

4

5

6

7

8

9

10

11

State of Misconsin 2019 - 2020 LEGISLATURE

LRBs0155/2 EAW:cdc

ASSEMBLY SUBSTITUTE AMENDMENT 1, TO ASSEMBLY BILL 560

December 6, 2019 - Offered by Representative SNYDER.

AN ACT to create 48.415 (2) (b) of the statutes; relating to: termination of parental rights if a child has been placed outside the home for 15 of the last 22 months.

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

SECTION 1. 48.415 (2) (b) of the statutes is created to read:

48.415 (2) (b) That all of the following apply, except that if a parent filed the petition under s. 48.255 that resulted in the order under subd. 1., that parent's parental rights may not be terminated under this paragraph:

1. That the child has been adjudged to be a child or an unborn child in need of protection or services and placed, or continued in a placement, outside his or her home pursuant to one or more court orders under s. 48.345, 48.347, 48.357, 48.363, or 48.365, containing the notice required by s. 48.356 (2).

- 2. That the child has been placed outside his or her home, as described in s. 48.365 (1), for 15 of the most recent 22 months, not including any period during which the child was a runaway from the out-of-home placement or was residing in a trial reunification home.
- 3. That a review panel or court has not, in the 22 months prior to the filing of the petition to terminate parental rights, made a finding in a permanency review under s. 48.38 (5) or a permanency hearing under s. 48.38 (5m) that the agency failed to make reasonable efforts to achieve a permanency goal.
- 4. If the child is an Indian child, that continued custody of the Indian child by the Indian child's parent or Indian custodian is likely to result in serious emotional or physical damage to the Indian child under s. 48.028 (4) (e) 1. and that active efforts under s. 48.028 (4) (e) 2. have been made to prevent the breakup of the Indian child's family and those efforts have proved unsuccessful.

Section 2. Initial applicability.

(1) This act first applies to a court order required to contain the notice unders. 48.356 (2) granted on the effective date of this subsection.

(END)