
Wisconsin Legislative Council

AMENDMENT MEMO



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2019 Senate Bill 61

Senate Amendment 1

2019 SENATE BILL 61

Senate Bill 61 creates a presumption that minors are qualified and competent to contract for admission to a shelter facility or transitional living program, if three conditions are met:

- The minor is 17 years of age.
- The minor is not under the supervision of a county department, a child welfare agency, the Department of Children and Families, or the Department of Corrections, or under the jurisdiction of the court.
- A local educational agency liaison designated under the federal McKinney-Vento Homeless Assistance Act (generally referred to as a school's homeless liaison) confirms that the minor is an unaccompanied youth under that act, meaning the minor is a homeless child or youth not in the physical custody of a parent or guardian.

Under the bill, a “shelter facility” means a temporary place of lodging for homeless individuals or families. The bill clarifies that the defense of infancy does not apply to any contracts with a minor entered into based on the presumption created by the bill.

SENATE AMENDMENT 1

Senate Amendment 1 changes the bill in three ways. First, the amendment removes the word “homeless” from the definition of “shelter facility.” Second, the amendment requires a school's homeless liaison to obtain a minor's consent to disclose the minor's status as an unaccompanied youth. Third, the amendment allows an employee of a shelter facility or transitional living program who conducts intake to confirm that the minor is an unaccompanied youth, if a school's homeless liaison is not available.

BILL HISTORY

Senator Darling offered Senate Amendment 1 on April 8, 2019. On September 25, 2019, the Senate Committee on Universities, Technical Colleges, Children and Families recommended adoption of the amendment, and passage of the bill, as amended, on votes of Ayes, 7; Noes, 0.

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