



State of Wisconsin
1997 - 1998 LEGISLATURE

LRB-5188/2
BEM:kmg:km

1997 ASSEMBLY BILL 968

April 30, 1998 – Introduced by LAW REVISION COMMITTEE. Referred to Committee on Judiciary.

1 **AN ACT relating to:** reinstating a time limitation and notice provision created
2 by 1997 Wisconsin Act (1997 Assembly Bill 261) that was unintentionally
3 repealed by 1997 Wisconsin Act (1997 Senate Bill 384) (Revisor's Correction
4 Bill).

Analysis by the Legislative Reference Bureau

This revisor's correction bill is explained in the NOTES provided by the revisor of statutes bureau in the body of the bill.

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

5 **SECTION 1.** 115.80 (1) (a) 1. of the statutes, as created by 1997 Wisconsin Act
6 (Senate Bill 384), is amended to read:

7 115.80 (1) (a) 1. A parent, or the attorney representing the child, may file a
8 written request with the division for a hearing whenever within one year after the
9 refusal or proposal of the local educational agency ~~proposes or refuses~~ to initiate or

ASSEMBLY BILL 968**SECTION 1**

1 change his or her child's evaluation, individualized education program, educational
2 placement or the provision of a free appropriate public education, except that, if the
3 local educational agency has not previously provided the parent or the attorney
4 representing the child with notice of the right to request a hearing under this
5 subdivision, he or she may file a request under this subdivision within one year after
6 the local educational agency provides the notice. The division shall develop a model
7 form to assist parents in filing a request under this subdivision.

NOTE: This amendment carries out the legislative intent of 1997 Wisconsin Act
(Assembly Bill 261), which amended the old s. 115.81 (1) (a), stats. 1997 Wisconsin Act
.... (Senate Bill 384) repealed and recreated subchapter V of chapter 115, which included
the old s. 115.81 (1) (a), stats., without taking 1997 Wisconsin Act (Assembly Bill 261)
into account. The provision which 1997 Wisconsin Act (Assembly Bill 261) was
intended to amend is now found in s. 115.80 (1) (a) 1., stats.

SECTION 2. Nonstatutory provisions.

8
9 (1) RECONCILIATION PROVISION. If both 1997 Assembly Bill 261 and 1997 Senate
10 Bill 384 are not enacted into law, this act is void.

SECTION 3. Initial applicability.

11
12 (1) This act first applies to the refusal or proposal of, or the provision of notice
13 by, a local educational agency under section 115.80 (1) (a) 1. of the statutes, as
14 affected by this act, that occurs on the effective date of this subsection.

NOTE: This provision reproduces the initial applicability provision of 1997
Wisconsin Act (Assembly Bill 261).

15 (END)