



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa1076/1
PJK:jld:rs

**SENATE AMENDMENT 6,
TO 2009 SENATE BILL 331**

November 5, 2009 – Offered by Senators DARLING, LAZICH, SCHULTZ, HOPPER,
KANAVAS, KAPANKE, GROTHMAN, LEIBHAM and COWLES.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 2: after “provided” insert “; prohibiting child care subsidy
payments under Wisconsin Works for child care provided by another provider to a
child of a child care provider; granting rule-making authority;”.

3 **2.** Page 21, line 12: after that line insert:

4 “**SECTION 36j.** 49.155 (3m) (d) of the statutes is renumbered 49.155 (3m) (d) 1.
5 and amended to read:

6 49.155 (**3m**) (d) 1. No funds distributed under par. (a) may be used for child care
7 services that are provided for a child by a child care provider who is the parent of the
8 child or who resides with the child, ~~unless the county determines that the care is~~
9 ~~necessary because of a special health condition of the child.~~

10 **SECTION 36k.** 49.155 (3m) (d) 2., 3. and 4. of the statutes are created to read:

1 49.155 (3m) (d) 2. If a child’s parent is a child care provider, no funds
2 distributed under par. (a) may be used for child care services that are provided for
3 the child by another child care provider who is not the child’s parent.

4 3. Subdivision 1. or 2. does not apply if the child’s parent has applied for, and
5 been granted, a waiver of the prohibition under subd. 1. or 2. by the county
6 department or agency or by the department.

7 4. The department shall by rule specify the circumstances, or standards for
8 determining the circumstances, under which the department will grant a waiver
9 under subd. 3.”.

10 **3.** Page 23, line 23: after that line insert:

11 “**SECTION 39r. Nonstatutory provisions.**

12 (1) **RULES FOR WAIVER UNDER WISCONSIN SHARES.** The department of children and
13 families shall submit in proposed form the rules required under section 49.155 (3m)
14 (d) 4. of the statutes, as created by this act, to the legislative council staff under
15 section 227.15 (1) of the statutes no later than the first day of the 4th month
16 beginning after the effective date of this subsection.”.

17 **4.** Page 24, line 1: delete “This act” and substitute “Except for the renumbering
and amendment of section 49.155 (3m) (d) of the statutes, the creation of section
49.155 (3m) (d) 2., 3., and 4. of the statutes, and SECTION 39r of this act, this act”.

18 **5.** Page 24, line 7: after that line insert:

19 “(1m) **NO CHILD CARE SUBSIDY FOR PARENT WHO IS CHILD CARE PROVIDER.** The
20 renumbering and amendment of section 49.155 (3m) (d) of the statutes and the
21 creation of section 49.155 (3m) (d) 2., 3., and 4. of the statutes first apply to child care

1 services provided for a child who first receives child care services under the program
2 under section 49.155 of the statutes on the effective date of this subsection.”.

3 **6.** Page 24, line 13: after that line insert:

4 “(1m) NO CHILD CARE SUBSIDY FOR PARENT WHO IS CHILD CARE PROVIDER. The
5 renumbering and amendment of section 49.155 (3m) (d) of the statutes, the creation
6 of section 49.155 (3m) (d) 2., 3., and 4. of the statutes and SECTIONS 39r and 40 (1m)
7 of this act take effect on the day after publication.”.

8 (END)