



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2015 Assembly Bill 39

**Assembly
Amendment 1**

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2015 Assembly Bill 39 relates to jurisdiction and venue in adoption proceedings and to home studies for foster care licensure and adoption.

CURRENT LAW

A petition for adoption or adoptive placement of a child must be filed in the county where the proposed adoptive parent or child resides.

A county, a licensed adoption agency, or the Bureau of Milwaukee Child Welfare in the Department of Children and Families (DCF) must conduct a pre-adoptive home study to determine whether a proposed adoptive family's home is suitable for a child. Certain aspects of the home study are governed by administrative rule, but a standardized study is not required.

2015 ASSEMBLY BILL 39

Assembly Bill 39 expands jurisdiction and venue in adoption cases by allowing a petition for adoption or adoptive placement of a child to also be heard in the county in which a petition for termination of parental rights to a child was filed or granted.

The bill also requires that a home study, using a standardized system, be conducted before a child is placed for adoption **and** before a home is licensed for foster care. The home study standardized system must be approved by DCF and must include specific factors, including the proposed adoptive or foster parents' civil and criminal history, age, health, and financial stability. The new standardized home study requirements will go into effect six months after the bill is signed into law.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 corrects an internal conflict between the initial applicability and effective date sections of the bill. Under the bill, the initial applicability for the standardized home study requirements is on the “effective date of this subsection,” which is the day after publication. The effective date for the statutory changes is six months after publication.

The amendment adds a specific reference to the initial applicability section in the effective date section, thus clarifying that the effective date and the initial applicability for the standardized home study requirement are both six months after publication.

BILL HISTORY

Assembly Amendment 1 was offered by Representative Kleefisch. On September 24, 2015, the Assembly adopted Assembly Amendment 1 and passed Assembly Bill 39, as amended, on voice votes.

RES:jal