. takes effect on July 1, 2022.

SECTION 9421. Effective dates; Historical Society.

SECTION 9422. Effective dates; Housing and Economic Development Authority.

SECTION 9423. Effective dates; Insurance.

(1) PHARMACY BENEFIT MANAGER REGULATION. The treatment of ss. 40.51 (8) (by SECTION 730), (8m) (by SECTION 733), and (15m), 66.0137 (4) (by SECTION 1117), 120.13 (2) (g) (by SECTION 2163), 185.983 (1) (intro.) (by SECTION 2397), 450.13 (5m), 450.135 (8m) and (9), 601.31 (1) (w), 601.46 (3) (b), 609.83 (by SECTION 2924), 616.09 (1) (a) 2., 632.86, 632.861, 632.865 (1) (a), (ae), (ak), (c) 1. and 2., and (dm) and (3) to (7), 633.01 (1) (intro.) and (c), (2r), (3), (4), (4g), (4r), (5), and (6), 633.04 (intro.), 633.05, 633.06, 633.07, 633.09 (4) (b) 2. and 3., 633.11, 633.12 (1) (intro.), (b), and (c), 633.13 (1) and (3), 633.14 (2) (intro.) and (c) 1. and 3. and (3), 633.15 (1) (a), (1m), and (2) (a) 1., 2., and 3., (b) 1. d. and 2., and (f), and 633.16 and ch. 633 (title) and SECTIONS 9123 (1) and 9323 (1) of this act take effect on the date that is 14 months after the date of enactment.

(2) COST-SHARING CAP FOR INSULIN. The treatment of ss. 609.83 (by SECTION 2923) and 632.895 (6) (title), the renumbering and amendment of s. 632.895 (6), and the creation of s. 632.895 (6) (b) take effect on the first day of the 4th month beginning after publication.

(3) COVERAGE OF INDIVIDUALS WITH PREEXISTING CONDITIONS, ESSENTIAL HEALTH BENEFITS, AND PREVENTIVE SERVICES. The treatment of ss. 40.51 (8) (by SECTION 729)

and (8m) (by SECTION 732), 66.0137 (4) (by SECTION 1116), 120.13 (2) (g) (by SECTION 2162), 185.983 (1) (intro.) (by SECTION 2396), 609.713, 609.847, 625.12 (1) (a) and (e) and (2), 625.15 (1), 628.34 (3) (a) (by SECTION 2932), 632.728, 632.746 (1) (a) and (b), (2) (a), (c), (d), and (e), (3) (a) and (d) 1., 2., and 3., (5), and (8) (a) (intro.), 632.748 (2), 632.76 (2) (a) and (ac) 1. and 2., 632.795 (4) (a), 632.895 (8) (d), (13m), (14) (a) 1. i., j., and k. to o., (b), (c), and (d) 3., (14m), (16m) (b), and (17) (b) 2. and (c), and 632.897 (11) (a) and SECTION 9323 (4) of this act take effect on the first day of the 4th month beginning after publication.

(4) PRESCRIPTION DRUG AFFORDABILITY REVIEW BOARD. The treatment of ss. 15.07 (3) (bm) 7., 15.735, 601.78, 601.785, and 601.79 and subch. VI (title) of chap. 601 takes effect on the first day of the 7th month after the day of publication.

SECTION 9424. Effective dates; Investment Board.

SECTION 9425. Effective dates; Joint Committee on Finance.

SECTION 9426. Effective dates; Judicial Commission.

SECTION 9427. Effective dates; Justice.

(1) SEXUAL ASSAULT KITS. The treatment of ss. 165.77 (7), 165.775 (1) to (5), 165.845 (1r) (a) 2. and (d) 1., 175.405, and 895.537 takes effect on the first day of the 7th month beginning after publication.

SECTION 9428. Effective dates; Legislature.

SECTION 9429. Effective dates; Lieutenant Governor.

SECTION 9430. Effective dates; Local Government.

SECTION 9431. Effective dates; Military Affairs.

(1) GEOGRAPHIC INFORMATION SYSTEMS GRANTS. The treatment of s. 20.465 (3) (qm) (by SECTION 450) and the repeal of s. 256.35 (3s) (br) and (d) 4m. take effect on June 30, 2025.

SECTION 9432. Effective dates; Natural Resources.

(1) INTERIM MAXIMUM CONTAMINANT LEVELS FOR PFAS. The treatment of s. 281.17 (8) (c) takes effect on the first day of the 7th month beginning after publication.

(2) RECREATIONAL VEHICLE STEWARDSHIP PROJECTS. The treatment of ss. 23.33 (9) (bd), 23.0917 (4) (c) 5., and 350.12 (4) (b) (intro.) (by SECTION 2841) takes effect on July 1, 2022.

(3) ANNUAL 4TH GRADE PASS. The treatment of s. 27.01 (9) (bg) takes effect on January 1, 2022.

SECTION 9433. Effective dates; Public Defender Board.

SECTION 9434. Effective dates; Public Instruction.

(1) TEACHER LICENSURE IN CERTAIN PRIVATE SCHOOLS. The treatment of s. 118.19 (1), (1b), (1c) (b) (intro.), and (3) (b) takes effect on July 1, 2024.

(2) COMPUTER SCIENCE LICENSURE; GRANT PROGRAM. The treatment of s. 20.255 (2) (dn) takes effect on July 1, 2022.

(3) PER PUPIL PAYMENT AMOUNT TO INDEPENDENT CHARTER SCHOOLS AUTHORIZED BY A TRIBAL COLLEGE; STATE AID ADJUSTMENTS. The treatment of s. 121.07 (2) (d) and the repeal of s. 121.07 (2) (e) take effect on July 1, 2022.

SECTION 9435. Effective dates; Public Lands, Board of Commissioners of.

SECTION 9436. Effective dates; Public Service Commission.

(1) INTERNET SERVICE PROVIDER REGISTRATION REQUIREMENT. The treatment of s. 196.5048 takes effect on December 31, 2021.

SECTION 9437. Effective dates; Revenue.

(1) SALES AND USE TAX EXEMPTION FOR FARM-RAISED DEER. The treatment of s. 77.54 (62) takes effect on the first day of the 3rd month beginning after publication.

(2) REPEAL OF SALES AND USE TAX EXEMPTION FOR GAME BIRDS AND CLAY PIGEONS. The treatment of s. 77.54 (47) takes effect on the first day of the 3rd month beginning after publication.

(3) TOBACCO PRODUCTS, LITTLE CIGARS, AND VAPOR PRODUCTS. The treatment of subch. III (title) of ch. 139 and ss. 139.44 (4), 139.75 (1m), (4t), and (12), 139.76 (1), (1b), and (1m), 139.77 (1), and 139.78 (1), (1b), and (1m), the renumbering of s. 139.83, the renumbering and amendment of s. 139.75 (14), and the creation of ss. 139.75 (14) (b) and (c) and 139.83 (2) take effect on the first day of the 3rd month beginning after publication.

(4) COUNTY AND MUNICIPAL AID INCREASE. The repeal and recreation of s. 79.035 (5) (a) and (b) takes effect on June 30, 2036.

(5) PRAIRIE AND WETLAND COUNSELING SERVICES. The treatment of ss. 77.51 (11d) and (17g) and 77.52 (2) (a) 20. and (2m) (c) takes effect on the first day of the 3rd month beginning after publication.

(6) DIAPERS. The treatment of ss. 77.52 (13), 77.53 (10), and 77.54 (70) takes effect on the first day of the 3rd month beginning after publication.

(7) ENERGY SYSTEMS. The treatment of s. 77.54 (56) (a), (ad), and (b) takes effect on the first day of the 3rd month beginning after publication.

(8) BROKER-DEALER APPORTIONMENT FACTOR. The treatment of s. Tax 2.495 (4) (d) (title), 1., 1m., and 2. takes effect as provided in s. 227.265.

(9) SALES TAX ON CANDY. The treatment of s. 77.51 (1fm) (intro.), (a), and (b) takes effect on the first day of the 3rd month beginning after publication.

SECTION 9438. Effective dates; Safety and Professional Services.

(1) DENTAL THERAPIST LICENSURE. The treatment of s. 15.405 (6) (am) takes effect on the date the notice under SECTION 9138 (1) (a) of this act is published in the Wisconsin Administrative Register.

SECTION 9439. Effective dates; Secretary of State.

SECTION 9440. Effective dates; State Fair Park Board.

SECTION 9441. Effective dates; Supreme Court.

SECTION 9442. Effective dates; Technical College System.

SECTION 9443. Effective dates; Tourism.

SECTION 9444. Effective dates; Transportation.

(1) DRIVER'S CARDS. The treatment of ss. 66.1011 (1), 66.1201 (2m), 66.1213 (3), 66.1301 (2m), 66.1333 (3) (e) 2., 86.195 (5) (c), 106.50 (1), (1m) (h) and (nm), and (5m) (f) 1., 106.52 (3) (a) 1., 2., 3., 4., and 5., 111.31 (1) (by SECTION 1789), (2) (by SECTION 1791), and (3) (by SECTION 1793), 111.321 (by SECTION 1800), 194.025, 224.77 (1) (o), 230.01 (2) (b) (by SECTION 2499), 230.18 (by SECTION 2509), 234.29 (by SECTION 2524), 343.03 (3m) and (3r), 343.14 (2j), 343.165 (1) (c) and (e), (3) (b) and (c), (4) (b) and (d), and (7) (a) (intro.) and (c), 343.17 (3) (a) 16., 343.20 (1) (a) and (f), (1m), and (2) (a), 343.50 (3) (a) and (b), (5) (b), (bm), and (c), (6), (8) (c) 6., and (10) (c), 452.14 (3) (n), and 632.35, the renumbering and amendment of s. 343.14 (2) (br) and (es), the creation of s. 343.14 (2) (br) 2. and (es) 2m., and SECTION 9344 (1) of this act take effect on the first day of the 4th month beginning after publication.

(2) SPECIFIC INFORMATION SIGN PERMIT FEE. The treatment of s. 86.195 (2) (c) takes effect on July 1, 2022.

(3) MAILED VEHICLE REGISTRATION RENEWAL NOTICE FEE. The treatment of s. 341.255 (3) takes effect on July 1, 2022.

SECTION 9445. Effective dates; Treasurer.

SECTION 9446. Effective dates; University of Wisconsin Hospitals and Clinics Authority; Medical College of Wisconsin.

SECTION 9447. Effective dates; University of Wisconsin System.

SECTION 9448. Effective dates; Veterans Affairs.

SECTION 9449. Effective dates; Wisconsin Economic Development Corporation.

SECTION 9450. Effective dates; Workforce Development.

(1) UNEMPLOYMENT INSURANCE; DRUG TESTING. The treatment of ss. 108.04 (8) (a) and (b), 108.133, 108.14 (8n) (e), 108.141 (7) (a), 108.16 (6m) (a) (by SECTION 1768), and 108.19 (1s) (a) 5. and SECTION 9350 (1) of this act take effect on July 4, 2021, or the first Sunday after publication, whichever is later.

(2) UNEMPLOYMENT INSURANCE; QUITS DUE TO RELOCATIONS. The treatment of s. 108.04 (7) (t) 1. and 2. and SECTION 9350 (2) of this act take effect on the first Sunday of the 2nd month beginning after publication.

(3) UNEMPLOYMENT INSURANCE; WORK SEARCH AND REGISTRATION WAIVERS. The treatment of s. 108.04 (2) (a) (intro.) and 3., (b), (bb), (bd), and (bm) and SECTION 9350 (3) of this act take effect on the Sunday after publication.

(4) UNEMPLOYMENT INSURANCE; DELETION OF WAITING PERIOD. The treatment of ss. 108.02 (26m) and 108.04 (3) and (11) (bm) and SECTION 9350 (4) of this act take effect on the Sunday after publication.

(5) UNEMPLOYMENT INSURANCE AND WORKER'S COMPENSATION; SUBSTANTIAL FAULT. The treatment of ss. 102.43 (9) (e), 108.04 (5g), and 108.16 (6m) (a) (by SECTION 1769) and SECTION 9350 (5) of this act take effect on January 2, 2022.

(6) UNEMPLOYMENT INSURANCE; WAGE DISQUALIFICATION THRESHOLD. The treatment of s. 108.05 (3) (a) and (dm) and SECTION 9350 (6) of this act take effect on the first Sunday that follows the 180th day after publication.

(7) EMPLOYMENT DISCRIMINATION; CONSIDERATION OF CONVICTION RECORD. The treatment of s. 111.335 (3) (ag) and SECTION 9350 (9) of this act take effect on the first day of the 6th month beginning after publication.

(8) UNEMPLOYMENT INSURANCE; ELECTRONIC TRANSACTIONS. The treatment of ss. 108.17 (2) (b), (2b), and (7) (a) and 108.205 (2) takes effect on the first Sunday after publication.

(9) UNEMPLOYMENT INSURANCE; ELECTRONIC INTERCHANGE. The treatment of s. 108.14 (2e) takes effect on the date specified in the notice published in the Wisconsin administrative register under SECTION 9150 (2) of this act.

(10) SUBSTANCE ABUSE PREVENTION ON PUBLIC WORKS AND PUBLIC UTILITY PROJECTS. The treatment of s. 103.503 (title), (2m), and (6) takes effect on the 90th day after publication.

(11) UNEMPLOYMENT INSURANCE; QUIT EXCEPTION. The treatment of s. 108.04 (7) (e) and SECTION 9350 (2) of this act take effect on the first Sunday of the 2nd month beginning after publication.

(12) UNEMPLOYMENT INSURANCE; SUITABLE WORK. The treatment of s. 108.04 (8) (d) (intro.) and (dm) and SECTION 9350 (12) of this act take effect on the first Sunday of the 2nd month beginning after publication.

SECTION 9451. Effective dates; Other.

(1) EXTENDED CLOSING HOURS DURING SPECIAL EVENTS. The treatment of ss. 125.32 (3) (a), (c), and (e) and 125.68 (4) (c) 1., 4., and 7. takes effect on January 1, 2022.

(END)