



State of Wisconsin  
2017 - 2018 LEGISLATURE

January 2018 Special Session

LRB-5542/1  
TJD:kjf

## ENGROSSED ASSEMBLY BILL 2

February 16, 2018 - Printed by direction of SENATE CHIEF CLERK.

1     **AN ACT to amend** 49.155 (1m) (a) 3m., 49.79 (9) (a) 1. and 49.79 (9) (a) 2. of the  
2             **statutes; relating to:** statewide FoodShare employment and training program  
3             **requirement for able-bodied adults and Wisconsin Shares child care subsidy**  
4             **for FoodShare employment and training program participants.**

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*Analysis by the Legislative Reference Bureau*

***Engrossment information:***

The text of Engrossed January 2018 Special Session Assembly Bill 2 consists of the following documents adopted in the assembly on February 15, 2018: the bill as affected by Assembly Amendments 1, 2, 3, and 4. The text also includes the February 16, 2018, chief clerk's correction to January 2018 Special Session Assembly Bill 2 and chief clerk's correction to Assembly Amendment 3.

***Content of Engrossed January 2018 Special Session Assembly Bill 2:***

This bill requires the Department of Health Services to require all able-bodied adults to participate in the FoodShare employment and training program, known as FSET, except for able-bodied adults who are already employed, as determined by DHS; able-bodied adults who are caretakers of a child under the age of six; able-bodied adults who are at least half-time students; and caretakers of a dependent who is disabled. FoodShare is also known as the food stamp program and the federal Supplemental Nutrition Assistance Program and is administered by DHS. An able-bodied adult is 18 years of age or older but younger than 50 years of age, not pregnant, not exempt from a work requirement under federal regulations,

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and not determined to be medically certified as physically or mentally unfit for employment. Currently, able-bodied adults without dependents are required to comply with certain work requirements as a condition of FoodShare eligibility, though the FSET program is voluntary. The 2017 Biennial Budget Act, 2017 Wisconsin Act 59, specified that DHS may require able-bodied adults to participate in FSET and allowed DHS to require a subset of, instead of all, able individuals who are 18 to 60 years of age and who are not Wisconsin Works participants to participate in FSET, to the extent allowed by the federal government.

The bill requests the Joint Legislative Audit Committee to require the Legislative Audit Bureau to perform a financial and performance evaluation audit of FSET in 2019.

The bill restores language eliminated in the biennial budget act, 2017 Wisconsin Act 59. To receive a child care subsidy under Wisconsin Shares, an individual must be seeking child care to participate in an approved activity. Among the approved activities before Act 59 was participation in a job search or work experience component of FSET. The budget removed language such that participation in a component of FSET would be an approved activity. This bill restores the language such that participation in a job search or work experience component of FSET is an approved activity for purposes of Wisconsin Shares.

The bill also requires DHS to submit to the appropriate federal agency a request that, if the state's reforms to FoodShare and FSET result in savings to the federal government, the federal government would share those savings with the state to facilitate administration of assisting able-bodied adults in finding employment.

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

1           **SECTION 1g.** 49.155 (1m) (a) 3m. of the statutes, as affected by 2017 Wisconsin  
2 Act 59, is amended to read:

3           49.155 **(1m)** (a) 3m. Participating in a job search or work experience component  
4 of the food stamp employment and training program under s. 49.79 (9).

5           **SECTION 1m.** 49.79 (9) (a) 1. of the statutes, as affected by 2017 Wisconsin Act  
6 59, is amended to read:

7           49.79 **(9)** (a) 1. The department shall administer an employment and training  
8 program for recipients under the food stamp program and may contract with county  
9 departments under ss. 46.215, 46.22, and 46.23, multicounty consortia, local  
10 workforce development boards established under 29 USC 2832, tribal governing

1 bodies, or other organizations to carry out the administrative functions. A county  
2 department, multicounty consortium, local workforce development board, tribal  
3 governing body, or other organization may subcontract with a Wisconsin Works  
4 agency or another provider to administer the employment and training program  
5 under this subsection.

6 1g. Except as provided in subds. 2. and 3., beginning October 1, 2019, the  
7 department shall require, to the extent allowed by the federal government, all  
8 able-bodied adults in this state to participate in the employment and training  
9 program under this subsection, except for able-bodied adults who are employed, as  
10 determined by the department. The department may require other able individuals  
11 who are 18 to 60 years of age, or a subset of those individuals to the extent allowed  
12 by the federal government, who are not participants in a Wisconsin Works  
13 employment position to participate in the employment and training program under  
14 this subsection.

15 **SECTION 2c.** 49.79 (9) (a) 2. of the statutes is amended to read:

16 49.79 (9) (a) 2. The department may not require an individual who is a recipient  
17 under the food stamp program and who is either the caretaker of a child under the  
18 age of 6 or a caretaker of a dependent who is disabled, as defined in 49.468 (1) (a) 1.,  
19 to participate in any employment and training program under this subsection.

20 **SECTION 2r. Nonstatutory provisions.**

21 (1) FOODSHARE EMPLOYMENT AND TRAINING PROGRAM AUDIT. The joint legislative  
22 audit committee is requested to direct the legislative audit bureau to perform a  
23 financial and performance evaluation audit in 2019 of the FoodShare employment  
24 and training program. If the joint legislative audit committee directs the legislative

1 audit bureau to perform an audit, the legislative audit bureau shall file its report as  
2 described under section 13.94 (1) (b) of the statutes.

3 (2) SHARED SAVINGS. The department of health services shall submit to the U.S.  
4 department of agriculture a request that if reforms to the state's food stamp program  
5 and the food stamp employment and training program result in savings to the federal  
6 government, the U.S. department of agriculture will share at least some of the  
7 savings with the state to facilitate administration of assisting able-bodied adults in  
8 finding employment.

9 (END)