



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 79
[2009 Senate Bill 347]

**Compliance With Federal Child
Welfare Laws**

2009 Wisconsin Act 79 makes changes to the Children's Code and the Juvenile Justice Code [chs. 48 and 938, Stats.] to bring them into compliance with several federal acts: the Safe and Timely Interstate Placement Act of Foster Children of 2006, the Child and Family Services Improvement Act of 2006, and the Fostering Connections to Success and Increasing Adoptions Act of 2008. The Act also makes changes to the Children's Code in order to conform it to requirements under the Federal Child Abuse and Prevention and Treatment Act relating to reporting of infant drug exposure.

The Act also makes the following changes to current law:

- Authorizes a circuit court commissioner to review a child's permanency plan.
- Clarifies what an out-of-home placement is for purposes of the requirement to file a termination of parental rights petition when a child has been in an out-of-home placement for 15 of the last 22 months.
- Permits disclosure of confidential child welfare records to a relative of a child for purposes of facilitating the establishment of a relationship between the child and the relative or placement of the child with the relative and to a public or private agency in this state or in any other state for purposes of investigating a proposed foster or adoptive placement.
- Changes the effective date of a provision created in 2009 Wisconsin Act 28, the Biennial Budget Act, that will provide for the pass through of child support arrears collected while a person was participating in the Wisconsin Works (W-2) Program or receiving Supplemental Security Income Payments. Under the Act, this provision will take effect on April 1, 2010, but will first apply to arrearages collected on January 1, 2010.

Effective date: Act 79 takes effect on January 1, 2010.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.