



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-1812/1
JAM:amn

2023 SENATE BILL 546

October 23, 2023 - Introduced by Senators BALLWEG, WANGGAARD, HESSELBEIN, JAMES, MARKLEIN, NASS, TAYLOR and TESTIN, cosponsored by Representatives PETERSEN, VOS, ARMSTRONG, BEHNKE, CABRERA, CALLAHAN, DITTRICH, DONOVAN, EDMING, GOEBEN, GUSTAFSON, HURD, MAGNAFICI, MICHALSKI, MURPHY, MURSAU, NOVAK, O'CONNOR, ORTIZ-VELEZ, PALMERI, PENTERMAN, ROZAR, SHANKLAND, STUBBS, SUBECK and SINICKI. Referred to Committee on Labor, Regulatory Reform, Veterans and Military Affairs.

1 **AN ACT** *to renumber and amend* 45.51 (4); and *to create* 45.51 (4) (bm) of the
2 statutes; **relating to:** admission of spouses at veterans homes.

Analysis by the Legislative Reference Bureau

This bill allows spouses of veterans to be admitted as members to state veterans homes before the veteran spouse is admitted as a member. Under current law, in addition to other eligibility requirements, a spouse of a veteran may be admitted to a state veterans home only if that person's veteran spouse is already a member of the state veterans home. This bill provides that a spouse of a veteran may be admitted to a state veterans home even when the person's veteran spouse is not a member of the state veteran home, if the spouse of the veteran meets all other eligibility requirements, including that he or she 1) is permanently incapacitated due to physical disability or age from any substantially gainful occupation; 2) has not been convicted of certain crimes; 3) provides a financial statement to the Department of Veterans Affairs; and 4) has care needs that the veterans home is able to provide.

For further information see the state 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:

3 **SECTION 1.** 45.51 (4) of the statutes is renumbered 45.51 (4) (am), and 45.51 (4)
4 (am) (intro.) and 3., as renumbered, are amended to read:

SENATE BILL 546**SECTION 1**

1 45.51 (4) (am) (intro.) ~~A- Except as provided in par. (bm)~~, a spouse of an eligible
2 person under sub. (2) (a) 1. or 2. is eligible only if the spouse meets the requirements
3 of sub. (2) (b) 3. to 5. and if all of the following apply:

4 3. A spouse of an eligible person under sub. (2) (a) 1. or 2. by virtue of a marriage
5 that was void when entered into but validated under s. 765.21 before applying for
6 admission shall, for the purpose of this subsection paragraph and sub. (6), be
7 considered married to the eligible person under sub. (2) (a) 1. or 2. from the date the
8 marriage was entered into.

9 **SECTION 2.** 45.51 (4) (bm) of the statutes is created to read:

10 45.51 (4) (bm) A spouse of an eligible person under sub. (2) (a) 1. or 2. is eligible
11 if the spouse meets the requirements of sub. (2) (b) 2. to 5., and the spouse had lived
12 with the person for not less than 6 months immediately before making application
13 for the membership. Separation from the spouse necessitated by reason of
14 employment, hospitalization, or because of a physical or mental disability of either
15 spouse shall not be taken to constitute an interruption of the 6-month period under
16 this paragraph. A spouse of an eligible person under sub. (2) (a) 1. or 2. by virtue of
17 a marriage that was void when entered into but validated under s. 765.21 before
18 applying for admission shall, for the purpose of this paragraph and sub. (6), be
19 considered married to the eligible person under sub. (2) (a) 1. or 2. from the date the
20 marriage was entered into.

21

(END)