

State of Wisconsin



1995 Senate Bill 547

Date of enactment: **June 27, 1996**
Date of publication*: **July 10, 1996**

1995 WISCONSIN ACT 465

AN ACT to *renumber and amend* 440.85; to *amend* 224.72 (5) (b) 1., 224.72 (7), 440.72 (5) (b) 1. and 440.72 (7); and to *create* 440.85 of the statutes; **relating to:** the registration and regulation of certain nonprofit corporations as mortgage bankers, loan originators or loan solicitors.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 224.72 (5) (b) 1. of the statutes, as affected by 1995 Wisconsin Act 27, section 6592, is amended to read:

224.72 (5) (b) 1. Upon receiving a properly completed application for registration as a mortgage banker, the fee specified sub. (8) (b) and except as provided in s. 224.85 (2), satisfactory evidence of compliance with sub. (4), the department shall issue to the applicant a temporary certificate of registration as a mortgage banker. A temporary certificate of registration is valid for 6 months after the date of issuance.

SECTION 2. 224.72 (7) of the statutes, as affected by 1995 Wisconsin Act 27, section 6593, is amended to read:

224.72 (7) RENEWAL OF REGISTRATION. A loan originator, loan solicitor or mortgage banker shall renew a certificate of registration by submitting to the department a renewal application and the applicable renewal fee specified under sub. (8) (c) on or before the applicable renewal date specified under sub. (8) (c). Except as provided in s. 224.85 (2), an applicant for renewal of a certificate of registration as a mortgage banker shall, as part of the application, refile a bond that satisfies sub. (4) (b) or resubmit evidence that satisfies sub. (4) (a) or (c).

SECTION 3. 440.72 (5) (b) 1. of the statutes is amended to read:

440.72 (5) (b) 1. Upon receiving a properly completed application for registration as a mortgage banker, the fee specified in s. 440.05 (6) and except as provided in s. 440.85 (2), satisfactory evidence of compliance with sub. (4), the department shall issue to the applicant a temporary certificate of registration as a mortgage banker. A temporary certificate of registration is valid for 6 months after the date of issuance.

SECTION 4. 440.72 (7) of the statutes is amended to read:

440.72 (7) RENEWAL OF REGISTRATION. A loan originator, loan solicitor or mortgage banker shall renew a certificate of registration by submitting to the department a renewal application and the applicable renewal fee specified under s. 440.08 (2) (a) on or before the applicable renewal date specified under s. 440.08 (2) (a). Except as provided in s. 440.85 (2), an applicant for renewal of a certificate of registration as a mortgage banker shall, as part of the application, refile a bond that satisfies sub. (4) (b) or resubmit evidence that satisfies sub. (4) (a) or (c).

SECTION 5. 440.85 of the statutes is created to read:

440.85 Applicability of subchapter to certain nonprofit corporations. (1) In this section:

(a) "Community-based organization" is an organization that meets the definition in s. 16.30 (1) and that is

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

described in section 501 (c) (3) of the internal revenue code and which is exempt from taxation under section 501 (a) of the internal revenue code.

(b) “Housing authority” has the meaning given in s. 16.30 (2).

(2) Except for registration under s. 440.72 (1m), (2), (5) and (7) and discipline under s. 440.77 (1) (a) and (4), this subchapter does not apply to a mortgage banker, loan originator or loan solicitor that is a community-based organization or a housing authority that provides services to low-income individuals directly related to housing assistance.

SECTION 6. 440.85 of the statutes, as created by 1995 Wisconsin Act (this act), is renumbered 224.85, and 224.85 (2), as renumbered, is amended to read:

224.85 (2) Except for registration under s. 440.72 ~~224.72~~ (1m), (2), (5) and (7) and discipline under s. ~~440.77~~ 224.77 (1) (a) and (4), this subchapter does not apply to a mortgage banker, loan originator or loan solicitor that is a community-based organization or a housing authority that provides services to low-income individuals directly related to housing assistance.

SECTION 7. Effective date. This act takes effect on the day after publication, except as follows:

(1) The treatment of section 224.72 (5) (b) 1. and (7) of the statutes and the renumbering and amendment of section 440.85 of the statutes take effect on July 1, 1996, or on the day after publication, whichever is later.
