



State of Wisconsin
2023 - 2024 LEGISLATURE

September 2023 Special Session

LRB-4086/1

ALL:all

SENATE BILL 1

September 21, 2023 - Introduced by COMMITTEE ON SENATE ORGANIZATION. Referred to Committee on Economic Development and Technical Colleges.

1 **AN ACT** *to repeal* 40.26 (1m), 40.26 (5m), 40.26 (6), 49.155 (6) (e) 2., 103.10 (1)
2 (a) 1., 103.10 (1) (a) 2., 103.10 (3) (a), 103.10 (4) (b), 103.10 (14) (b) and 323.19
3 (3) and (4); *to renumber* 103.10 (1m) (b) 1., 103.10 (1m) (b) 6., 103.10 (1m) (b)
4 7., 103.10 (14) (a) and 115.41; *to renumber and amend* 18.08 (7) (a) and
5 103.10 (1) (a) (intro.); *to amend* 18.08 (2), 20.255 (1) (hg), 20.435 (4) (bm),
6 20.867 (3) (x), 40.22 (1), 40.22 (2) (L), 40.22 (2m) (intro.), 40.22 (2r) (intro.), 40.22
7 (3) (intro.), 40.26 (1), 40.26 (2) (intro.), 40.26 (5) (intro.), 49.155 (6) (e) 3. (intro.),
8 49.175 (1) (q), 49.175 (1) (qm), 103.10 (1) (b), 103.10 (2) (c), 103.10 (3) (b) 3.,
9 103.10 (4) (a), 103.10 (6) (b) (intro.), 103.10 (6) (b) 1., 103.10 (7) (a), 103.10 (7)
10 (b) (intro.), 103.10 (7) (b) 1., 103.10 (10), 103.10 (12) (b), 103.10 (12) (c), 111.322
11 (2m) (a), 111.322 (2m) (b), 119.04 (1), 146.618, 146.64 (2) (c) 1. and 165.68 (1) (a)
12 3.; *to create* 20.255 (2) (ch), 20.255 (3) (ci), 20.255 (3) (cL), 20.255 (3) (cs), 20.255
13 (3) (ct), 20.437 (2) (c), 20.437 (2) (d), 20.445 (1) (bw), 20.445 (1) (bx), 20.445 (6),
14 25.17 (1) (er), 25.52, 43.05 (12m), 46.48 (22), 49.132, 49.133, 103.10 (1) (ap),

1 103.10 (1) (dm), 103.10 (1) (dp), 103.10 (1) (em), 103.10 (1) (gm), 103.10 (3) (b)
2 4., 103.10 (3) (b) 5., 103.10 (3) (b) 6., 103.10 (3) (b) 7., 103.10 (4m), 103.10 (6) (c),
3 103.10 (7) (cm), 103.10 (7) (d), 103.10 (7) (e), 103.10 (7) (f), 103.10 (7) (g),
4 103.105, 106.29, 106.295, 115.41 (2), 115.421, 115.422, 115.424 and 230.12 (9m)
5 of the statutes; and **to affect** 2023 Wisconsin Act 19, section 9104 (1) (i) 3. em.
6 and 4m. a.; **relating to:** fall workforce package, granting rule-making
7 authority, making an appropriation, and providing a penalty.

Analysis by the Legislative Reference Bureau

Payments to child care programs

This bill authorizes the Department of Children and Families 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. This new payment program is in addition to the current law system for providing child care payments under Wisconsin Shares. 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.

Child care partnership grant program

This bill authorizes DCF to establish a grant program to award funding to businesses that provide or wish to provide child care services for their employees. The bill allows such a grant to be used to reserve child care placements for local business employees, pay child care tuition, and other costs related to child care. Under the bill, a grant recipient must provide at least 25 percent matching funds. The bill allows DCF to promulgate rules to administer the grant program, including to determine eligibility for a grant.

Family and medical leave expansion

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 the employee's child, spouse, domestic partner, or parent who has a serious health condition. Employers covered under the law must also permit an employee covered under the law to take up to two weeks of medical leave in a 12-month period when that employee has a serious health condition. An employee

may file a complaint with the Department of Workforce Development 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.

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

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

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. Increases the amount of weeks an employee is able to take in family and medical leave for any eligible reason to 12 weeks.

4. 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.

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 in the instance of an unforeseen or unexpected gap in child care for an employee’s child, grandchild, or sibling 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 an employee’s child, spouse, domestic partner, parent, grandparent, grandchild, or sibling who is a member of the U.S. armed forces.

7. Requires employers to permit employees to take family leave to address issues related to the employee or the employee’s child, spouse, domestic partner, parent, grandparent, grandchild, or sibling being the victim of domestic abuse, sexual abuse, or stalking.

8. Requires employers to permit employees to take family leave to care for a child, spouse, domestic partner, parent, grandparent, grandchild, or sibling of an employee who is in medical isolation and requires employers to permit employees to take medical leave when an employee is in medical isolation. The bill defines “medical isolation” to include when a local health officer or the Department of Health Services advises that an individual isolate or quarantine; when a health care professional, a local health officer, or DHS advises that an individual seclude herself or himself when awaiting the results 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 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.

Family and medical leave benefits insurance program

This bill creates a family and medical leave benefits insurance program, to be administered by DWD, under which a covered individual who is on certain family or medical leave is eligible, beginning on January 1, 2025, to receive up to 12 weeks of family or medical leave insurance benefits as specified in the bill from the family and

medical leave benefits insurance trust fund created under the bill. For purposes of the bill, the following definitions apply:

1. A “covered individual” is an individual who worked for the same employer for at least 680 hours in the calendar year prior to the year in which the covered individual claims family or medical leave insurance benefits (application year) or a self-employed individual or employee of a small employer who elects coverage under the program.

2. “Family leave” means leave from employment, self-employment, or availability for employment for the birth or adoptive placement of a new child; to care for a family member who has a serious health condition or is in medical isolation; for covered active duty; or to address issues related to being the victim of domestic abuse, sexual abuse, or stalking.

3. “Medical leave” means leave from employment, self-employment, or availability for employment when a covered individual is in medical isolation or has a serious health condition that makes the employee unable to perform his or her employment duties.

Under the bill, the amount of family or medical leave insurance benefits for a week for which those benefits are payable is as follows:

1. For the amount of the covered individual’s average weekly earnings that are less than 50 percent of the state annual median wage in the calendar year before the individual’s application year, 90 percent of that individual’s average weekly earnings.

2. For the amount of the covered individual’s average weekly earnings that are more than 50 percent of the state annual median wage in the calendar year before the individual’s application year, 50 percent of that individual’s average weekly earnings.

Beginning on January 1, 2025, the bill requires each individual employed in this state by an employer that regularly employs at least 50 individuals, including an individual employed by the state, and any self-employed individual or employee of a small employer who elects coverage under the family and medical leave benefits insurance program to contribute to the trust fund a percentage of his or her wages from employment or income from self-employment. Under the bill, each employer must contribute the same amount as an employee. The bill requires DWD to collect those contributions in the same manner as DWD collects contributions to the unemployment reserve fund under current law.

The bill provides that an employer that provides paid family and medical leave benefits that are identical to or more generous than those provided under the program may request an exemption from participation in the program. The bill requires DWD to promulgate rules to provide exemptions from participation in the program.

The bill further does the following:

1. Requires DWD to promulgate rules providing for a right to a hearing in cases of disputes involving an individual’s eligibility for benefits or status as a covered individual under the program.

2. Requires DWD to promulgate rules providing for a right to a hearing in cases involving the liability of employers for contributions under the program.

3. Allows DWD to seek repayment of family or medical leave insurance benefits that are paid erroneously or as a result of willful misrepresentation. The bill allows DWD to establish other procedures for recovering overpayments and allows DWD to utilize procedures under the unemployment insurance law.

Paid family and medical leave

This bill requires the administrator of the Division of Personnel Management in the Department of Administration to develop a program for paid family and medical leave of 12 weeks annually 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 University of Wisconsin System to develop a plan for a program for paid family and medical leave of 12 weeks annually 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 2023-25 biennium.

UW-Madison engineering building

This bill amends the 2023-25 Authorized State Building Program to add one project for the University of Wisconsin-Madison. The project involves the demolition of an engineering facility and construction of a replacement engineering building at UW-Madison. The bill transfers \$197,336,000 from the general fund to the capital improvement fund for purposes of the project.

Moneys transferred to capital improvement fund

2023 Wisconsin Act 19 transferred moneys from the general fund to the capital improvement fund to fund projects in the 2023-25 Authorized State Building Program. This bill specifies that those moneys may be used for those projects. Current law generally provides that the capital improvement fund may be used only for purposes of public debt.

2023 Wisconsin Act 19 also provided the following:

1. That excess moneys transferred to the capital improvement fund under the act not used to fund projects authorized in the 2023-25 Authorized State Building Program must be transferred back to the general fund.

2. That moneys transferred to the capital improvement fund under the act, not to exceed \$20,000,000, may be used to offset building program project budget cost overruns caused by inflation.

This bill provides that all moneys transferred to the capital improvement fund under the act not specified under item 1 above, or are not used to offset cost adjustments with respect to any building project authorized in the 2023-25 Authorized State Building Program, must be transferred back to the general fund.

Funding for the UW System

This bill provides additional funding for the UW System under its general program operations appropriation.

Wisconsin grant program

Under current law, the Wisconsin grant program, administered by the Higher Educational Aids Board, provides grants to postsecondary resident students enrolled at least half time and registered as freshmen, sophomores, juniors, or seniors in UW System, technical college, private, and tribal postsecondary institutions.

The bill increases HEAB's biennial appropriation for Wisconsin grants in the 2023-25 fiscal biennium by various amounts for UW System students, technical college students, students enrolled in a private, nonprofit institution of higher education in this state, and tribal college students.

Nurse educator program funding

Under current law, HEAB administers a nurse educator program that provides 1) fellowships to students who enroll in certain postgraduate nursing degree programs at institutions of higher education; 2) postdoctoral fellowships to recruit faculty for nursing programs at institutions of higher education; and 3) educational loan repayment assistance to recruit and retain faculty for nursing programs in institutions of higher education.

This bill increases HEAB's biennial appropriation for the nurse educator program by \$5,000,000 in each year of the 2023-25 fiscal biennium.

Funding for the Technical College System

This bill provides additional funding for the Technical College System for state aid for technical colleges.

WRS annuitants returning to work

Under current law, if a Wisconsin Retirement System annuitant, or a disability annuitant who has attained his or her normal retirement date, is appointed to a position with a WRS-participating employer or provides employee services to a WRS-participating employer in which he or she is expected to work at least two-thirds of what is considered full-time employment by the Department of Employee Trust Funds, the annuity must be suspended and no annuity payment is payable until after the participant again terminates covered employment.

This bill removes the requirement that an annuitant suspend his or her annuity and instead allows an annuitant to elect to suspend the annuity and again become a participating employee or elect to not suspend his or her annuity and not become a participating employee. In other words, the bill allows an annuitant who returns to work for a participating employer but elects not to become a participating employee for purposes of the WRS to continue to receive his or her annuity.

Under current law, a WRS participant who has applied to receive a retirement annuity must wait at least 75 days between terminating covered employment with a WRS employer and returning to covered employment again as a participating employee. The bill reduces that period to 30 days.

Health care workforce innovation grants

This bill requires DWD to establish and operate a program to provide grants to regional organizations to design and implement plans to address their region's

health care-related workforce challenges that arose during or were exacerbated by the COVID-19 pandemic.

Funding for the WisCaregiver Careers program

This bill increases by \$6,000,000 in fiscal year 2024-25 the amount appropriated to DHS to provide funding for the WisCaregiver Careers program. The WisCaregiver Careers program is a workforce development program that provides free nurse aide training and evaluation, as well as retention bonuses for individuals who have been employed as nurse aides in a nursing home for at least six months.

Treatment program grants

Under current law, DHS is required to distribute a total of \$750,000 in grants in each fiscal year to support treatment programs. Grant recipients are required to use the grant money for supervision, training, and resources, including salaries, benefits, and other related costs. This bill removes the requirement that DHS distribute a total of \$750,000 in each fiscal year and provides \$1,576,600 in fiscal year 2024-25 for grants to support treatment programs.

Graduate medical education grants

This bill increases the maximum amounts that DHS may award each fiscal year in grants to hospitals to support existing graduate medical training programs. Under current law, DHS may not distribute more than \$225,000 to a particular hospital or more than \$75,000 to fund an individual position in an existing graduate medical training program during a given fiscal year. The bill increases those limits to \$450,000 and \$150,000 per fiscal year, respectively.

Health care workforce opportunity grants

This bill requires DWD to establish and operate a program to provide grants to local workforce development boards to assist individuals whose employment was affected by the COVID-19 pandemic and whose employment outcomes have not improved since then. The department must target the program to individuals employed or seeking employment in health care-related fields and individuals who are currently ineligible for services under the federal Workforce Innovation and Opportunity Act.

Grants to encourage teaching careers

The bill creates a new grant program administered by the Department of Public Instruction and available to school districts and operators of independent charter schools to reimburse the cost of “Grow Your Own” programs. Under the bill, Grow Your Own programs include high school clubs that encourage careers in teaching, payment of costs associated with current staff acquiring education needed for licensure, support for career pathways using dual enrollment, support for partnerships focused on attracting or developing new teachers, or incentives for paraprofessionals to gain licensure. The bill appropriates \$5,000,000 in fiscal year 2024-25 for this purpose.

Teacher improvement program

Under current law, DPI operates a teacher improvement program to provide prospective teachers with one-semester internships under the supervision of

licensed teachers, in-service activities, and professional staff development research projects.

Under the bill, DPI must provide stipends to individuals who are participating in the teacher improvement program. The stipends are \$9,600 per individual per semester and begin in the 2024-25 school year.

Stipends to student teachers

The bill provides stipends, through DPI, to student teachers who are completing a teacher preparatory program that is approved by the superintendent of public instruction. The stipends are \$2,500 per student teacher per semester and begin in the 2024-25 school year.

Stipends to teachers overseeing student teachers

The bill provides stipends, through DPI, to teachers who are overseeing a student teacher in their classrooms. The stipends are in the amount of \$1,000 per teacher per semester and begin in the 2024-25 school year.

Stipends to library interns

The bill provides \$50,000 in funding for the Division for Libraries and Technology in DPI to provide stipend payments to students who are pursuing a degree in library science and are placed as an intern in a public library or school library. The stipend payments are \$2,500 per student per semester and begin in the 2024-25 school year.

Development of apprenticeship pathways related to health care

This bill provides funding and position authority to DWD to conduct outreach to stakeholders and partners to develop new apprenticeship pathways related to health care.

Health care provider innovation grants

Under current law, DHS is required to award grants for certain community programs. This bill allows DHS to distribute up to \$7,225,000 in the 2023-24 fiscal year and up to \$14,500,000 in the 2024-25 fiscal year as grants to health care providers and long-term care providers to implement best practices and innovative solutions to increase worker recruitment and retention. The bill increases appropriations to DHS to fund these grants and to support state administration and evaluation of the grant program.

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:

- 1 **SECTION 1.** 18.08 (2) of the statutes is amended to read:
- 2 18.08 (2) The capital improvement fund may be expended, pursuant to
- 3 appropriations, only for the purposes and in the amounts for which the public debts

1 have been contracted, for the payment of principal and interest on loans or on notes,
2 for the payment due, if any, under an agreement or ancillary arrangement entered
3 into under s. 18.06 (8) (a) with respect to any such public debt, for the purposes
4 identified under s. 20.867 (2) (v), ~~(3) (x)~~, and (4) (q), and for expenses incurred in
5 contracting public debt.

6 **SECTION 2.** 18.08 (7) (a) of the statutes, as created by 2023 Wisconsin Act 19,
7 is renumbered 18.08 (7) and amended to read:

8 18.08 (7) Notwithstanding sub. (3), moneys transferred under 2023 Wisconsin
9 Act 19, section 9251 (1), cannot be commingled with other moneys in the capital
10 improvement fund and all earnings on or income from investments of the moneys
11 transferred under 2023 Wisconsin Act 19, section 9251 (1), and all excess moneys so
12 transferred that are not used to fund building projects authorized in the 2023-25
13 Authorized State Building Program or are not used to offset cost adjustments with
14 respect to any building project authorized in the 2023-25 Authorized State Building
15 Program, shall be deposited into or transferred to the general fund.

16 **SECTION 3.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
17 the following amounts for the purposes indicated:

2023-24 2024-25

18 **20.255 Public instruction, department of**

19 (2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING

20 (ch) Grow your own programs;

21 teacher pipeline capacity build-

22 ing

GPR A -0- 5,000,000

				2023-24	2024-25
1	(3)	AIDS TO LIBRARIES, INDIVIDUALS AND			
2		ORGANIZATIONS			
3	(ci)	Teacher improvement program			
4		stipends	GPR A	-0-	2,400,000
5	(cL)	Library intern stipend payments	GPR A	-0-	50,000
6	(cs)	Student teacher stipends	GPR A	-0-	7,000,000
7	(ct)	Cooperating teacher stipends	GPR A	-0-	2,033,000
8		20.437 Children and families, department of			
9	(2)	ECONOMIC SUPPORT			
10	(c)	Child care quality improvement			
11		program	GPR A	81,389,400	222,719,300
12	(d)	Child care partnership grant			
13		program	GPR A	11,198,000	11,198,000
14		20.445 Workforce development, department of			
15	(1)	WORKFORCE DEVELOPMENT			
16	(bw)	Health care workforce innova-			
17		tion grants	GPR C	100,000,000	-0-
18	(bx)	Health care workforce opportu-			
19		nity grants	GPR C	8,500,000	8,500,000

2023-24 **2024-25**

1 (6) FAMILY AND MEDICAL LEAVE BENEFITS INSURANCE
2 PROGRAM

3 (r) Administrative expenses; family
4 and medical leave benefits insur-
5 ance trust fund SEG B 65,767,800 18,779,000

6 **SECTION 4.** 20.255 (1) (hg) of the statutes is amended to read:

7 20.255 (1) (hg) *Personnel licensure, teacher supply, information and analysis*
8 *and teacher improvement.* The amounts in the schedule to fund licensure
9 administrative costs under s. 115.28 (7) (d) and 118.19 (10), teacher supply,
10 information and analysis costs under s. 115.29 (5), and teacher improvement under
11 s. 115.41 (1). Ninety percent of all moneys received from the licensure of school and
12 public library personnel under s. 115.28 (7) (d), and all moneys received under s.
13 115.41 (1), shall be credited to this appropriation.

14 **SECTION 5.** 20.255 (2) (ch) of the statutes is created to read:

15 20.255 (2) (ch) *Grow your own programs; teacher pipeline capacity building.*
16 The amounts in the schedule for grants under s. 115.422 to school districts and
17 operators of a charter school under s. 118.40 (2r) or (2x).

18 **SECTION 6.** 20.255 (3) (ci) of the statutes is created to read:

19 20.255 (3) (ci) *Teacher improvement program stipends.* The amounts in the
20 schedule for payments to individuals under s. 115.41 (2).

21 **SECTION 7.** 20.255 (3) (cL) of the statutes is created to read:

22 20.255 (3) (cL) *Library intern stipend payments.* The amounts in the schedule
23 for library intern stipend payments under s. 43.05 (12m).

1 **SECTION 8.** 20.255 (3) (cs) of the statutes is created to read:

2 20.255 (3) (cs) *Student teacher stipends.* The amounts in the schedule for
3 payments to student teachers under s. 115.421.

4 **SECTION 9.** 20.255 (3) (ct) of the statutes is created to read:

5 20.255 (3) (ct) *Cooperating teacher stipends.* The amounts in the schedule for
6 payments to teachers under s. 115.424.

7 **SECTION 10.** 20.435 (4) (bm) of the statutes is amended to read:

8 20.435 (4) (bm) *Medical Assistance, food stamps, and Badger Care*
9 *administration; contract costs, insurer reports, and resource centers.* Biennially, the
10 amounts in the schedule to provide a portion of the state share of administrative
11 contract costs for the Medical Assistance program under subch. IV of ch. 49 and the
12 Badger Care health care program under s. 49.665 and to provide the state share of
13 administrative costs for the food stamp program under s. 49.79, other than payments
14 under s. 49.78 (8), to develop and implement a registry of recipient immunizations,
15 to reimburse 3rd parties for their costs under s. 49.475, for costs associated with
16 outreach activities, for state administration of state supplemental grants to
17 supplemental security income recipients under s. 49.77, for state administration and
18 evaluation of the health care provider innovation grants program under s. 46.48 (22),
19 and for services of resource centers under s. 46.283. No state positions may be funded
20 in the department of health services from this appropriation, except positions for the
21 performance of duties under a contract in effect before January 1, 1987, related to
22 the administration of the Medical Assistance program between the subunit of the
23 department primarily responsible for administering the Medical Assistance
24 program and another subunit of the department. Total administrative funding

1 authorized for the program under s. 49.665 may not exceed 10 percent of the amounts
2 budgeted under pars. (p) and (x).

3 **SECTION 11.** 20.437 (2) (c) of the statutes is created to read:

4 20.437 (2) (c) *Child care quality improvement program.* The amounts in the
5 schedule for the program under s. 49.133.

6 **SECTION 12.** 20.437 (2) (d) of the statutes is created to read:

7 20.437 (2) (d) *Child care partnership grant program.* The amounts in the
8 schedule for the grants under s. 49.132.

9 **SECTION 13.** 20.445 (1) (bw) of the statutes is created to read:

10 20.445 (1) (bw) *Health care workforce innovation grants.* As a continuing
11 appropriation, the amounts in the schedule for health care workforce innovation
12 grants under s. 106.29.

13 **SECTION 14.** 20.445 (1) (bx) of the statutes is created to read:

14 20.445 (1) (bx) *Health care workforce opportunity grants.* As a continuing
15 appropriation, the amounts in the schedule for grants under s. 106.295.

16 **SECTION 15.** 20.445 (6) of the statutes is created to read:

17 20.445 (6) FAMILY AND MEDICAL LEAVE BENEFITS INSURANCE PROGRAM. (q) *Payment*
18 *of benefits; family and medical leave benefits insurance trust fund.* From the family
19 and medical leave benefits insurance trust fund, a sum sufficient to pay for the
20 payment of benefits under s. 103.105 (3) and to refund moneys erroneously paid into
21 the fund.

22 (r) *Administrative expenses; family and medical leave benefits insurance trust*
23 *fund.* Biennially, from the family and medical leave benefits insurance trust fund,
24 the amounts in the schedule for the administrative expenses of the family and
25 medical leave benefits insurance program.

1 **SECTION 16.** 20.867 (3) (x) of the statutes, as created by 2023 Wisconsin Act 19,
2 is amended to read:

3 20.867 (3) (x) *Segregated revenue supported building program projects;*
4 *inflationary project cost overruns.* From the capital improvement fund, as a
5 continuing appropriation, all moneys transferred under 2023 Wisconsin Act 19,
6 section 9251 (1), and 2023 Wisconsin Act ... (this act), section 94 (11), to fund the
7 projects enumerated under 2023 Wisconsin Act 19, section 9104 (1), including the
8 project created by 2023 Wisconsin Act ... (this act), section 92, in the amounts
9 designated as “segregated revenue” in that section for those projects; to fund the
10 other expenditures and allocations designated as “segregated revenue” under 2023
11 Wisconsin Act 19, section 9104 (4) to (13); and to offset building program project
12 budget cost overruns caused by inflation under s. 13.48 (2) (L) in a total amount up
13 to \$20,000,000.

14 **SECTION 17.** 25.17 (1) (er) of the statutes is created to read:

15 25.17 (1) (er) Family and medical leave benefits insurance trust fund (s. 25.52);

16 **SECTION 18.** 25.52 of the statutes is created to read:

17 **25.52 Family and medical leave benefits insurance trust fund.** There
18 is created a separate nonlapsible trust fund designated as the family and medical
19 leave benefits insurance trust fund, to consist of all moneys deposited in that fund
20 under s. 103.105 (8).

21 **SECTION 19.** 40.22 (1) of the statutes is amended to read:

22 40.22 (1) Except as otherwise provided in sub. (2) and s. 40.26 (6) (1), each
23 employee currently in the service of, and receiving earnings from, a state agency or
24 other participating employer shall be included within the provisions of the Wisconsin

1 retirement system as a participating employee of that state agency or participating
2 employer.

3 **SECTION 20.** 40.22 (2) (L) of the statutes is amended to read:

4 40.22 (2) (L) The employee is employed by a participating employer after the
5 person becomes an annuitant, unless the service is after the annuity is suspended
6 by the election of the employee under s. 40.26.

7 **SECTION 21.** 40.22 (2m) (intro.) of the statutes is amended to read:

8 40.22 (2m) (intro.) Except as otherwise provided in s. 40.26 ~~(6)~~ (1), an employee
9 who was a participating employee before July 1, 2011, who is not expected to work
10 at least one-third of what is considered full-time employment by the department,
11 as determined by rule, and who is not otherwise excluded under sub. (2) from
12 becoming a participating employee shall become a participating employee if he or she
13 is subsequently employed by the state agency or other participating employer for
14 either of the following periods:

15 **SECTION 22.** 40.22 (2r) (intro.) of the statutes is amended to read:

16 40.22 (2r) (intro.) Except as otherwise provided in s. 40.26 ~~(6)~~ (1), an employee
17 who was not a participating employee before July 1, 2011, who is not expected to work
18 at least two-thirds of what is considered full-time employment by the department,
19 as determined by rule, and who is not otherwise excluded under sub. (2) from
20 becoming a participating employee shall become a participating employee if he or she
21 is subsequently employed by the state agency or other participating employer for
22 either of the following periods:

23 **SECTION 23.** 40.22 (3) (intro.) of the statutes is amended to read:

1 40.22 (3) (intro.) Except as otherwise provided in s. 40.26 (6) (1), a person who
2 qualifies as a participating employee shall be included within, and shall be subject
3 to, the Wisconsin retirement system effective on one of the following dates:

4 **SECTION 24.** 40.26 (1) of the statutes is amended to read:

5 40.26 (1) Except as provided in ~~sub. (1m)~~ and ss. 40.05 (2) (g) 2. and 40.23 (1)
6 (am), if a participant receiving a retirement annuity, or a disability annuitant who
7 has attained his or her normal retirement date, receives earnings that are subject
8 to s. 40.05 (1) or that would be subject to s. 40.05 (1) except for the exclusion specified
9 in s. 40.22 (2) (L), the annuity shall be suspended, including any amount provided
10 by additional contributions, and no annuity payment shall be payable after the
11 month in which the participant files with the department a written election to be
12 included within the provisions of the Wisconsin retirement system as a participating
13 employee.

14 **SECTION 25.** 40.26 (1m) of the statutes is repealed.

15 **SECTION 26.** 40.26 (2) (intro.) of the statutes is amended to read:

16 40.26 (2) (intro.) Upon suspension of an annuity under sub. (1) ~~or (1m)~~, the
17 retirement account of the participant whose annuity is so suspended shall be
18 established on the following basis:

19 **SECTION 27.** 40.26 (5) (intro.) of the statutes is amended to read:

20 40.26 (5) (intro.) ~~Except as otherwise provided in sub. (5m), if~~ If a participant
21 applies for an annuity or lump sum payment during the period in which less than 75
22 30 days have elapsed between the termination of employment with a participating
23 employer and becoming a participating employee with any participating employer,
24 all of the following shall apply:

25 **SECTION 28.** 40.26 (5m) of the statutes is repealed.

1 **SECTION 29.** 40.26 (6) of the statutes is repealed.

2 **SECTION 30.** 43.05 (12m) of the statutes is created to read:

3 **43.05 (12m)** From the appropriation under s. 20.255 (3) (cL), beginning in the
4 2024-25 school year, provide payments, in the amount of \$2,500 per student per
5 semester, to students who are pursuing a degree in library science and are placed as
6 an intern in a public library or school library. The division may promulgate rules to
7 implement this subsection.

8 **SECTION 31.** 46.48 (22) of the statutes is created to read:

9 **46.48 (22) HEALTH CARE PROVIDER INNOVATION GRANTS.** From the appropriation
10 under s. 20.435 (7) (bc), the department may, beginning in fiscal year 2024-25,
11 distribute not more than \$14,500,000 in each fiscal year as grants to health care
12 providers and long-term care providers to implement best practices and innovative
13 solutions to increase worker recruitment and retention.

14 **SECTION 32.** 49.132 of the statutes is created to read:

15 **49.132 Child care partnership grant program.** (1) In this section,
16 “business” means any organization or enterprise operated for profit or a nonprofit
17 corporation. “Business” does not include a governmental entity.

18 (2) The department may establish a grant program to award funding to
19 businesses that provide or wish to provide child care services for their employees.
20 A grant awarded under this program may be used to reserve child care placements
21 for local business employees, pay child care tuition, and other costs related to child
22 care.

23 (3) A business awarded a grant under this section shall provide matching funds
24 equal to 25 percent or more of the amount awarded.

1 (4) The department may promulgate rules to administer this section, including
2 to determine eligibility for a grant.

3 **SECTION 33.** 49.133 of the statutes is created to read:

4 **49.133 Child care quality improvement program.** (1) The department
5 may establish a program under which it may, from the appropriation under s. 20.437
6 (2) (c) and the allocation under s. 49.175 (1) (qm), make monthly payments and
7 monthly per-child payments to child care providers certified under s. 48.651, child
8 care centers licensed under s. 48.65, and child care programs established or
9 contracted for by a school board under s. 120.13 (14).

10 (2) The department may promulgate rules to implement the program under
11 this section, including establishing eligibility requirements and payment amounts
12 and setting requirements for how recipients may use the payments.

13 **SECTION 34.** 49.155 (6) (e) 2. of the statutes is repealed.

14 **SECTION 35.** 49.155 (6) (e) 3. (intro.) of the statutes is amended to read:

15 49.155 (6) (e) 3. (intro.) The department may modify a child care provider's
16 maximum payment rate under ~~subd. 2. pars. (a) to (c)~~ on the basis of the provider's
17 quality rating, as described in the quality rating plan, in the following manner:

18 **SECTION 36.** 49.175 (1) (q) of the statutes, as affected by 2023 Wisconsin Act 19,
19 is amended to read:

20 49.175 (1) (q) *Child care state administration and licensing activities.* For state
21 administration of child care programs under s. 49.155 and for child care licensing
22 activities, \$42,117,800 in fiscal year 2021-22 and \$41,803,100 in fiscal year 2022-23.
23 In fiscal year 2023-24, for such programs and activities, ~~\$45,796,000~~ \$46,108,000.
24 In fiscal year 2024-25, for such programs and activities, ~~\$45,570,300~~ \$46,194,300.

1 **SECTION 37.** 49.175 (1) (qm) of the statutes, as affected by 2023 Wisconsin Act
2 19, is amended to read:

3 49.175 (1) (qm) *Quality care for quality kids.* For the child care quality
4 improvement activities specified in ss. 49.133, 49.155 (1g), and 49.257, \$16,683,700
5 in fiscal year 2022-23. In fiscal year 2023-24, for such activities, ~~\$28,518,700~~
6 \$47,518,700. In fiscal year 2024-25, for such activities, ~~\$46,018,700~~ \$65,018,700.

7 **SECTION 38.** 103.10 (1) (a) (intro.) of the statutes is renumbered 103.10 (1) (a)
8 and amended to read:

9 103.10 (1) (a) “Child” means a natural, adopted, or foster child, a stepchild, or
10 a legal ward ~~to whom any of the following applies:~~

11 **SECTION 39.** 103.10 (1) (a) 1. of the statutes is repealed.

12 **SECTION 40.** 103.10 (1) (a) 2. of the statutes is repealed.

13 **SECTION 41.** 103.10 (1) (ap) of the statutes is created to read:

14 103.10 (1) (ap) “Covered active duty” means any of the following:

15 1. For a member of a regular component of the U.S. armed forces, duty during
16 the deployment of the member with the U.S. armed forces to a foreign country.

17 2. For a member of a reserve component of the U.S. armed forces, duty during
18 the deployment of the member with the U.S. armed forces to a foreign country under
19 a call or order to active duty under a provision of law specified in 10 USC 101 (a) (13)
20 (B).

21 **SECTION 42.** 103.10 (1) (b) of the statutes is amended to read:

22 103.10 (1) (b) Except as provided in sub. (1m) (b) 2. and s. 452.38, “employee”
23 means an individual employed in this state by an employer, except the employer’s
24 parent, child, spouse, domestic partner, ~~or child parent, grandparent, grandchild, or~~
25 sibling.

1 **SECTION 43.** 103.10 (1) (dm) of the statutes is created to read:

2 103.10 (1) (dm) “Grandchild” means the child of a child.

3 **SECTION 44.** 103.10 (1) (dp) of the statutes is created to read:

4 103.10 (1) (dp) “Grandparent” means the parent of a parent.

5 **SECTION 45.** 103.10 (1) (em) of the statutes is created to read:

6 103.10 (1) (em) “Medical isolation” means any of the following:

7 1. When a health care professional, a local health officer, or the department of
8 health services advises that an individual seclude herself or himself from others
9 when the individual is awaiting the result of a diagnostic test for a communicable
10 disease or when the individual is infected with a communicable disease.

11 2. When a local health officer or the department of health services advises that
12 an individual isolate or quarantine under s. 252.06.

13 3. When an individual’s employer advises that the individual not come to the
14 workplace due to a concern that the individual may have been exposed to or infected
15 with a communicable disease.

16 **SECTION 46.** 103.10 (1) (gm) of the statutes is created to read:

17 103.10 (1) (gm) “Sibling” means a brother, sister, half brother, half sister,
18 stepbrother, or stepsister, whether by blood, marriage, or adoption.

19 **SECTION 47.** 103.10 (1m) (b) 1. of the statutes is renumbered 103.10 (1) (an).

20 **SECTION 48.** 103.10 (1m) (b) 6. of the statutes is renumbered 103.10 (1) (gd).

21 **SECTION 49.** 103.10 (1m) (b) 7. of the statutes is renumbered 103.10 (1) (m).

22 **SECTION 50.** 103.10 (2) (c) of the statutes is amended to read:

23 103.10 (2) (c) This section only applies to an employee who has been employed
24 by the same employer for more than 52 consecutive weeks and who worked for the
25 employer for at least ~~1,000~~ 680 hours during the preceding 52-week period.

1 **SECTION 51.** 103.10 (3) (a) of the statutes is repealed.

2 **SECTION 52.** 103.10 (3) (b) 3. of the statutes is amended to read:

3 103.10 **(3)** (b) 3. To care for the employee’s child, spouse, domestic partner, or
4 parent, grandparent, grandchild, or sibling, if the child, spouse, domestic partner, or
5 parent, grandparent, grandchild, or sibling has a serious health condition.

6 **SECTION 53.** 103.10 (3) (b) 4. of the statutes is created to read:

7 103.10 **(3)** (b) 4. Because of any qualifying exigency, as determined by the
8 department by rule, arising out of the fact that the spouse, child, domestic partner,
9 parent, grandparent, grandchild, or sibling of the employee is on covered active duty
10 or has been notified of an impending call or order to covered active duty.

11 **SECTION 54.** 103.10 (3) (b) 5. of the statutes is created to read:

12 103.10 **(3)** (b) 5. Because there is an unforeseen or unexpected short-term gap
13 in child care for the employee’s child, grandchild, or sibling that the employee must
14 fill. The department may define by rule “unforeseen or unexpected short-term gap
15 in child care.”

16 **SECTION 55.** 103.10 (3) (b) 6. of the statutes is created to read:

17 103.10 **(3)** (b) 6. To care for the employee’s child, spouse, domestic partner,
18 parent, grandparent, grandchild, or sibling, if the child, spouse, domestic partner,
19 parent, grandparent, grandchild, or sibling is in medical isolation.

20 **SECTION 56.** 103.10 (3) (b) 7. of the statutes is created to read:

21 103.10 **(3)** (b) 7. To address issues of the employee or the employee’s child,
22 spouse, domestic partner, parent, grandparent, grandchild, or sibling related to
23 being the victim of domestic abuse, sexual abuse, or stalking.

24 **SECTION 57.** 103.10 (4) (a) of the statutes is amended to read:

1 103.10 (4) (a) Subject to ~~pars. (b) and par. (c)~~ and sub. (4m), an employee who
2 is in medical isolation or has a serious health condition which makes the employee
3 unable to perform his or her employment duties may take medical leave for the
4 period during which he or she is unable to perform those duties.

5 **SECTION 58.** 103.10 (4) (b) of the statutes is repealed.

6 **SECTION 59.** 103.10 (4m) of the statutes is created to read:

7 103.10 (4m) DURATION OF LEAVE. In a 12-month period, no employee may take
8 more than 12 weeks of family leave for any combination of reasons specified under
9 sub. (3) or (4).

10 **SECTION 60.** 103.10 (6) (b) (intro.) of the statutes is amended to read:

11 103.10 (6) (b) (intro.) If an employee intends to take family leave because of the
12 planned medical treatment or supervision of a child, spouse, domestic partner, or
13 parent, grandparent, grandchild, or sibling or intends to take medical leave because
14 of the planned medical treatment or supervision of the employee, the employee shall
15 do all of the following:

16 **SECTION 61.** 103.10 (6) (b) 1. of the statutes is amended to read:

17 103.10 (6) (b) 1. Make a reasonable effort to schedule the medical treatment
18 or supervision so that it does not unduly disrupt the employer's operations, subject
19 to the approval of the health care provider of the child, spouse, domestic partner,
20 parent, grandparent, grandchild, sibling, or employee.

21 **SECTION 62.** 103.10 (6) (c) of the statutes is created to read:

22 103.10 (6) (c) If the employee intends to take family leave under sub. (3) (b) 4.
23 that is foreseeable because the spouse, child, domestic partner, parent, grandparent,
24 grandchild, or sibling of the employee is on covered active duty or has been notified

1 of an impending call or order to covered active duty, the employee shall provide notice
2 of that intention to the employer in a reasonable and practicable manner.

3 **SECTION 63.** 103.10 (7) (a) of the statutes is amended to read:

4 103.10 (7) (a) If an employee requests family leave for a reason described in sub.
5 (3) (b) 3. or requests medical leave due to a serious health condition, the employer
6 may require the employee to provide certification, as described in par. (b), issued by
7 the health care provider or Christian Science practitioner of the child, spouse,
8 domestic partner, parent, grandparent, grandchild, sibling, or employee, whichever
9 is appropriate.

10 **SECTION 64.** 103.10 (7) (b) (intro.) of the statutes is amended to read:

11 103.10 (7) (b) (intro.) No employer may require certification under par. (a)
12 stating more than the following:

13 **SECTION 65.** 103.10 (7) (b) 1. of the statutes is amended to read:

14 103.10 (7) (b) 1. That the child, spouse, domestic partner, parent, grandparent,
15 grandchild, sibling, or employee has a serious health condition.

16 **SECTION 66.** 103.10 (7) (cm) of the statutes is created to read:

17 103.10 (7) (cm) If an employee requests family leave for a reason described in
18 sub. (3) (b) 3., the employer may require the employee to provide certification that
19 the employee is responsible for the care of a child, spouse, domestic partner, parent,
20 grandparent, grandchild, or sibling with a serious health condition.

21 **SECTION 67.** 103.10 (7) (d) of the statutes is created to read:

22 103.10 (7) (d) If an employee requests family leave under sub. (3) (b) 4., the
23 employer may require the employee to provide certification that the spouse, child,
24 domestic partner, parent, grandparent, grandchild, or sibling of the employee is on
25 covered active duty or has been notified of an impending call or order to covered

1 active duty. The certification under this paragraph shall be issued at such time and
2 in such manner as the department may prescribe by rule, and the employee shall
3 provide a copy of that certification to the employer in a timely manner.

4 **SECTION 68.** 103.10 (7) (e) of the statutes is created to read:

5 103.10 (7) (e) If an employee requests family leave under sub. (3) (b) 5., the
6 employer may require the employee to provide certification that there is an
7 unforeseen or unexpected short-term gap in child care, as defined in rule by the
8 department, for the employee's child, grandchild, or sibling that the employee must
9 fill. The department may prescribe by rule the form and content of the certification.

10 **SECTION 69.** 103.10 (7) (f) of the statutes is created to read:

11 103.10 (7) (f) 1. If an employee requests family leave under sub. (3) (b) 6., or
12 medical leave due to medical isolation, the employer may require the employee to
13 provide certification issued by a local public health official, the department of health
14 services, or a health care provider or Christian Science practitioner of the child,
15 spouse, domestic partner, parent, grandparent, grandchild, sibling, or employee,
16 whichever is appropriate, except that no employer may require certification under
17 this paragraph if the sole reason for the medical isolation is due to the employer's
18 request under sub. (1) (em) 3. No employer may require certification under this
19 subdivision stating more than that the child, spouse, domestic partner, parent,
20 grandparent, grandchild, sibling, or employee is in medical isolation.

21 2. If an employee requests family leave under sub. (3) (b) 6., the employer may
22 require the employee to provide certification that the employee is responsible for the
23 care of a child, spouse, domestic partner, parent, grandparent, grandchild, sibling,
24 or employee who is in medical isolation.

25 **SECTION 70.** 103.10 (7) (g) of the statutes is created to read:

1 103.10 (7) (g) If an employee requests family leave under sub. (3) (b) 7., the
2 employer may require the employee to provide certification that the employee is
3 addressing issues of the employee or the employee's child, spouse, domestic partner,
4 parent, grandparent, grandchild, or sibling related to being the victim of domestic
5 abuse, sexual abuse, or stalking.

6 **SECTION 71.** 103.10 (10) of the statutes is amended to read:

7 103.10 (10) ALTERNATIVE EMPLOYMENT. Nothing in this section prohibits an
8 employer and an employee with a serious health condition or in medical isolation
9 from mutually agreeing to alternative employment for the employee while the
10 serious health condition or medical isolation lasts. No period of alternative
11 employment, with the same employer, reduces the employee's right to family leave
12 or medical leave.

13 **SECTION 72.** 103.10 (12) (b) of the statutes is amended to read:

14 103.10 (12) (b) An employee who believes his or her employer has violated sub.
15 (11) (a) or (b) may, within ~~30~~ 300 days after the violation occurs or the employee
16 should reasonably have known that the violation occurred, whichever is later, file a
17 complaint with the department alleging the violation. Except as provided in s.
18 230.45 (1m), the department shall investigate the complaint and shall attempt to
19 resolve the complaint by conference, conciliation or persuasion. If the complaint is
20 not resolved and the department finds probable cause to believe a violation has
21 occurred, the department shall proceed with notice and a hearing on the complaint
22 as provided in ch. 227. The hearing shall be held within 60 days after the department
23 receives the complaint.

24 **SECTION 73.** 103.10 (12) (c) of the statutes is amended to read:

1 103.10 (12) (c) If 2 or more health care providers disagree about any of the
2 information required to be certified under sub. (7) (b), the department may appoint
3 another health care provider to examine the child, spouse, domestic partner, parent,
4 grandparent, grandchild, sibling, or employee and render an opinion as soon as
5 possible. The department shall promptly notify the employee and the employer of
6 the appointment. The employer and the employee shall each pay 50 percent of the
7 cost of the examination and opinion.

8 **SECTION 74.** 103.10 (14) (a) of the statutes is renumbered 103.10 (14).

9 **SECTION 75.** 103.10 (14) (b) of the statutes is repealed.

10 **SECTION 76.** 103.105 of the statutes is created to read:

11 **103.105 Family and medical leave benefits insurance program. (1)**

12 DEFINITIONS. In this section:

13 (a) “Application year” means the 12-month period beginning on the first day
14 of the first calendar week for which family or medical leave insurance benefits are
15 claimed by a covered individual.

16 (b) “Average weekly earnings” means one-thirteenth of the wages paid to an
17 employee during the last completed calendar quarter prior to the covered
18 individual’s date of eligibility for benefits under this section and includes all sick,
19 holiday, vacation, and termination pay that is paid directly by an employer to an
20 employee at the employee’s usual rate of pay during his or her last completed
21 calendar quarter as a result of employment for an employer and any total or partial
22 disability payments under ch. 102 or a federal law that provides for payments on
23 account of a work-related injury or illness. For self-employed individuals, “average
24 weekly earnings” means one fifty-second of the gross income reported as income to
25 the federal internal revenue service in the most recent tax year in which the

1 individual filed taxes prior to the individual's date of eligibility for benefits under this
2 section.

3 (c) "Covered individual" means an employee who satisfies s. 103.10 (2) (c), a
4 self-employed individual who elects coverage under sub. (2), or an employee of a
5 small employer who elects coverage under sub. (2), regardless of whether the
6 individual is employed or unemployed at the time the individual files an application
7 for family or medical leave insurance benefits.

8 (d) "Employee" has the meaning given in s. 103.10 (1) (b).

9 (e) "Employer" has the meaning given in s. 103.10 (1) (c).

10 (f) "Family leave" means an individual's leave from employment,
11 self-employment, or availability for employment for a reason specified in s. 103.10
12 (3) (b) 1. to 7. or 103.11 (4).

13 (g) "Family or medical leave insurance benefits" means benefits payable under
14 this section from the family and medical leave benefits insurance trust fund.

15 (h) "Medical leave" means leave from employment, self-employment, or
16 availability for employment for any of the reasons in s. 103.10 (4).

17 (i) "Self-employed individual" means a sole proprietor, partner of a
18 partnership, member of a limited liability company, or other individual engaged in
19 a vocation, profession, or business for himself or herself and not for an employer.

20 (j) "Small employer" means a person engaging in any activity, enterprise, or
21 business in this state employing fewer than 50 individuals on a permanent basis.

22 (k) "State annual median wage" means the median hourly wage for all
23 occupations in this state in a calendar year, as determined by the bureau of labor
24 statistics of the U.S. department of labor, multiplied by 2,080.

1 **(2)** ELECTION BY SELF-EMPLOYED INDIVIDUAL OR SMALL EMPLOYER. A
2 self-employed individual or small employer may elect to be covered under this
3 section by filing a written notice of election with the department in a form and
4 manner prescribed by the department by rule. An initial election under this
5 subsection becomes effective on the date on which the notice of election is filed, shall
6 be for a period of not less than 3 years, and may be renewed for subsequent one-year
7 periods by the filing of a written notice with the department that the self-employed
8 individual or small employer intends to continue coverage under this section. A
9 self-employed individual or small employer who elects coverage under this section
10 may withdraw that election no earlier than 3 years after the date of the initial
11 election or at such other times as the department may prescribe by rule by providing
12 notice of that withdrawal to the department not less than 30 days before the
13 expiration date of the election.

14 **(3)** ELIGIBILITY FOR BENEFITS. (a) Except as otherwise provided in sub. (6), a
15 covered individual who is on family leave or medical leave is eligible to receive family
16 or medical leave insurance benefits in the amount specified in sub. (4) and for the
17 duration specified in sub. (5).

18 (b) To receive family or medical leave insurance benefits, a covered individual
19 shall file a claim for those benefits within the time and in the manner that the
20 department prescribes by rule. On receipt of a claim for family or medical leave
21 insurance benefits, the department may request from the individual's employer or
22 from the self-employed individual any information necessary for the department to
23 determine the individual's eligibility for those benefits and the amount and duration
24 of those benefits. The employer or self-employed individual shall provide that
25 information to the department within the time and in the manner that the

1 department prescribes by rule. If the department determines that a covered
2 individual is eligible to receive family or medical leave insurance benefits, the
3 department shall provide those benefits to the individual as provided in subs. (4) and
4 (5).

5 **(4) AMOUNT OF BENEFITS.** Except as provided in sub. (6), the amount of family
6 or medical leave insurance benefits payable for a week shall be based upon the
7 covered individual's average weekly earnings, as follows:

8 (a) For the amount of the covered individual's average weekly earnings that are
9 less than 50 percent of the state annual median wage in the calendar year before the
10 covered individual's application year, 90 percent of the covered individual's average
11 weekly earnings.

12 (b) For the amount of the covered individual's average weekly earnings that are
13 more than or equal to 50 percent of the state annual median wage in the calendar
14 year before the covered individual's application year, 50 percent of the covered
15 individual's average weekly earnings.

16 **(5) DURATION OF BENEFITS.** The maximum number of weeks for which family or
17 medical leave insurance benefits are payable in an application year is 12 weeks. A
18 covered individual may be paid family or medical leave insurance benefits
19 continuously, or at the option of the covered individual, intermittently.

20 **(6) EMPLOYER EXEMPTION FROM PARTICIPATION IN PAID FAMILY AND MEDICAL LEAVE**
21 **BENEFITS INSURANCE PROGRAM.** (a) If an employer provides family and medical leave
22 benefits that are identical to or more generous than benefits provided under this
23 section, the employer may elect to not participate in the paid family and medical
24 leave benefits insurance program under this section. If the department grants an
25 exemption under this subsection, the employer shall pay benefits that are at least

1 identical to benefits under this section, and an employee is entitled to be paid those
2 benefits.

3 (b) An employer that elects to not participate in the paid family and medical
4 leave benefits insurance program under this section shall request an exemption from
5 the department in writing, in the manner prescribed by the department. An
6 exemption from participation is not effective until approved by the department in
7 writing.

8 (c) The department may grant a written exemption from participation to an
9 employer who complies with this subsection and all rules promulgated by the
10 department under par. (g).

11 (d) The department may withdraw its written exemption order granted under
12 par. (c) if the department determines that an employer is not providing paid family
13 and medical leave benefits to employees that are at least identical to those provided
14 under this section.

15 (e) If an employee believes that his or her employer that has an exemption
16 under this subsection has violated the employee's right to paid family and medical
17 leave benefits identical to those provided under this section, the employee may file
18 a complaint with the department alleging the violation, and the department shall
19 process the complaint in the same manner as complaints filed under s. 103.10 (12)

20 (b) are processed. If the department finds that an employer has violated this
21 subsection, the department may order the employer to take action to remedy the
22 violation, including providing the paid family and medical leave benefits, and,
23 notwithstanding s. 814.04 (1), paying reasonable actual attorney fees to the
24 employee.

1 (f) After the completion of an administrative proceeding under par. (e),
2 including judicial review, an employee or the department may bring an action in
3 circuit court against an employer to recover damages caused by a violation of this
4 subsection. Section 103.10 (13) (b) applies to the commencement of an action under
5 this paragraph.

6 (g) The department shall promulgate rules to implement this subsection.

7 **(7) FEDERAL TAX TREATMENT OF BENEFITS.** With respect to the federal income
8 taxation of family or medical leave insurance benefits, the department shall do all
9 of the following:

10 (a) At the time an individual files a claim for those benefits, advise the
11 individual that those benefits may be subject to federal income taxation, that
12 requirements exist under federal law pertaining to estimated tax payments, and
13 that the individual may elect to have federal income taxes withheld from the
14 individual's benefit payments and may change that election not more than one time
15 in an application year.

16 (b) Allow the individual to elect to have federal income tax deducted and
17 withheld from the individual's benefit payments, allow the individual to change that
18 election not more than one time in an application year, and deduct and withhold that
19 tax in accordance with the individual's election as provided under 26 USC 3402.

20 (c) Upon making a deduction under par. (b), transfer the amount deducted from
21 the family and medical leave benefits insurance trust fund to the federal internal
22 revenue service.

23 (d) In deducting and withholding federal income taxes from an individual's
24 benefit payments, follow all procedures specified by the federal internal revenue
25 service pertaining to the deducting and withholding of federal income tax.

1 **(8) FAMILY AND MEDICAL LEAVE BENEFITS INSURANCE TRUST FUND.** (a) The
2 department shall determine the amount of the required contribution by each
3 employee, self-employed individual who elects coverage under sub. (2), and each
4 employer. The required contribution shall be based on the employee's wages or the
5 self-employed individual's earnings. The required contribution for an employee
6 shall be equally shared between each employee and the employee's employer.

7 (b) Each employer shall withhold from the wages of its employees the amount
8 determined by the department under this subsection.

9 (c) The department shall promulgate rules to establish procedures for filing
10 wage reports and collecting the contributions withheld by employers and
11 employer-required contributions under par. (a). The department may utilize the
12 quarterly wage reports submitted under s. 108.205 in lieu of separate contribution
13 reports and may utilize the procedures for collecting contributions that apply to the
14 collection of contributions to the unemployment reserve fund under s. 108.17.

15 (cm) The department shall promulgate rules providing for a right to a hearing
16 in cases involving the liability of employers for contributions under this subsection.
17 The department's decisions shall be subject to the rights and procedures for
18 contested cases under ch. 227.

19 (d) The department shall collect contributions from self-employed individuals
20 pursuant to procedures established by the department under sub. (12) (b).

21 (e) The department shall deposit contributions received under this subsection
22 in the family and medical leave benefits insurance trust fund.

23 (f) The department shall use moneys deposited in the family and medical leave
24 benefits insurance trust fund to pay benefits under sub. (3), to refund amounts
25 erroneously paid by employers, and to pay for the administration of the family and

1 medical leave benefits insurance program under this section and for no other
2 purpose.

3 **(9) DENIAL OF CLAIMS; OVERPAYMENTS.** (a) The department shall promulgate
4 rules providing for a right to a hearing in cases of disputes involving an individual's
5 eligibility for benefits or status as a covered individual under this section. The
6 department's decisions shall be subject to the rights and procedures for contested
7 cases under ch. 227. To the extent necessary and practical, the department may
8 prescribe procedures in conjunction with any rules promulgated for administrative
9 proceedings under ss. 103.10 (12) and 103.11 (12).

10 (b) 1. If the department pays family or medical leave insurance benefits to an
11 individual erroneously or as a result of willful misrepresentation, the individual's
12 liability to reimburse the fund for the overpayment may be set forth in a
13 determination that is subject to review under par. (a). The department may prescribe
14 procedures for waiver of overpayments.

15 2. To recover any overpayment to a covered individual that is not otherwise
16 repaid or the recovery of which has not been waived, the department may recoup the
17 amount of the overpayment by, in addition to its other remedies, deducting the
18 amount of the overpayment from benefits the individual would otherwise be eligible
19 to receive.

20 3. The department may establish other procedures for recovering
21 overpayments and may utilize procedures under ch. 108, including the department's
22 remedies for collecting overpayments under ss. 108.22 and 108.225, subject to rules
23 promulgated by the department.

24 4. The department may not collect any interest on any benefit overpayment.

1 **(10) PROHIBITED ACTS.** (a) No person may interfere with, restrain, or deny the
2 exercise of any right provided under this section.

3 (b) No person may discharge or otherwise discriminate against any person for
4 exercising any right provided under this section, opposing a practice prohibited
5 under this section, filing a complaint or attempting to enforce any right provided
6 under this section, or testifying or assisting in any action or proceeding to enforce any
7 right provided under this section.

8 (c) No collective bargaining agreement or employer policy may diminish or
9 abridge an employee's rights under this section. Any agreement purporting to waive
10 or modify an employee's rights under this section is void as against public policy and
11 unenforceable.

12 **(11) ENFORCEMENT.** (a) Any person who believes that his or her rights under
13 this section have been interfered with, restrained, or denied in violation of sub. (10)
14 (a) or that he or she has been discharged or otherwise discriminated against in
15 violation of sub. (10) (b) may, within 30 days after the violation occurs or the person
16 should reasonably have known that the violation occurred, whichever is later, file a
17 complaint with the department alleging the violation, and the department shall
18 process the complaint in the same manner as complaints filed under s. 103.10 (12)
19 (b) are processed. If the department finds that an employer has violated sub. (10) (a)
20 to (c), the department may order the employer to take action to remedy the violation,
21 including providing the requested family leave or medical leave, reinstating an
22 employee, providing back pay accrued not more than 2 years before the complaint
23 was filed, and, notwithstanding s. 814.04 (1), paying reasonable actual attorney fees
24 to the complainant.

1 (b) After the completion of an administrative proceeding under par. (a),
2 including judicial review, an employee or the department may bring an action in
3 circuit court against an employer to recover damages caused by a violation of sub.
4 (10) (a) to (c). Section 103.10 (13) (b) applies to the commencement of an action under
5 this paragraph.

6 **(12) ADMINISTRATION.** The department shall administer the family and medical
7 leave benefits insurance program under this section. In administering the program,
8 the department shall do all of the following:

9 (a) Establish procedures and forms for the filing of claims for benefits under
10 this section.

11 (b) Establish procedures and forms for collecting contributions from
12 self-employed individuals.

13 (c) Promulgate rules to implement this section.

14 (d) Use information sharing and integration technology to facilitate the
15 exchange of information as necessary for the department to perform its duties under
16 this section.

17 (e) By September 1 of each year, submit a report to the governor, the joint
18 committee on finance, and the appropriate standing committees of the legislature
19 under s. 13.172 (3) on the family and medical leave benefits insurance program under
20 this section. The report shall include the projected and actual rates of participation
21 in the program, the premium rates for coverage under the program, and the balance
22 in the family and medical leave benefits insurance trust fund under s. 25.52.

23 **(13) RECORDS.** (a) The records made or maintained by the department in
24 connection with the administration of this section are confidential and shall be open
25 to public inspection or disclosure only to the extent that the department allows in the

1 interest of the family and medical leave benefits insurance program. No person may
2 allow inspection or disclosure of any record provided by the department unless the
3 department authorizes the inspection or disclosure.

4 (b) The department may provide records made or maintained by the
5 department in connection with the administration of this section to any
6 governmental unit, corresponding unit in the government of another state, or any
7 unit of the federal government. No such unit may allow inspection or disclosure of
8 any record provided by the department unless the department authorizes the
9 inspection or disclosure.

10 (c) Upon request of the department of revenue, the department may provide
11 information, including social security numbers, concerning covered individuals to
12 the department of revenue for the purpose of administering state taxes, identifying
13 fraudulent tax returns, providing information for tax-related prosecutions, or
14 locating persons or the assets of persons who have failed to file tax returns, who have
15 underreported their taxable income, or who are delinquent debtors. The department
16 of revenue shall adhere to the limitation on inspection and disclosure of the
17 information under par. (b).

18 **(14) BENEFIT AMOUNT ADJUSTMENT.** On April 1 of each year, the department may
19 adjust the maximum weekly benefit payment to 90 percent of the state average
20 weekly earnings, which becomes effective on October 1 of that year. The department
21 shall annually have the adjusted amount of the maximum weekly benefit payment
22 published in the Wisconsin Administrative Register.

23 **(15) NOTICE POSTED.** Each employer shall post, on its website and in one or more
24 conspicuous places where notices to employees are customarily posted, a notice in a
25 form approved by the department setting forth employees' rights under this section

1 and any adjustment to benefits as provided in sub. (14). Any employer that violates
2 this subsection shall forfeit not more than \$100 for each violation.

3 **SECTION 77.** 106.29 of the statutes is created to read:

4 **106.29 Health care workforce innovation grant program. (1) HEALTH**
5 **CARE WORKFORCE INNOVATION GRANTS.** The department shall, from the appropriation
6 under s. 20.445 (1) (bw), establish and operate a program to provide grants to
7 regional organizations to design and implement plans to address their region's
8 health care-related workforce challenges that arose during or were exacerbated by
9 the COVID-19 pandemic.

10 **(2) IMPLEMENTATION.** (a) *Duties.* To implement this section, the department
11 shall receive and review applications for grants under sub. (1) and prescribe the
12 form, nature, and extent of the information that must be contained in an application
13 for a grant under sub. (1).

14 (b) *Powers.* In addition to the duties described in par. (a), the department shall
15 have all other powers necessary and convenient to implement this section, including
16 the power to audit and inspect the records of grant recipients.

17 **SECTION 78.** 106.295 of the statutes is created to read:

18 **106.295 Health care workforce opportunity grants.** The department
19 shall, from the appropriation under s. 20.445 (1) (bx), establish and operate a
20 program to provide grants to local workforce development boards established under
21 29 USC 3122 to assist individuals whose employment status was negatively affected
22 by the COVID-19 pandemic and whose employment status has not improved. The
23 department shall target individuals employed or seeking employment in health
24 care-related fields and individuals who are currently ineligible for services under
25 the federal Workforce Innovation and Opportunity Act, 29 USC 3101 to 3361.

1 **SECTION 79.** 111.322 (2m) (a) of the statutes is amended to read:

2 111.322 **(2m)** (a) The individual files a complaint or attempts to enforce any
3 right under s. 103.02, 103.10, 103.105, 103.11, 103.13, 103.28, 103.32, 103.34,
4 103.455, 104.12, 109.03, 109.07, 109.075, 146.997, or 995.55, or ss. 101.58 to 101.599
5 or 103.64 to 103.82.

6 **SECTION 80.** 111.322 (2m) (b) of the statutes is amended to read:

7 111.322 **(2m)** (b) The individual testifies or assists in any action or proceeding
8 held under or to enforce any right under s. 103.02, 103.10, 103.105, 103.11, 103.13,
9 103.28, 103.32, 103.34, 103.455, 104.12, 109.03, 109.07, 109.075, 146.997, or 995.55,
10 or ss. 101.58 to 101.599 or 103.64 to 103.82.

11 **SECTION 81.** 115.41 of the statutes is renumbered 115.41 (1).

12 **SECTION 82.** 115.41 (2) of the statutes is created to read:

13 115.41 **(2)** From the appropriation under s. 20.255 (3) (ci), beginning in the
14 2024-25 school year, the department shall provide payments, in the amount of
15 \$9,600 per individual per semester, to prospective teachers who are participating in
16 the program under sub. (1). The department may promulgate rules to implement
17 this subsection.

18 **SECTION 83.** 115.421 of the statutes is created to read:

19 **115.421 Student teacher stipends.** From the appropriation under s. 20.255
20 (3) (cs), beginning in the 2024-25 school year, the department shall provide
21 payments, in the amount of \$2,500 per individual per semester, to an individual who
22 is completing student teaching as part of a teacher preparatory program approved
23 by the state superintendent under s. 115.28 (7) (a). The department may promulgate
24 rules to implement this section.

25 **SECTION 84.** 115.422 of the statutes is created to read:

1 **115.422 Grow your own programs; teacher pipeline capacity building.**

2 **(1)** In this section, “grow your own program” means a program to encourage
3 individuals to pursue a career in teaching or to facilitate teacher licensure. “Grow
4 your own program” includes high school clubs that encourage careers in teaching,
5 payment of costs associated with current staff acquiring education needed for
6 licensure, support for career pathways using dual enrollment, support for
7 partnerships focused on attracting or developing new teachers, or incentives for
8 paraprofessionals to gain licensure.

9 **(2)** Beginning in the 2024-25 school year, from the appropriation under s.
10 20.255 (2) (ch), the department shall award grants to a school district or the operator
11 of a charter school under s. 118.40 (2r) or (2x) to reimburse the school district or
12 charter school for costs associated with grow your own programs.

13 **(3)** The department shall promulgate rules to implement and administer this
14 section, including criteria for awarding a grant.

15 **SECTION 85.** 115.424 of the statutes is created to read:

16 **115.424 Cooperating teacher stipends.** From the appropriation under s.
17 20.255 (3) (ct), beginning in the 2024-25 school year, the department shall provide
18 payments, in the amount of \$1,000 per teacher per semester, to a cooperating teacher
19 who is overseeing an individual who is completing student teaching. The
20 department may promulgate rules to implement this section.

21 **SECTION 86.** 119.04 (1) of the statutes, as affected by 2023 Wisconsin Act 12,
22 is amended to read:

23 119.04 **(1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
24 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
25 115.345, 115.363, 115.364, 115.365 (3), 115.366, 115.367, 115.38 (2), 115.415, 115.422,

1 115.445, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12,
2 118.124, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163,
3 118.164, 118.18, 118.19, 118.196, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6),
4 (8), and (10), 118.245, 118.25, 118.255, 118.258, 118.291, 118.292, 118.293, 118.2935,
5 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m),
6 (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26),
7 (34), (35), (37), (37m), and (38), 120.137, 120.14, 120.20, 120.21 (3), and 120.25 are
8 applicable to a 1st class city school district and board but not, unless explicitly
9 provided in this chapter or in the terms of a contract, to the commissioner or to any
10 school transferred to an opportunity schools and partnership program.

11 **SECTION 87.** 146.618 of the statutes is amended to read:

12 **146.618 Treatment program grants.** From s. 20.435 (5) (bg) or any available
13 federal moneys, the department shall distribute ~~a total of \$750,000~~ in grants in each
14 fiscal year to support treatment programs. Grant recipients shall use moneys
15 awarded under this section for supervision, training, and resources, including
16 salaries, benefits, and other related costs.

17 **SECTION 88.** 146.64 (2) (c) 1. of the statutes is amended to read:

18 146.64 (2) (c) 1. The department shall distribute funds for grants under par.
19 (a) from the appropriation under s. 20.435 (4) (bf). The department may not
20 distribute more than ~~\$225,000~~ \$450,000 from the appropriation under s. 20.435 (4)
21 (bf) to a particular hospital in a given state fiscal year and may not distribute more
22 than ~~\$75,000~~ \$150,000 from the appropriation under s. 20.435 (4) (bf) to fund a given
23 position in a graduate medical training program in a given state fiscal year.

24 **SECTION 89.** 165.68 (1) (a) 3. of the statutes is amended to read:

25 165.68 (1) (a) 3. Sexual abuse, as defined in s. 103.10 ~~(1m)~~ ~~(b) 6~~ (1) (gd).

1 **SECTION 90.** 230.12 (9m) of the statutes is created to read:

2 230.12 **(9m)** PAID FAMILY AND MEDICAL LEAVE. (a) *Definitions.* In this subsection:

3 1. “Family leave” means leave from employment for a reason specified in s.
4 103.10 (3) (b) 1. to 7.

5 2. “Medical leave” means leave from employment when an employee has a
6 serious health condition that makes the employee unable to perform his or her
7 employment duties, or makes the employee unable to perform the duties of any
8 suitable employment, or because the employee is in medical isolation, as defined in
9 s. 103.10 (1) (em).

10 3. “Serious health condition” has the meaning given in s. 103.10 (1) (g).

11 (b) *Program.* The administrator shall develop and recommend to the joint
12 committee on employment relations a program, administered by the division, that
13 provides paid family and medical leave for 12 weeks per year to employees whose
14 compensation is established under this section or s. 20.923 (2) or (3) but does not
15 include employees of the Board of Regents of the University of Wisconsin System.
16 The approval process for the program is the same as that provided under sub. (3) (b),
17 and, if approved, the program shall be incorporated into the compensation plan
18 under sub. (1).

19 (c) *Rules.* The administrator may promulgate rules to implement the family
20 and medical leave program under par. (b).

21 **SECTION 91.** 323.19 (3) and (4) of the statutes are repealed.

22 **SECTION 92.** 2023 Wisconsin Act 19, section 9104 (1) (i) 3. em. and 4m. a. are
23 created to read:

24 [2023 Wisconsin Act 19] Section 9104 (1)

(i) UNIVERSITY OF WISCONSIN SYSTEM

3. *Projects financed by segregated revenue:*

em. Madison — engineering replacement

building/computer-aided engineering facility

demolition \$ 197,336,000

(Total project all funding sources

\$347,336,000)

4m. *Projects financed with gifts, grants, and other receipts:*

a. Madison — engineering replacement

building/computer-aided engineering facility

demolition \$ 150,000,000

(Total project all funding sources

\$347,336,000)

1 **SECTION 93. Nonstatutory provisions.**

2 (1) In the 2023-25 Authorized State Building Program, the appropriate totals
3 are adjusted to reflect the changes made by SECTION 92 of this act.

4 (2) POSITIONS FOR ADMINISTRATION OF FAMILY AND MEDICAL LEAVE BENEFITS
5 INSURANCE PROGRAM. The authorized FTE positions for the department of workforce
6 development are increased by 45.0 SEG positions in fiscal year 2023-24 and by 198.0
7 SEG positions in fiscal year 2024-25, to be funded from the appropriation under s.
8 20.445 (6) (r), for the purpose of administering the family and medical leave benefits
9 insurance program.

1 (3) PROPOSED PERMANENT RULES. The department of workforce development
2 shall submit in proposed form the rules required under s. 103.105 (8) (c) and (cm),
3 (9) (a) and (b) 3., and (12) (c) to the legislative council staff under s. 227.15 (1) no later
4 than the first day of the 4th month beginning after the effective date of this
5 subsection.

6 (4) RULE-MAKING EXCEPTIONS FOR PERMANENT RULES.

7 (a) Notwithstanding s. 227.135 (2), the department of workforce development
8 is not required to present the statement of the scope of the rules required under s.
9 103.105 (8) (c) and (cm), (9) (a) and (b) 3., and (12) (c) to the department of
10 administration for review by the department of administration and approval by the
11 governor.

12 (b) Notwithstanding s. 227.185, the department of workforce development is
13 not required to present the rules required under s. 103.105 (8) (c) and (cm), (9) (a) and
14 (b) 3., and (12) (c) in final draft form to the governor for approval.

15 (c) Notwithstanding s. 227.137 (2), the department of workforce development
16 is not required to prepare an economic impact analysis for the rules required under
17 s. 103.105 (8) (c) and (cm), (9) (a) and (b) 3., and (12) (c).

18 (d) Notwithstanding ss. 227.14 (2g) and 227.19 (3) (e), the department of
19 workforce development is not required to submit the proposed rules required under
20 s. 103.105 (8) (c) and (cm), (9) (a) and (b) 3., and (12) (c) to the small business
21 regulatory review board and is not required to prepare a final regulatory flexibility
22 analysis for those rules.

23 (5) EMERGENCY RULES. Using the procedure under s. 227.24, the department of
24 workforce development shall promulgate the rules required under s. 103.105 (8) (c)
25 and (cm), (9) (a) and (b) 3., and (12) (c) for the period before the effective date of the

1 permanent rules promulgated under s. 103.105 (8) (c) and (cm), (9) (a) and (b) 3., and
2 (12) (c) but not to exceed the period authorized under s. 227.24 (1) (c), subject to
3 extension under s. 227.24 (2). Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the
4 department is not required to provide evidence that promulgating a rule under this
5 subsection as an emergency rule is necessary for the preservation of public peace,
6 health, safety, or welfare and is not required to provide a finding of an emergency for
7 a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (e) 1d. and
8 1g., the department is not required to prepare a statement of the scope of the rules
9 promulgated under this subsection or present the rules to the governor for approval.

10 (6) PAID FAMILY AND MEDICAL LEAVE. If the paid family and medical leave program
11 under s. 230.12 (9m) is approved by the joint committee on employment relations, it
12 shall go into effect immediately upon approval by the joint committee on employment
13 relations.

14 (7) CHILD CARE QUALITY IMPROVEMENT PROGRAM.

15 (a) Using the procedure under s. 227.24, the department of children and
16 families may promulgate the rules authorized under s. 49.133 (2) as emergency
17 rules. Notwithstanding s. 227.24 (1) (a) and (3), the department of children and
18 families is not required to provide evidence that promulgating a rule under this
19 subsection as an emergency rule is necessary for the preservation of the public peace,
20 health, safety, or welfare and is not required to provide a finding of emergency for a
21 rule promulgated under this subsection.

22 (b) The authorized FTE positions for the department of children and families
23 are increased by 4.0 GPR positions, to be funded from the appropriation under s.
24 20.437 (2) (c), for the purpose of administering the child care quality improvement
25 program under s. 49.133.

1 (8) ELECTION TO CONTINUE ANNUITY SUSPENSION. No later than 60 days after the
2 effective date of this subsection, if an individual who is employed by a covered
3 employer under the Wisconsin Retirement System has his or her annuity suspended
4 under s. 40.26 (1m), 2021 stats., on the effective date of this subsection and wants
5 to continue the suspension, the individual shall notify the department of employee
6 trust funds on a form provided by the department. An election to continue the
7 suspension is irrevocable.

8 (9) HEALTH CARE PROVIDER INNOVATION GRANTS. Notwithstanding s. 46.48 (22),
9 the department of health services may, from the appropriation under s. 20.435 (7)
10 (bc), distribute not more than \$7,225,000 in fiscal year 2023-24 as grants to health
11 care providers and long-term care providers under s. 46.48 (22).

12 (10) PAID FAMILY AND MEDICAL LEAVE.

13 (a) *Definitions.* In this subsection:

14 1. “Family leave” means leave from employment for a reason specified in s.
15 103.10 (3) (b) 1. to 7.

16 2. “Medical leave” means leave from employment when an employee has a
17 serious health condition that makes the employee unable to perform his or her
18 employment duties, or makes the employee unable to perform the duties of any
19 suitable employment or who is in medical isolation, as defined in s. 103.10 (1) (em).

20 3. “Serious health condition” has the meaning given in s. 103.10 (1) (g).

21 (b) *Program plan.* The Board of Regents of the University of Wisconsin System
22 shall submit to the administrator of the division of personnel management in the
23 department of administration, with its recommendations for adjustments to
24 compensation and employee benefits for employees of the system under s. 230.12 (3)

1 (e) 1. for 2023-25, a plan for a program to provide paid family and medical leave for
2 12 weeks annually to employees of the system.

3 **SECTION 94. Fiscal changes.**

4 (1) NURSE AIDE TRAINING AND RECRUITMENT GRANTS. In the schedule under s.
5 20.005 (3) for the appropriation to the department of health services under s. 20.435
6 (4) (bm), the dollar amount for fiscal year 2024-25 is increased by \$6,000,000 for a
7 workforce development program to train and recruit individuals to work as nurse
8 aides in nursing homes, commonly known as the WisCaregiver Careers program.

9 (2) WISCONSIN GRANTS TO PRIVATE, NONPROFIT COLLEGE STUDENTS. In the schedule
10 under s. 20.005 (3) for the appropriation to the higher educational aids board under
11 s. 20.235 (1) (b), the dollar amount for fiscal year 2023-24 is increased by \$1,425,300
12 and the dollar amount for fiscal year 2024-25 is increased by \$2,921,800.

13 (3) WISCONSIN GRANTS TO UNIVERSITY OF WISCONSIN SYSTEM STUDENTS. In the
14 schedule under s. 20.005 (3) for the appropriation to the higher educational aids
15 board under s. 20.235 (1) (fe), the dollar amount for fiscal year 2023-24 is increased
16 by \$3,094,800 and the dollar amount for fiscal year 2024-25 is increased by
17 \$6,344,300.

18 (4) WISCONSIN GRANTS TO TECHNICAL COLLEGE STUDENTS. In the schedule under
19 s. 20.005 (3) for the appropriation to the higher educational aids board under s.
20 20.235 (1) (ff), the dollar amount for fiscal year 2023-24 is increased by \$1,148,600
21 and the dollar amount for fiscal year 2024-25 is increased by \$2,354,700.

22 (5) WISCONSIN GRANTS TO TRIBAL COLLEGE STUDENTS. In the schedule under s.
23 20.005 (3) for the appropriation to the higher educational aids board under s. 20.235
24 (1) (km), the dollar amount for fiscal year 2023-24 is increased by \$24,100 and the
25 dollar amount for fiscal year 2024-25 is increased by \$49,400.

1 (6) UNIVERSITY OF WISCONSIN SYSTEM; GENERAL PROGRAM OPERATIONS. In the
2 schedule under s. 20.005 (3) for the appropriation to the Board of Regents of the
3 University of Wisconsin System under s. 20.285 (1) (a), the dollar amount for fiscal
4 year 2023-24 is increased by \$22,100,000 and the dollar amount for fiscal year
5 2024-25 is increased by \$44,300,000.

6 (7) STATE AID TO TECHNICAL COLLEGES. In the schedule under s. 20.005 (3) for the
7 appropriation to the technical college system board under s. 20.292 (1) (d), the dollar
8 amount for fiscal year 2023-24 is increased by \$20,500,000 and the dollar amount
9 for fiscal year 2024-25 is increased by \$20,500,000 to increase funding for state aid
10 for technical colleges.

11 (8) NURSE EDUCATORS. In the schedule under s. 20.005 (3) for the appropriation
12 to the higher educational aids board under s. 20.235 (1) (co), the dollar amount for
13 fiscal year 2023-24 is increased by \$5,000,000 and the dollar amount for fiscal year
14 2024-25 is increased by \$5,000,000 for the nurse educator program.

15 (9) HEALTH CARE APPRENTICESHIPS. In the schedule under s. 20.005 (3) for the
16 appropriation to the department of workforce development under s. 20.445 (1) (a),
17 the dollar amount for fiscal year 2023-24 is increased by \$801,400 to increase the
18 authorized FTE positions for the department by 1.0 GPR position to conduct
19 outreach to stakeholders and partners to develop new apprenticeship pathways
20 related to health care. In the schedule under s. 20.005 (3) for the appropriation to
21 the department of workforce development under s. 20.445 (1) (a), the dollar amount
22 for fiscal year 2024-25 is increased by \$135,200 to provide funding for the position
23 authorized under this subsection.

24 (10) TREATMENT PROGRAM GRANTS. In the schedule under s. 20.005 (3) for the
25 appropriation to the department of health services under s. 20.435 (5) (bg), the dollar

1 amount for fiscal year 2024-25 is increased by \$1,576,600 for grants to support
2 treatment programs under s. 146.618.

3 (11) TRANSFER TO THE CAPITAL IMPROVEMENT FUND. There is transferred from the
4 general fund to the capital improvement fund \$197,336,000 during the 2023-25
5 fiscal biennium to fund the project enumerated under SECTION 92 of this act.

6 (12) TRANSFERS TO FAMILY AND MEDICAL LEAVE BENEFITS INSURANCE TRUST FUND.
7 There is transferred from the general fund to the family and medical leave benefits
8 insurance trust fund created under s. 25.52 \$243,413,400 in the 2023-25 fiscal
9 biennium.

10 (13) FEDERAL BLOCK GRANT OPERATIONS. In the schedule under s. 20.005 (3) for
11 the appropriation to the department of children and families under s. 20.437 (2) (mc),
12 the dollar amount for fiscal year 2023-24 is increased by \$312,000 for the purpose
13 of child care state administration and licensing activities. In the schedule under s.
14 20.005 (3) for the appropriation to the department of children and families under s.
15 20.437 (2) (mc), the dollar amount for fiscal year 2024-25 is increased by \$624,000
16 for the purpose of child care state administration and licensing activities.

17 (14) FEDERAL BLOCK GRANT AIDS. In the schedule under s. 20.005 (3) for the
18 appropriation to the department of children and families under s. 20.437 (2) (md),
19 the dollar amount for fiscal year 2023-24 is increased by \$19,000,000 for the child
20 care quality improvement program under s. 49.133. In the schedule under s. 20.005
21 (3) for the appropriation to the department of children and families under s. 20.437
22 (2) (md), the dollar amount for fiscal year 2024-25 is increased by \$19,000,000 for
23 the child care quality improvement program under s. 49.133.

24 (15) GRADUATE MEDICAL EDUCATION GRANTS. In the schedule under s. 20.005 (3)
25 for the appropriation to the department of health services under s. 20.435 (4) (bf), the

1 dollar amount for fiscal year 2023-24 is increased by \$627,800 and the dollar amount
2 for fiscal year 2024-25 is increased by \$639,900 for graduate medical training
3 support grants.

4 (16) HEALTH CARE PROVIDER INNOVATION GRANTS. In the schedule under s. 20.005
5 (3) for the appropriation to the department of health services under s. 20.435 (7) (bc),
6 the dollar amount for fiscal year 2023-24 is increased by \$7,225,000 and the dollar
7 amount for fiscal year 2024-25 is increased by \$14,500,000 for health care provider
8 innovation grants under SECTION 93 (9) and s. 46.48 (22).

9 (17) HEALTH CARE PROVIDER INNOVATION GRANT PROGRAM ADMINISTRATION. In the
10 schedule under s. 20.005 (3) for the appropriation to the department of health
11 services under s. 20.435 (4) (bm), the dollar amount for fiscal year 2023-24 is
12 increased by \$225,000 and the dollar amount for fiscal year 2024-25 is increased by
13 \$500,000 for state administration and evaluation of the health care provider
14 innovation grant program.

15 (18) CHILD CARE OFFSET. In the schedule under s. 20.005 (3) for the appropriation
16 to the joint committee on finance under s. 20.865 (4) (a), the dollar amount for fiscal
17 year 2023-24 is decreased by \$15,000,000, which had been reserved for child care
18 under s. 20.192 (1) (bn) for the purpose of offsetting the amounts in the schedule
19 under s. s. 20.437 (2) (d).

20 (19) STATE EMPLOYEE PAID FAMILY AND MEDICAL LEAVE. The amounts of the
21 estimated expenditures in the compensation reserves general purpose revenue
22 shown in the schedule under s. 20.005 (1) are increased by \$8,352,800 in fiscal year
23 2023-24 and by \$17,373,900 in fiscal year 2024-25.

24 **SECTION 95. Initial applicability.**

