



2019 SENATE BILL 61

March 1, 2019 - Introduced by Senators DARLING, JOHNSON, OLSEN and RINGHAND, cosponsored by Representatives LOUDENBECK, SNYDER, BALLWEG, FELZKOWSKI, FIELDS, HORLACHER, KNODL, KOLSTE, MURSAU, PLUMER, SINICKI, SKOWRONSKI, SUBECK, C. TAYLOR, THIESFELDT, TITTL, TUSLER and ZIMMERMAN. Referred to Committee on Universities, Technical Colleges, Children and Families.

- 1 **AN ACT to create** 48.9875 of the statutes; **relating to:** a minor contracting for
2 admission to a shelter facility or transitional living program.

Analysis by the Legislative Reference Bureau

Under this bill, a minor is presumed to be competent to contract for admission to a shelter facility or transitional living program if the minor is 17 years of age; a local educational agency liaison designated under the federal McKinney–Vento Homeless Assistance Act confirms that the minor is an unaccompanied youth as defined under that act; and the minor is not under the supervision of a county department of social or human services, a licensed child welfare agency, the Department of Children and Families, or the Department of Corrections under the Children’s Code or the Juvenile Justice Code or under the jurisdiction of the court assigned to exercise jurisdiction under the Children’s Code and the Juvenile Justice Code. Under the bill, a shelter facility is a temporary place of lodging for homeless individuals or families. Under the McKinney–Vento Homeless Assistance Act, an unaccompanied youth is a homeless child or youth not in the physical custody of a parent or guardian. The bill exempts this type of contract with a minor from the defense of infancy, which under current law is a defense to liability under a contract that is available to minors.

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

