



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1703/P3
TJD:klm&emw

DOA:.....Dombrowski, BB0316 - Require child support compliance for FoodShare

FOR 2017-2019 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; **relating to:** the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

This bill prohibits certain individuals and parents who refuse to cooperate in obtaining child support or determining the paternity of a child or who are delinquent in child support payments and do not satisfy an exception specified in the bill from being eligible for FoodShare benefits. FoodShare, also known as the food stamp program and the federal Supplemental Nutrition Assistance Program, provides benefits to eligible low-income households for the purchase of food. FoodShare is administered by DHS. The federal government pays the benefits for FoodShare, while the state and federal government share the cost of administration.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 49.79 (1) (bg) of the statutes is created to read:

49.79 (1) (bg) “Custodial parent” has the meaning given in s. 49.141 (1) (b).

SECTION 2. 49.79 (1) (em) of the statutes is created to read:

49.79 (1) (em) “Noncustodial parent” has the meaning given in s. 49.141 (1) (h).

SECTION 3. 49.79 (6m) of the statutes is created to read:

49.79 (6m) ELIGIBILITY DENIAL; CHILD SUPPORT NONCOMPLIANCE. (a) In this subsection, what constitutes a refusal to cooperate is determined by the department in accordance with 7 USC 2015 (l) and (m) and any federal regulations promulgated under 7 USC 2015 (l) and (m).

(b) An individual is ineligible to participate in the food stamp program in a month in which any of the following is true:

1. The individual satisfies all of the following:

a. The individual is a custodial parent of or lives with and exercises parental control over a child who is under the age of 18 and who has an absent parent.

b. The individual refuses to cooperate fully, in good faith, with efforts directed at establishing or enforcing any support order or obtaining any other payments or property to which that individual or the child may have rights.

c. The individual does not have good cause for refusing to cooperate, as determined by the department in accordance with 7 USC 2015 (l) (2) and any federal regulations promulgated under 7 USC 2015 (l) (2).

2. The individual is a noncustodial parent of a child under the age of 18 and the individual refuses to cooperate in providing or obtaining support for the child.

SECTION 4. 49.79 (6q) of the statutes is created to read:

49.79 (6q) ELIGIBILITY DENIAL; PATERNITY. (a) In this subsection, the department shall determine what constitutes a refusal to cooperate in accordance with 7 USC

2015 (l) and (m) and any federal regulations promulgated under 7 USC 2015 (l) and (m).

(b) An individual is ineligible to participate in the food stamp program in a month in which any of the following is true:

1. The individual satisfies all of the following:

a. The individual is a custodial parent of or lives with and exercises parental control over a child who is under the age of 18 and who has an absent parent.

b. The individual refuses to cooperate fully, in good faith, with applicable efforts directed at establishing the paternity of the child.

c. The individual does not have good cause for refusing to cooperate, as determined by the department in accordance with 7 USC 2015 (l) (2) and any federal regulations promulgated under 7 USC 2015 (l) (2).

2. The individual is one of the following and refuses to cooperate fully, in good faith, with efforts directed at establishing the paternity of the child:

a. Alleged to be the father under s. 767.80 of a child under the age of 18.

b. A noncustodial parent of a child under the age of 18 for whom paternity has not been established.

SECTION 5. 49.79 (6t) of the statutes is created to read:

49.79 (6t) ELIGIBILITY DENIAL; DELINQUENT SUPPORT. An individual is ineligible to participate in the food stamp program in a month in which the individual is obligated by court order to provide support payments and is delinquent in making those court-ordered payments, unless any of the following is true:

(a) The delinquency balance equals less than 3 months of the court-ordered support payment amount.

(b) A court or a county child support agency under s. 59.53 (5) is allowing the individual to delay the child support payments.

(c) The individual is complying with a payment plan approved by a county child support agency under s. 59.53 (5) to provide support for the child of the individual.

(d) The individual is participating in an employment and training program, as determined by the department.

(END)