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1 appropriate notice, with a subpoena or warrant issued by the department of
2 workforce development children and families or a county child support agency under
3 s. 59.53 (5) and related to paternity or child support proceedings, as provided in a
4 memorandum of understanding entered into under s. 49.857.

5 **SECTION 3675.** 632.68 (4) (c) of the statutes is amended to read:

6 632.68 (4) (c) Except as provided in sub. (5), a license issued under this
7 subsection shall be renewed annually on July 1 upon payment of the fee specified in
8 s. 601.31 (1) (ms) and upon providing the licensee's social security number, unless the
9 licensee does not have a social security number, or federal employer identification
10 number, as applicable, if not previously provided on the application for the license
11 or at a previous renewal of the license. If the licensee is a natural person who does
12 not have a social security number, the license shall be renewed annually, except as
13 provided in sub. (5), on July 1 upon payment of the fee specified in s. 601.31 (1) (ms)
14 and upon providing to the commissioner a statement made or subscribed under oath
15 or affirmation, on a form prescribed by the department of workforce development
16 children and families, that the licensee does not have a social security number.

17 **SECTION 3676.** 632.68 (5) (b) 1. of the statutes is amended to read:

18 632.68 (5) (b) 1. The commissioner shall suspend, limit or refuse to renew a
19 viatical settlement broker license issued to a natural person if the natural person is
20 delinquent in court-ordered payments of child or family support, maintenance, birth
21 expenses, medical expenses or other expenses related to the support of a child or
22 former spouse, or if the natural person fails to comply, after appropriate notice, with
23 a subpoena or warrant issued by the department of workforce development children
24 and families or a county child support agency under s. 59.53 (5) and related to

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1 paternity or child support proceedings, as provided in a memorandum of
2 understanding entered into under s. 49.857.

3 SECTION 3677. 632.726 of the statutes is created to read:

4 **632.726 Current procedural terminology code changes.** (1) In this
5 section, "current procedural terminology code" means a number established by the
6 American Medical Association that a health care provider puts on a health insurance
7 claim form to describe the services that he or she performed.

8 (2) If an insurer changes a current procedural terminology code that was
9 submitted by a health care provider on a health insurance claim form, the insurer
10 shall include on the explanation of benefits form the reason for the change to the
11 current procedural terminology code and shall cite on the explanation of benefits
12 form the source for the change.

13 SECTION 3678. 632.745 (6) (a) 2m. of the statutes is amended to read:

14 632.745 (6) (a) 2m. A family long-term care district under s. 46.2895.

15 SECTION 3679. 632.746 (7m) (b) 1. of the statutes is amended to read:

16 632.746 (7m) (b) 1. The employee or dependent is eligible for benefits under the
17 Medical Assistance program under s. 49.471 or 49.472 or for coverage under the
18 Badger Care health care program under s. 49.665.

19 SECTION 3680. 632.857 of the statutes is created to read:

20 **632.857 Explanation required for restriction or termination of**
21 **coverage.** If an insurer restricts or terminates an insured's coverage for the
22 treatment of a condition or complaint and, as a result, the insured becomes liable for
23 payment for all of his or her treatment for the condition or complaint, the insurer
24 shall provide on the explanation of benefits form a detailed explanation of the clinical

1 rationale and of the basis in the policy, plan, or contract or in applicable law for the
2 insurer's restriction or termination of coverage.

3 **SECTION 3681.** 632.875 (2) (g) of the statutes is amended to read:

4 632.875 (2) (g) A reasonable detailed explanation of the factual basis clinical
5 rationale and of the basis in the policy, plan, or contract or in applicable law for the
6 insurer's restriction or termination of coverage.

7 **SECTION 3682.** 632.89 (1) (am) of the statutes is created to read:

8 632.89 (1) (am) "Consumer price index" means the consumer price index for all
9 urban consumers, U.S. city average, as determined by the U.S. department of labor.

10 **SECTION 3683.** 632.89 (2) (b) 1. of the statutes is amended to read:

11 632.89 (2) (b) 1. Except as provided in subd. 2., if a group or blanket disability
12 insurance policy issued by an insurer provides coverage of inpatient hospital
13 treatment or outpatient treatment or both, the policy shall provide coverage in every
14 policy year as provided in pars. (c) to (dm), as appropriate, except that the total
15 coverage under the policy for a policy year need not exceed ~~\$7,000~~ \$20,250 or the
16 equivalent benefits measured in services rendered.

17 **SECTION 3684.** 632.89 (2) (c) 2. b. of the statutes is amended to read:

18 632.89 (2) (c) 2. b. ~~Seven thousand~~ Twenty thousand two hundred fifty dollars
19 minus any applicable cost sharing at the level charged under the policy for inpatient
20 hospital services or the equivalent benefits measured in services rendered or, if the
21 policy does not use cost sharing, ~~\$6,300~~ \$18,250 in equivalent benefits measured in
22 services rendered.

23 **SECTION 3685.** 632.89 (2) (d) 2. of the statutes is amended to read:

24 632.89 (2) (d) 2. Except as provided in par. (b), a policy under subd. 1. shall
25 provide coverage in every policy year for not less than ~~\$2,000~~ \$3,450 minus any

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1 applicable cost sharing at the level charged under the policy for outpatient services
2 or the equivalent benefits measured in services rendered or, if the policy does not use
3 cost sharing, ~~\$1,800~~ \$3,100 in equivalent benefits measured in services rendered.

4 **SECTION 3686.** 632.89 (2) (dm) 2. of the statutes is amended to read:

5 632.89 (2) (dm) 2. Except as provided in par. (b), a policy under subd. 1. shall
6 provide coverage in every policy year for not less than ~~\$3,000~~ \$5,200 minus any
7 applicable cost sharing at the level charged under the policy for transitional
8 treatment arrangements or the equivalent benefits measured in services rendered
9 or, if the policy does not use cost sharing, ~~\$2,700~~ \$4,650 in equivalent benefits
10 measured in services rendered.

11 **SECTION 3687.** 632.89 (2) (f) of the statutes is created to read:

12 632.89 (2) (f) *Report on coverage limits.* The department of health and family
13 services shall report annually to the governor and the legislature on revising the
14 coverage limits specified in this subsection based on the change in the consumer price
15 index for medical costs.

16 **SECTION 3688.** 632.895 (15) of the statutes is created to read:

17 632.895 (15) TREATMENT FOR AUTISM SPECTRUM DISORDERS. (a) In this subsection,
18 "autism spectrum disorder" means any of the following:

- 19 1. Autism disorder.
- 20 2. Asperger's syndrome.
- 21 3. Pervasive developmental disorder not otherwise specified.

22 (b) 1. Subject to subd. 2., and except as provided in par. (d), every disability
23 insurance policy, and every self-insured health plan of the state or a county, city,
24 town, village, or school district, shall provide coverage for an insured of treatment
25 for an autism spectrum disorder if the treatment is provided by any of the following:

- 1 a. A psychiatrist, as defined in s. 146.34 (1) (h).
- 2 b. A psychologist, as defined in s. 146.34 (1) (i).
- 3 c. A social worker, as defined in s. 252.15 (1) (er), who is certified or licensed
- 4 to practice psychotherapy, as defined in s. 457.01 (8m).
- 5 2. A disability insurance policy or self-insured health plan is not required to
- 6 cover the cost of more than 4 hours per month of the treatment specified in subd. 1.
- 7 (c) The coverage required under par. (b) may be subject to any limitations,
- 8 exclusions, and cost-sharing provisions that apply generally under the disability
- 9 insurance policy or self-insured health plan.
- 10 (d) This subsection does not apply to any of the following:
- 11 1. A disability insurance policy that covers only certain specified diseases.
- 12 2. A health care plan offered by a limited service health organization, as defined
- 13 in s. 609.01 (3), or by a preferred provider plan, as defined in s. 609.01 (4), that is not
- 14 a defined network plan, as defined in s. 609.01 (1b).
- 15 3. A long-term care insurance policy.
- 16 4. A medicare replacement policy or a medicare supplement policy.

17 **SECTION 3689.** 632.897 (10) (am) 2. of the statutes is amended to read:

18 632.897 (10) (am) 2. Provide family coverage under the group policy or

19 individual policy for the individual's child, if eligible for coverage, upon application

20 by the individual, the child's other parent, the department of workforce development

21 children and families or the county child support agency under s. 59.53 (5).

22 **SECTION 3690.** 633.14 (1) (e) of the statutes is amended to read:

23 633.14 (1) (e) If an individual who does not have a social security number,

24 provides on a form prescribed by the department of workforce development children

1 and families a statement made or subscribed under oath or affirmation that he or she
2 does not have a social security number.

3 **SECTION 3691.** 633.14 (2c) (a) of the statutes is amended to read:

4 633.14 (2c) (a) The commissioner shall disclose a social security number
5 obtained under sub. (1) (d) to the department of workforce development children and
6 families in the administration of s. 49.22, as provided in a memorandum of
7 understanding entered into under s. 49.857.

8 **SECTION 3692.** 633.14 (2m) (a) of the statutes is amended to read:

9 633.14 (2m) (a) Notwithstanding sub. (1), the commissioner may not issue a
10 license under this section if the individual applying for the license is delinquent in
11 court-ordered payments of child or family support, maintenance, birth expenses,
12 medical expenses or other expenses related to the support of a child or former spouse,
13 or if the individual fails to comply, after appropriate notice, with a subpoena or
14 warrant issued by the department of workforce development children and families
15 or a county child support agency under s. 59.53 (5) and related to paternity or child
16 support proceedings, as provided in a memorandum of understanding entered into
17 under s. 49.857.

18 **SECTION 3693.** 633.15 (1m) of the statutes is amended to read:

19 633.15 (1m) SOCIAL SECURITY NUMBER, FEDERAL EMPLOYER IDENTIFICATION
20 NUMBER OR STATEMENT. At an annual renewal, an administrator shall provide his or
21 her social security number, if the administrator is an individual unless he or she does
22 not have a social security number, or its federal employer identification number, if
23 the administrator is a corporation, limited liability company or partnership, if the
24 social security number or federal employer identification number was not previously
25 provided on the application for the license or at a previous renewal of the license. If

1 an administrator who is an individual does not have a social security number, the
2 individual shall provide to the commissioner, at each annual renewal and on a form
3 prescribed by the department of workforce development children and families, a
4 statement made or subscribed under oath or affirmation that the administrator does
5 not have a social security number.

6 **SECTION 3694.** 633.15 (2) (c) of the statutes is amended to read:

7 633.15 (2) (c) *Failure to pay support or to comply with subpoena or warrant.*

8 The commissioner shall suspend, limit or refuse to renew a license issued under this
9 section to an individual if the individual is delinquent in court-ordered payments of
10 child or family support, maintenance, birth expenses, medical expenses or other
11 expenses related to the support of a child or former spouse, or if the individual fails
12 to comply, after appropriate notice, with a subpoena or warrant issued by the
13 department of workforce development children and families or a county child
14 support agency under s. 59.53 (5) and related to paternity or child support
15 proceedings, as provided in a memorandum of understanding entered into under s.
16 49.857.

17 **SECTION 3695.** 645.09 (2) (a) of the statutes is amended to read:

18 645.09 (2) (a) *Causes of delinquency.* The commissioner may include in his or
19 her annual report, not later than the 2nd annual report following the initiation of any
20 formal proceedings under this chapter, a detailed analysis of the basic causes and the
21 contributing factors making the initiation of formal proceedings necessary, and may
22 make recommendations for remedial legislation. For this purpose the commissioner
23 may appoint a special assistant qualified in insurance, finance, and accounting to
24 conduct the study and prepare the analysis, and may determine the special

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1 assistant's compensation, which shall be paid from the appropriation under s. 20.145

2 (1) (g) 1.

3 **SECTION 3696.** 645.09 (2) (b) of the statutes is amended to read:

4 645.09 (2) (b) *Final study.* The commissioner may include in his or her annual
5 report, not later than the 2nd annual report following discharge of the receiver, a
6 detailed study of the delinquency proceeding for each insurer subjected to a formal
7 proceeding, with an analysis of the problems faced and their solutions. The
8 commissioner may also suggest alternative solutions, as well as other material of
9 interest, for the purpose of assisting and guiding liquidators or rehabilitators in the
10 future. For this purpose the commissioner may appoint a special assistant qualified
11 to conduct the study and prepare the analysis, and may determine his or her
12 compensation, which shall be paid from the appropriation under s. 20.145 (1) (g) 1.

13 **SECTION 3697.** 645.46 (4) of the statutes is amended to read:

14 645.46 (4) Defray all expenses of taking possession of, conserving, conducting,
15 liquidating, disposing of, or otherwise dealing with the business and property of the
16 insurer. If the property of the insurer does not contain sufficient cash or liquid assets
17 to defray the costs incurred, the liquidator may advance the costs so incurred out of
18 the appropriation under s. 20.145 (1) (g) 1. Any amounts so paid shall be deemed
19 expense of administration and shall be repaid for the credit of the office of the
20 commissioner of insurance out of the first available moneys of the insurer.

21 **SECTION 3698.** 647.02 (2) (g) of the statutes is amended to read:

22 647.02 (2) (g) The figure to be used by the provider as the actual or projected
23 length of a resident's stay in the facility in the formula in the contract provision
24 required under s. 647.05 (9) (1m) (i) and supporting information showing how the
25 figure was determined.

1 **SECTION 3699.** 647.04 (5) of the statutes is amended to read:

2 647.04 (5) Inform the commissioner of any change in the figure used by the
3 provider as the actual or projected length of a resident's stay in the facility in the
4 formula in the contract provision required under s. 647.05 (9) (1m) (i) within 30 days
5 after the change is made and submit supporting information showing how the
6 change was determined.

7 **SECTION 3700.** 647.05 of the statutes is renumbered 647.05 (1m), and 647.05
8 (1m) (g), as renumbered, is amended to read:

9 647.05 (1m) (g) Provides that if a resident dies or the continuing care contract
10 is terminated after the first 30 days of occupancy, but within the first 90 days of
11 occupancy, the provider will refund at least 90% of the amount computed under sub-
12 (6) par. (f).

13 **SECTION 3701.** 647.05 (2m) of the statutes is created to read:

14 647.05 (2m) Subject to s. 49.455, a continuing care contract may require that,
15 before a resident applies for medical assistance, the resident must spend on his or
16 her care the resources declared for purposes of admission to the facility.

17 **SECTION 3702.** 655.27 (2) of the statutes is amended to read:

18 655.27 (2) FUND ADMINISTRATION AND OPERATION. Management of the fund shall
19 be vested with the board of governors. The commissioner shall either provide staff
20 services necessary for the operation of the fund or, with the approval of the board of
21 governors, contract for all or part of these services. Such a contract is subject to ss.
22 16.753 and 16.765, and 16.771, but is otherwise exempt from subch. IV of ch. 16. The
23 commissioner shall adopt rules governing the procedures for creating and
24 implementing these contracts before entering into the contracts. At least annually,
25 the contractor shall report to the commissioner and to the board of governors

1 regarding all expenses incurred and subcontracting arrangements. If the board of
2 governors approves, the contractor may hire legal counsel as needed to provide staff
3 services. The cost of contracting for staff services shall be funded from the
4 appropriation under s. 20.145 (2) (u). The fund shall pay to the commissioner
5 amounts charged for organizational support services, which shall be credited to the
6 appropriation account under s. 20.145 (1) (g) 2.

7 **SECTION 3703.** 701.06 (5) (intro.) of the statutes is amended to read:

8 701.06 (5) CLAIMS FOR PUBLIC SUPPORT. (intro.) Notwithstanding any provision
9 in the creating instrument or subs. (1) and (2), if the settlor is legally obligated to pay
10 for the public support of a beneficiary under s. 46.10, 49.345, or 301.12 or the
11 beneficiary is legally obligated to pay for the beneficiary's public support or that
12 furnished the beneficiary's spouse or minor child under s. 46.10, 49.345, or 301.12,
13 upon application by the appropriate state department or county official, the court
14 may:

15 **SECTION 3704.** 751.15 (1) of the statutes is amended to read:

16 751.15 (1) The supreme court is requested to enter into a memorandum of
17 understanding with the department of workforce development children and families
18 under s. 49.857.

19 **SECTION 3705.** 751.15 (2) of the statutes is amended to read:

20 751.15 (2) The supreme court is requested to promulgate rules that require
21 each person who has a social security number, as a condition of membership in the
22 state bar, to provide the board of bar examiners with his or her social security
23 number, that require each person who does not have a social security number, as a
24 condition of membership in the state bar, to provide the board of bar examiners with
25 a statement made or subscribed under oath or affirmation on a form prescribed by

1 the department of ~~workforce development~~ children and families that the person does
2 not have a social security number, and that prohibit the disclosure of that number
3 to any person except the department of ~~workforce development~~ children and families
4 for the purpose of administering s. 49.22.

5 **SECTION 3706.** 751.15 (3) of the statutes is amended to read:

6 751.15 (3) The supreme court is requested to promulgate rules that deny,
7 suspend, restrict or refuse to renew a license to practice law if the applicant or
8 licensee fails to provide the information required under rules promulgated under
9 sub. (2) or fails to comply, after appropriate notice, with a subpoena or warrant issued
10 by the department of ~~workforce development~~ children and families or a county child
11 support agency under s. 59.53 (5) and related to paternity or child support
12 proceedings or if the department of ~~workforce development~~ children and families
13 certifies that the applicant or licensee has failed to pay court-ordered payments of
14 child or family support, maintenance, birth expenses, medical expenses or other
15 expenses related to the support of a child or former spouse. The supreme court is also
16 requested to promulgate rules that invalidate a license to practice law if issued in
17 reliance upon a statement made or subscribed under oath or affirmation under rules
18 promulgated under sub. (2) that is false.

19 **SECTION 3707.** 757.05 (1) (a) of the statutes is amended to read:

20 757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of
21 state law or for a violation of a municipal or county ordinance except for a violation
22 of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5), or for a first violation of s.
23 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who
24 committed the violation had a blood alcohol concentration of 0.08 or more but less
25 than 0.1 at the time of the violation, or for a violation of state laws or municipal or

1 county ordinances involving nonmoving traffic violations, violations under s. 343.51
2 (1m) (b), or safety belt use violations under s. 347.48 (2m), there shall be imposed in
3 addition a penalty surcharge under ch. 814 in an amount of 26 27 percent of the fine
4 or forfeiture imposed. If multiple offenses are involved, the penalty surcharge shall
5 be based upon the total fine or forfeiture for all offenses. When a fine or forfeiture
6 is suspended in whole or in part, the penalty surcharge shall be reduced in proportion
7 to the suspension.

8 **SECTION 3708.** 758.19 (4m) of the statutes is created to read:

9 758.19 (4m) The director of state courts may establish and charge fees for use
10 of the circuit court automated information systems created under this section. The
11 secretary of administration shall credit all moneys collected under this subsection
12 to the appropriation account under s. 20.680 (2) (j).

13 **SECTION 3709.** 758.19 (5) (a) (intro.) of the statutes is amended to read:

14 758.19 (5) (a) (intro.) In this subsection, "circuit court costs" means one or more
15 of the following costs:

16 **SECTION 3710.** 758.19 (5) (a) 3. of the statutes is amended to read:

17 758.19 (5) (a) 3. Witness fees set under s. 814.67 (1) (b) 1. and (c) for witnesses
18 called by the circuit court on its own motion or called by, or subpoenaed at the request
19 of, a district attorney, the state public defender or a private attorney appointed under
20 s. 977.08. Nothing in this subdivision affects the determination of who is obligated
21 to pay for fees set under s. 814.67 (1) (b) 1. and (c) for witnesses called by, or
22 subpoenaed at the request of the state public defender or a private attorney
23 appointed under s. 977.08.

24 **SECTION 3711.** 758.19 (5) (a) 4m. of the statutes is amended to read:

1 758.19 (5) (a) 4m. Fees for expert witnesses appointed under s. 907.06 by the
2 circuit court on its own motion or by the circuit court at the request of the district
3 attorney, the state public defender or a private attorney appointed under s. 977.08
4 or by the circuit court upon agreement of the district attorney, the state public
5 defender or a private attorney appointed under s. 977.08. Nothing in this subdivision
6 affects the determination of who is obligated to pay fees for an expert witness
7 appointed under s. 907.06.

8 **SECTION 3712.** 758.19 (5) (a) 5. of the statutes is amended to read:

9 758.19 (5) (a) 5. Fees for witnesses or expert witnesses subpoenaed by the
10 circuit court at the request of the district attorney, coroner or medical examiner
11 under s. 979.06 (1) and (2).

12 **SECTION 3713.** 758.19 (5) (a) 8. of the statutes is amended to read:

13 758.19 (5) (a) 8. Any other circuit court costs, except costs related to courtroom
14 security, including security personnel, and costs related to rent, utilities,
15 maintenance, rehabilitation and construction of circuit court facilities.

16 **SECTION 3714.** 758.19 (5) (am) of the statutes is created to read:

17 758.19 (5) (am) The director of state courts may create a uniform chart of
18 accounts that each county shall be required to use for the recording of all financial
19 transactions relating to the operation of circuit courts and may audit the information
20 submitted under par. (e).

21 **SECTION 3715.** 758.19 (5) (b) of the statutes is amended to read:

22 758.19 (5) (b) From the ~~appropriation~~ appropriations under s. 20.625 (1) (d) and
23 (q), the director of state courts shall make payments to counties totaling \$9,369,800
24 within 30 days after October 29, 1999, and on every July 1 and January 1 thereafter,
25 which the director of state courts shall distribute as follows:

1 **SECTION 3716.** 758.19 (5) (d) of the statutes is repealed.

2 **SECTION 3717.** 758.19 (5) (e) of the statutes is amended to read:

3 758.19 (5) (e) No later than July 1, 1994, and no later than July 1 the first May
4 15 following the effective date of this paragraph [revisor inserts date], and no later
5 than May 15 of each year thereafter, each county shall submit to the director of state
6 courts, in a format that is established by the director of state courts, and in a manner
7 that comports with the uniform chart of accounts under par. (am), information
8 regarding the amount of actual circuit court costs that the county incurred in the
9 previous calendar year for each of the court costs listed in par. (a) 1. to 8 and revenues
10 collected or received by the circuit court in the previous calendar year.

11 **SECTION 3718.** 758.19 (5) (f) of the statutes is amended to read:

12 758.19 (5) (f) A county that fails to meet the requirements under par. (e) is not
13 eligible for a payment under par. (b) for one fiscal year, as defined in s. 237.01 (3),
14 after the ~~July 1~~ May 15 that the information was not provided, or until the
15 information is provided, whichever is earlier. Except as provided in this paragraph
16 and par. (g), the information regarding the amount of actual costs reported under par.
17 (e) does not affect the amount paid to a county under par. (b).

18 **SECTION 3719.** 758.19 (5) (g) of the statutes is amended to read:

19 758.19 (5) (g) Beginning with the submittal of information under par. (e) on
20 July 1, 1995, if the director of state courts determines, based on the information
21 submitted under par. (e), that the payment made to a county under par. (b) for any
22 calendar year exceeds the circuit court costs incurred by the county for that calendar
23 year, the director of state courts shall deduct the difference from the next payment
24 under par. (b) made to that county after the director's determination. The difference
25 shall be apportioned as provided in par. (c) among the other counties for payment

1 under par. (b) to the other counties on that payment date. For purposes of this
2 paragraph, the director of state courts shall treat the period beginning on August 13,
3 1993, and ending on December 31, 1994, as a calendar year and determine from the
4 information submitted under par. (e) on July 1, 1994, and July 1, 1995, whether the
5 payment to a county under par. (b) on January 1, 1994, exceeds the circuit court costs
6 incurred by the county for the period beginning on August 13, 1993, and ending on
7 December 31, 1994.

8 **SECTION 3720.** 767.001 (1d) of the statutes is amended to read:

9 767.001 (1d) "Department" means the department of workforce development
10 children and families.

11 **SECTION 3721.** 767.001 (2) (b) of the statutes is amended to read:

12 767.001 (2) (b) With respect to the department of health and family services
13 or a county agency specified in s. 48.56 (1) or a licensed child welfare agency granted
14 legal custody of a child, the rights and responsibilities specified under s. 48.02 (12).

15 **SECTION 3722.** 767.205 (2) (a) 3. of the statutes is amended to read:

16 767.205 (2) (a) 3. Whenever aid under s. ~~46.261~~, 48.57 (3m) or (3n), 48.645,
17 49.19, or 49.45 is provided on behalf of a dependent child or benefits are provided to
18 the child's custodial parent under ss. 49.141 to 49.161.

19 **SECTION 3723.** 767.205 (2) (a) 4. of the statutes is amended to read:

20 767.205 (2) (a) 4. Whenever aid under s. ~~46.261~~, 48.57 (3m) or (3n), 48.645,
21 49.19, or 49.45 has, in the past, been provided on behalf of a dependent child, or
22 benefits have, in the past, been provided to the child's custodial parent under ss.
23 49.141 to 49.161, and the child's family is eligible for continuing child support
24 services under 45 CFR 302.33.

25 **SECTION 3724.** 767.217 (1) of the statutes is amended to read:

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1 767.217 (1) NOTICE OF PLEADING OR MOTION. In an action affecting the family in
2 which either party is a recipient of benefits under ss. 49.141 to 49.161 or aid under
3 s. ~~46.261~~, 48.645, 49.19, or 49.45, each party shall, either within 20 days after serving
4 the opposite party with a motion or pleading requesting the court to order or to
5 modify a previous order relating to child support, maintenance, or family support,
6 or before filing the motion or pleading in court, serve a copy of the motion or pleading
7 on the county child support agency under s. 59.53 (5) of the county in which the action
8 is begun.

9 **SECTION 3725.** 767.407 (1) (c) 1. of the statutes is amended to read:

10 767.407 (1) (c) 1. Aid is provided under s. ~~46.261~~, 48.57 (3m) or (3n), 48.645,
11 49.19, or 49.45 on behalf of the child, or benefits are provided to the child's custodial
12 parent under ss. 49.141 to 49.161, but the state and its delegate under s. 49.22 (7)
13 are barred by a statute of limitations from commencing an action under s. 767.80 on
14 behalf of the child.

15 **SECTION 3726.** 767.41 (3) (a) of the statutes is amended to read:

16 767.41 (3) (a) If the interest of any child demands it, and if the court finds that
17 neither parent is able to care for the child adequately or that neither parent is fit and
18 proper to have the care and custody of the child, the court may declare the child to
19 be in need of protection or services and transfer legal custody of the child to a relative
20 of the child, as defined in s. 48.02 (15), to a county department, as defined under s.
21 48.02 (2g), ~~or to a licensed child welfare agency, or, in a county having a population~~
22 of 500,000 or more, the department of health and family services. If the court
23 transfers legal custody of a child under this subsection, in its order the court shall
24 notify the parents of any applicable grounds for termination of parental rights under
25 s. 48.415. If the court transfers legal custody under this section to an agency, the

1 court shall also refer the matter to the court intake worker, as defined in s. 48.02 (3),
2 who shall conduct an inquiry under s. 48.24 to determine whether a petition should
3 be filed under s. 48.13.

4 **SECTION 3727.** 767.41 (3) (a) of the statutes, as affected by 2007 Wisconsin Act
5 (this act), is amended to read:
6 767.41 (3) (a) If the interest of any child demands it, and if the court finds that
7 neither parent is able to care for the child adequately or that neither parent is fit and
8 proper to have the care and custody of the child, the court may declare the child to
9 be in need of protection or services and transfer legal custody of the child to a relative
10 of the child, as defined in s. 48.02 (15), to a county department, as defined under s.
11 48.02 (2g), to a licensed child welfare agency, or, in a county having a population of
12 500,000 or more, the department of ~~health and family services~~ children and families.
13 If the court transfers legal custody of a child under this subsection, in its order the
14 court shall notify the parents of any applicable grounds for termination of parental
15 rights under s. 48.415. If the court transfers legal custody under this section to an
16 agency, the court shall also refer the matter to the court intake worker, as defined in
17 s. 48.02 (3), who shall conduct an inquiry under s. 48.24 to determine whether a
18 petition should be filed under s. 48.13.

19 **SECTION 3728.** 767.41 (3) (am) of the statutes is created to read:
20 767.41 (3) (am) If the court transfers legal custody of a child under this
21 subsection, the order transferring custody shall include a finding that placement of
22 the child in his or her home would be contrary to the welfare of the child and a finding
23 that reasonable efforts have been made to prevent the removal of the child from the
24 home, while assuring that the health and safety of the child are the paramount
25 concerns, unless any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5.

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1 applies. If the legal custodian appointed under par. (a) is a county department, the
2 court shall order the child into the placement and care responsibility of the county
3 department as required under 42 USC 672 (a) (2) and shall assign the county
4 department primary responsibility for providing services to the child. The court
5 shall make the findings specified in this paragraph on a case-by-case basis based
6 on circumstances specific to the child and shall document or reference the specific
7 information on which those findings are based in the court order. A court order that
8 merely references this paragraph without documenting or referencing that specific
9 information in the court order or an amended court order that retroactively corrects
10 an earlier court order that does not comply with this paragraph is not sufficient to
11 comply with this paragraph.

12 SECTION 3729. 767.451 (7) of the statutes is amended to read:

13 767.451 (7) TRANSFER TO DEPARTMENT. The court may order custody transferred
14 to the department of health and family services only if that department agrees to
15 accept custody. If the court orders custody transferred to the department of health
16 and family services, the order transferring custody shall include the findings and
17 order specified in s. 767.41 (3) (am).

18 SECTION 3730. 767.451 (7) of the statutes, as affected by 2007 Wisconsin Act
19 (this act), is amended to read:

20 767.451 (7) TRANSFER TO DEPARTMENT. The court may order custody transferred
21 to the department of ~~health and family services~~ only if that the department agrees
22 to accept custody. If the court orders custody transferred to the department of ~~health~~
23 ~~and family services~~, the order transferring custody shall include the findings and
24 order specified in s. 767.41 (3) (am).

25 SECTION 3731. 767.521 (intro.) of the statutes is amended to read:

1 **767.521 Action by state for child support.** (intro.) The state or its delegate
2 under s. 49.22 (7) shall bring an action for support of a minor child under s. 767.001
3 (1) (f) or for paternity determination and child support under s. 767.80 if the child's
4 right to support is assigned to the state under s. ~~46.261~~, 48.57 (3m) (b) 2. or (3n) (b)
5 2., 48.645 (3), 49.145 (2) (s), 49.19 (4) (h) 1. b., or 49.775 (2) (bm) and all of the
6 following apply:

7 **SECTION 3732.** 767.55 (3) (a) 2. of the statutes is amended to read:

8 767.55 (3) (a) 2. The child's right to support is assigned to the state under s.
9 ~~46.261 (3)~~, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), or 49.19 (4) (h) 1. b.

10 **SECTION 3733.** 767.57 (1e) (title) of the statutes is amended to read:

11 767.57 (1e) (title) RECEIVING AND DISBURSING ~~FEE FEES~~.

12 **SECTION 3734.** 767.57 (1e) (a) of the statutes is amended to read:

13 767.57 (1e) (a) For receiving and disbursing maintenance, child support, or
14 family support payments, including payments in arrears, and for maintaining the
15 records required under ~~par. (e) sub. (1) (c)~~, the department or its designee shall collect
16 an annual fee of \$35 \$65 from a party ordered to make payments. The court shall
17 order each party ordered to make payments to pay the fee in each year for which
18 payments are ordered or in which an arrearage in any of those payments is owed.
19 In directing the manner of payment, the court shall order that the fee be withheld
20 from income and sent to the department or its designee, as provided under s. 767.75.
21 Fees under this paragraph shall be deposited in the appropriation account under s.
22 20.445 (3) (ja). At the time of ordering payment of the fee, the court shall notify each
23 party ordered to make payments of the requirement to pay, and the amount of, the
24 fee. If the fee under this paragraph is not paid when due, the department or its

1 designee may not deduct the fee from any maintenance, child or family support, or
2 arrearage payment, but may move the court for a remedial sanction under ch. 785.

3 **SECTION 3735.** 767.57 (1e) (a) of the statutes, as affected by 2007 Wisconsin Act
4 (this act), is amended to read:

5 767.57 (1e) (a) For receiving and disbursing maintenance, child support, or
6 family support payments, including payments in arrears, and for maintaining the
7 records required under sub. (1) (c), the department or its designee shall collect an
8 annual fee of \$65 from a party ordered to make payments. The court shall order each
9 party ordered to make payments to pay the fee in each year for which payments are
10 ordered or in which an arrearage in any of those payments is owed. In directing the
11 manner of payment, the court shall order that the fee be withheld from income and
12 sent to the department or its designee, as provided under s. 767.75. Fees under this
13 paragraph shall be deposited in the appropriation account under s. ~~20.445 (3)~~ 20.437
14 (2) (ja). At the time of ordering payment of the fee, the court shall notify each party
15 ordered to make payments of the requirement to pay, and the amount of, the fee. If
16 the fee under this paragraph is not paid when due, the department or its designee
17 may not deduct the fee from any maintenance, child or family support, or arrearage
18 payment, but may move the court for a remedial sanction under ch. 785.

19 **SECTION 3736.** 767.57 (1e) (b) 1m. of the statutes is amended to read:

20 767.57 (1e) (b) 1m. The department or its designee may collect any unpaid fees
21 under s. 814.61 (12) (b), 1997 stats., that are shown on the department's automated
22 payment and collection system on December 31, 1998, and shall deposit all fees
23 collected under this subdivision in the appropriation account under s. ~~20.445 (3)~~
24 20.437 (2) (ja). The department or its designee may collect unpaid fees under this
25 subdivision through income withholding under s. 767.75 (2m). If the department or

1 its designee determines that income withholding is inapplicable, ineffective, or
2 insufficient for the collection of any unpaid fees under this subdivision, the
3 department or its designee may move the court for a remedial sanction under ch. 785.
4 The department or its designee may contract with or employ a collection agency or
5 other person for the collection of any unpaid fees under this subdivision and,
6 notwithstanding s. 20.930, may contract with or employ an attorney to appear in any
7 action in state or federal court to enforce the payment obligation. The department
8 or its designee may not deduct the amount of unpaid fees from any maintenance,
9 child or family support, or arrearage payment.

10 **SECTION 3737.** 767.57 (1e) (c) of the statutes is created to read:

11 767.57 (1e) (c) The department or its designee shall collect an annual fee of \$25
12 from an individual receiving child support or family support payments. The fee shall
13 comply with all requirements under 42 USC 654 (6) (B). The department or its
14 designee may deduct the fee from maintenance, child or family support, or arrearage
15 payments. Fees collected under this paragraph shall be deposited in the
16 appropriation account under s. 20.445 (3) (ja).

17 **SECTION 3738.** 767.57 (1m) (c) of the statutes is amended to read:

18 767.57 (1m) (c) The party entitled to the support or maintenance money or a
19 minor child of the party has applied for or is receiving aid under s. ~~46.261~~ 48.645 or
20 public assistance under ch. 49 and there is an assignment to the state under s. ~~46.261~~
21 48.645 (3) or 49.19 (4) (h) 1. b. of the party's right to the support or maintenance
22 money.

23 **SECTION 3739.** 767.57 (2) of the statutes is amended to read:

24 767.57 (2) PROCEDURE IF RECIPIENT ON PUBLIC ASSISTANCE. If a party entitled to
25 maintenance or support, or both, is receiving public assistance under ch. 49, the

1 party may assign the party's right to support or maintenance to the county
2 department under s. 46.215, 46.22, or 46.23 granting the assistance. The assignment
3 shall be approved by order of the court granting the maintenance or support. The
4 assignment may not be terminated if there is a delinquency in the amount to be paid
5 to the assignee of maintenance and support previously ordered without the written
6 consent of the assignee or upon notice to the assignee and a hearing. When an
7 assignment of maintenance or support, or both, has been approved by the order, the
8 assignee shall be deemed a real party in interest within s. 803.01 solely for the
9 purpose of securing payment of unpaid maintenance or support ordered to be paid,
10 by participating in proceedings to secure the payment of unpaid amounts.
11 Notwithstanding assignment under this subsection, and without further order of the
12 court, the department or its designee, upon receiving notice that a party or a minor
13 child of the parties is receiving aid under s. 46.261 48.645 or public assistance under
14 ch. 49 or that a kinship care relative or long-term kinship care relative of the minor
15 child is receiving kinship care payments or long-term kinship care payments for the
16 minor child, shall forward all support assigned under s. 46.261 (3), 48.57 (3m) (b) 2.
17 or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19) to the assignee under s. 46.261
18 (3), 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19).

19 **SECTION 3740.** 767.57 (4) of the statutes is amended to read:

20 **767.57 (4) PROCEDURE FOR CERTAIN CHILD RECIPIENTS.** If an order or judgment
21 providing for the support of one or more children not receiving aid under s. 46.261,
22 48.57 (3m) or (3n), 48.645, or 49.19 includes support for a minor who is the
23 beneficiary of aid under s. 46.261, 48.57 (3m) or (3n), 48.645, or 49.19, any support
24 payment made under the order or judgment is assigned to the state under s. 46.261
25 (3), 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), or 49.19 (4) (h) 1. b. in the amount that

1 is the proportionate share of the minor receiving aid under s. ~~46.261~~, 48.57 (3m) or
2 (3n), 48.645, or 49.19, except as otherwise ordered by the court on the motion of a
3 party.

4 **SECTION 3741.** 767.59 (1c) (a) (intro.) of the statutes is amended to read:

5 767.59 (1c) (a) (intro.) On the petition, motion, or order to show cause of either
6 of the parties, the department, a county department under s. 46.215, 46.22, or 46.23,
7 or a county child support agency under s. 59.53 (5) if an assignment has been made
8 under s. ~~46.261~~, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h), or 49.45 (19)
9 or if either party or their minor children receive aid under s. 48.57 (3m) or (3n) or
10 48.645 or ch. 49, a court may, except as provided in par. (b), do any of the following:

11 **SECTION 3742.** 767.59 (1f) (b) 4. of the statutes is amended to read:

12 767.59 (1f) (b) 4. A difference between the amount of child support ordered by
13 the court to be paid by the payer and the amount that the payer would have been
14 required to pay based on the percentage standard established by the department
15 under s. 49.22 (9) if the court did not use the percentage standard in determining the
16 child support payments and did not provide the information required under s. 46.10
17 (14) (d), 49.345 (14) (d), 301.12 (14) (d), or 767.511 (1n), whichever is appropriate.

18 **SECTION 3743.** 767.59 (2) (c) of the statutes is amended to read:

19 767.59 (2) (c) If the court revises a judgment or order providing for child support
20 that was entered under s. 48.355 (2) (b) 4., 48.357 (5m) (a), 48.363 (2), 938.183 (4),
21 938.355 (2) (b) 4., 938.357 (5m) (a) or 938.363 (2), the court shall determine child
22 support in the manner provided in s. ~~46.10~~ 49.345 (14) or 301.12 (14), whichever is
23 applicable.

24 **SECTION 3744.** 767.59 (2s) of the statutes is amended to read:

1 767.59 (2s) STIPULATION FOR REVISION OF SUPPORT. In an action under sub. (1c),
2 the court may not approve a stipulation for the revision of a judgment or order with
3 respect to an amount of child support or family support unless the stipulation
4 provides for payment of an amount of child support or family support that is
5 determined in the manner required under s. 46.10 (14), 49.345 (14), 301.12 (14),
6 767.511, 767.805 (4), or 767.89, whichever is appropriate.

7 **SECTION 3745.** 767.87 (2m) of the statutes is amended to read:

8 767.87 (2m) ADMISSIBILITY OF CERTAIN MEDICAL AND GENETIC INFORMATION.
9 Medical and genetic information filed with the department of health and family
10 services or the court under s. 48.425 (1) (am) or (2) is not admissible to prove the
11 paternity of the child.

12 **SECTION 3746.** 767.87 (6) (a) of the statutes is amended to read:

13 767.87 (6) (a) Whenever the state brings the action to determine paternity
14 pursuant to an assignment under s. ~~46.261~~, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3),
15 49.19 (4) (h) 1., or 49.45 (19), or receipt of benefits under s. 49.148, 49.155, 49.157,
16 or 49.159, the natural mother of the child may not be compelled to testify about the
17 paternity of the child if it has been determined that the mother has good cause for
18 refusing to cooperate in establishing paternity as provided in 42 USC 602 (a) (26) (B)
19 and the federal regulations promulgated pursuant to this statute, as of July 1, 1981,
20 and pursuant to any rules promulgated by the department which define good cause
21 in accordance with the federal regulations, as authorized by 42 USC 602 (a) (26) (B)
22 in effect on July 1, 1981.

23 **SECTION 3747.** 769.201 (7) of the statutes is amended to read:

24 769.201 (7) The individual asserted parentage in a declaration of paternal
25 interest filed with the department of ~~health and family services~~ children and families

1 under s. 48.025 or in a statement acknowledging paternity filed with the state
2 registrar under s. 69.15 (3) (b) 1. or 3.

3 **SECTION 3748.** 769.31 (1) of the statutes is amended to read:

4 769.31 (1) The department of workforce development children and families is
5 the state information agency under this chapter.

6 **SECTION 3749.** 800.02 (2) (b) of the statutes is amended to read:

7 800.02 (2) (b) Except for parking violations, in traffic regulation actions in
8 municipal court, the uniform traffic citation specified in s. 345.11 shall be used in lieu
9 of the citation form specified in par. (a). In actions for violations of local ordinances
10 enacted in accordance with s. 23.33 (11) (am) or 30.77, the citation form specified in
11 s. 23.54 shall be used in lieu of the citation form specified in par. (a).

12 **SECTION 3750.** 800.09 (1) (c) of the statutes is amended to read:

13 800.09 (1) (c) The court may suspend the defendant's operating privilege, as
14 defined in s. 340.01 (40), until restitution is made and the forfeiture, assessments
15 and costs are paid, if the defendant has not done so within 60 days after the date the
16 restitution or payments or both are to be made under par. (a) and has not notified the
17 court that he or she is unable to comply with the judgment, as provided under s.
18 800.095 (4) (a), except that the suspension period may not exceed 2 years. The court
19 shall may take possession of the suspended license and shall. If the court takes
20 possession of a license, it shall destroy the license. The court shall forward the
21 license, along with a notice of the suspension clearly stating that the suspension is
22 for failure to comply with a judgment of the court, to the department of
23 transportation. This paragraph does not apply if the forfeiture is assessed for
24 violation of an ordinance that is unrelated to the violator's operation of a motor
25 vehicle.

1 **SECTION 3751.** 801.02 (1) of the statutes is amended to read:

2 801.02 (1) ~~A~~ Except as provided in s. 20.931 (5) (b), a civil action in which a
3 personal judgment is sought is commenced as to any defendant when a summons and
4 a complaint naming the person as defendant are filed with the court, provided service
5 of an authenticated copy of the summons and of the complaint is made upon the
6 defendant under this chapter within 90 days after filing.

7 **SECTION 3752.** 803.03 (2) (c) of the statutes is amended to read:

8 803.03 (2) (c) *Scheduling and pretrial conferences.* At the scheduling
9 conference and pretrial conference, the judge to whom the case has been assigned
10 shall inquire concerning the existence of and joinder of persons with subrogated,
11 derivative or assigned rights and shall make such orders as are necessary to
12 effectuate the purposes of this section. If the case is an action to recover damages
13 based on alleged criminally injurious conduct, the court shall inquire to see if an
14 award has been made under subch. I of ch. 949 and if the department of justice is
15 subrogated to the cause of action under s. 949.15.

16 **SECTION 3753.** 803.09 (1) and (2) of the statutes are amended to read:

17 803.09 (1) ~~Upon~~ Except as provided in s. 20.931, upon timely motion anyone
18 shall be permitted to intervene in an action when the movant claims an interest
19 relating to the property or transaction which is the subject of the action and the
20 movant is so situated that the disposition of the action may as a practical matter
21 impair or impede the movant's ability to protect that interest, unless the movant's
22 interest is adequately represented by existing parties.

23 (2) ~~Upon~~ Except as provided in s. 20.931, upon timely motion anyone may be
24 permitted to intervene in an action when a movant's claim or defense and the main
25 action have a question of law or fact in common. When a party to an action relies for

1 ground of claim or defense upon any statute or executive order or rule administered
2 by a federal or state governmental officer or agency or upon any regulation, order,
3 rule, requirement or agreement issued or made pursuant to the statute or executive
4 order, the officer or agency upon timely motion may be permitted to intervene in the
5 action. In exercising its discretion the court shall consider whether the intervention
6 will unduly delay or prejudice the adjudication of the rights of the original parties.

7 **SECTION 3754.** 804.01 (2) (intro.) of the statutes is amended to read:

8 804.01 (2) SCOPE OF DISCOVERY. (intro.) Unless Except as provided in s. 20.931
9 (9), and unless otherwise limited by order of the court in accordance with the
10 provisions of this chapter, the scope of discovery is as follows:

11 **SECTION 3755.** 805.04 (1) of the statutes is amended to read:

12 805.04 (1) BY PLAINTIFF; BY STIPULATION. An Except as provided in sub. (2m), an
13 action may be dismissed by the plaintiff without order of court by serving and filing
14 a notice of dismissal at any time before service by an adverse party of responsive
15 pleading or motion or by the filing of a stipulation of dismissal signed by all parties
16 who have appeared in the action. Unless otherwise stated in the notice of dismissal
17 or stipulation, the dismissal is not on the merits, except that a notice of dismissal
18 operates as an adjudication on the merits when filed by a plaintiff who has once
19 dismissed in any court an action based on or including the same claim.

20 **SECTION 3756.** 805.04 (2m) of the statutes is created to read:

21 805.04 (2m) FALSE CLAIMS. An action filed under s. 20.931 may be dismissed
22 only by order of the court. In determining whether to dismiss the action filed under
23 s. 20.931, the court shall take into account the best interests of the parties and the
24 purposes of s. 20.931.

25 **SECTION 3757.** 806.025 (2) (am) of the statutes is amended to read:

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1 806.025 (2) (am) If money remains after the payment of all unpaid orders and
2 judgments under par. (a), order reimbursement to the department of justice for an
3 award made under subch. I of ch. 949 for which the department is subrogated under
4 s. 949.15.

5 SECTION 3758. 809.105 (13) of the statutes is amended to read:

6 809.105 (13) CERTAIN PERSONS BARRED FROM PROCEEDINGS. No parent, or
7 guardian or legal custodian, if one has been appointed, or foster parent or treatment
8 foster parent, if the minor has been placed in a foster home or treatment foster home,
9 and the minor's parent has signed a waiver granting the department of health and
10 family services children and families, a county department under s. 46.215, 46.22,
11 or 46.23, the foster parent or the treatment foster parent the authority to consent to
12 medical services or treatment on behalf of the minor, or adult family member, as
13 defined in s. 48.375 (2) (b), of any minor who has initiated an appeal under this
14 section may attend or intervene in any proceeding under this section.

15 SECTION 3759. 809.30 (2) (d) of the statutes is amended to read:

16 809.30 (2) (d) *Indigency redetermination.* Except as provided in this
17 paragraph, whenever a person whose trial counsel is appointed by the state public
18 defender files a notice under par. (b) requesting public defender representation for
19 purposes of postconviction or postdisposition relief, the prosecutor may, within 5
20 days after the notice is served and filed, file in the circuit court and serve upon the
21 state public defender a request that the person's indigency be redetermined before
22 counsel is appointed or transcripts are requested. This paragraph does not apply to
23 a child or juvenile person who is entitled to be represented by counsel under s. 48.23,
24 51.60 (1), 55.105, or 938.23.

25 SECTION 3760. 813.12 (5) (b) of the statutes is amended to read:

1 813.12 (5) (b) The clerk of circuit court shall provide the simplified forms
2 provided under s. ~~46.95~~ 49.165 (3) (c) to help a person file a petition.

3 **SECTION 3761.** 813.122 (6) (b) of the statutes is amended to read:

4 813.122 (6) (b) Upon request, the clerk of circuit court shall provide, without
5 cost, the simplified forms obtained under s. ~~46.03~~ 48.47 (7) (d) to a petitioner.

6 **SECTION 3762.** 814.245 (2) (d) of the statutes is amended to read:

7 814.245 (2) (d) "State agency" does not include the public intervenor or citizens
8 utility board.

9 **SECTION 3763.** 814.61 (13) of the statutes is amended to read:

10 814.61 (13) SUPPORT OR MAINTENANCE PETITION. For the cost of court services,
11 whenever a person not receiving benefits under s. 49.148 or 49.155 or aid under s.
12 49.19, 49.46, 49.465, 49.468 or, 49.47, or 49.471 files a petition requesting child
13 support, maintenance or family support payments, \$10 in addition to any other fee
14 required under this section. This subsection does not apply to a petition filed by the
15 state or its delegate.

16 **SECTION 3764.** 814.69 (1) (a) of the statutes is amended to read:

17 814.69 (1) (a) For a transcript under SCR 71.04, a fee at the rate of \$1.50 per
18 25-line page for the original and 50 cents per 25-line page for the duplicate. Except
19 as provided in s. 967.06 (3), the fee shall be paid by the county treasurer upon the
20 certificate of the clerk of court.

21 **SECTION 3765.** 814.75 (22m) of the statutes is amended to read:

22 814.75 (22m) The supplemental food enforcement surcharge under s. ~~253.06~~
23 49.17 (4) (c).

24 **SECTION 3766.** 814.76 (15m) of the statutes is amended to read:

SECTION 3766

1 814.76 (15m) The supplemental food enforcement surcharge under s. 253.06
2 49.17 (4) (c).

3 **SECTION 3767.** 814.80 (11) of the statutes is amended to read:

4 814.80 (11) The supplemental food enforcement surcharge under s. 253.06
5 49.17 (4) (c).

6 **SECTION 3768.** 859.07 (2) (a) (intro.) of the statutes is amended to read:

7 859.07 (2) (a) (intro.) The personal representative shall provide notice of the
8 date set under s. 859.01 to the department of health and family services, the
9 department of children and families, or the department of corrections, as applicable,
10 and to the county clerk of the decedent's county of residence, as defined in s. 49.001
11 (6) if, at any time prior to or at the time of the decedent's death, any of the following
12 applied:

13 **SECTION 3769.** 859.07 (2) (a) 2. of the statutes is amended to read:

14 859.07 (2) (a) 2. The decedent was responsible for any obligation owing to the
15 state or a county under s. 46.03 (18), 46.10, 48.36, 49.32 (1), 49.345, 301.03 (18),
16 301.12, or 938.36.

17 **SECTION 3770.** 859.15 of the statutes is amended to read:

18 **859.15 Effect of statute of limitations.** Except as provided in ss. 46.10 (11),
19 49.08 and, 49.195 (1), 49.345 (11), and 301.12 (11), a claim shall not be allowed which
20 that was barred by any statute of limitations at the time of the decedent's death. A
21 claim shall not be barred by statutes of limitation which that was not barred at the
22 time of the decedent's death if the claim is filed against the decedent's estate in the
23 court on or before the deadline for filing a claim under s. 859.01.

24 **SECTION 3771.** 885.01 (5) of the statutes is amended to read:

1 885.01 (5) By the department of ~~workforce development~~ children and families
2 or a county child support agency under s. 59.53 (5) in the administration of ss. 49.145,
3 49.19, 49.22, 49.46 and 49.47 and programs carrying out the purposes of 7 USC 2011
4 to 2029.

5 **SECTION 3772.** 885.01 (5) of the statutes, as affected by 2007 Wisconsin Act ...
6 (this act), is amended to read:

7 885.01 (5) By the department of children and families or a county child support
8 agency under s. 59.53 (5) in the administration of ss. 49.145, 49.19, 49.22, 49.46 and,
9 49.47, and 49.471 and programs carrying out the purposes of 7 USC 2011 to 2029.

10 **SECTION 3773.** 885.38 (3) (a) (intro.) of the statutes is amended to read:

11 885.38 (3) (a) (intro.) ~~In criminal proceedings and in proceedings under ch. 48,~~
12 ~~51, 55, or 938, if~~ If the court determines that the person has limited English
13 proficiency and that an interpreter is necessary, the court shall advise the person
14 that he or she has the right to a qualified interpreter ~~and that, if the person cannot~~
15 ~~afford one, an interpreter will be provided~~ at the public's expense if the person is one
16 of the following:

17 **SECTION 3774.** 885.38 (8) (a) (intro.) of the statutes is amended to read:

18 885.38 (8) (a) (intro.) Except as provided in par. (b), the necessary expenses of
19 providing qualified interpreters to indigent persons with limited English proficiency
20 under this section shall be paid as follows:

21 **SECTION 3775.** 893.981 of the statutes is created to read:

22 **893.981 False claims.** An action or claim under s. 20.931 shall be commenced
23 within 10 years after the cause of the action or claim accrues or be barred.

24 **SECTION 3776.** 895.45 (1) (a) of the statutes is amended to read:

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1 895.45 (1) (a) "Abusive conduct" means domestic abuse, as defined under s.
2 ~~46.95~~ 49.165 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined under
3 s. 813.125 (1), sexual exploitation by a therapist under s. 940.22, sexual assault
4 under s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under
5 ss. 948.02 to 948.11.

6 **SECTION 3777.** 895.4803 of the statutes is amended to read:

7 **895.4803 Civil liability exemption; information concerning paternity.**

8 Any member of the staff of a hospital who is designated by the hospital and trained
9 by the department of workforce development children and families under s. 69.14 (1)
10 (cm) and who in good faith provides to a child's available parents written information
11 that is provided by the department of workforce development children and families
12 and oral information or an audio or video presentation about the form that is
13 prescribed by the state registrar under s. 69.15 (3) (b) 3. and about the significance
14 and benefits of, and alternatives to, establishing paternity, under the requirements
15 of s. 69.14 (1) (cm), is immune from civil liability for his or her acts or omissions in
16 providing that oral information or audio or video presentation and written
17 information.

18 **SECTION 3778.** 895.485 (4) (a) of the statutes is amended to read:

19 895.485 (4) (a) The agency has failed to provide the foster, treatment foster, or
20 family-operated group home parent with any information relating to a medical,
21 physical, mental, or emotional condition of the child that it is required to disclose
22 under this paragraph. The department of health and family services children and
23 families shall promulgate rules specifying the kind of information that an agency
24 shall disclose to a foster, treatment foster, or family-operated group home parent
25 which relates to a medical, physical, mental, or emotional condition of the child.

1 **SECTION 3779.** 905.15 (1) of the statutes is amended to read:

2 905.15 (1) An employee of the department of health and family services, the
3 department of ~~workforce development~~ children and families or a county department
4 under s. 46.215, 46.22 or 46.23 or a member of a governing body of a federally
5 recognized American Indian tribe who is authorized by federal law to have access to
6 or awareness of the federal tax return information of another in the performance of
7 duties under s. 49.19 or 49.45 or 7 USC 2011 to 2049 may claim privilege to refuse
8 to disclose the information and the source or method by which he or she received or
9 otherwise became aware of the information.

10 **SECTION 3780.** 938.02 (6) of the statutes is amended to read:

11 938.02 (6) "Foster home" means any facility that is operated by a person
12 required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for
13 no more than 4 juveniles or, if necessary to enable a sibling group to remain together,
14 for no more than 6 juveniles or, if the department of health and family services
15 children and families promulgates rules permitting a different number of juveniles,
16 for the number of juveniles permitted under those rules.

17 **SECTION 3781.** 938.02 (7) of the statutes is amended to read:

18 938.02 (7) "Group home" means any facility operated by a person required to
19 be licensed by the department of health and family services children and families
20 under s. 48.625 for the care and maintenance of 5 to 8 juveniles.

21 **SECTION 3782.** 938.02 (17) of the statutes is amended to read:

22 938.02 (17) "Shelter care facility" means a nonsecure place of temporary care
23 and physical custody for juveniles, including a holdover room, licensed by the
24 department of health and family services children and families under s. 48.66 (1) (a).

25 **SECTION 3783.** 938.06 (1) (b) of the statutes is amended to read:

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1 938.06 (1) (b) Notwithstanding par. (a), the county board of supervisors may
2 make changes in the administration of services to the children's court center in order
3 to qualify for the maximum amount of federal and state aid as provided in sub. (4)
4 and s. ~~ss. 46.495 and 48.569~~.

5 **SECTION 3784.** 938.06 (4) of the statutes is amended to read:

6 938.06 (4) STATE AID. State aid to any county for juvenile delinquency-related
7 court services under this section shall be at the same net effective rate that each
8 county is reimbursed for county administration under s. ~~46.495~~ 48.569, except as
9 provided in s. 301.26. Counties having a population of less than 500,000 may use
10 funds received under ~~ss. 46.495~~ 48.569 (1) (d) and 301.26, including county or federal
11 revenue sharing funds allocated to match funds received under s. ~~46.495~~ 48.569 (1)
12 (d), for the cost of providing court attached intake services in amounts not to exceed
13 50% of the cost of providing court attached intake services or \$30,000 per county per
14 calendar year, whichever is less.

15 **SECTION 3785.** 938.17 (2) (d) 2. of the statutes is amended to read:

16 938.17 (2) (d) 2. If a court suspends a license or privilege under subd. 1., the
17 court shall immediately take possession of the applicable license ~~and forward it if~~
18 issued under ch. 29 or, if the license is issued under ch. 343, the court may take
19 possession of, and if possession is taken, shall destroy, the license. The court shall
20 forward to the department that issued the license, ~~together with~~ the notice of
21 suspension stating that the suspension is for failure to pay a forfeiture imposed by
22 the court, together with any license issued under ch. 29 of which the court takes
23 possession. If the forfeiture is paid during the period of suspension, the court shall
24 immediately notify the department, which shall then, if the license is issued under
25 ch. 29, return the license to the person.

1 **SECTION 3786.** 938.21 (5) (b) 1. of the statutes is renumbered 938.21 (5) (b) 1.

2 a. and amended to read:

3 938.21 (5) (b) 1. a. A finding that continued placement of the juvenile in his or
4 her home would be contrary to the welfare of the juvenile. ~~Unless the court finds that~~
5 ~~any of the circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies, the order shall~~
6 ~~in addition include a-~~

7 b. A finding as to whether the person who took the juvenile into custody and
8 the intake worker have made reasonable efforts to prevent the removal of the
9 juvenile from the home, while assuring that the juvenile's health and safety are the
10 paramount concerns, and a- unless the court finds that any of the circumstances
11 specified in s. 938.355 (2d) (b) 1. to 4. applies.

12 c. A finding as to whether the person who took the juvenile into custody and
13 the intake worker have made reasonable efforts to make it possible for the juvenile
14 to return safely home.

15 1m. If for good cause shown sufficient information is not available for the court
16 to make a finding as to whether those reasonable efforts were made to prevent the
17 removal of the juvenile from the home, the order shall include while assuring that
18 the juvenile's health and safety are the paramount concerns, a finding as to whether
19 those reasonable efforts were made to make it possible for the juvenile to return
20 safely home and an order for the county department or agency primarily responsible
21 for providing services to the juvenile under the custody order to file with the court
22 sufficient information for the court to make a finding as to whether those reasonable
23 efforts were made to prevent the removal of the juvenile from the home by no later
24 than 5 days, excluding Saturdays, Sundays, and legal holidays, after the date of on
25 which the order is granted.

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1 **SECTION 3787.** 938.21 (5) (b) 1. d. of the statutes is created to read:

2 938.21 (5) (b) 1. d. If the juvenile is under the supervision of the county
3 department, an order ordering the juvenile into the placement and care
4 responsibility of the county department as required under 42 USC 672 (a) (2) and
5 assigning the county department primary responsibility for providing services to the
6 juvenile.

7 **SECTION 3788.** 938.21 (5) (c) of the statutes is amended to read:

8 938.21 (5) (c) The court shall make the findings specified in par. (b) 1., 1m., and
9 3. on a case-by-case basis based on circumstances specific to the juvenile and shall
10 document or reference the specific information on which those findings are based in
11 the custody order. A custody order that merely references par. (b) 1., 1m., or 3.
12 without documenting or referencing that specific information in the custody order
13 or an amended custody order that retroactively corrects an earlier custody order that
14 does not comply with this paragraph is not sufficient to comply with this paragraph.

15 **SECTION 3789.** 938.22 (1) (a) of the statutes is amended to read:

16 938.22 (1) (a) Subject to s. 48.66 (1) (b), the county board of supervisors of a
17 county may establish a juvenile detention facility in accordance with ss. 301.36 and
18 301.37 or the county boards of supervisors for 2 or more counties may jointly
19 establish a juvenile detention facility in accordance with ss. 46.20, 301.36, and
20 301.37. The county board of supervisors of a county may establish a shelter care
21 facility in accordance with ss. ~~46.16 and 46.17~~ 48.576 and 48.578 or the county boards
22 of supervisors for 2 or more counties may jointly establish a shelter care facility in
23 accordance with ss. ~~46.16, 46.17, and 46.20~~, 48.576, and 48.578. A private entity may
24 establish a juvenile detention facility in accordance with ss. 301.36 and 301.37 and

1 contract with one or more county boards of supervisors under s. 938.222 to hold
2 juveniles in the private juvenile detention facility.

3 **SECTION 3790.** 938.22 (2) (a) of the statutes is amended to read:

4 938.22 (2) (a) Counties shall submit plans for a juvenile detention facility or
5 juvenile portion of the county jail to the department of corrections and submit plans
6 for a shelter care facility to the department of health and family services children and
7 families. A private entity that proposes to establish a juvenile detention facility shall
8 submit plans for the facility to the department of corrections. The applicable
9 department shall review the submitted plans. A county or a private entity may not
10 implement a plan unless the applicable department has approved the plan. The
11 department of corrections shall promulgate rules establishing minimum
12 requirements for the approval and operation of juvenile detention facilities and the
13 juvenile portion of county jails. The plans and rules shall be designed to protect the
14 health, safety, and welfare of the juveniles placed in those facilities.

15 **SECTION 3791.** 938.22 (7) (a) of the statutes is amended to read:

16 938.22 (7) (a) No person may establish a shelter care facility without first
17 obtaining a license under s. 48.66 (1) (a). To obtain a license under s. 48.66 (1) (a) to
18 operate a shelter care facility, a person must meet the minimum requirements for a
19 license established by the department of health and family services children and
20 families under s. 48.67, meet the requirements specified in s. 48.685, and pay the
21 license fee under par. (b). A license issued under s. 48.66 (1) (a) to operate a shelter
22 care facility is valid until revoked or suspended, but shall be reviewed every 2 years
23 as provided in s. 48.66 (5).

24 **SECTION 3792.** 938.22 (7) (b) of the statutes is amended to read:

1 938.22 (7) (b) Before the department of health and family services children and
2 families may issue a license under s. 48.66 (1) (a) to operate a shelter care facility,
3 the shelter care facility shall pay to that department a biennial fee of \$60.50, plus
4 a biennial fee of \$18.15 per juvenile, based on the number of juveniles that the shelter
5 care facility is licensed to serve. A shelter care facility that wishes to continue a
6 license issued under s. 48.66 (1) (a) shall pay the fee by the continuation date of the
7 license. A new shelter care facility shall pay the fee by no later than 30 days before
8 the opening of the shelter care facility.

9 **SECTION 3793.** 938.235 (4) (b) of the statutes is amended to read:

10 938.235 (4) (b) The court shall order the agency identified under s. ~~938.355 (2)~~
11 ~~(b) 1.~~ 938.33 (1) (c) as primarily responsible for the provision of services to notify the
12 guardian ad litem, if any, regarding actions to be taken under par. (a).

13 **SECTION 3794.** 938.237 (1) (intro.) of the statutes is amended to read:

14 938.237 (1) ~~CITATION FORM CITATIONS.~~ (intro.) The A citation forms under s.
15 23.54, 66.0113, 778.25, 778.26, or 800.02 may be used to commence an action for a
16 violation of civil laws and ordinances in the court.

17 **SECTION 3795.** 938.30 (6) (b) of the statutes is amended to read:

18 938.30 (6) (b) If it appears to the court that disposition of the case may include
19 placement of the juvenile outside the juvenile's home, the court shall order the
20 juvenile's parent to provide a statement of the income, assets, debts, and living
21 expenses of the juvenile and the juvenile's parent to the court or the designated
22 agency under s. 938.33 (1) at least 5 days before the scheduled date of the
23 dispositional hearing or as otherwise ordered by the court. The clerk of court shall
24 provide, without charge, to any parent ordered to provide that statement a document
25 setting forth the percentage standard established by the department of workforce

1 development children and families under s. 49.22 (9) and listing the factors that a
2 court may consider under s. 301.12 (14) (c).

3 **SECTION 3796.** 938.31 (7) (b) of the statutes is amended to read:

4 938.31 (7) (b) If it appears to the court that disposition of the case may include
5 placement of the juvenile outside the juvenile's home, the court shall order the
6 juvenile's parent to provide a statement of the income, assets, debts, and living
7 expenses of the juvenile and the juvenile's parent, to the court or the designated
8 agency under s. 938.33 (1) at least 5 days before the scheduled date of the
9 dispositional hearing or as otherwise ordered by the court. The clerk of court shall
10 provide, without charge, to any parent ordered to provide the statement a document
11 setting forth the percentage standard established by the department of workforce
12 development children and families under s. 49.22 (9) and listing the factors that a
13 court may consider under s. 301.12 (14) (c).

14 **SECTION 3797.** 938.315 (2m) (a) of the statutes is amended to read:

15 938.315 (2m) (a) The court making an initial finding under s. 938.21 (5) (b) 1.
16 or 1m., 938.355 (2) (b) 6., or 938.357 (2v) (a) 1. that reasonable efforts have been made
17 to prevent the removal of the juvenile from the home, while assuring that the
18 juvenile's health and safety are the paramount concerns, or an initial finding under
19 s. 938.21 (5) (b) 3., 938.355 (2) (b) 6r., or 938.357 (2v) (a) 3. that those efforts were not
20 required to be made because a circumstance specified in s. 938.355 (2d) (b) 1. to 4.
21 applies, more than 60 days after the date on which the juvenile was removed from
22 the home.

23 **SECTION 3798.** 938.32 (1) (c) 1. d. of the statutes is created to read:

24 938.32 (1) (c) 1. d. If the juvenile's placement or other living arrangement is
25 under the supervision of the county department, an order ordering the juvenile into

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1 the placement and care responsibility of the county department as required under
2 42 USC 672 (a) (2) and assigning the county department primary responsibility for
3 providing services to the juvenile.

4 **SECTION 3799.** 938.34 (8) of the statutes is amended to read:

5 938.34 (8) Impose a forfeiture based upon a determination that this disposition
6 is in the best interest of the juvenile and the juvenile's rehabilitation. The maximum
7 forfeiture that the court may impose under this subsection for a violation by a
8 juvenile is the maximum amount of the fine that may be imposed on an adult for
9 committing that violation or, if the violation is applicable only to a person under 18
10 years of age, \$100. The order shall include a finding that the juvenile alone is
11 financially able to pay the forfeiture and shall allow up to 12 months for payment.
12 If the juvenile fails to pay the forfeiture, the court may vacate the forfeiture and order
13 other alternatives under this section; or the court may suspend any license issued
14 under ch. 29 for not less than 30 days nor more than 5 years, or suspend the juvenile's
15 operating privilege, as defined in s. 340.01 (40), for not more than 2 years. If the court
16 suspends any license under this subsection, the clerk of the court shall immediately
17 take possession of the suspended license and forward it if issued under ch. 29 or, if
18 the license is issued under ch. 343, the court may take possession of, and if possession
19 is taken, shall destroy, the license. The court shall forward to the department which
20 issued the license, ~~together with~~ a notice of suspension stating that the suspension
21 is for failure to pay a forfeiture imposed by the court, together with any license issued
22 under ch. 29 of which the court takes possession. If the forfeiture is paid during the
23 period of suspension, the suspension shall be reduced to the time period which has
24 already elapsed and the court shall immediately notify the department which shall
25 then, if the license is issued under ch. 29, return the license to the juvenile. Any

1 recovery under this subsection shall be reduced by the amount recovered as a
2 forfeiture for the same act under s. 938.45 (1r) (b).

3 **SECTION 3800.** 938.34 (8d) (d) of the statutes is amended to read:

4 938.34 (8d) (d) If the juvenile fails to pay the surcharge under par. (a), the court
5 may vacate the surcharge and order other alternatives under this section, in
6 accordance with the conditions specified in this chapter; or the court may suspend
7 any license issued under ch. 29 for not less than 30 days nor more than 5 years, or
8 suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not less
9 than 30 days nor more than 5 years. If the court suspends any license under this
10 subsection, the clerk of the court shall immediately take possession of the suspended
11 license and forward it if issued under ch. 29 or, if the license is issued under ch. 343,
12 the court may take possession of, and if possession is taken, shall destroy, the license.
13 The court shall forward to the department which issued the license, together with
14 a notice of suspension stating that the suspension is for failure to pay a surcharge
15 imposed by the court, together with any license issued under ch. 29 of which the court
16 takes possession. If the surcharge is paid during the period of suspension, the
17 suspension shall be reduced to the time period which has already elapsed and the
18 court shall immediately notify the department which shall then, if the license is
19 issued under ch. 29, return the license to the juvenile.

20 **SECTION 3801.** 938.34 (14m) of the statutes is amended to read:

21 938.34 (14m) Restrict or suspend the operating privilege, as defined in s.
22 340.01 (40), of a juvenile who is adjudicated delinquent under a violation of any law
23 in which a motor vehicle is involved. If the court suspends a juvenile's operating
24 privilege under this subsection, the court shall immediately may take possession of
25 the suspended license and forward it. If the court takes possession of a license, it

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1 ~~shall destroy the license. The court shall forward~~ to the department of
2 transportation ~~together with~~ a notice stating the reason for and duration of the
3 suspension. If the court limits a juvenile's operating privilege under this subsection,
4 the court shall immediately notify the department of transportation of that
5 limitation.

6 **SECTION 3802.** 938.34 (14r) (a) of the statutes is amended to read:

7 938.34 (14r) (a) In addition to any other dispositions imposed under this
8 section, if the juvenile is found to have violated ch. 961, the court shall suspend the
9 juvenile's operating privilege, as defined in s. 340.01 (40), for not less than 6 months
10 nor more than 5 years. The court ~~shall immediately~~ may take possession of any
11 suspended license ~~and forward it. If the court takes possession of a license, it shall~~
12 destroy the license. The court shall forward to the department of transportation
13 ~~together with~~ the notice of suspension stating that the suspension or revocation is
14 for a violation of ch. 961.

15 **SECTION 3803.** 938.342 (1g) (a) of the statutes is amended to read:

16 938.342 (1g) (a) Suspend the person's operating privilege, as defined in s.
17 340.01 (40), for not less than 30 days nor more than one year. The court ~~shall~~
18 immediately may take possession of the suspended license ~~and forward it. If the~~
19 court takes possession of a license, it shall destroy the license. The court shall
20 forward to the department of transportation ~~together with~~ a notice stating the reason
21 for and duration of the suspension.

22 **SECTION 3804.** 938.343 (2) of the statutes is amended to read:

23 938.343 (2) FORFEITURE. Impose a forfeiture not to exceed the maximum
24 forfeiture that may be imposed on an adult for committing that violation or, if the
25 violation is only applicable to a person under 18 years of age, \$50. The order shall

1 include a finding that the juvenile alone is financially able to pay and shall allow up
2 to 12 months for the payment. If a juvenile fails to pay the forfeiture, the court may
3 suspend any license issued under ch. 29 or suspend the juvenile's operating privilege,
4 as defined in s. 340.01 (40), for not more than 2 years. The court shall immediately
5 take possession of the suspended license and forward it if issued under ch. 29 or, if
6 the license is issued under ch. 343, the court may take possession of, and if possession
7 is taken, shall destroy, of the license. The court shall forward to the department
8 which issued the license, together with the notice of suspension stating that the
9 suspension is for failure to pay a forfeiture imposed by the court, together with any
10 license issued under ch. 29 of which the court takes possession. If the forfeiture is
11 paid during the period of suspension, the court shall immediately notify the
12 department, which shall, if the license is issued under ch. 29, return the license to
13 the person. Any recovery under this subsection shall be reduced by the amount
14 recovered as a forfeiture for the same act under s. 938.45 (1r) (b).

15 **SECTION 3805.** 938.344 (2e) (b) of the statutes is amended to read:

16 938.344 (2e) (b) Whenever a court suspends a juvenile's operating privilege
17 under this subsection, the court shall immediately may take possession of any
18 suspended license and forward it. If the court takes possession of a license, it shall
19 destroy the license. The court shall forward to the department of transportation,
20 together with the notice of suspension stating that the suspension is for a violation
21 under s. 961.573 (2), 961.574 (2) or 961.575 (2), or a local ordinance that strictly
22 conforms to one of those statutes.

23 **SECTION 3806.** 938.346 (1) (h) 3. of the statutes is amended to read:

24 938.346 (1) (h) 3. The right to compensation, as provided under subch. I of ch.

25 949.

SECTION 3807

1 **SECTION 3807.** 938.355 (2) (b) 1. of the statutes is amended to read:

2 938.355 (2) (b) 1. The specific services or continuum of services to be provided
3 to the juvenile and the juvenile's family, ~~the identity of the agencies that are~~
4 ~~primarily responsible for the provision of the services, the identity of the person or~~
5 ~~agency that will provide case management or coordination of services, if any, and, if~~
6 custody is to be transferred to effect the treatment plan, the identity of the legal
7 custodian.

8 **SECTION 3808.** 938.355 (2) (b) 6g. of the statutes is created to read:

9 938.355 (2) (b) 6g. If the juvenile is placed outside the home under the
10 supervision of the county department, an order ordering the juvenile into the
11 placement and care responsibility of the county department as required under 42
12 USC 672 (a) (2) and assigning the county department primary responsibility for
13 providing services to the juvenile.

14 **SECTION 3809.** 938.355 (2b) of the statutes is amended to read:

15 938.355 (2b) CONCURRENT REASONABLE EFFORTS PERMITTED. A county
16 department or the agency primarily responsible for providing services to a juvenile
17 under a court order may, at the same time as the county department or agency is
18 making the reasonable efforts required under sub. (2) (b) 6. to prevent the removal
19 of the juvenile from the home or to make it possible for the juvenile to return safely
20 to his or her home, work with the department of health and family services children
21 and families, a county department under s. 48.57 (1) (e) or (hm), or a child welfare
22 agency licensed under s. 48.61 (5) in making reasonable efforts to place the juvenile
23 for adoption, with a guardian, with a fit and willing relative, or in some other
24 alternative permanent placement.

25 **SECTION 3810.** 938.355 (6) (d) 1. of the statutes is amended to read:

1 938.355 (6) (d) 1. Placement of the juvenile in a secure detention facility or
2 juvenile portion of a county jail that meets the standards promulgated by the
3 department by rule or in a place of nonsecure custody, for not more than 10 days and
4 the provision of educational services consistent with his or her current course of
5 study during the period of placement. The juvenile shall be given credit against the
6 period of detention or nonsecure custody imposed under this subdivision for all time
7 spent in secure detention in connection with the course of conduct for which the
8 detention or nonsecure custody was imposed. If the court orders placement of the
9 juvenile in a place of nonsecure custody under the supervision of the county
10 department, the court shall order the juvenile into the placement and care
11 responsibility of the county department as required under 42 USC 672 (a) (2) and
12 shall assign the county department primary responsibility for providing services to
13 the juvenile.

14 SECTION 3811. 938.355 (6) (d) 2. of the statutes is amended to read:

15 938.355 (6) (d) 2. Suspension of or ~~limitation~~ restriction on the use of the
16 juvenile's operating privilege, as defined under s. 340.01 (40), or of any approval
17 issued under ch. 29 for a period of not more than 3 years. If the juvenile does not hold
18 a valid operator's license under ch. 343, other than an instruction permit under s.
19 343.07 or a restricted license under s. 343.08, on the date of the order issued under
20 this subdivision, the court may order the suspension to begin on the date that the
21 operator's license would otherwise be reinstated or issued after the juvenile applies
22 and qualifies for issuance or 2 years after the date of the order issued under this
23 subdivision, whichever occurs first. If the court suspends the juvenile's operating
24 privileges or an approval issued under ch. 29, the court shall immediately take
25 possession of the suspended license or approval and forward it may take possession

1 of, and if possession is taken, shall destroy the suspended license. The court shall
2 forward to the department that issued it, together with the license or approval the
3 notice of suspension, together with any approval of which the court takes possession.

4 **SECTION 3812.** 938.355 (6m) (a) 1g. of the statutes is amended to read:

5 938.355 **(6m)** (a) 1g. Placement of the juvenile in a secure detention facility or
6 juvenile portion of a county jail that meets the standards promulgated by the
7 department by rule or in a place of nonsecure custody, for not more than 10 days and
8 the provision of educational services consistent with his or her current course of
9 study during the period of placement. The juvenile shall be given credit against the
10 period of detention or nonsecure custody imposed under this subdivision for all time
11 spent in secure detention in connection with the course of conduct for which the
12 detention or nonsecure custody was imposed. The use of placement in a secure
13 detention facility or in a juvenile portion of a county jail as a sanction under this
14 subdivision is subject to the adoption of a resolution by the county board of
15 supervisors under s. 938.06 (5) authorizing the use of those placements as a sanction.

16 If the court orders placement of the juvenile in a place of nonsecure custody under
17 the supervision of the county department, the court shall order the juvenile into the
18 placement and care responsibility of the county department as required under 42
19 USC 672 (a) (2) and shall assign the county department primary responsibility for
20 providing services to the juvenile.

21 **SECTION 3813.** 938.355 (6m) (a) 1m. of the statutes is amended to read:

22 938.355 **(6m)** (a) 1m. Suspension or limitation on the use of the juvenile's
23 operating privilege, as defined under s. 340.01 (40), or of any approval issued under
24 ch. 29 for not more than one year. If the juvenile does not hold a valid operator's
25 license under ch. 343, other than an instruction permit under s. 343.07 or a restricted

1 license under s. 343.08, on the date of the order issued under this subdivision, the
2 court may order the suspension or limitation to begin on the date that the operator's
3 license would otherwise be reinstated or issued after the juvenile applies and
4 qualifies for issuance or 2 years after the date of the order issued under this
5 subdivision, whichever occurs first. If the court suspends a juvenile's operating
6 privilege or an approval issued under ch. 29, the court shall immediately take
7 possession of the suspended license or approval and forward it may take possession
8 of, and if possession is taken, shall destroy, the suspended license. The court shall
9 forward to the department that issued the license or approval with a notice stating
10 the reason for and the duration of the suspension, together with any approval of
11 which the court takes possession.

12 **SECTION 3814.** 938.357 (1) (am) 3. of the statutes is amended to read:

13 938.357 (1) (am) 3. If the court changes the juvenile's placement from a
14 placement outside the home to another placement outside the home, the change in
15 placement order shall contain ~~one of the statements~~ the applicable order under sub.
16 (2v) (a) 1m. and the applicable statement under sub. (2v) (a) 2.

17 **SECTION 3815.** 938.357 (1) (c) 3. of the statutes is amended to read:

18 938.357 (1) (c) 3. If the court changes the juvenile's placement from a placement
19 in the juvenile's home to a placement outside the juvenile's home, the change in
20 placement order shall contain the findings under sub. (2v) (a) 1., ~~one of the~~
21 ~~statements~~ the applicable order under sub. (2v) (a) 1m., the applicable statement
22 under sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances
23 under s. 938.355 (2d) (b) 1. to 4. applies with respect to a parent, the determination
24 under sub. (2v) (a) 3.

25 **SECTION 3816.** 938.357 (2m) (c) of the statutes is amended to read:

SECTION 3816

1 938.357 (2m) (c) ~~In-home to out-of-home placement; findings~~ Findings
2 *required.* If the court changes the juvenile's placement from a placement in the
3 juvenile's home to a placement outside the juvenile's home, the change in placement
4 order shall contain the findings under sub. (2v) (a) 1., ~~one of the statements the~~
5 applicable order under sub. (2v) (a) 1m., the applicable statement under sub. (2v) (a)
6 2., and, if in addition the court finds that any of the circumstances under s. 938.355
7 (2d) (b) 1. to 4. applies with respect to a parent, the determination under sub. (2v)
8 (a) 3. If the court changes the juvenile's placement from a placement outside the
9 home to another placement outside the home, the change in placement order shall
10 contain the applicable order under sub. (2v) (a) 1m. and the applicable statement
11 under sub. (2v) (a) 2.

12 SECTION 3817. 938.357 (2v) (a) 1m. of the statutes is created to read:

13 938.357 (2v) (a) 1m. If the change in placement order changes the placement
14 of a juvenile who is under the supervision of the county department to a placement
15 outside the juvenile's home, whether from a placement in the home or from another
16 placement outside the home, an order ordering the juvenile into, or to be continued
17 in, the placement and care responsibility of the county department as required under
18 42 USC 672 (a) (2) and assigning the county department primary responsibility, or
19 continued primary responsibility, for providing services to the juvenile.

20 SECTION 3818. 938.357 (4) (a) of the statutes is amended to read:

21 938.357 (4) (a) When the juvenile is placed with the department, the
22 department may, after an examination under s. 938.50, place the juvenile in a
23 juvenile correctional facility or a secured residential care center for children and
24 youth or on aftercare supervision, either immediately or after a period of placement
25 in a juvenile correctional facility or a secured residential care center for children and

1 youth. The department shall send written notice of the change in placement to the
2 parent, guardian, legal custodian, county department designated under s. 938.34
3 (4n), if any, and committing court. If the department places a juvenile in a Type 2
4 juvenile correctional facility operated by a child welfare agency, the department shall
5 reimburse the child welfare agency at the rate established under s. ~~46.037~~ 49.343
6 that is applicable to the type of placement that the child welfare agency is providing
7 for the juvenile. A juvenile who is placed in a Type 2 juvenile correctional facility or
8 a secured residential care center for children and youth remains under the
9 supervision of the department, remains subject to the rules and discipline of that
10 department, and is considered to be in custody, as defined in s. 946.42 (1) (a).

11 **SECTION 3819.** 938.357 (4) (b) 2. of the statutes is amended to read:

12 938.357 (4) (b) 2. If a juvenile whom the court has placed in a Type 2 residential
13 care center for children and youth under s. 938.34 (4d) violates a condition of his or
14 her placement in the Type 2 residential care center for children and youth, the child
15 welfare agency operating the Type 2 residential care center for children and youth
16 shall notify the county department that has supervision over the juvenile and, if the
17 county department agrees to a change in placement under this subdivision, the child
18 welfare agency shall notify the department, and the department, after consulting
19 with the child welfare agency, may place the juvenile in a Type 1 juvenile correctional
20 facility under the supervision of the department, without a hearing under sub. (1)
21 (am) 2., for not more than 10 days. If a juvenile is placed in a Type 1 juvenile
22 correctional facility under this subdivision, the county department that has
23 supervision over the juvenile shall reimburse the child welfare agency operating the
24 Type 2 residential care center for children and youth in which the juvenile was
25 placed at the rate established under s. ~~46.037~~ 49.343, and that child welfare agency

1 shall reimburse the department at the rate specified in s. 301.26 (4) (d) 2. or 3.,
2 whichever is applicable, for the cost of the juvenile's care while placed in a Type 1
3 juvenile correctional facility.

4 **SECTION 3820.** 938.357 (4) (c) 1. of the statutes is amended to read:

5 938.357 (4) (c) 1. If a juvenile is placed in a Type 2 juvenile correctional facility
6 operated by a child welfare agency under par. (a) and it appears that a less restrictive
7 placement would be appropriate for the juvenile, the department, after consulting
8 with the child welfare agency that is operating the Type 2 juvenile correctional
9 facility, may place the juvenile in a less restrictive placement, and may return the
10 juvenile to the Type 2 juvenile correctional facility without a hearing under sub. (1)
11 (am) 2. The child welfare agency shall establish a rate for each type of placement in
12 the manner provided in s. ~~46.037~~ 49.343.

13 **SECTION 3821.** 938.357 (4) (c) 2. of the statutes is amended to read:

14 938.357 (4) (c) 2. If a juvenile is placed in a Type 2 residential care center for
15 children and youth under s. 938.34 (4d) and it appears that a less restrictive
16 placement would be appropriate for the juvenile, the child welfare agency operating
17 the Type 2 residential care center for children and youth shall notify the county
18 department that has supervision over the juvenile and, if the county department
19 agrees to a change in placement under this subdivision, the child welfare agency may
20 place the juvenile in a less restrictive placement. A child welfare agency may also,
21 with the agreement of the county department that has supervision over a juvenile
22 who is placed in a less restrictive placement under this subdivision, return the
23 juvenile to the Type 2 residential care center for children and youth without a
24 hearing under sub. (1) (am) 2. The child welfare agency shall establish a rate for each
25 type of placement in the manner provided in s. ~~46.037~~ 49.343.