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**WISCONSIN LEGISLATIVE COUNCIL  
AMENDMENT MEMO**

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<b>January 2018 Special Session Senate Bill 2</b>	<b>Senate Amendments 1, 3, and 4</b>
<i>Memo published: April 9, 2018</i>	<i>Contact: Andrea Brauer, Staff Attorney</i>

**JANUARY 2018 SPECIAL SESSION SENATE BILL 2**

Current statutes authorize the Department of Health Services (DHS) to require able individuals between 18 and 60 years old to participate in the FoodShare Employment and Training Program (FSET) as a condition of FoodShare eligibility, unless the person is the caretaker of a child under the age of six, enrolled in school half-time or more, or participating in a Wisconsin Works employment position. In practice, however, participation in the FSET program is currently voluntary.

January 2018 Special Session Assembly Bill 2 (“the bill”) states that, beginning on October 1, 2019, DHS must require all able-bodied adults to participate in FSET as a condition of FoodShare eligibility to the extent allowed by the federal government, unless the person is the caretaker of a child under the age of six or enrolled in school half-time or more. DHS may continue to require certain other able individuals between 18 and 60 years old to participate in FSET.<sup>1</sup>

**SENATE AMENDMENT 1**

Assembly Amendment 1 modifies the extent to which participation in FSET can make a person eligible for a Wisconsin Shares child care subsidy. Wisconsin Shares is generally available to low-income families with children under the age of 13 who are participating in an

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<sup>1</sup>The term “able individuals” is not defined. An “able-bodied adult” is defined to mean anyone who is not: (1) younger than 18; (2) older than 50; (3) medically certified as physically or mentally unfit for employment; (4) exempt from the work requirement under federal law; or (5) pregnant. [s. 49.79 (1) (am), Stats.]

“approved activity.” Currently, participation in any component of FSET is considered an approved activity for Wisconsin Shares eligibility. Assembly Amendment 1 specifies that only the job search and work experience components of FSET are approved activities for Wisconsin Shares eligibility. This amendment reinstates the statutory language that existed prior to this session’s biennial budget, 2017 Wisconsin Act 59.

### **SENATE AMENDMENT 3**

Senate Amendment 3 states that DHS does not have to require able-bodied adults who are employed, as determined by DHS, to participate in FSET. It also requires DHS to request that the U.S. Department of Agriculture share at least some of the savings from reforms to Wisconsin’s food share program and FSET to facilitate administration of assisting able-bodied adults in finding employment.

### **SENATE AMENDMENT 4**

Senate Amendment 4 requests that the Joint Legislative Audit Committee direct the Legislative Audit Bureau to perform a financial and performance evaluation audit of FSET in 2019.

### **BILL HISTORY**

Senator Kapenga offered Senate Amendment 1 on February 5, 2018, and Senate Amendment 3 on February 13, 2018. Senator Olsen offered Senate Amendment 4 on February 13, 2018. On February 15, 2018, the Senate Committee on Public Benefits, Licensing, and State-Federal Relations recommended adoption of Senate Amendments 1 and 3, each on a vote of Ayes, 3; Noes, 2, and recommended adoption of Senate Amendment 4 unanimously. The committee then recommended passage of the bill, as amended, on a vote of Ayes, 3; Noes, 2.

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