
Wisconsin Legislative Council

AMENDMENT MEMO



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2019 Senate Bill 533

Senate Amendment 1

2019 SENATE BILL 533

Under current law, adoptions may be deemed “special needs adoptions” that are eligible for federal adoption assistance payments. Federal law does not define “special needs” and leaves it to states to specify how special needs is defined. In Wisconsin, statutes require the Department of Children and Families (DCF) to define special needs by rule. Under current DCF rule, a child may be deemed to have “special needs” if one of several things is true at the time of adoptive placement, including:

- That the child is 10 years of age or older if age is the only factor in determining eligibility.
- That the child is a member of a sibling group of three or more children that must be placed together.

The bill expands eligibility for adoption assistance by directly amending the DCF rule. Under the bill, a child may be deemed to have special needs if, at the time of adoptive placement, either of the following is true:

- The child is seven years of age or older, instead of 10.
- The child is a member of a sibling group of two or more children, instead of three.

SENATE AMENDMENT 1

The amendment permits DCF to submit a request to the Joint Committee on Finance to transfer moneys from another DCF appropriation account to the appropriation account for adoption assistance in the second year of the current fiscal biennium in order to fund adoption assistance payments.

BILL HISTORY

Senators Darling and Olsen introduced 2019 Senate Bill 533 on October 31, 2019. Senator Darling offered Assembly Amendment 1 on January 6, 2020. On January 10, 2020, the Senate Committee on Universities, Technical Colleges, and Children and Families recommended adoption of the amendment and passage of the bill, as amended, on votes of Ayes, 6; Noes, 1.

AS:RES:ksm