



1999 ASSEMBLY BILL 128

February 16, 1999 - Introduced by Representatives PLOUFF, JESKEWITZ, BLACK, GRONEMUS, HUBER, KEDZIE, KLUSMAN, KREIBICH, KREUSER, KRUG, LA FAVE, LASSA, J. LEHMAN, MEYER, MILLER, MORRIS-TATUM, MUSSER, POCAN, POWERS, RILEY, RYBA, SCHNEIDER and STASKUNAS, cosponsored by Senators MOORE, JAUCH, DARLING, ERPENBACH, GROBSCHMIDT and ROBSON. Referred to Committee on Children and Families.

1 **AN ACT to amend** 49.145 (3) (b) 1. of the statutes; **relating to:** exempting certain
2 income earned by a dependent or developmentally disabled child from
3 consideration in determining financial eligibility for Wisconsin works.

Analysis by the Legislative Reference Bureau

Under current law, an individual who has an gross income of 115% of the federal poverty line or less and who meets certain other financial and nonfinancial criteria is eligible for Wisconsin works (W-2). In calculating the gross income of an individual, a W-2 agency must include all earned and unearned income of that individual except amounts received under W-2 or as an earned income tax credit.

This bill prohibits a W-2 agency, in calculating an individual's earned and unearned income, from considering income earned by a dependent child (generally, a child under the age of 18) of the individual or by the individual's developmentally disabled child who is under the age of 22 and is attending elementary, secondary or technical school.

For further information see the *state and local* 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:

4 **SECTION 1.** 49.145 (3) (b) 1. of the statutes is amended to read:

ASSEMBLY BILL 128**SECTION 1**

1 49.145 (3) (b) 1. All earned and unearned income of the individual, except any
2 amount received under section 32 of the internal revenue code, as defined in s. 71.01
3 (6), any amount received under s. 71.07 (9e), any payment made by an employer
4 under section 3507 of the internal revenue code, as defined in s. 71.01 (6), and any
5 assistance received under s. 49.148. In determining the earned and unearned
6 income of the individual, the Wisconsin works agency may not include income earned
7 by a dependent child of the individual or by any child of the individual who is under
8 the age of 22, is developmentally disabled, as defined in s. 48.02 (5), and is attending
9 school, as defined in s. 49.26 (1) (a) 2.

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(END)